Regular Meeting, Wednesday, January 11, 2023, 7:00 p.m., Government Center, Verona, VA.

PRESENT: Michael Shull, Chairman
Jeffrey Slaven, Vice-Chair
Pam Carter
Scott Seaton
Steven Morelli
Timothy K. Fitzgerald, County Administrator
Jennifer M. Whetzel, Deputy County Administrator
James Benkahla, County Attorney
Angie Michael, Executive Assistant

VIRGINIA: At an adjourned meeting of the Augusta County Board of Supervisors held on Wednesday, January 11, 2023, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 247th year of the Commonwealth....

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Chairman Shull welcomed those present at the meeting.

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Mr. Morelli, South River District, led the Board in the Pledge of Allegiance.

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Ms. Carter, Pastures District, delivered the invocation.

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COMMITTEES & COMMISSIONS FOR 2023 APPOINTED BY THE BOARD
Ms. Carter moved, seconded by Mr. Slaven, that the Board appoint the following:

a. Chief Greg Schacht and Mr. Shull (Chairman of the Board) to the Local Emergency Planning Commission.
b. Richard Williams, W. Douglas Riley, B. Randolph Roller, Joseph Sapotoczny, Ashlie Howell and Jean Shrewsbury (Commissioner of the Revenue) to the Agriculture and Forestal District Committee.
c. Michael Shull as Emergency Management Director
d. Timothy Fitzgerald as Emergency Management Co-Director
e. Patrick Lam as Emergency Management Coordinator
f. Anthony Ramsey as Assistant Emergency Management Coordinator
g. Michael Shull and Jeff Slaven to the Audit Committee

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

Motion carried.

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January 11, 2023, at 7:00 p.m.

MIDDLE RIVER PARKS AND RECREATION INFRASTRUCTURE
The Board considered funding for repairs of New Hope Community Center roof in the amount of $11,955.00.

Funding Source: Middle River Parks & Rec Infrastructure 8022-55 $11,955.00

Timothy Fitzgerald, County Administrator, stated that this is for a roof at the New Hope Community Center. The roof has significant damage and considered was a safety hazard. Our Maintenance Department removed the canopy roof and made it safe. A contractor has repaired the roof.

Mr. Garber moved, seconded by Mr. Morelli, that the Board approve the funding request as presented.

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

Motion carried.

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SOUTH RIVER INFRASTRUCTURE FUNDING REQUEST
The Board considered a funding request for Stuarts Draft fire hydrant from the South River Infrastructure Account.

Funding Source: South River Infrastructure 8016-105 $6,000.00

Mr. Fitzgerald stated that Big "O" Tree Service is constructing a new building on Flory Avenue in Stuarts Draft. In order to connect to public water, they are required to extend the public water line from the main line located on the Hershey Chocolate property approximately 175 feet and install a new fire hydrant. The Augusta County Service Authority has been contracted to do the installation. They would in the future connect to the hydrant and increase the size of their existing water line down Flory Avenue which would result in increased water pressure and fire flow to the existing 12 homes on Flory Avenue and also downtown Stuarts Draft. This infrastructure improvement will benefit the Stuarts Draft downtown community.

Mr. Morelli moved, seconded by Dr. Seaton, that the Board approve the funding request as presented.

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

Motion carried.

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FIRE RESCUE APPARATUS REQUEST
The Board considered the purchase of a heavy squad truck replacement in the amount of $1,736,617.00. This amount includes a 5% contingency.

Greg Schacht, Fire Chief, stated that the purpose of this request is to purchase one heavy squad truck and to execute an agreement with Atlantic Emergency Solutions/Pierce Manufacturing. The apparatus committee chaired by Battalion chief Christian Ruleman, with oversite by Deputy Chief Jeff Hurst, held numerous meetings

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FIRE RESCUE APPARATUS REQUEST (CONT'D)
to develop and finalize technical specifications we well as worked with Finance to develop a Request for Proposal (RFP). The RFP was posted and sent to four single source manufacturers requesting a proposal by November 14, 2022. One proposal was received from this process. The committee met with the one vendor, reviewed the proposal to ensure it met the specifications and the county's needs. A final price was requested, which was provided at $1,653,921.00. The proposal is valid for 30 days with a build time of 28 months. Atlantic Emergency Solutions advised once the contract is signed the price would be locked in until delivery and acceptance. There will be no increases on their end. Approval is requested to execute a purchase agreement with Atlantic Emergency Solutions/ Pierce Manufacturing in the amount of $1,653,921.00. It is also requested that the Board approve a 5% contingency fund not to exceed $82,696.00. With the exception of a new mobile radio, this would only be used in the event of any unforeseen change orders identified during the final engineering meeting. This would bring the total request for expenditures to $1,736,617.00. Augusta County will not be responsible for payment for 28 months until delivery and acceptance.

Mr. Fitzgerald added that the monies for this purchase is in the capital program if the Board chooses to move forward. The County has been saving money for many years in capital to replace fire apparatus.

Ms. Carter stated that she is appreciative of all in attendance to answer questions. It is her request to postpone this agenda item to the next Staff Briefing.

Chief Schacht stated that the price is only good for 30 days and it was received in November. They have agreed to hold the price for now, but there would be an increase February 1, 2023 of 1.75%.

Mr. Wells would like to also discuss the Fire-Rescue Strategic Plan at the next Staff Briefing. Several issues from the Strategic Plan will tie in with the purchase of this apparatus.

Mr. Fitzgerald requests that the Board forward any questions concerning this purchase prior to the Staff Briefing.

Ms. Carter moved, seconded by Dr. Seaton, that the Board postpone this to the January 23, 2023 Staff Briefing to allow for adequate discussion time.

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

Motion carried.

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VERONA ELEMENTARY RENOVATION
The Board considered the scope of services which included 10% for the construction phase or other incidentals for a total of $131,747.00.

Candy Hensley, Assistant County Administrator, stated that this project will move the animal shelter from Lyndhurst to Verona Elementary School. Verona Elementary

VERONA ELEMENTARY RENOVATION (CONT'D)
School sets itself up very well as a pod school to serve the animals for our communities. The total square footage that will be used is approximately 39,000. The majority of the buildings will be used for the shelter. Included in the packet is a proposal for design for $119,770.00 to be considered. A 10% contingency is requested in case there are change orders or incidentals, which brings the total to $131,747.00. It is also recommended to authorize the County Administrator to execute the documents. The total to be paid is broken down into percentages; Augusta County is responsible for 58%, 23% for Staunton and 19% for Waynesboro.

Danny Link, 270 Leaport Road, Mt. Sidney, spoke in favor of the project.

Linda Farrar spoke in favor of the project.

Mr. Slaven moved, seconded by Mr. Wells, that the Board approve the funding request as presented.

Due to a conflict of interest, Mr. Garber will be abstaining.

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

Motion carried.

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GOVERNMENT CENTER RENOVATIONS
The Board considered awarding the contract to Lantz Construction Company in the amount of $3,124,900.00 and include a 10% contingency of $312,490.00.

Ms. Hensley stated that this involves closing in the dock on the south side of the building for Parks & Recreation. Once that is completed, the County Attorney and Human Resources departments will be moved into that space. After that move is complete, Emergency Communications Center will expand into the vacant space. Two bids were received; Lantz Construction Company and Nielsen Builders, Inc. Bids were required to include the earliest start date and length of construction. Lantz Construction Company gave a start date of February 27, 2023 and a completion date of January 26, 2024. Staff recommends awarding of contract to Lantz Construction Company in the amount of $3,124,900.00 and to include a 10% contingency of $312,490.00. Funds for this project will be utilized from 4-20-012010-8004. Staff further recommends giving the County Administrator authority to sign the contract once executed.

Mr. Garber moved, seconded by Ms. Carter, that the approve awarding the contract to Lantz Construction Company.

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

Motion carried.

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January 11, 2023, at 7:00 p.m.

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

MINUTES:
Consider minutes from the following meetings:
- Regular Meeting, Wednesday, October 26, 2022
- Regular Meeting, Wednesday, November 9, 2022
- Staff Briefing, Monday, November 21, 2022
- Regular Meeting, Tuesday, November 22, 2022

CLAIMS:
Consider claims paid since December 1, 2022.

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

Motion carried.

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(END OF CONSENT AGENDA)

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MATTERS TO BE PRESENTED BY THE PUBLIC
Marco Floyd is a volunteer fire fighter at Wilson Volunteer Fire Department and most recently served as Chief. Wilson Volunteer Fire Department placed untrue allegations against him and removed him from office. He is asking for this to be investigated.

Stephanie Cash, 1323 Jefferson Highway, Fishersville, spoke against the rezoning project on Jefferson Highway.

Terri Cale, 1331 Jefferson Highway, Fishersville, spoke against the rezoning project on Jefferson Highway.

Jenna Leitch, 3 Fairmont Drive, Staunton, spoke against the rezoning project on Jefferson Highway.

Karen Siron, 922 Knightly Lane, Fort Defiance, spoke against the rezoning project on Jefferson Highway.

Sam Orlando, 47 S. Windsong Court, Fishersville, spoke in favor of body cameras.

Dave Zimmerman, 120 Lee Highway, Verona, thanked the Deputies in the County for their hard work. Mr. Zimmerman questioned the status of the protesting ordinance he had requested.

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MATTERS TO BE PRESENTED BY THE BOARD

Ms. Carter encouraged the Board to read the CAP-SAW Annual Report. When the Chicken Ordinance was voted on at the November 22, 2022 meeting, there was a misunderstanding of what was to be included in the ordinance. She requests having the ordinance re-advertised and brought to the Board for consideration.

Mr. Wells requested that Staff send an appreciation letter to all utility companies for their hard work and dedication during the holidays.

Dr. Seaton asked what the status was on the digital radio system. He extended congratulations to Delegate Ellen Campbell on the special election win.

Mr. Morelli thanked Mr. Garber and Mr. Wells for their work as Chair and Vice-Chair.

Mr. Shull thanked everyone for coming out. He recommends having Board participation in the Emergency Officers Association. Ms. Carter and Mr. Shull will serve on the committee.

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MATTERS TO BE PRESENTED BY STAFF

Mr. Fitzgerald discussed the following:

1) If there are questions or comments regarding the Board Rules of Order that will be on the January 25, 2023 regular meeting agenda please let him know.
2) General Assembly is back in session. House Bill 1818 is being considered. This bill would allow the county to consider a fire tax on land qualifying for land use.

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CLOSED SESSION

On motion of Mr. Slaven, seconded by Dr. Seaton, the Board went into closed session pursuant to:

1. Va. 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

   a) John Doe 5, John Doe 6, and John Doe 7, by and through their next friend, Nelson Delores Lopez, on behalf of themselves and all persons similarly situated v. Shenandoah Valley Juvenile Center Commission (W.D. Va., Case No. 5:17-cv-00097-EKD-JCH)

2. Va. Code § 2.2-3711(A)(19) discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure

   a) Shenandoah Valley Juvenile Center

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January 11, 2023, at 7:00 p.m.

CLOSED SESSION (CONT'D)
On motion of Mr. Garber, seconded by Mr. Slaven, the Board came out of Closed Session.

Vote was as follows: Yeas: Shull, Slaven, Garber, Wells, Carter, 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:

1. Public business matters lawfully exempted from statutory open meeting 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.

Roll Call Vote was as follows:

Yeas: Shull, Slaven, Garber, Wells, Carter, 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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ADJOURNMENT
Dr. Seaton, seconded by Ms. Carter, moved that the Board adjourn the meeting.

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

Motion carried.

Michael L. Shull
Chairman

County Administrator

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