

Regular Meeting, Wednesday, December 8, 2021, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Gerald Garber, Chairman
Butch Wells, Vice-Chair
Pam Carter
Michael Shull
Scott Seaton
Steve Morelli
Jeffrey Slaven
Timothy K. Fitzgerald, County Administrator
Jennifer M. Whetzel, Deputy County Administrator
John Wilkinson, Director of Community Development
Leslie Tate, Senior Planner
James Benkahla, County Attorney
Angie Michael, Executive Assistant

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, December 8, 2021, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 246th year of the Commonwealth....

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Chairman Garber welcomed those present for the meeting.

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Steve Morelli, Supervisor for the South River District led the Board in the Pledge of Allegiance.

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Ms. Carter, Supervisor for the Pastures District, delivered the invocation.

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2021 MAGISTERIAL DISTRICT REDISTRICTING

This being the day and time advertised to consider the four draft map options and associated draft ordinances for the Magisterial District boundaries.

Leslie Tate, Senior Planner, reiterated that the voting locations have not been determined and this decision will not impact schools. Ms. Tate reviewed what redistricting is and how the process is handled. The first three draft maps were discussed during the November 22, 2021 Board of Supervisors meeting. The fourth map is the main focus of this public hearing. The population deviation for map four is 4.7%.

The Chairman declared the public hearing open.

Nancy Sorrells submitted the following statement:

Good evening. I wanted first to thank you and the county supervisors and planning staff for listening to the people recently and coming up with a fourth option on the magisterial district map that fixes the major problem with the Middlebrook corridor. I would like to ask you to approve Map No. 4. I would, though, like to weigh in on the bigger picture. As I am sure that you know, Map 4 provides only a Band-Aid solution. Speaking as someone who saw what a hard struggle this was in 2011, I know that the county's task is only going to get harder in 2031.

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2021 MAGISTERIAL DISTRICT REDISTRICTING (CONT'D)

In the long run, the county needs to think outside the box and stop "Robbing Peter to pay Paul" on the issue of magisterial districts. As population centers shift, the problems of taking a little bit from this district and adding it to that district have created a county district map so convoluted as to be almost unworkable - - Beverley Manor and Wayne Districts are now clumps of unrelated communities that wrap around the two cities. Of necessity those two districts now have extended tentacles into other neighboring districts, and the community of Stuarts Draft has portions of FOUR different districts -- South River, Beverley Manor, Riverheads, and Wayne.

Further, if we continue down this current path, we will have some districts that keep getting smaller and smaller because they are densely populated -- Beverley Manor, Wayne, and South River -- and some that become giant -- Pastures and North River for instance. While this is legally fair and necessary to achieve as much as possible equal populations and thus protect one person, one vote, it becomes increasingly unfair to the supervisors representing those geographically huge communities. How are they supposed to stay in touch and stay on top of issues that are so far from where they live?

This is not the county's fault, but there has to be a better way. Nobody anticipated putting a hospital in Fishersville or moving county services to Verona, or building so many factories in Stuarts Draft.

The county needs to consult with VACO about how to go about revamping the entire map. Perhaps it can, with guidance and direction from VACO, the state, and lawyers who know the state code, form a special board (that includes citizen members) and work toward a long-term, workable solution over the next year. Maybe we go to five districts; maybe we go to six and elect an at large chair as the seventh board member. I am sure that there are plenty of ways to get this genie back in the bottle. In addition, there are certainly plenty of examples out there among Virginia's other counties.

I also think the special board would best be served by NOT having any current serving Board of Supervisors members on such a committee as it creates the appearance of a conflict of interest (a compromise could be that supervisors serve on the board but only as non-voting participants).

Steve Morris, Churchville, thanked the Board for listening to the citizens' concerns and spoke in favor of the map four option.

David Zimmerman, Verona, does not approve of any of the maps; however, map four would be the best option.

There being no other speakers, the Chairman declared the public hearing closed.

No table of contents entries found..

CHAPTER 8. ELECTION DISTRICTS.

Article I. Magisterial Districts.

§ 8-1. Number of districts.

There shall be seven (7) Magisterial Districts in Augusta County.

§ 8-2. Name of districts.

The names of the seven (7) Magisterial Districts shall be Beverley Manor, Middle River, North River, Pastures, Riverheads, South River, and Wayne.

§ 8-3. Boundary of districts.

The boundaries of the seven (7) Magisterial Districts shall be:

BEVERLEY MANOR: Beginning where Lee Highway (U.S. Route 11) meets Staunton Corporate Limits, continuing in a northerly direction along the centerline of Lee Highway to the intersection of Lee Highway (U.S. Route 11) and the Middle River, continuing in an easterly direction along the centerline of the Middle River to the southbound lane of Interstate 81, continuing in a northerly direction along the centerline of the southbound lane of Interstate 81 to Toll Gate Road (Route 742), continuing in a southeasterly direction along the centerline of Toll Gate Road to the Middle River, continuing in an easterly direction along the centerline of the Middle River to its confluence with Christians Creek, continuing in a southerly direction along the centerline of Christians Creek to Laurel Hill Road (Route 612), continuing in a southeasterly

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direction along the centerline of Laurel Hill Road to the intersection of Laurel Hill Road and Stiles Circle, continuing in an easterly direction along the centerline of Stiles Circle to the intersection of Stiles Circle and Laurel Hill Road (Route 612), continuing in an easterly direction along the centerline of Laurel Hill Road to the intersection of Laurel Hill Road (Route 612) Battlefield Road (Route 608), continuing in a southerly direction along the centerline of Battlefield Road, which becomes Long Meadow Road (Route 608), continuing in a southerly direction along the centerline of Long Meadow Road to the intersection of Long Meadow Road (Route 608) and Saint James Road, continuing in a northwesterly direction along the centerline of Saint James Road to the intersection of Saint James Road and Barrenridge Road (Route 642), continuing in a southwesterly direction along the centerline of Barrenridge Road, which becomes Mule Academy Road at the intersection with Jefferson Highway (U.S. Route 250), continuing in a southerly direction along the centerline of Mule Academy Road to the intersection of Mule Academy Road and Tinkling Spring Road (Route 608), continuing in a southwesterly direction along the centerline of Tinkling Spring Road to the intersection of Tinkling Spring Road (Route 608) and Augusta Farms Road (Route 635), continuing in a southerly direction along the centerline of Augusta Farms Road to the intersection of Augusta Farms Road (Route 635) and Round Hill Drive (Route 649), continuing in a northeasterly direction along the centerline of Round Hill Drive to the intersection of Round Hill Drive (Route 649) and Tinkling Spring Road (Route 608), continuing in a northerly direction along the centerline of Tinkling Spring Road to the intersection of Tinkling Spring Road (Route 608) and Christians Creek Road (Route 648), continuing in a northwesterly and then westerly direction along the centerline of Christians Creek Road to Folly Mills Creek, continuing in a westerly direction along the centerline of Folly Mills Creek to Lee Jackson Highway (U.S. Route 11), continuing in a southerly direction along the centerline of Lee Jackson Highway to the intersection of Lee Jackson Highway (U.S. Route 11) and Cochrans Mill Road (Route 871), continuing in a westerly direction along the centerline of Cochrans Mill Road to the intersection of Cochrans Mill Road (Route 871) and Old Greenville Road (Route 613), continuing in a northerly direction along the centerline of Old Greenville Road to the intersection of Old Greenville Road (Route 613) and the Staunton bypass, following the Staunton bypass northbound onramp to Old Greenville Road to the Staunton Corporate Limits, following the Staunton Corporate Limits in a northeasterly, then easterly, then northeasterly, then northerly, then westerly, then northerly direction to where Lee Highway (U.S. Route 11), meets the Staunton Corporate Limits, the beginning.

MIDDLE RIVER: Beginning at the intersection of the southbound lane of Interstate 81 and the Rockingham County line, continuing in a southerly direction along the centerline of the southbound lane of Interstate 81 to Toll Gate Road (Route 742), continuing in a southeasterly direction along the centerline of Toll Gate Road to the Middle River, continuing in an easterly direction along the centerline of the Middle River to its confluence with Christians Creek, continuing in a southerly direction along the centerline of Christians Creek to Laurel Hill Road (Route 612), continuing in a southeasterly direction along the centerline of Laurel Hill Road to the intersection of Laurel Hill Road and Stiles Circle, continuing in an easterly direction along the centerline of Stiles Circle to the intersection of Stiles Circle and Laurel Hill Road (Route 612), continuing in an easterly direction along the centerline of Laurel Hill Road to the intersection of Laurel Hill Road (Route 612) and Battlefield Road (Route 608), continuing in a southerly direction along the centerline of Battlefield Road, which becomes Long Meadow Road (Route 608), continuing in a southerly direction along the centerline of Long Meadow Road to the intersection of Long Meadow Road (Route 608) and Hermitage Road (Route 254), continuing in a southeasterly direction along the centerline of Hermitage Road to the intersection of Hermitage Road (Route 254) and Hildebrand Church Road (Route 619), continuing in an easterly direction along the centerline of Hildebrand Church Road to the intersection of Hildebrand Church Road (Route 619) and Rockfish Road (Route 865), continuing in a northeasterly direction along the centerline of Rockfish Road to the intersection of Rockfish Road (Route 865) and Robert Turk Lane (Route 619), continuing in an easterly direction along the centerline of Robert Turk Lane to a point about 0.22 miles west of the terminus of Robert Turk Lane, the South River, continuing in a northeasterly direction along the centerline of the South River to the southern edge of U.S. Census Block 1020, continuing in an easterly direction along the southern edge of U.S. Census Block 1020 to the Norfolk Southern railroad tracks, continuing in a 2021

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southerly direction along the centerline of the Norfolk Southern railroad tracks to the intersection of the Norfolk Southern railroad tracks and Holloway Farm Lane, continuing in an easterly direction along the centerline of Holloway Farm Lane to the intersection of Holloway Farm Lane and Eastside Highway (U.S. Route 340), continuing in a southerly direction along the centerline of Eastside Highway to the intersection of Eastside Highway (U.S. Route 340) and Dooks Crossing Road (Route 611), continuing in an easterly direction along the centerline of Dooks Crossing Road to a Virginia Power power line, continuing in a northerly direction along a Virginia Power power line to a Virginia Power transmission line, continuing in an easterly direction along the Virginia Power transmission line to Dooks Crossing Road (Route 619), continuing in an easterly direction along the centerline of Dooks Crossing Road, which becomes Calf Mountain Road (Route 622), continuing in an southeasterly direction along the centerline of Calf Mountain Road to the Virginia Power transmission line easement, continuing in an easterly direction along the the Virginia Power transmission line to the Albemarle County line, continuing in a northerly direction along the Albemarle County line to the Rockingham County line, continuing in a northwesterly direction along the Rockingham County line to the intersection of the Rockingham County line and Interstate 81, the beginning.

NORTH RIVER: Beginning at the intersection of the southbound lane of Interstate 81 and the Rockingham County line, following in a southerly direction along the centerline of the southbound lane of Interstate 81 to the Middle River, continuing in a westerly direction along the centerline of the Middle River to Lee Highway (U.S. Route 11), continuing in a southerly direction along the centerline of Lee Highway to the Staunton corporate limits, continuing in a westerly then northerly then westerly then southwesterly direction along the Staunton Corporate Limits to where the Staunton Corporate Limits meet Spring Hill Road (Route 613), continuing in a northerly direction along the centerline of Spring Hill Road to the intersection of Spring Hill Road (Route 613) and Pleasant View Road (Route 612), continuing in a westerly direction along the centerline of Pleasant View Road to the intersection of Pleasant View Road (Route 612) and Shutterlee Mill Road (Route 742), continuing in a northerly direction along the centerline of Shutterlee Mill Road to the intersection of Shutterlee Mill Road (Route 742) and Luck Stone Road (Route 728), continuing in a northwesterly direction along the centerline of Luck Stone Road to the intersection of Luck Stone Road (Route 728) and Union Church Road (Route 732), continuing in a northerly direction along the centerline of Union Church Road to its intersection with the Middle River, continuing in a westerly direction along the centerline of the Middle River to its confluence with the Jennings Branch, continuing in a westerly direction along the centerline of the Jennings Branch to Hangers Mill Road, continuing in a northwesterly direction along the centerline of Hangers Mill Road to the intersection of Hangers Mill Road and Hotchkiss Road (Route 835), continuing in a northerly direction along the centerline of Hotchkiss Road to the intersection of Hotchkiss Road (Route 835) and Bobwhite Lane, continuing in a northwesterly direction along the centerline of Bobwhite Lane to the western edge of U.S. Census Block 1002, continuing in a northwesterly and then westerly direction along the western edge of U.S. Census Block 1002 to U.S. Census Block 1001, continuing in a westerly direction along the southern edge of U.S. Census Block 1001 to Scenic Highway (Route 42), continuing in a northerly direction along the centerline of Scenic Highway to the intersection of Scenic Highway (Route 42) and Stover Shop Road (Route 728), continuing in a northwesterly direction along the centerline of Stover Shop Road to the western edge of U.S. Census Block 2031, continuing in a northwesterly direction along the western edge of U.S. Census Block 2031 to the western edge of U.S. Census Block 2033, continuing in a northerly and then easterly direction along the western edge of U.S. Census Block 2033 to the Staunton Reservoir and North River, continuing in a westerly direction along the centerline of the North River to its confluence with Elkhorn Lake, continuing in a southerly and then westerly direction along the edge of Elkhorn Lake to Elkhorn Lake Road back to the northern edge of U.S. Census Block 3017, continuing in a westerly direction along the northern edge of U.S. Census Block 3017 to Braley Pond Road, continuing in an easterly direction along the centerline of Braley Pond Road to the North River Fire Service Road, continuing in a northerly direction along the centerline of the North River to its intersection with the North River, continuing in a northerly 2021

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direction along the centerline of the North River, back to the North River Fire Service Road and continuing in a northerly direction along the centerline of the North River Fire Service Road to its intersection with the North River, continuing in a northwesterly direction along the centerline of the North River back to the North River Fire Service Road, continuing in a northerly direction along the centerline of the North River Fire Service Road over Shenandoah Mountain to the Highland County line, continuing in a northerly direction along the Highland County line to the Pendleton County, West Virginia line, continuing in a northerly direction along the Pendleton County, West Virginia line to its intersection with the Rockingham County, Virginia line, continuing in a southeasterly direction along the Rockingham County, Virginia line to its intersection with the southbound lane of Interstate 81 the beginning.

PASTURES: Beginning at the intersection of the Highland County Line and the North River Fire Service Road and continuing in a southerly direction along the Highland County line to the Bath County line, continuing in a southerly and then northeasterly and then southerly and then southeasterly direction along the Bath County line to the Rockbridge County line, continuing in a southeasterly direction along the Rockbridge County line to the intersection of the Rockbridge County line and the top of Little North Mountain, continuing in a northeasterly direction along the top of Little North Mountain to the intersection of the top of Little North Mountain and Trimbles Mill Trail at Kings Gap, continuing in a southeasterly direction along the centerline of Trimbles Mill Trail to Boy Scout Lane (Route 806), continuing in an easterly direction along the centerline of Boy Scout Lane to the intersection of Boy Scout Lane and Trimbles Mill Road (Route 707), continuing in a northerly and then easterly direction along the centerline of Trimbles Mill Road to the intersection of Trimbles Mill Road (Route 707) and Cattleman Road (Route 876), continuing in a southerly direction along the centerline of Cattleman Road to the intersection of Cattleman Road (Route 876) and Glebe School Road (Route 602), continuing in a southerly direction along the centerline of Glebe School Road to the intersection of Glebe School Road (Route 602) and Mish Barn Road (Route 876), continuing in a southeasterly direction along the centerline of Mish Barn Road to the intersection of Mish Barn Road (Route 876) and Shirey Road, continuing in a northeasterly direction along the centerline of Shirey Road, which becomes Bowman Springs Road, continuing in a northeasterly direction along the centerline of Bowman Springs Road, which becomes Sugar Loaf Road, continuing in a northeasterly and then easterly direction along the centerline of Sugar Loaf Road to the intersection of Sugar Loaf Road and Middlebrook Road (Route 252), continuing in a northeasterly direction along the centerline of Middlebrook Road to the northern edge of U.S. Census Block 1025, continuing in an easterly and then southerly direction along the northern edge of U.S. Census Block 1025 to Stingy Hollow Road (Route 693), continuing in an easterly direction along the centerline of Stingy Hollow Road to the intersection of Stingy Hollow Road (Route 693) and Mill Creek Road (Route 872), continuing in a southeasterly direction along the centerline of Mill Creek Road, to the intersection of Mill Creek Road (Route 872) and Old Greenville Road (Route 613), continuing in an easterly and then northerly direction along the centerline of Old Greenville Road to the intersection of Old Greenville Road (Route 613) and the Staunton bypass (Route 262), continuing in a westerly direction along the Staunton bypass to the Staunton corporate limits, continuing in a westerly and then northerly and then easterly direction along the Staunton corporate limits to the intersection of the Staunton corporate limits and Spring Hill Road (Route 613), continuing in a northerly direction along the centerline of Spring Hill Road to the intersection of Spring Hill Road (Route 613) and Pleasant View Road (Route 612), continuing in a westerly direction along the centerline of Pleasant View Road to the intersection of Pleasant View Road (Route 612) and Shutterlee Mill Road (Route 742), continuing in a northerly direction along the centerline of Shutterlee Mill Road to the intersection of Shutterlee Mill Road (Route 742) and Luck Stone Road (Route 728), continuing in a northwesterly direction along the centerline of Luck Stone Road to the intersection of Luck Stone Road (Route 728) and Union Church Road (Route 732), continuing in a northerly direction along the centerline of Union Church Road to its intersection with the Middle River, continuing in a westerly direction along the centerline of the Middle River to its confluence with the Jennings Branch, continuing in a westerly direction along the centerline of the Jennings Branch to Hangers Mill Road, continuing in a northwesterly direction along the centerline of Hangers Mill Road to the intersection of Hangers Mill Road and Hotchkiss Road (Route 835), continuing in a northerly direction along

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the centerline of Hotchkiss Road to the intersection of Hotchkiss Road (Route 835) and Bobwhite Lane, continuing in a northwesterly direction along the centerline of Bobwhite Lane to the eastern edge of U.S. Census Block 1003, continuing in a northwesterly and then westerly direction along the northern edge of U.S. Census Block 1003 to Scenic Highway (Route 42), continuing in a northerly direction along the centerline of Scenic Highway to the intersection of Scenic Highway (Route 42) and Stover Shop Road (Route 728), continuing in a northwesterly direction along the centerline of Stover Shop Road to the eastern edge of U.S. Census Block 3104, continuing in a northwesterly direction along the eastern edge of U.S. Census Block 3104 to U.S. Census Block 3017, continuing in a northwesterly and then easterly and then northerly and then westerly direction along the eastern and northern edges of U.S. Census Block 3017 to the Staunton Reservoir and North River, continuing in a westerly direction along the centerline of the North River to its confluence with Elkhorn Lake, continuing in a southerly and then westerly direction along the edge of Elkhorn Lake to Elkhorn Lake Road, continuing in a westerly direction along Elkhorn Lake Road back to U.S. Census Block 3017, continuing in a westerly direction along the edge of U.S. Census Block 3017 to Braley Pond Road, continuing in an easterly direction along the centerline of Braley Pond Road to the North River, continuing in a northerly direction along the centerline of the North River to the North River Fire Service Road, continuing in a northerly direction along the centerline of the North River Fire Service Road to the North River, continuing in a northwesterly direction along the centerline of the North River back to the North River Fire Service Road, continuing in a northerly direction along the centerline of and the North River Fire Service Road over Shenandoah Mountain to the Highland County line, the beginning.

RIVERHEADS: Beginning at the intersection of the Rockbridge County line and the top of Little North Mountain, continuing in a northeasterly direction along the top of Little North Mountain to the intersection of the top of Little North Mountain and Trimble's Mill Trail, continuing in a southeasterly direction along the centerline of Trimble's Mill Trail to Boy Scout Lane (Route 806), continuing in an easterly direction along the centerline of Boy Scout Lane to the intersection of Boy Scout Lane and Trimble's Mill Road (Route 707), continuing in a northerly and then easterly direction along the centerline of Trimble's Mill Road to the intersection of Trimble's Mill Road (Route 707) and Cattleman Road (Route 876), continuing in a southerly direction along the centerline of Cattleman Road to the intersection of Cattleman Road (Route 876) and Glebe School Road (Route 602), continuing in a southerly direction along the centerline of Glebe School Road to the intersection of Glebe School Road (Route 602) and Mish Barn Road (Route 876), continuing in a southeasterly direction along the centerline of Mish Barn Road to the intersection of Mish Barn Road (Route 876) and Shirey Road, continuing in a northeasterly direction along the centerline of Shirey Road, which becomes Bowman Springs Road, continuing in a northeasterly direction along the centerline of Bowman Springs Road, which becomes Sugar Loaf Road, continuing in a northeasterly and then easterly direction along the centerline of Sugar Loaf Road to the intersection of Sugar Loaf Road and Middlebrook Road (Route 252), continuing in a northeasterly direction along the centerline of Middlebrook Road to the northern edge of U.S. Census Block 1025, continuing in an easterly and then southerly direction along the northern edge of U.S. Census Block 1025 to Stingy Hollow Road (Route 693), continuing in an easterly direction along the centerline of Stingy Hollow Road to the intersection of Stingy Hollow Road (Route 693) and Mill Creek Road (Route 872), continuing in a southeasterly direction along the centerline of Mill Creek Road, to the intersection of Mill Creek Road (Route 872) and Old Greenville Road (Route 613), which becomes Cochran's Mill Road, continuing in a southeasterly direction along the centerline of Cochran's Mill Road to the intersection of Cochran's Mill Road and Lee Jackson Highway (U.S. Route 11), continuing in a northerly direction along the centerline of Lee Jackson Highway to Folly Mills Creek, continuing in an easterly direction along the centerline of Folly Mills Creek to Christians Creek Road (Route 648), continuing in a southeasterly direction along the centerline of Christians Creek Road to the intersection of Christians Creek Road (Route 648) and Tinkling Spring Road (Route 608), continuing in a southerly direction along the centerline of Tinkling Spring Road, which becomes Draft Avenue at its intersection with Stuarts Draft

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Highway (U.S. Route 340), continuing in a southerly direction along the centerline of Draft Avenue to the intersection of Draft Avenue (Route 608) and Cold Springs Road (Route 608), continuing in a westerly direction along the centerline of Cold Springs Road to the intersection of Cold Springs Road (Route 608) and Horseshoe Circle (Route 842), continuing in a southerly direction along the centerline of Horseshoe Circle to the intersection of Horseshoe Circle (Route 842) and Cherokee Drive, continuing in an easterly then southeasterly direction along the centerline of Cherokee Drive to its intersection with Johns Run, continuing in a southerly direction along the centerline of Johns Run to Coal Road, continuing in an easterly direction along the centerline of Coal Road to its intersection with Coles Run, continuing in a southerly and then westerly direction along the centerline of Coles Run, to the Jeep Trail on Big Levels across Flint Mountain and along the top of Bald Mountain to the Nelson County line, continuing in a southwesterly direction along the Nelson County line to the Rockbridge County line, continuing in a northwesterly direction along the Rockbridge County Line to the intersection of the Rockbridge County line and the top of Little North Mountain, the beginning.

SOUTH RIVER: Beginning at the intersection of the Nelson County Line and Interstate 64, continuing in a westerly direction along the centerline of Interstate 64 to the intersection of Interstate 64 and the Corporate Limits of the City of Waynesboro, continuing in a southerly then northerly then westerly direction around the Corporate Limits of the City of Waynesboro to Stuarts Draft Highway (U.S. Route 340), continuing in a westerly direction along the centerline of Stuarts Draft Highway to the intersection of Stuarts Draft Highway (U.S. Route 340) and Kindig Road (Route 635), continuing in a northerly and then northwesterly direction along the center line of Kindig Road to the intersection of Kindig Road (Route 635) and Augusta Farms Road (Route 643), continuing in a southerly direction along the centerline of Augusta Farms Road to the intersection of Augusta Farms Road (Route 635) and Round Hill Drive (Route 649), continuing in a northeasterly direction along the centerline of Round Hill Drive to the intersection of Round Hill Drive (Route 649) and Tinkling Spring Road (Route 608), continuing in a southerly direction along the centerline of Tinkling Spring Road, which becomes Draft Avenue at its intersection with Stuarts Draft Highway (U.S. Route 340), continuing in a southerly direction along the centerline of Draft Avenue to the intersection of Draft Avenue (Route 608) and Cold Springs Road (Route 608), continuing in a westerly direction along the centerline of Cold Springs Road to the intersection of Cold Springs Road (Route 608) and Horseshoe Circle (Route 842), continuing in a southerly direction along the centerline of Horseshoe Circle to the intersection of Horseshoe Circle (Route 842) and Cherokee Drive, continuing in an easterly then southeasterly direction along the centerline of Cherokee Drive to its intersection with Johns Run, continuing in a southerly direction along the centerline of Johns Run to Coal Road, continuing in an easterly direction along the centerline of Coal Road to its intersection with Coles Run, continuing in a southerly and then westerly direction along the centerline of Coles Run, to the Jeep Trail on Big Levels across Flint Mountain and along the top of Bald Mountain to the Nelson County line, continuing in an easterly and then southeasterly and then northeasterly direction along the Nelson County line, to the intersection of the Nelson County line and Interstate 64, the beginning.

WAYNE DISTRICT: Beginning at the intersection of the Nelson County Line and Interstate 64, continuing in a westerly direction along the westbound lane of Interstate 64 to the intersection of the westbound lane of Interstate 64 and the Corporate Limits of the City of Waynesboro, continuing in a northerly then westerly, then southerly direction around the Corporate Limits of the City of Waynesboro to the intersection of the Corporate Limits of the City of Waynesboro and Stuarts Draft Highway (Rt. 340), continuing in a westerly direction along the centerline of Stuarts Draft Highway (Rt. 340) to the intersection of Stuarts Draft Highway (Rt. 340) and Kindig Road (Route 635), continuing in a north and then northwesterly direction along the center line of Kindig Road to the intersection of Kindig Road (Route 635) and Augusta Farms Road (Route 635), continuing in a northerly direction along the centerline of Augusta Farms Road to the intersection of Augusta Farms Road (Route 635) and Tinkling Spring Road (Route 608), continuing in a northeasterly direction along the centerline of Tinkling Spring Road to the intersection of Tinkling Spring Road (Route 608) and Mule Academy Road, continuing in a northerly direction along the centerline of Mule Academy Road, which becomes Barrenridge

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Road (Route 642) at its intersection with Jefferson Highway (U.S. Route 250), continuing in a northerly direction along the centerline of Barrenridge Road to the intersection of Barrenridge Road (Route 642) and Saint James Road, continuing in a southeasterly direction along the centerline of Saint James Road to the intersection of Saint James Road (Route 795) and Long Meadow Road (Route 608), continuing in a northerly direction along the centerline of Long Meadow Road to the intersection of Long Meadow Road (Route 608) and Hermitage Road (Route 254), continuing in a southeasterly direction along the centerline of Hermitage Road to the intersection of Hermitage Road (Route 254) and Hildebrand Church Road (Route 619), continuing in an easterly direction along the centerline of Hildebrand Church Road to the intersection of Hildebrand Church Road (Route 619) and Rockfish Road (Route 865), continuing in a northerly direction along the centerline of Rockfish Road to the intersection of Robert Turk Lane, continuing in an easterly direction along the centerline of Robert Turk Lane to a point about 0.22 miles west of the terminus of Robert Turk Lane, continuing in a northeasterly direction along the centerline of the South River to the northern edge of U.S. Census Block 1022, continuing in an easterly direction along the northern edge of U.S. Census Block 1022 to the Norfolk Southern railroad tracks, continuing in a southerly direction along the centerline of the Norfolk Southern railroad tracks to the intersection of the Norfolk Southern railroad tracks and Holloway Farm Lane, continuing in an easterly direction along the centerline of Holloway Farm Lane to the intersection of Holloway Farm Lane and Eastside Highway (U.S. Route 340), continuing in a southerly direction along the centerline of Eastside Highway to the intersection of Eastside Highway (U.S. Route 340) and Dooms Crossing Road (Route 611), continuing in an easterly direction along the centerline of Dooms Crossing Road to a Virginia Power power line, continuing in a northerly direction along a Virginia Power power line to a Virginia Power transmission line, continuing in an easterly direction along the Virginia Power transmission line to Dooms Crossing Road (Route 622), continuing in an easterly direction along the centerline of Dooms Crossing Road to Calf Mountain Road (Route 622), continuing in an easterly direction along the centerline of Calf Mountain Road to the northern edge of the Virginia Power transmission line, continuing in an easterly direction along the Virginia Power transmission line to the intersection of the Virginia Power transmission line and the Albemarle County line, continuing in a southerly direction along the Albemarle County line to the Nelson County Line, continuing in a southerly direction along the Nelson County Line to the intersection of the Nelson County Line and the westbound lane of Interstate 64 the beginning.

§ 8-4. Population of districts.

The 2021 population of each District is:

Beverley Manor District	10,626
Middle River District	11,027
North River District	10,779
Pastures District	10,591
Riverheads District	11,025
South River District	11,122
Wayne District	11,094
(Ord. 12/12/01)	

§ 8-5. Election and term of county supervisors.

In each magisterial district there shall be chosen by the qualified voters thereof at the general election for such purpose one supervisor who shall hold office for the term of four years as provided by state law.

State law reference -- Virginia Code § 24.2-218.

§ 8-6. Election of school board members.

December 8, 2021, at 7:00 p.m.

2021 MAGISTERIAL DISTRICT REDISTRICTING (CONT'D)

A. The members of the school board shall be elected by popular vote. Elections of school board members shall be held to coincide with the elections for members of the governing body of the county at the regular general election for such purpose in November.

B. The elected school board shall consist of seven members, and the members shall be elected from the established county magisterial districts.

C. The election districts for the school board shall be coterminous with the magisterial districts for the county.

State law reference -- Virginia Code § 22.1-57.3.

Sections 8-7 through 8-10 reserved.

Article II. Absentee Voter Precinct

§ 8-11. Absentee voter precinct established.

There shall be one central absentee voter precinct in Augusta County for the purpose of receiving, counting and recording absentee ballots in elections. (Ord. 5/24/88; Ord. 2/22/06)

State law reference -- Virginia Code § 24.2-712.

§ 8-12. Same; location.

The central absentee voter precinct in Augusta County shall be established at the Augusta County Government Center. (Ord. 5/24/88; Ord. 2/22/06)

§ 8-13. Same; function.

The central absentee voter precinct in Augusta County shall receive, count and record all absentee ballots cast within the County in those elections for which such ballots shall be used. (Ord. 5/24/88; Ord. 2/22/06)

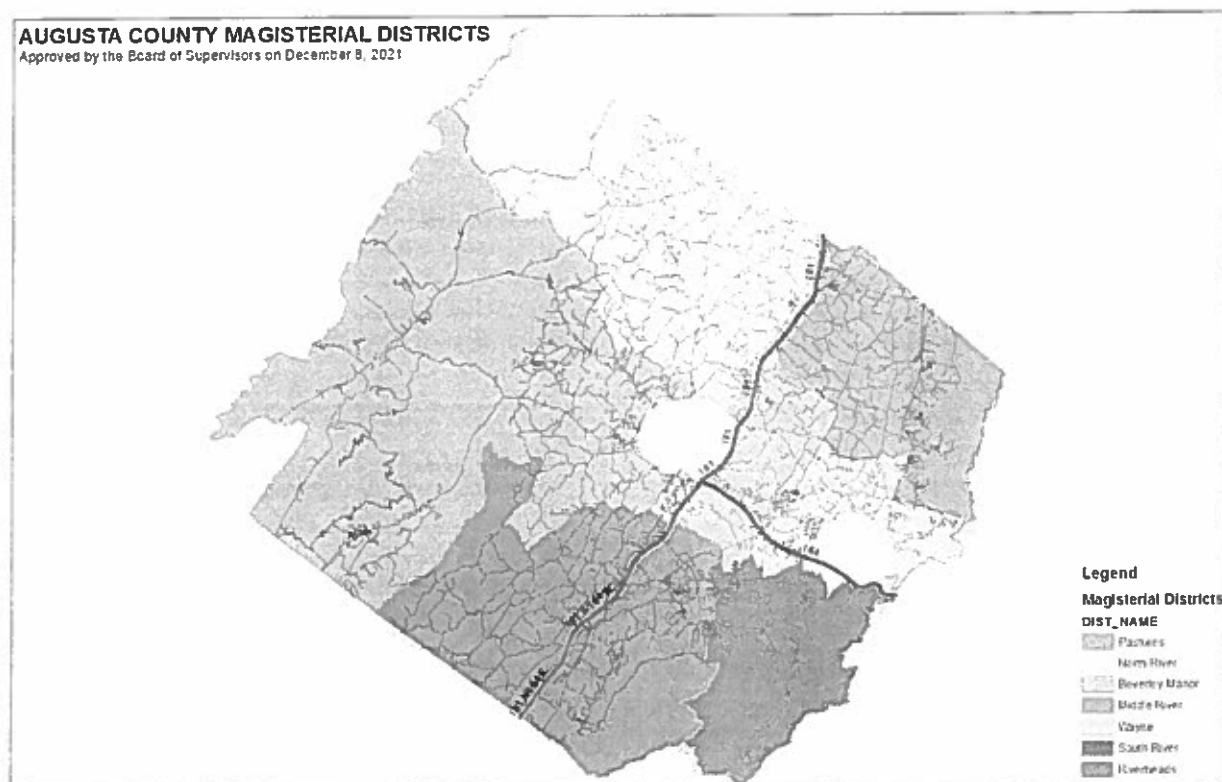
§ 8-14. Same; elections for which used.

The central absentee voter precinct in Augusta County shall be used for all elections held in the County. (Ord. 5/24/88; Ord. 9/13/00, effective 1/1/01; Ord. 2/22/06)

Sections 8-15 through 8-20 reserved.

December 8, 2021, at 7:00 p.m.

2021 MAGISTERIAL DISTRICT REDISTRICTING (CONT'D)



Mr. Shull moved, seconded by Dr. Seaton, that the Board approve the draft plan 4 option as presented and adopt the amended ordinance Chapter 8 Election Districts.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton
and Morelli
Nays: None

Motion carried.

* * * * *

DISPOSITION OF REAL ESTATE

This being the day and time advertised to consider disposition of County property.

James Benkahla, County Attorney, stated that this would authorize the Board to dispose of the public courthouse facilities in Staunton when the time comes to do so. This is not disposing of them in a particular way. This is just authorize to dispose of the property at any given time. The County is required to hold a public hearing to dispose of public property.

The Chairman declared the public hearing open.

Randall Wolfe, Stuarts Draft, stated that the vote of the people should not be ignored.

David Zimmerman, Verona, spoke in favor of moving the courthouse to Verona.

Clinton Davis, Staunton, spoke in favor of moving the courthouse to Verona.

Steve Morris, Churchville, spoke in favor of moving the courthouse to Verona.

Danny Link stated that yes, the citizens voted, but they voted to not spend \$45 million. Many people did not understand what they were voting for. He spoke in favor of moving

December 8, 2021, at 7:00 p.m.

DISPOSITION OF REAL ESTATE (CONT'D)

the courthouse to Verona and would also like to see a new animal shelter built in Verona.

Jeremy Nance spoke in favor of moving the courthouse to Verona.

Bob Nut suggested consolidating the courts with Staunton, Waynesboro and Augusta County.

Robert Spiegel spoke in favor of moving the courthouse to Verona.

Nancy Sorrells emailed the following statement:

Good evening. I would like to thank the Augusta County Board of Supervisors for the many years of hard work that have gone into this process. I know that it has been a seesaw ride from the very beginning and, I am sure, that those ups and downs are not yet over!

You have listened to the people who overwhelmingly said that they wanted the courthouse to stay in Staunton. Then, a year ago, you agreed to go back to the drawing board when the people of both the city and the county were not satisfied with the plans that were presented as a result of trying to fulfill the promises from that referendum. Unfortunately, more complications, not fewer, have followed, including difficult negotiations regarding adjoining real estate and a court order.

I believe that you know and appreciate the amazing heritage of Augusta County – in my mind one of the most historically important counties in the entire country. It is a history that goes back to the early 1700s (and for 15,000 years before that with the Native Americans). The county, as you know, was formed in 1738 and local governance officially began in 1745 with the building of the first courthouse. Four more courthouses, culminating in the current architectural gem, have stood on that exact site.

So it is with a great sense of loss that I must recognize that the time has probably come for the courthouse to follow the jail and other county operations to Verona. I know that it was an incredibly hard decision for you all to walk away from such an important building, one that is on the National Register of Historic Places. I believe that you would not have done so had you not been reassured by the City of Staunton that the building would be cared for, restored, and continue to be used for its intended purposes as a courthouse. It will not be torn down and, importantly, it will not be degraded by being surrounded by inappropriate development.

As you turn toward Verona and the future, however, I would urge you to remember the building and the place that represents such an important part of our collective history. Please consider carefully integrating some of the architectural elements of the current courthouse into the new plans. Make this court complex truly reflective of the important heritage from whence we came. This will not just be another grand building; please make it something that speaks to what is Augusta County. Maybe a new Lady Justice should look out from the top of the Verona courthouse or the map of Augusta County showing how it once stretched to the Mississippi River that sits in front of the current courthouse could be replicated. The interior, too, might reflect what is best about the current building. Reproducing our beautiful courtroom in Verona might be something to consider.

Please also think carefully about the historic items inside our current courthouse: the many portraits, especially of John Marshall, the marble bust, the Liberty Bonds flag, the surveyor's cornerstone for the Beverley Manor patent, and, especially the plaques on the exterior walls honoring those men from Staunton, Waynesboro, and Augusta County who lost their lives in war so that we might have the freedoms that a courthouse so mightily represents.

I would ask also that you remember the close partnership of the Augusta County Historical Society and our other area history organizations and think about carving out space for historical records, both public and private, reading rooms for the public to view those documents, and exhibit space to tell our story to future generations.

How cool would it be if a future Augusta County courthouse in Verona could not only offer up citizen services in a more convenient and efficient manner, but could simultaneously broaden our cultural and historical understanding of what makes, and has always made, Augusta County so special?

Thank you for your continued hard work on this important project. If the greater history community or I personally can be of service going forward, please do not hesitate to ask.

Robin Hawks submitted the following statement:

The Augusta County residence voted in 2016 (2-1) to retain the courthouse in Staunton VA. I request that the BOS honor the will of the Augusta County voters. Any attempt to reverse the vote, subverts democracy. I have reviewed the available documents on the courthouse. The "show cause" does not require a move. The "show cause" requires a safe and secure facility. While I agree that the employees need a safe place to work. That does not require a state-of-the-art facility. That goal only requires minimally necessary improvements.

Staunton is clearly not on board with the planned move. Giving Staunton our buildings are not a good deal for Augusta County or Staunton residence. It only makes sense to join efforts with Staunton. How many

December 8, 2021, at 7:00 p.m.

DISPOSITION OF REAL ESTATE (CONT'D)

court facilities are needed for a population of approximately 100,000 residents? This appears to be more about control and legacy, than about fiscal responsibility. If the board of supervisors think they are leaving a legacy by building a state-of-the-art court facility, they are only leaving a financial albatross. Most residence never or rarely ever utilize the courthouse. The future is in online information and access and alternative court proceedings.

This board's actions not only subvert the will of the voters, but these actions will also cost the taxpayers significant money for the foreseeable future. This county is basically a middle-class community. Yet, the BOS are intent on building bureaucracy that we neither need nor can pay for. These decisions are setting us on a course where the cost of property and taxes will outpace the people's ability to live here. The focus on the courthouse is baffling. It is clear; the people that the BOS represent are not in agreement. This focus takes away from the real problems that this county faces such as fire/rescue, schools, and police services.

I am asking the board to put this issue to rest and make the minimally necessary improvements to the courthouse and consider agreements with Staunton that will benefit both communities.

Mr. Shull stated that it has been mentioned previously about consolidating the courts with Waynesboro and Staunton. The localities did not agree with that option.

There being no other speakers, the Chairman declared the public hearing closed.

No vote needed – Public Hearing only.

* * * * *

COUNTY OF AUGUSTA/CITY OF STAUNTON MOU

The Board considered a Memorandum of Understanding.

Mr. Fitzgerald, County Administrator, reviewed the content of the Memorandum of Understanding with the City of Staunton regarding the courthouse and its disposition. Along with pending legislation that will be taken to the General Assembly. Originally, the County had worked with Staunton on this agreement. The agreement would allow the County to build a new facility in Verona without the need to have a referendum. Based on citizen feedback, several scenarios were discussed. The memorandum of understanding allows for legislation that would be specific to Augusta County and allow the County to hold another referendum in 2022. This will also allow a question on the referendum that is clearer as to what the County is asking citizens to vote on. The City of Staunton will consider the MOU at their next meeting. If the legislation passes and if the referendum passes for the relocation, the County would then allow the City of Staunton to take ownership of the current court facilities. Since 2016, Staff and the Board of Supervisors have worked hard to do what the voters asked them to do in order to get the courthouse built in the city.

Mr. Wells pointed out that the changes and the review of the Memorandum of Understanding included the City of Staunton. It was a combined effort of both localities.

Ms. Carter hopes the Citizens understand that the Board is not trying to circumvent the vote from 2016. They are trying to change the timing of when the next vote can happen.

Dr. Seaton made the following statement:

1. Courthouse

The future of the courthouse is in Verona. We have to build a new building no matter if it is in Staunton or Augusta. A new building in Staunton is estimated to be \$20 million more expensive than in Verona.

The goal of this Board has been to find a solution to the 30-year courthouse problem that satisfies current problems with space and security while still maintaining the flexibility to expand for future needs that follows the legal constraints imposed by Richmond on all counties and is the most prudent with taxpayers' money.

Prudent spending should be the goal of your public servants and while I have served on this Board, this

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COUNTY OF AUGUSTA/CITY OF STAUNTON MOU (CONT'D)

Board has spent your money judiciously to explore every other option before coming to this solution. There are clanging gongs on the internet and newspaper that offer criticism but never a solution. There is a lot of misinformation. This agreement benefits both localities:

1. Benefits for Augusta County residents include the following:

a. Building a new courts building in Verona would satisfy all of the courtroom security problems in the shortest amount of time. As somebody said, we need to stop wasting time (which we haven't) and get this done.

b. Building in Verona will save taxpayers' money now and in the future.

c. The Sheriff could provide security for one building instead of at least two and transportation of prisoners to the courts would be easier and shorter.

d. We know parking is a problem in Staunton. In Verona, parking would be improved, abundant, and closer to the courthouse.

e. As the County grows and more courts are needed, the future cost of upgrades and expansion would be far less and bureaucratically simpler than building in Staunton.

f. If we were to remain in Staunton, the County would have to repeat this painful process in the future when we have to expand the courts again.

g. The County has more open space in Verona.

2. Benefits for Staunton residents include the following:

a. It provides additional administrative space for the Staunton City administration and, therefore, saves Staunton taxpayers money.

b. It preserves the charm and historic buildings of downtown Staunton.

c. The dome of the Circuit Court building will not be dwarfed by a larger County court building next door.

d. I agree with EYE on Augusta that this is a win for Staunton.

2. Every option in Staunton has been exhausted and money was frugally spent. Building in Verona will produce savings that far exceed the sum spent in Staunton including the value of the buildings transferred to the City. We have been fiscally responsible. You cannot explore every option without spending some money developing plans and determining what is required for each of those options. Money spent exploring these options was a consequence of the failed referendum to move the courthouse to Verona in 2016.

a. If we used the County building/District Court site in Staunton, we would need to build temporary court facilities at Beverley Manor while the current building would be destroyed and another larger one rebuilt. The modifications at Beverley Manor would have subsequently been abandoned after the new court building was built. The new courthouse would still be in a flood plain and we would still have parking problems and future expansion problems.

b. Purchase of the building attached to the County building was needed if the County building site was used to build the next courthouse. Most of us on the current Board did not want to build over Lewis Creek which was very smart since in August 2020 we learned twice it was in a flood plain.

c. We spent money on options for the historic building surrounding the circuit court. Plans to reutilize the footprint of the historic buildings surrounding the Circuit Court were very preliminary. You cannot submit a proposal that includes other properties without having the right to buy that property. We hoped the Staunton Historic Commission would appreciate the County's need. We made the mistake and did not appreciate how much those empty buildings meant to the citizens of the City. Yet we tried to find another solution for the citizens of Augusta.

d. A former repeat candidate in the County wants us to purchase the Atlantic Union building across the street from the Circuit Court that would cost the County \$8.3 million and that was nonnegotiable and was still in a flood plain and that was only for ownership and the right to tear it down to build another building. The contract proposed by Atlantic Union had time delays of four to five years before construction of a new building could begin.

3. I want to emphasize this is not reversing the vote of 2016. We have respected the vote of 2016. We have explored all options available in Staunton. Every option in Staunton will cost County taxpayers more than \$45 million, which was the dollar amount of the referendum. The Board respects that part of the referendum. I believe voters wanted the Board to spend the least amount of money on a courthouse solution. Building in Staunton will cost \$20 million more than building in Verona. Some want us to respect the vote but do not give us viable options or solutions. Some want us to use very old buildings to haphazardly and temporarily fix the courthouse issue. The referendum did not answer the question of where and how much to spend to fix the courthouse. We want a referendum that adequately presents the real options to the voters. Renovating old buildings will not adequately address current and future courthouse requirements that will adjust to the County's growing needs.

a. The referendum had two parts; should we move the courthouse to Verona and should we spend \$45 million, but only one possible vote, which ensures these referendums do not pass all across Virginia. Richmond determines the language on the ballot and that wording is purposely designed to reduce the likelihood of passage. The state even regulates the Board's ability to advocate for a position on the referendum, essentially muting the Board.

b. While I was on the campaign trail, those who brought up the courthouse wanted the Board to save money. This memorandum will save the County millions of dollars compared to building in Staunton.

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COUNTY OF AUGUSTA/CITY OF STAUNTON MOU (CONT'D)

c. Some want us to wait five more years to put it back on the ballot and let citizens decide again. Even if that passes, a new courthouse would not be built for seven years minimum. One columnist has forgotten that we are subject to a Court order, which will dictate the timeline, not him and not a repeat referendum. He then goes off on a tangent of golf carts and consolidation of Sheriffs, Clerks, courts and prosecutors.

d. The Judge's writ of mandamus will not allow us to get to five years. The Judge's writ also sets in motion the appointment of an advisory committee, which will cost the County money. That committee will give its recommendations that will cost a lot of taxpayer money and we will not have a choice. This memorandum will likely fix the courthouse issue before money has to be spent dealing with this court order and much quicker than this court-ordered committee could determine its recommendations.

e. This Board was elected to be fiscally responsible and while I have been on the Board, we have. We have spent the least required to explore different plans. The voters asked this Board to explore every option to remain in Staunton and we have. In addition, all of that money spent was a consequence of the failed referendum. In addition, you have elected us as your representative to find a solution to the courthouse. This memorandum is the best solution for the citizens of the County.

4. Staunton has allowed the County to explore our options around the current circuit court building. This agreement, if passed by both bodies of government, demonstrates that two localities that have competing interests can come together collegially, compromise, and remedy a solution that benefits both localities. One columnist described the City's benefit as a bounty, but during his twenty years on the Board, he did not come up with a solution agreeable to both localities. Jealousy is a bitter pill for him. In politics, we have to learn to work with each other instead of dividing ourselves by party or boundaries. I understand some citizens of Staunton hesitate to lose the designation of the County seat. I highly respect their concern for Staunton and appreciate their advocacy for their citizens. In the end, I hope the City council has enough votes to approve this memorandum of understanding because it benefits both sets of citizens. I hope they will help the County move the courthouse to Verona. They may want to delay their vote until they have heard more details from the public and the Board and are allowed to evaluate the properties in question. I hope they do not delay the vote.

5. The future of the courthouse is in Verona and I will vote for this memorandum. I will vote in favor of the County's taxpayers who want this Board to save them money. The County should not have to pay a \$20 million premium to build a courthouse in Staunton. Have we forgotten the cost of the courthouse will already be more than \$45 million because of the five years of inflation since the referendum? The Judges, Sheriff Deputies, Clerk of Court and court staff should not have to wait for another 7 to 8 years for a solution that depends on possibly passing a referendum. The best solution is through the legislature in Richmond, which needs the encouragement of both localities to pass a solution. Some want us to wait to see if the legislature can resolve this problem with some nebulous solution. If the Staunton City Council does not pass this memorandum, those agents behind the scene can still work on that solution even if the Board passes this memorandum. The Judge has lost patience and submitted his writ on the City and the County and soon that will cost that City and County money. We cannot send that bill to Staunton. We cannot send that bill to Richmond. County taxpayers will have to fork over that money or we will have to cut services. If both the Board and the City Council do not pass this memorandum, trials will be delayed and the eventual cost of the solution will increase dramatically and will be borne by the 76,265 residents of Augusta County.

6. Prudent care of the courthouse:

- a. Roof replaced in 2018
- b. Walls are repainted
- c. It is just crowded.

7. We are not trading properties.

8. We have not given up on the courthouse.

9. City has not offered any buildings or offered to pay for buildings.

10. Staunton does not revert to a town just because the County seat is moved.

11. I missed all of the smoke-filled negotiations for this agreement because there were not any.

12. If Staunton does not want the buildings, they do not have to take them.

13. This proposal seems hasty because the assembly begins next month and legislation has to be submitted.

14. A courthouse will not be \$1 billion dollars as one person claimed.

Mr. Garber pointed out that is costing the County \$2 million for every year that something is not done about the courthouse.

Mr. Shull stated that the clock is ticking with the Judge's orders.

Mr. Shull moved, seconded by Mr. Morelli, that the Board approve the Memorandum of Understanding.

December 8, 2021, at 7:00 p.m.

COUNTY OF AUGUSTA/CITY OF STAUNTON MOU (CONT'D)

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton
and Morelli
Nays: None

Motion carried.

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AUDIT PRESENTATION

The Board heard an audit presentation by PB Mares.

Misty Cook, Director of Finance, introduced Betsy Hedrick and Andrea Nichols with PB Mares.

Betsy Hedrick stated that they have issued an unmodified opinion on the County's Comprehensive Annual Financial Report for the fiscal year ending June 30, 2021. An unmodified opinion is a clean opinion. The report on internal control over financial reporting and compliance was also issued and was a clean opinion.

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TAX REFUND REQUESTS

The Board considered the following tax refund requests from the Commissioner of the Revenue:

- 1. PFJ Southeast, LLC, T/A Pilot Travel Center #396, in the amount of \$6,538.20.
- 2. PFJ southeast, LLC, T/A Arby's #396, in the amount of \$306.85.

Mr. Benkahla stated that he is requesting the refunds be considered together because the refund request is being made by one company trading as two different businesses. New ownership took over the company and bought a new business license in November.

Mr. Shull moved, seconded by Mr. Wells, that the Board approve the refund requests as presented.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton
and Morelli
Nays: None

Motion carried.

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SCHNEIDER PARK

The Board considered a matching grant for Stuarts Draft Ruritan club for new playground and other improvements at Schneider Park.

Funding Source:	South River P & R Infrastructure	8026-37	\$9,116.00
	Beverley Manor P & R Infrastructure	8021-62	\$9,116.00
	Wayne P & R Infrastructure	8027-46	\$9,116.00
	Riverheads P & R Infrastructure	8025-41	\$9,116.00

Jennifer Whetzel, Deputy County Administrator, stated that the Stuarts Draft Ruritan Club has submitted a Parks & Recreation matching grant application. This is for improvements at Schneider Park to replace an existing playground, improvements to the parking area, signage, and general landscaping. The Parks & Recreation Commission considered this request at their November meeting and recommended moving forward with an award by the Board of Supervisors. All required forms have been submitted. It is recommended to award the requested \$36,464.00 considering the entire project's expenses exceed the \$112,000.00 outlined the applicant's submitted revised Budget Sheet.

Ms. Whetzel answered by saying that the private donor is the company that works with the Ruritans for that park. The matching grant funding is County funds that are part of the matching grant capital account for South River District.

Ms. Whetzel stated that they are working with the parking lot, but nothing directly with the drainage issue.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton and Morelli
Nays: None

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Mr. Wells moved, seconded by Dr. Seaton, that the Board approve the consent agenda as follows:

- Regular Meeting, Wednesday, October 27, 2021
- Special Meeting, Monday, November 8, 2021

Motion carried.

December 8, 2021, at 7:00 p.m.

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MATTERS TO BE PRESENTED BY THE PUBLIC

Casey Eldridge, 2325 Monroe Street, Waynesboro, concerned about the reasoning of contracting out the services for the animal shelter.

David Zimmerman, Verona, would like the County to consider an ordinance against the use of sound enhancing devices during protests or anything of that nature.

* * * * *

MATTERS TO BE PRESENTED BY THE BOARD

Mr. Garber appreciates the work that the Board has been doing.

James Benkahla reported that the Treasurer has collected back taxes in the amount of \$9,370.37 in down payments and \$1,150.00 per month in monthly payments.

Ms. Carter stated that Dominion Energy was planning to disconnect services for unpaid bills. She wants citizens to be aware that there is help available. She expressed her disappointment in the critical comments that have been made regarding a fire in Deerfield. Ms. Carter thanked Fire and Rescue for their hard work and efforts to protect our citizens.

Mr. Wells reminded everyone of the graduation for new fire recruits on December 22 at 4:00 p.m.

Mr. Shull expressed gratitude to all career and volunteer fire and rescue. He thanked Staff for the successful year and wished everyone a Merry Christmas and a Happy New Year.

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MATTERS TO BE PRESENTED BY STAFF

Mr. Fitzgerald discussed the following:

1. Rebekah Castle, Director of Economic Development, was awarded the VEDA Rising Star Award for the State of Virginia.
2. A Christmas luncheon is planned for employees at the Government Center on Friday, December 10 at 12:00 p.m.

* * * * *

CLOSED SESSION

On motion of Mr. Wells, seconded by Mr. Shull, the Board went into closed session pursuant to:

- (1) the personnel exemption under Virginia Code § 2.2-3711 (A) (1) [discussion, consideration or interviews of (a) prospective candidates for employment, or (b) assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific employees]:
 - a) Boards and Commissions: Youth Commission, Ag & Forestal Dist., Ag Ind. Brd, Recycling, Library and Planning Commission

December 8, 2021, at 7:00 p.m.

CLOSED SESSION (CONT'D)

- (2) the legal counsel exemption under Virginia Code § 2.2 3711(A)(7) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

a) McKee Foods Corp. vs Augusta County

b) Hershey Chocolate of Virginia, Inc. v. Augusta County

- (3) the legal counsel exemption under Virginia Code § 2.23711(A)(8) Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

a) McKee Foods Corp. vs Augusta County

b) Hershey Chocolate of Virginia, Inc. v. Augusta County

On motion of Mr. Shull, seconded by Mr. Wells, that the Board came out of Closed Session.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton and Morelli
Nays: None

Motion carried.

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The Chairman advised that each member is required to certify that to the best of their knowledge during the closed session only the following was discussed:

Public business matters lawfully exempted from statutory open meeting

1. requirements, and
2. Only such public business matters identified in the motion to convene the executive session.

The Chairman asked if there is any Board member who cannot so certify.

Hearing none, the Chairman called upon the County Administrator/ Clerk of the Board to call the roll noting members of the Board who approve the certification shall answer AYE and those who cannot shall answer NAY.

December 8, 2021, at 7:00 p.m.

CLOSED SESSION (CONT'D)

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton
and Morelli
Nays: None

Motion carried.

The Chairman authorized the County Administrator/Clerk of the Board to record this certification in the minutes.

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BOARDS AND COMMISSIONS

Mr. Shull moved, seconded by Mr. Slaven, that the Board re-appoint G. Kyle Leonard to serve a term on the Planning Commission. Effective immediately and to expire December 31, 2025.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton
and Morelli
Nays: None

Motion carried.

Dr. Seaton moved, seconded by Mr. Shull, that the Board appoint Nick Grow to serve on the Blue Ridge Tunnel Committee.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton
and Morelli
Nays: None

Motion carried.

Mr. Morelli moved, seconded by Mr. Slaven, that the Board re-appoint Martin Siebken to serve on the Recycling Committee. Effective immediately and to expire on September 30, 2025.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton
and Morelli
Nays: None

Motion carried.

Dr. Seaton moved, seconded by Mr. Slaven, that the Board appoint Carrie Landes to serve on the Youth Commission. Effective immediately and to expire on December 31, 2024.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton
and Morelli
Nays: None

Motion carried.

* * * * *

December 8, 2021, at 7:00 p.m.

ADJOURNMENT

There being no other business to come before the Board, Dr. Seaton moved, seconded by Mr. Morelli that the Board adjourn subject to call of the Chairman.

Vote was as follows:

Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton
and Morelli
Nays: None

Motion carried.


Chairman


County Administrator

h:12-8min.2021