

Regular Meeting, Wednesday, August 26, 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
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, August 26 2020, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 245th 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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Dr. Seaton, Supervisor for the Wayne District, delivered the invocation.

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ORDINANCE AMENDMENT-AUGUSTA COUNTY CODE SECTION 22-2 & 22-3

This being the day and time advertised to consider an ordinance amendment to Augusta County Code Section 22- 2, which would reinstate the penalty for failure to pay the first installment of real estate taxes for tax year 2020 to ten percent (10%) as of September 1, 2020, and an amendment to Augusta County Code Section 22-3, which would reinstate the interest on unpaid real estate taxes due and payable for tax year 2020 to ten percent (10%) per annum as of September 1, 2020. The amendments rescind the reduced penalty and interest fees that are available to tax payers through August 31, 2020 for the first half installment of 2020 real estate taxes.

Jennifer Whetzel, Deputy County Administrator, stated that in May there was a public hearing to temporarily amend penalty to 0% and interest to 5% per annum on first half 2020 real estate taxes. This change is effective through August 31, 2020 and a public hearing is necessary to return the ordinance to the original language. The penalty for failure to pay the first installment of real estate taxes for tax year 2020 will return to 10% as of September 1, 2020. The interest on unpaid real estate taxes due for tax year 2020 will return to 10% per annum as of September 1, 2020.

Ms. Carter questioned if the amount could be reduced. Ms. Whetzel stated that it has

August 24, 2020, at 1:30 p.m.

CLOSED SESSION (CONT'D)

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



Chairman



County Administrator

HB-24sbmin.2020

August 26, 2020, at 7:00 p.m.

ORDINANCE AMENDMENT-AUGUSTA COUNTY CODE SECTION 22-2 & 22-3 (CONT'D)

to go back to its original language and then can be revisited later.

The Chairman declared the public hearing open.

Tracy Pyles of Churchville emailed the following statement:

"I will not be attending tonight but would like to register my objection to these reinstatements and would suggest they be left alone. The evidence is that lowering the penalties had no discernible impact on the rate of payments. The penalties are meant to encourage payment. Our people overwhelmingly pay their taxes on time when they have the funds. Let us not unnecessarily penalize those who are having tough times. We have too many unemployed and the possibility of poor crop production due to excess rain to choose to return to penalties that do not fit our times. The 10% interest penalty, given what banks now pay for funds invested, borders on usury. Five percent is twice what is available from banks. Many of our folks depend on the USPS to deliver their checks to the Treasurer. Presently, their delivery performance is being questioned. The due date could remain but the late date should be extended by two weeks before penalties assessed."

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

Ms. Whetzel read the sentence that would be removed from the ordinance that notes the dates of the reduced rates. The rates will revert back on September 1, 2020 with or without this sentence.

Ms. Carter moved, seconded by Dr. Seaton that the Board revisit at a later time at a lower rate.

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

Motion carried.

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AG FORESTAL DISTRICT WITHDRAWAL

This being the day and time advertised to consider a request to withdraw approximately 75 acres of land from the Middle River Agricultural and Forestal District owned by Buddy L. or Misty D. Shaver (TMP 38-53), located in the southeast quadrant of the intersection of Cline River Road and Craig Shop Road in Weyers Cave in the Middle River District. The Planning Commission recommends approval.

Leslie Tate, Senior Planner stated that this is a request from Buddy L., Jr. or Misty D. Shaver. Mr. Shaver would like to build a home on the property within the next few years. He purchased the property from Jane Fulton on 11/26/2019. In purchase negotiations with Ms. Fulton, he had asked her not to renew the parcel of land back in to the district during the 2018 renewal process, but Ms. Fulton kept it in. Mr. Shaver's plans do not comply with the current guidelines of the Middle River Ag Forestal District and the district will not expire until November 2028.

The Chairman declared the public hearing open.

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

Mr. Slaven stated that he would abstain from voting due to a conflict of interest.

Mr. Shull moved, seconded by Mr. Wells that the Board approve the withdrawal request as presented.

August 26, 2020, at 7:00 p.m.

AG FORESTAL DISTRICT WITHDRAWAL (CONT'D)

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

Motion carried.

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UTILITY SCALE SOLAR-COMPREHENSIVE PLAN AMENDMENTS

This being the day and time advertised to consider amendments to the Augusta County Comprehensive Plan with the addition of the following phrase to Goal #4/Objective C/Policy #6: "consideration of existing Augusta County Service Authority infrastructure be made." The Planning Commission recommends approval.

Mr. Garber stated that he would abstain from voting and discussion due to a conflict of interest.

Ms. Tate stated that this public hearing is addressing amendments to the utility section of the 2014-2015 Comprehensive Plan update. The amendments add eleven different policy considerations siting and design of utility scale solar installations in Augusta County. The vision statement and goals have been reviewed in depth previously. Ms. Tate showed a map on the screen of the planning policy areas. It has been over a year since the Board denied the first received application for a utility scale solar project that Augusta County has had. Since that denial, Staff has conducted three meetings gaging input from a wide range of stakeholders that were appointed by Board members to a committee. Staff feels the language that is presented is written in a way that affords flexibility and allows a case-by-case project review, while providing a framework of guidance to developers, staff and citizens about what values the County holds when evaluating these projects. Staff feels the eleven policies put forth connect to the goals, but afford for flexibility for the Board to determine them as they review these projects. Policy 6 wording, the consideration of existing Augusta County Service Authority infrastructure be made, was included as a recommendation by the Planning Commission.

The word consideration is not intended to be negative or positive and a consideration of existing Service Authority utilities would happen anyway as a request to the Service Authority as they comment on individual projects. Comprehensive Plan language is intended to guide a projects compatibility with the overall County vision and goals. A project may conflict in some way with one of the policies or a portion of one of the policies and still likely be approved because the overall project is brought closer in line with the Comprehensive Plan by trying to fit into the policy goals of the County.

The Chairman declared the public hearing open.

Phil Martin, 209 Raintree Road, Verona and the Executive Director of the Augusta County Service Authority, stated that he urges the Board to approve the language in the Augusta Comprehensive Plan specifically in Policy 6. This takes into consideration investments made by the Augusta County Service Authority ratepayers who are also County taxpayers. Substantial sums of money have been invested to provide water and/or sewer service into the two main areas designated for future growth by the County. The Service Authority's mission statement includes in part language that they would work together or with Augusta County to achieve the development objectives of the County's Comprehensive Plan. The Service Authority makes decisions about where to provide and expand services based on the County's Comprehensive Plan.

August 26, 2020, at 7:00 p.m.

UTILITY SCALE SOLAR-COMPREHENSIVE PLAN AMENDMENTS (CONT'D)

Rick Pfizenmayer, 30 Round Hill Drive, Stuarts Draft, stated that this is a 240 acres farm and has lived there for 22 years. He has received at least three solicitations from solar project developers looking for farmland to put solar projects on. Mr. Pfizenmayer urges the Board not to adopt the language in the amendment that reads encourage distributed solar and carefully sited utility scale solar as a means of achieving renewable energy goals. Augusta County and the Shenandoah Valley is a unique and beautiful place.

Stan Sikorski, 169 Benz Road, Waynesboro, stated that this is not the right time to consider these impactful changes. People are concerned about COVID, the election, economic status and societal friction not making changes to the Comprehensive Plan.

Rodney Martin, 563 Houff School Road, Waynesboro, stated that he is speaking on behalf of the Martin Family Farm, which is located near McKee and Target Distribution Center in Stuarts Draft. As landowners, they disagree with the notion that the Augusta County Service Authority infrastructure should be a consideration if a property is not going through a rezoning. The family is concerned that the addition of this statement will get used to restrict landowners on properties they would choose to keep and use in ways that may never utilize water or sewer. As property owners, they have never been consulted by the County or the Service Authority before a sewer line or sewer system upgrade was being considered near their property. In 1990's McKee purchased land in Stuarts Draft. The new factory needed a sewer line. The Martin Family agreed to run a main sewer line across their property to the sewage treatment plant. They did not agree to hand over the surrounding land or the future potential development of this property to the County. The County did not caution them, at that time, that if the sewer line went through their property, it would have to become industrial in the future. Approval of the Comprehensive Plan 30 years ago was not consent by landowners to control the future of their land as long as they own it. Solar is not farming, but it is not industry either. Solar is a utility.

Nancy Sorrells, 3419 Cold Springs Road, thanked Staff for their hard work on solar. She does not agree with the Augusta County Service Authority infrastructure addition to the words. She appreciates the thought behind protecting the Service Authority's infrastructure, however, the Comprehensive Plan is a broad vision. No other land use and development type in the Comprehensive Plan is pulled out in this way. The Augusta County Service Authority infrastructure is not exclusive with solar or any other development.

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

Mr. Shull thanked Staff for the amount of time working on this process. He thanked the public for their input.

Mr. Shull moved, seconded by Mr. Wells that the Board approve the Comprehensive Plan amendmends as presented.

Dr. Seaton stated that he has a series of amendments to be made to the motion put forth by Mr. Shull.

Mr. Slaven moved, seconded by Mr. Wells to call for the question.

Vote was as follows:

Yeas:	Carter, Wells, Shull, Slaven, and Morelli
Nays:	Seaton
Abstain:	Garber

Motion carried.

August 26, 2020, at 7:00 p.m.

UTILITY SCALE SOLAR-COMPREHENSIVE PLAN AMENDMENTS (CONT'D)

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

Motion carried.

Mr. Shull would like to see how much it would cost to make solar profitable. The only way it is profitable, is for the Government to subsidize solar. How much do you want to see in solar?

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ROUND 4 SMART SCALE RESOLUTIONS

The Board considered resolutions for Smart Scales Projects.

**RESOLUTION IN SUPPORT OF THE
 US 250 WEST OF WAYNESBORO STARS STUDY PROJECT**

WHEREAS, the Commonwealth of Virginia has adopted a project prioritization program "Smart Scale" whereby transportation projects are selected for funding based on the cost effectiveness of those projects to meet performance goals; and

WHEREAS, the Board of Supervisors of Augusta County is seeking funding for the US 250 West of Waynesboro STARS Study Recommendations Project under the Smart Scale program; and

WHEREAS, the area west of Waynesboro is one of Augusta County's Designated Growth Areas; and

WHEREAS, US 250 is a Corridor of Statewide Significance, serving this community and linking the community with other destinations via Interstates 64 and 81; and

WHEREAS, the US 250 West of Waynesboro STARS Study Recommendations Project will make improvements on US 250 from the intersection of US 250 and Old White Bridge Road to the Waynesboro City limits; and

WHEREAS, such improvements will reduce crashes and improve pedestrian safety along US 250 West of the City of Waynesboro through access management, addition of sidewalk on one side of the roadway, revision of signal phasing, and systemic signal safety and operational improvements addressing multiple needs identified as part of the 2019 update of VTRANS mid-term needs; and

WHEREAS, it is necessary that a resolution be received from the sponsoring local jurisdiction or agency requesting the Virginia Department of Transportation funding; and

WHEREAS, the City of Waynesboro is seeking funding for similar improvements along the segment of the project within the City of Waynesboro.

NOW THEREFORE be it resolved that the Augusta County Board of Supervisors does hereby endorse the proposed US 250 West of Waynesboro STARS Study Recommendations Project to compete for state and federal funding under the Smart Scale program.

**RESOLUTION IN SUPPORT OF THE
 US 11 SOUTH OF STAUNTON STARS STUDY PROJECT**

WHEREAS, the Commonwealth of Virginia has adopted a project prioritization program "Smart Scale" whereby transportation projects are selected for funding based on the cost effectiveness of those projects to meet performance goals; and

WHEREAS, the Board of Supervisors of Augusta County is seeking funding for the US 11 South

August 26, 2020, at 7:00 p.m.

ROUND 4 SMART SCALE RESOLUTIONS (CONT'D)

of Staunton STARS Study Recommendations Project under the Smart Scale program; and

WHEREAS, the area South of Staunton is one of Augusta County's Designated Growth Areas; and

WHEREAS, US 11 is a Corridor of Statewide Significance, serving this community and linking the community with other destinations via Interstates 64 and 81; and

WHEREAS, the US 11 South of Staunton STARS Study Recommendations Project will make improvements on US 11 from Rolling Thunder Lane to Frontier Drive, at Payne Layne and Orchard Hill Road, and from Orchard Hill Road to Barterbrook Road; and

WHEREAS, such improvements will reduce crashes and improve pedestrian safety along US 11 South of the City of Staunton through access management with the addition of a raised median, addition of sidewalk, revision of signal phasing, and systemic signal safety and operational improvements addressing multiple needs identified as part of the 2019 update of VTRANS mid-term needs; and

WHEREAS, it is necessary that a resolution be received from the sponsoring local jurisdiction or agency requesting the Virginia Department of Transportation funding.

NOW THEREFORE be it resolved that the Augusta County Board of Supervisors does hereby endorse the proposed US 11 South of Staunton STARS Study Recommendations Project to compete for state and federal funding under the Smart Scale program.

**RESOLUTION IN SUPPORT OF THE
WEYERS CAVE ROAD (RT. 256) TURN LANE PROJECT**

WHEREAS, the Commonwealth of Virginia has adopted a project prioritization program "Smart Scale" whereby transportation projects are selected for funding based on the cost effectiveness of those projects to meet performance goals; and

WHEREAS, the Board of Supervisors of Augusta County is seeking funding for the Weyers Cave Road (Rt. 256) Turn Lane Project under the Smart Scale program; and

WHEREAS, Weyers Cave is one of Augusta County's Designated Growth Areas; and

WHEREAS, Route 256 is a designated freight route serving this community and links areas along US 340, Grottoes and Weyers Cave with other destinations via Interstate 81; and

WHEREAS, the Weyers Cave Road (Rt. 256) Turn Lane Project will make improvements on Weyers Cave Road (Rt. 256) from the I-81 Exit 235 northbound off-ramp to Triangle Drive by adding a median, dedicated turn lanes, a shared use path, and a park and ride facility, which will improve driver safety, expand non-motorized connectivity, and reduce congestion addressing multiple needs identified as part of the 2019 update of VTRANS mid-term needs; and

WHEREAS, the Weyers Cave Road (Rt. 256) Turn Lane Project is identified in the Draft Constrained Long Range Transportation Plan of the Staunton-Augusta-Waynesboro Metropolitan Planning Area; and

WHEREAS, the Weyers Cave Road (Rt. 256) Turn Lane Project will complete portions of a larger project identified in the County's Comprehensive Plan as a priority transportation project; and

WHEREAS, it is necessary that a resolution be received from the sponsoring local jurisdiction or agency requesting the Virginia Department of Transportation funding.

NOW THEREFORE be it resolved that the Augusta County Board of Supervisors does hereby endorse the proposed Weyers Cave Road (Rt. 256) Turn Lane Project to compete for state and federal funding under the Smart Scale program.

**RESOLUTION IN SUPPORT OF THE
HERMITAGE ROAD (RT. 254) INTERSECTION IMPROVEMENTS PROJECT**

WHEREAS, the Commonwealth of Virginia has adopted a project prioritization program "Smart Scale" whereby transportation projects are selected for funding based on the cost effectiveness of those projects to meet performance goals; and

August 26, 2020, at 7:00 p.m.

ROUND 4 SMART SCALE RESOLUTIONS (CONT'D)

WHEREAS, the Board of Supervisors of Augusta County is seeking funding for the Hermitage Road (Rt. 254) Intersection Improvements Project under the Smart Scale program; and

WHEREAS, the Hermitage Road (Rt. 254) Intersection Improvements Project will make improvements at the intersections of Rt. 254 and Rt. 262, Rt. 254 and Rt. 792, and Rt. 254 and Rt. 640, which are all identified as having a safety improvement need in the 2019 update of the VTRANS mid-term needs; and

WHEREAS, the intersection of Rt. 254 and 262 is listed at #31 on the Staunton District Potential for Safety Improvements intersections list; and

WHEREAS, the three intersections combined have experienced at least 56 crashes in the period 2013-2019 with one fatality; and

WHEREAS, it is necessary that a resolution be received from the sponsoring local jurisdiction or agency requesting the Virginia Department of Transportation funding.

NOW THEREFORE be it resolved that the Augusta County Board of Supervisors does hereby endorse the proposed Hermitage Road (Rt. 254) Intersection Improvements Project to compete for state and federal funding under the Smart Scale program.

RESOLUTION IN SUPPORT OF THE WOODROW WILSON COMPLEX LONG TERM ACCESS IMPROVEMENTS PROJECT

WHEREAS, the Commonwealth of Virginia has adopted a project prioritization program "Smart Scale" whereby transportation projects are selected for funding based on the cost effectiveness of those projects to meet performance goals; and

WHEREAS, the Staunton Augusta Waynesboro Metropolitan Planning Organization is seeking funding for the Woodrow Wilson Complex Long Term Access Improvements Project under the Smart Scale program; and

WHEREAS, Fishersville is one of Augusta County's Designated Growth Areas; and

WHEREAS, US 250 is a Corridor of Statewide Significance, serving this community and linking Fishersville with other destinations via Interstates 64 and 81; and

WHEREAS, the Woodrow Wilson Complex Long Term Access Improvements Project will add a second entrance to the Woodrow Wilson Complex, which will improve access, reduce congestion and delay, and improve safety, thereby addressing multiple needs identified as part of the 2019 update of VTRANS mid-term needs; and

WHEREAS, the Woodrow Wilson Complex Long Term Access Improvements Project is identified in the County's Comprehensive Plan as a priority transportation project; and

WHEREAS, it is necessary that a resolution be received from the sponsoring local jurisdiction or agency requesting the Virginia Department of Transportation funding.

NOW THEREFORE be it resolved that the Augusta County Board of Supervisors does hereby endorse the proposed Woodrow Wilson Complex Long Term Access Improvements Project to compete for state and federal funding under the Smart Scale program.

A RESOLUTION OF SUPPORT FOR A SMART SCALE APPLICATION FOR CROZET TUNNEL TRAIL IN WAYNESBORO, VIRGINIA

WHEREAS, the City of Waynesboro has submitted a \$5.5m SMART SCALE application for a 1.3 mile shared use path running roughly parallel to US-250 from 1800 East Main Street, including a pedestrian tunnel underneath the Buckingham Branch rail line, to the western trail of the Blue Ridge Tunnel Phase III project; and,

WHEREAS, in conjunction with the previously funded East Main Street Shared Use Path, this project is intended to address Regional Network and Corridor of Statewide Significance needs by creating a continuous bike and pedestrian connection from Downtown Waynesboro to Route 6 in Afton, providing an alternative route to US-250 for non-motorized traffic; and,

August 26, 2020, at 7:00 p.m.

ROUND 4 SMART SCALE RESOLUTIONS (CONT'D)

WHEREAS, the Commonwealth of Virginia has adopted a project prioritization program under the SMART SCALE Program whereby transportation projects are selected for funding based on the cost-effectiveness of those projects to meet performance goals; and,

WHEREAS, a significant portion of this trail will be located in the jurisdiction of Augusta County and the trail will be a major recreational and economic development asset for properties in Augusta County;

NOW THEREFORE be it resolved that the Augusta County Board of Supervisors does hereby support the application by the City of Waynesboro, to compete for state and federal funding under the Smart Scale program.

A RESOLUTION OF SUPPORT FOR A SMART SCALE APPLICATION FOR US 250 (WEST MAIN STREET) IN WAYNESBORO, VIRGINIA

WHEREAS, the Commonwealth of Virginia has adopted a project prioritization program "Smart Scale" whereby transportation projects are selected for funding based on the cost effectiveness of those projects to meet performance goals; and

WHEREAS, the City of Waynesboro is seeking funding for the US 250 West Main Street STARS Study Recommendations in the City of Waynesboro under the Smart Scale program; and

WHEREAS, West Main Street is a key commercial corridor with safety and accessibility needs identified in the City's Comprehensive Plan and in regional transportation plans; and

WHEREAS, US 250 is a Corridor of Statewide Significance, serving this community and linking the community with other destinations via Interstates 64 and 81; and

WHEREAS, the US 250 West Main Street STARS Study Recommendations will make improvements on US 250 from the intersection of US 250 and Hopeman Parkway to the Waynesboro City limits; and

WHEREAS, such improvements will reduce crashes and improve pedestrian safety along US 250 in the City of Waynesboro through access management, addition of sidewalk on one side of the roadway, revision of signal phasing, and systemic signal safety and operational improvements addressing multiple needs identified as part of the 2019 update of VTRANS mid-term needs; and

WHEREAS, the Augusta County is seeking funding for similar improvements along the segment of US 250 west of the City limits to the intersection of US 250 and Old White Bridge Road.

NOW THEREFORE be it resolved that the Augusta County Board of Supervisors does hereby support the proposed US 250 West Main Street STARS Study Recommendations Project, being applied for by the City of Waynesboro, to compete for state and federal funding under the Smart Scale program.

Ms. Tate stated that there are seven different resolutions that are in support of Round 4 Smart Scale application projects. Smart Scale is a transportation funding mechanism that is Statewide and it is a competitive process. Based on the size, Augusta County is limited to applying for four applications. Four of the resolutions are for applications which staff submitted and a resolution of support is required. These resolutions include the Route 11 STARS Study, Route 250 STARS Study, Route 254 (3 intersections), and Route 256. In addition, the Staunton, Augusta, Waynesboro MPO, on behalf of Augusta County, submitted an application for a secondary access to the Woodrow Wilson Workforce and Rehabilitation Center. Two Resolutions of Support are for City of Waynesboro projects that are within close proximity to Augusta County; the Crozet Tunnel and US 250 from City limits where the County's project terminates.

Ms. Carter moved, seconded by Mr. Shull that the Board approve the resolutions for Smart Scale projects.

August 26, 2020, at 7:00 p.m.

ROUND 4 SMART SCALE RESOLUTIONS (CONT'D)

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

Motion carried.

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PERSONAL PROPERTY TAX RELIEF PROGRAM-RESOLUTION

The Board considered a resolution establishing the rate of tax relief of qualifying vehicles for purposes of the Personal Property Tax Relief Act.

RESOLUTION OF THE BOARD OF SUPERVISORS OF AUGUSTA COUNTY, VIRGINIA

WHEREAS, the Personal Property Tax Relief Act of 1998, Va. Code §§ 58.1-3523 *et seq.* ("PPTRA"), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005), and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2004-06 Appropriations Act).

WHEREAS, by its enactment of an ordinance on December 14, 2005 ("Ordinance"), the Board of Supervisors of Augusta County, Virginia (the "Board of Supervisors") has previously implemented such modifications of the PPTRA.

WHEREAS, the Board of Supervisors now desires to set the rate of tax relief for tax year 2020 for purposes of the Ordinance.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF AUGUSTA COUNTY, VIRGINIA:

1. For purposes of § 3(c) of the Ordinance, the rate of tax relief with respect to qualifying vehicles with assessed values of more than \$1,000, and applied to the first \$20,000 in value of each such qualifying vehicle, shall be thirty-six (36%).
2. All other provisions of the Ordinance shall be implemented by the Commissioner of the Revenue or the County Treasurer, as applicable, including, without limitation, those set forth in § 3(b) of the Ordinance, pertaining to the elimination of personal property taxation of each qualifying vehicle with an assessed value of \$1,000 or less, and in § 4, pertaining to liability of taxpayers whose taxes with respect to a qualifying vehicle for tax year 2005 or any prior tax year remain unpaid.
3. This Resolution shall take effect immediately upon its adoption.

Jennifer Whetzel, Deputy County Administrator, stated that this resolution is approved annually. At the State level there is \$950 million set aside to reimburse localities for personal property tax. The County gets approximately \$4.3 million of those funds. The total value of personal property is reviewed in relation to the \$4.3 million and a percentage that is credited back to the taxpayers is established. This year's percentage is 36%.

Ms. Carter moved, seconded by Mr. Wells, that the Board approve the Personal Property Tax Relief Program resolution.

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

Motion carried.

August 26, 2020, at 7:00 p.m.

AUGUSTA COUNTY SERVICE AUTHORITY EASEMENT (CONT'D)

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

Motion carried.

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SCHOOL BOARD YEAR-END FUND BALANCE

The Board considered the School Board year-end fund balance request.

Mr. Fitzgerald stated that the Augusta County School Board requests to utilize fund balance from 2019-2020. They request the fund balance of \$1,322,116.00 be re-appropriated into their operating account for 2020-2021. In addition, the School Board requests the option to utilize capital funds that have been appropriated for the purchase of school buses to be made available to address operational expenditures if needed during the 2020-2021 fiscal year. Those funds will remain in capital with the option to utilize the money if needed. The \$1.3 million will be placed in their operating account due to the expected shortfall in sales tax dollars they will receive.

Mr. Shull moved, seconded by Ms. Carter, that the Board approve the School Board year-end fund balance request.

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

Motion carried.

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BOARD OF SUPERVISORS RULES OF ORDER

The Board considered changes to Rules of Order.

Mr. Fitzgerald stated that there is concern that the Board should make it clear that in regards to their meetings that parliamentary procedure set forth in Robert's Rules of Order to govern the conduct of the meetings, except where otherwise specified by the Rules of Order. The numbered rules have not changed with this approval. A statement was added at the beginning stating the rule of parliamentary procedure set forth in Roberts Rules of Order shall govern the conduct of the meetings of the Board of Supervisors, except where otherwise specified by these rules or otherwise mandated by State law.

Mr. Shull moved, seconded by Ms. Carter, that the Board approve the change to the Rules of Order.

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

Motion carried.

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August 26, 2020, at 7:00 p.m.

CHURCHVILLE ELEMENTARY INFRASTRUCTURE

The Board considered change in funding for steps on embankment.

Funding Source: Pastures Infrastructure 8014-107 de-allocate \$5,100.00
North River Infrastructure 8013-65 allocate \$5,100.00

Mr. Fitzgerald stated that Mr. Slaven has requested that \$5,100.00 be allocated from his infrastructure account to help with funding on the step project at Churchville Elementary that was previously voted on by the Board of Supervisors. \$5,100.00 will be de-allocated back to the Pastures Infrastructure account.

Ms. Carter moved, seconded by Mr. Wells, that the Board approve the change in funding.

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

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:

MINUTES

Consider minutes of the following meeting:

- Regular Meeting, Wednesday, June 24, 2020
- Staff Briefing, Monday, July 20, 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

Nancy Sorrells, 3419 Cold Springs Road, Greenville, thanked everyone for working with the citizens of Augusta County and protecting the rights regarding the Atlantic Coast Pipeline.

Richard Fox, 95 North Jackson Street, Craigsville, stated a need for additional Rescue staff and a rescue squad at Craigsville Rescue.

Nick Collins, 850 Hotchkiss Road, Churchville, requested an update on Jennings

August 26, 2020, at 7:00 p.m.

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

Branch renovation. Mr. Fitzgerald stated that there are easements required and they are being worked on.

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MATTERS TO BE PRESENTED BY THE BOARD

Ms. Carter has been appointed to serve on the Federal Communications Commission Advisory Committee. The purpose of the committee is to provide guidance and recommendations to the commission on telecommunication issues.

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MATTERS TO BE PRESENTED BY STAFF

Mr. Fitzgerald discussed the following:

- 1) Reminder that the VACo Annual Conference is virtual.
- 2) Monday, September 14th is the Shenandoah Valley Electric Annual meeting that is virtual.
- 3) General Assembly is back in session. An email will be sent to the Board from the County's Liaison, Eldon James, providing updates.
- 4) Candy Hensley, Assistant to the County Administrator, has been working on the Policy and Procedures for Infectious Disease Prevention. This is a State requirement and there are training requirements for all County employees.
- 5) September 8, 2020 is the grand opening for the Weyers Cave Library.
- 6) James Benkahla, County Attorney, updated the Board on Wild Turkey Lane. The trail has been used by the National Park Service as access. A landowner feels this is a private road and it should not be used as an access point by the National Park Service. The National Park Service states this a County public road. After reviewing the deed, it is determined that this is not a County road or right-of-way.

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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 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) Wilson Trucking Corp.
 - b) Augusta County Courthouse

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:

August 26, 2020, at 7:00 p.m.

CLOSED SESSION (CONT'D)

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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ADJOURNMENT

There being no other business to come before the Board, Mr. Shull moved, seconded by Ms. Carter 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

