

Regular Meeting, Wednesday, May 13, 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  
James Benkahla, County Attorney  
Angie Michael, Executive Assistant (Via Electronic)

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, May 13, 2020, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 244<sup>th</sup> year of the Commonwealth....

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Chairman Garber welcomed the citizens present.

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Mr. Morelli led the Pledge of Allegiance.

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

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ORDINANCE AMENDMENT – AUGUSTA COUNTY CODE SECTION 22-2

This being day and time advertised to consider an ordinance amendment to Augusta County Code Section 22-2 which would temporarily set the penalty for failure to pay the first installment of real estate taxes for tax year 2020 due and payable on or before June 26, 2020, to zero percent until August 31, 2020.

Jennifer Whetzel, Deputy County Administrator, stated that there are two public hearings on the agenda. The first is regarding the penalty for failure to pay the first installment of real estate taxes to zero percent until August 31, 2020. At the last Board of Supervisors meeting a resolution was passed to extend the first half real estate tax due date from June 5 to June 26. The Board discussed the elimination or reduction in penalty and interest related to the June 2020 real estate tax collections. This requires an ordinance change so advertising was necessary. The elimination would only be for 2020 first half real estate. If there were any change beyond the August 31 date, whether going back to normal or further extending it, another public hearing would be required. Penalty is currently charged at ten percent and is charged the day after the due date. Staff recommends zero percent penalty through August 31, 2020.

The Chairman declared the public hearing open.

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ORDINANCE AMENDMENT – AUGUSTA COUNTY CODE SECTION 22-2 (CONT'D)

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

Ms. Carter moved, seconded by Mr. Wells, that the Board approve the ordinance amendment to set the penalty at zero percent until August 31, 2020.

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

Motion carried.

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ORDINANCE AMENDMENT – AUGUSTA COUNTY CODE SECTION 22-3

This being the day and time to consider an ordinance amendment to Augusta County Code Section 22-3 which would temporarily decrease interest on unpaid real estate taxes due and payable for tax year 2020 (only) from ten percent to five percent or less, until August 31, 2020.

Jennifer Whetzel, Deputy County Administrator, stated that this is an ordinance change and would be for real estate 2020 first half taxes only. If the Board would like to consider anything after the vote, another public hearing would be necessary. Ten percent interest is charge per annum, which equates to 0.83% per month. Staff recommends reducing the interest rate from ten percent to five percent until the August 31, 2020 date.

The Chairman declared the public hearing open.

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

Ms. Carter moved, seconded by Dr. Seaton, that the Board approve zero percent interest until August 31, 2020 for real estate taxes due on June 26, 2020.

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

Motion failed

Mr. Wells moved, seconded by Mr. Shull, that the Board approve five percent interest until August 31, 2020 for real estate taxes due on June 26, 2020.

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

Motion carries

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**END OF PUBLIC HEARINGS**

\* \* \* \* \*





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INFRASTRUCTURE ACCOUNT STATUS (CONT'D)

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

Motion carried.

Mr. Slaven moved, seconded by Ms. Carter, that the Board approve to uncommit \$22,000.00 for the North River Elementary School-Road project in the North River Infrastructure.

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

Motion carried.

Mr. Wells moved, seconded by Ms. Carter, that the Board approve committing \$92,161.00 for the Verona Pedestrian Design from the Beverley Manor Infrastructure account.

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

Motion carried.

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AUGUSTA HEALTH CERTIFICATE OF PUBLIC NEED REQUEST RESOLUTION

The Board considered a resolution for an Augusta Health COPN request.

Mr. Fitzgerald stated that there was a discussion at the April 22 Board of Supervisors meeting regarding Augusta Health's latest project to build a freestanding center on the campus. It would include a surgical suite and imaging with a new MRI and CT machine. The MRI and CT machine require a Certificate of Public Need approval from the state. Augusta Health has requested the Board of Supervisors to support a resolution that supports the application for the Certificate of Public Need. There were several questions at the last meeting and the responses were included in the agenda package.

**A RESOLUTION URGING THE VIRGINIA STATE HEALTH COMMISSIONER TO APPROVE COPN REQUEST No. VA-8500 – AUGUSTA HEALTH**

**WHEREAS**, the County of Augusta, Virginia benefits greatly from a healthy community and the provision of healthcare services by Augusta Health; and

**WHEREAS**, Augusta Health has been providing access to high quality medical care to our (residents/employees) for more than 25 years; and

**WHEREAS**, Augusta Health has recognized an increasing need for additional diagnostic testing procedures for its patients; and

**WHEREAS**, Augusta Health is perfectly positioned to establish a freestanding diagnostic testing facility on its campus to further serve ours and the surrounding communities; and

**WHEREAS**, Augusta Health and its providers will be able to provide comprehensive outpatient diagnostic services with this facility and provide an enhanced level of care to its patients; and

**WHEREAS**, Augusta Health strives to provide comprehensive, local care for its patients and this project will allow it to deliver a full complement of services for the local patient population in

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AUGUSTA HEALTH CERTIFICATE OF PUBLIC NEED REQUEST RESOLUTION  
(CONT'D)

their home communities; now, therefore, be it

**RESOLVED** by the County of Augusta, Virginia that it hereby supports and urges the Virginia State Health Commissioner to approve Augusta Health's project and allow for the establishment of an outpatient diagnostic testing facility on its campus, thereby meeting the community need and expanding its ability to provide optimal care for its patients.

Dr. Seaton made the following statement:

I have worked with UVA for nearly twenty one years and my clinic is UVA Primary Care of Waynesboro. When I was elected I met with the CEO and many Board members and Administrators at Augusta Health to let them know that I would be doing my best to represent them and our citizens. They are my biggest employer. When we were presented with the COPN at the last meeting, I was admittedly disappointed that they had not contacted me before the meeting to get answers to questions before consideration. I do not think we would have had to delay consideration of the COPN Resolution if they had contacted me or other Board members. For background information; about fifteen years ago Carillion had applied for COPN for a CT scanner in Staunton. At that time, I supported Augusta Health's opposition to that COPN, which I think it was denied or withdrawn. I supported Augusta Health and the radiologists because they have supplied this community and medical practitioners with timely CT and MRI scans and it has been convenient because of the communication that is well established with the ordering providers. Now that I am on the Board of Supervisors, I wondered how and when I would have to make a decision that would affect Augusta Health and how that would be perceived by Administrators at Augusta Health, as well as the residents of the County and the overall area that supports Augusta Health. I question whether I should recuse myself since I work for a competing employer. I have had three weeks to think about my decision regarding the COPN Resolution and I came to the conclusion that I will make the same predictable decision regarding any business that wants to expand or come to Augusta County. I want medical professionals and administrators, business owners, entrepreneur CEO's, and residents to know that Lifecore Drive is an attractive location for your business as long as your business is neighborly. Therefore, I favor this resolution of support for Augusta Health's COPN application. The hospital is in the early stages of planning a 15,000 square foot outpatient surgical center. It is my understanding the hospital wants to place an MRI scanner and CT scanner within the surgical center. Undoubtedly, the center would employ more people with good paying jobs. The center would be located at the heart of Lifecore Drive and encourage other businesses to location in that corridor. If approved by the state, the COPN will benefit residents of Augusta County and the surrounding communities by providing lower costs procedures and reduce waiting time for procedure completion.

Dr. Seaton moved, seconded by Mr. Wells, that the Board adopt the Augusta Health Certificate of Public Need resolution.

Mr. Wells appreciates Dr. Seaton's comments.

Ms. Carter reached out to the Department of Health and there appears to be a definite need for this service.

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

Motion carried.

Ms. Carter requested that the Letter of Support come from the Board.

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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:

MINUTES

Consider minutes of the following meetings:

- Regular Meeting, Wednesday, April 8, 2020

CLAIMS

Considered claims paid since April 1, 2020

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

William Worden of 7 Landover Lane, Weyers Cave, registered to speak, however, did not call in. His concern was with health and safety of the property located at 64 Lofton Dr., Weyers Cave.

Mr. Fitzgerald stated that he has reached out to USDA rural development. The property is under a federal loan with them. The loan company is working with the insurance company and hopefully will be resolved soon.

Jim Simpson sent in the following statement via email:

Sirs:

With reference to request for comments regarding your upcoming meeting. Herewith please find undernoted 2 comments for review/consideration.

1.On Sept. 10th. 2014 a meeting was held at the government center by the Central Shenandoah Planning District Commission. The meeting was primarily conducted by members from the Central Shenandoah Regional Broadband group and/or other representatives involved with Information Technology.The meeting was of a 'workshop format' and was titled ' From Holler to High-speed: Bringing Broadband to your Community '. Several counties were represented with Augusta County being the primary leaders.

Since that meeting nothing has transpired relative to providing fast, reliable internet services to our (Spottswood) and other similar areas. What action does the Board of Supervisors propose to rectify the situation? In our area even cell phone service is virtually non existent.

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MATTERS TO BE PRESENTED BY THE PUBLIC (CONT'D)

Providers such as, for example, Verizon and A.T.&T. indicate little or no desire to improve the situation and have further indicated that 'land line' services, maintenance etc. may be eventually affected by lack of replacement parts. Recent and ongoing events which use the inter-net as a means of providing information etc. further highlight the need for at least some modicum of modern communications.

2. Consideration should be given to property rates. Why should for example there not be different rates based upon availability of services. Again as an example. Some property has availability of county water, county sewage, inter-net and cellular phone services whilst others have none of these. Yet the tax rate is the same regardless.

One might argue that the lack of such services is reflected in the assessed value of the property. Is it? Using these lack of services has little or no affect when seeking a reduction in assessed value from person/persons representing the contracted company who performed the actual assessment. Regarding general issues. Companies have little or no interest, perhaps justifiably so, in investing in rural areas where the population density is low and unlikely to add to their profit margins. Perhaps being critical of the general situation it could be said that county administration is similarly biased for other reasons.

Even the local electricity provider has advised that they have no interest in considering providing inter-net services in a manner currently provided by an electric provider in an adjacent county. Augusta County is a wonderful place to live (been here 53 yrs.) but it is lagging behind other counties now relative to what, over time, has become the expected norm in communications. With no cellular or reliable high speed I/net service residents cannot avail themselves of general informative communications, emergency assistance (police, fire etc.), government announcements, educational programs, competitive coupon promotions, weather related warnings or competitive methods of television entertainment etc. Even State law enforcement officers often cannot get on site communication when accidents and or emergencies occur. Isn't it long overdue for rectification of at least some of these issues?

I appreciate the opportunity of providing these concerns to you as our duly elected representatives.

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MATTERS TO BE PRESENTED BY THE BOARD

Dr. Seaton reminded everyone that medical practices and offices were open for business and are taking measures for safety such as controlling access, checking temperatures and screening for symptoms. Do not delay seeking medical attention.

Mr. Shull would like the Health Department to provide active case numbers regarding COVID-19. People are not concerned with the total number; they want to know the actual number of cases currently.

Ms. Carter is not sure how practical it would be to get that information without following up with the individuals that have tested positive.

Mr. Wells would like for someone from the Health Department to brief the Board on what is happening within the Augusta County.

Mr. Shull has an issue that he would like to send to the Ordinance Committee for review. If you own a lot that is twenty acres or less and you want to divide it off, then it has to be perked right away. Mr. Shull would like to change the ordinance to say it does not need to be perked until ready to sell.

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May 13, 2020, at 7:00 p.m.

MATTERS TO BE PRESENTED BY STAFF

Timothy Fitzgerald, County Administrator discussed the following issues:

- 1) A presentation on the Stuarts Draft Small Area Plan was given at a previous meeting. The intent, at that time, was to advertise for public hearing to officially adopt the plan. A previous Board has adopted the maps that go with the plan. Staff request approval from the Board to advertise for public hearing.

Mr. Morelli moved, seconded by Mr. Shull, that the Board approve advertising for a public hearing to be held on June 24, 2020.

Dr. Seaton questioned waiting until a July or August meeting.

Mr. Fitzgerald stated that there is not a deadline for approval, however the mapping of the plan has been approved and the writing part of the plan needs to go along with the mapping. There is risk in waiting until July or August, but can be done if the Board desires.

Dr. Seaton amended the motion, that the Board approve advertising for a public hearing to be held on July 22, 2020.

There was a vote taken for the amended motion.

Mr. Shull agrees with having the public hearing on June 24, 2020.

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

Motion carried.

- 2) Jennifer Whetzel, Deputy County Administrator, stated that there is a great deal of stimulus money available and there are different agencies that are monitoring the application process for the money. Augusta County is able to partner with other agencies. One available opportunity is for CDBG funding related to COVID-19. There is a letter of interest related to telework expenses that the County has incurred and also telemedicine expenses that Augusta Health has incurred. The grant funding requires two public hearings to provide information. The discussion at this meeting will count as one hearing and then if qualified, there will be a more formal public hearing for citizens to speak.
- 3) Mr. Fitzgerald gave the Board an update on the 2020 Census. Augusta County ranks 23 out of 125 localities in Virginia for a response rate. There was a concern with the Craigsville area and the low response rate. The census was set to close on July 31, but due to the pandemic, the deadline has been extended to October 31, 2020. There are grants available for outreach. The census is hiring positions to meet their recruitment goals.
- 4) Candy Hensley has been assigned the task of leading a team to re-opening the Government Center. A draft plan has been created. The County will take a phased approach at opening the building. The current plan is to re-open at least one set of doors on June 1. The number of people in the building will be limited. There are safety measures being taken at each counter to ensure proper social distancing. Hand sanitizing stations will be available at each entrance. Wearing masks by staff and the public is recommended, but optional. When phase 2 is, entered staff will consider opening playgrounds, pools, campgrounds and shelters, activities can be scheduled through Parks & Recreation and meetings may be held with fifty people or less.



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CLOSED SESSION (CONT'D)

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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Ms. Carter moved, seconded by Mr. Shull, that the Board authorize Mr. Fitzgerald to sign the confidentiality agreement as discussed in Closed Session.

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

Motion carried.

Mr. Morelli moved, seconded by Mr. Shull, that the Board appoint Carolyn Bragg to serve on the Planning Commission. Effective July 1, 2020 and to expire on June 30, 2024.

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

Motion carried.

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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.

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Chairman

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County Administrator