

Regular Meeting, Wednesday, March 11, 2020, 7:00 p.m. Government Center, Verona, VA.

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

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, March 11, 2020, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 244th year of the Commonwealth....

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Chairman Garber welcomed the citizens present.

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The following students from the Stuarts Draft High School led us with the Pledge of Allegiance:

Grace Jones is a junior and is a member of the FCCLA (Family, Career, and Community Leaders of America). She plans to study medicine.

Raegan Coffey is a junior and the FCCLA Secretary. She plans to attend a four-year college and study nursing.

Michaela Harbinson is a junior and the FCCLA Treasurer. She plans to be a Physical Therapist.

Wyatt Aldheizer is a junior and the President of their FCCLA chapter. He plans to study Biological Statistics and the University of Virginia.

Jessie Beam is a senior. She plans to attend Blue Ridge Community College and study to be a Radiology Technician.

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Michael Shull, Supervisor for the Riverheads District, delivered the invocation.

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March 11, 2020, at 7:00 p.m.

RIVERHEADS HIGH SCHOOL VARSITY FOOTBALL TEAM RESOLUTION

The Board considered the following resolution:

WHEREAS, the Riverheads High School Varsity Football Team has enjoyed unprecedented success under the leadership of Coach Robert C. Casto; and

WHEREAS, in 2000, 2006, 2010, 2016, 2017, and 2018, the Riverheads High School Varsity Football Team won the Virginia High School League Class 1 State Championship; and

WHEREAS, in 2019, the Riverheads High School Varsity Football Team continued its success by winning the Region B championship and becoming the Virginia High School League Class 1 State Champions for the fourth time in row; and

WHEREAS, team members of the Riverheads High School Varsity Football team have been widely recognized in the Shenandoah District, Region 1B, and across the state with ten team members being named All-District, fourteen team members being named All-region, and nine team members being named to the first team All-State and three team members being named to the second team All-State; and

WHEREAS, team member Zac Smiley was recognized as the Shenandoah district, the Region 1B and the Group A Division 1 state offensive player of the year and Coach Robert Casto was recognized as the Shenandoah District, The Region 1B, and the Virginia High School League Class 1 state coach of the year; and

WHEREAS, all citizens of Augusta County can be proud of the way the Riverheads High School Varsity Football Team promoted teamwork and sportsmanship throughout the Commonwealth of Virginia; and

NOW, THEREFORE, BE IT RESOLVED, meeting in regular session on March 11, 2020, the Augusta County Board of Supervisors hereby commends the 2019 Riverheads High School Varsity Football Team for all of its accomplishments during the 2019 Riverheads Football Season; and

BE IT FURTHER RESOLVED that the Augusta County Board of Supervisors applaud Principal Matt Stephens and Coach Robert Casto and his staff, for instilling the principles of hard work, determination, teamwork and most importantly sportsmanship to the young men who were members of the 2019 Riverheads High School Varsity Football Team; and

BE IT STILL FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the Augusta County Board of Supervisors, and be presented to Riverheads High School in recognition for the accomplishments of their team during the 2019 High School Football season.

Mr. Shull moved, seconded by Ms. Carter, that the Board approve the resolution.

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

Motion carried.

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MATTERS TO BE PRESENTED BY THE PUBLIC --NONE

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March 11, 2020, at 7:00 p.m.

FINANCIAL ADVISORY CONTRACT

The Board considered the Financial Advisor Contract.

Jennifer Whetzel, Deputy County Administrator stated that the County requires financial advisor services related to the issuance of debt for future capital projects and other financial services as needed. Historically, the County has borrowed money through the Virginia Resources Authority or the Virginia Public School Authority. There are some larger projects coming up in the future and there may be different ways to structure the debt. The timing of longer term projects as to when money is spent verses when it is borrowed is important. The contract with Davenport & Company, LLC is a cooperative contract with the City of Harrisonburg. The City of Harrisonburg completed the procurement work. Augusta County reviewed it and as the need arises for the larger projects the pricing for that particular scope of work would be brought back to the Board for approval. A bond council has been hired to do the paperwork as required.

Ms. Carter moved, seconded by Mr. Wells, that the Board approve moving forward with procuring the contract.

Mr. Shull asked if anything had been done like this in the past.

Ms. Whetzel stated that this process was used when the jail was constructed.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven,
and Morelli
Nays: Seaton

Motion carried.

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WAIVERS– NONE

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CONSENT AGENDA

Ms. Carter moved, seconded by Mr. Shull, that the Board approve the consent agenda as follows:

CLAIMS

Considered claims paid since February 1, 2020

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

Motion carried.

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(END OF CONSENT AGENDA)

March 11, 2020, at 7:00 p.m.

MATTERS TO BE PRESENTED BY STAFF (CONT'D)

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

Motion carried.

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CLOSED SESSION

On motion of Ms. Carter, 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, Economic Development Authority, Ag & Forestal Dist., Planning Commission

(2) the real property exemption under Virginia Code § 2.2-3711(A)(3)

[discussion of the acquisition for a public purpose, or disposition, of real property]:

- a) Ladd Elementary School
b) Augusta County Courthouse

(3) the economic development exemption under Virginia Code § 2.2-3711(A)(5)

[discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of its interest in locating or expanding its facilities in the county]:

- a) Proposed Office space, flex space, storage facilities, manufacturing facilities, utility and mixed use development.

(4) 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) Appalachian Aggregates, LLC v. Augusta County Board of Supervisors, Spottswood Farms, LLC, Martin B. Chittum, and Shirley S. Chittum

(5) 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.

March 11, 2020, at 7:00 p.m.

CLOSED SESSION (CONT'D)

- a) Appalachian Aggregates, LLC v. Augusta County Board of Supervisors, Spottswood Farms, LLC, Martin B. Chittum, and Shirley S. Chittum

On motion of Mr. Shull, seconded by Ms. Carter, 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.

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

Ms. Carter moved, seconded by Dr. Seaton, that the Board re-appoint Randy Roller to serve on the Economic Development Authority. Effective immediately and to expire on March 25, 2024.

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

Motion carried.

