

Regular Meeting, Wednesday, January 13, 2021, 7:00 p.m. Government Center, Verona, VA.

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

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, January 13, 2021, 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 those present for the meeting.

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Mr. Morelli, Supervisor for the South River District, led the Pledge of Allegiance.

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Dr. Seaton, Supervisor for the Wayne District, delivered the invocation.

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AUDIT PRESENTATION

The Board heard a presentation from PB Mares and was presented with the FY2020 Financial Report.

Betsy Hedrick and Andrea Nichols with PB Mares joined the meeting via Zoom.

Betsy Hedrick stated that 2020 was full of challenges, but conducting the audit went as smoothly as possible thanks to the staff at Augusta County.

Ms. Nichols stated that the purpose of the audit is not to detect fraud, but to determine whether the financial statements are materially misstated. The audit is conducted in three separate phases. The first phase occurs in the spring. This is prior to year-end, and this is the information gathering stage where we obtain internal control understandings of all of the main transaction cycles throughout the county school board, social services and other departments. While the understanding is obtained, procedures are performed to test key controls to make sure that they are operating as they have been designed to operate. Those results feed into the second phase of the audit, which is when the testing is performed over the final account balances in the fall after finance had a chance to record any accrual entries or other adjustments, and the numbers are final at that point. After that testing has been completed, we move into the third phase, which is the report phase and this culminates in finance preparing the Comprehensive Annual Financial Report. The Comprehensive Annual Financial Report is reviewed and

January 6, 2021, at 5:00 p.m.

CLOSED SESSION (CONT'D)

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

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

Motion carried.

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

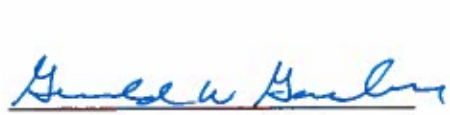
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ADJOURNMENT

There being no other business to come before the Board, Ms. Carter moved, seconded by Mr. Wells that the Board adjourn subject to call of the Chairman.

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

Motion carried.


Chairman


County Administrator

January 13, 2021, at 7:00 p.m.

AUDIT PRESENTATION (CONT'D)

then it has a December 15, 2020 reporting deadline to the state auditor of public accounts. Localities across the state have had unique challenges related to the pandemic. The audit was performed remotely, however all of the same audit work was still completed and everyone was flexible and cooperative in coming up with creative solutions and technology to make sure all necessary work was done. Ms. Nichols thanked County staff for all of their hard work.

Ms. Hedrick stated that their team met with the Audit Committee and reviewed the document, the results of the audit, which provides highlights of the Comprehensive Annual Financial Report; the firm has required communications under Government auditing standards and has provided the management letter and current information regarding the firm. PB Mares has issued a unmodified opinion on the County's Comprehensive Annual Financial Report for fiscal year ending June 30, 2020. A unmodified opinion is a clean opinion and is the best opinion that can be issued as auditors. The other report that we have issued is in the compliance section in the back of the comprehensive annual financial report, and that is the report on internal control over financial reporting and on compliance based on an audit performed in accordance with government auditing standards and that report was clean as well.

Ms. Carter thanked the audit team for their efforts and hard work performed on the audit.

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COMMITTEES & COMMISSIONS FOR 2021 APPOINTED BY THE BOARD

Chairman Garber presented the following recommendations for committee appointments:

LOCAL EMERGENCY PLANNING COMMISSION

Appointed David Nichols and Gerald Garber to the Local Emergency Planning Commission for a one-year period.

AGRICULTURAL AND FORESTAL DISTRICT COMMITTEE

Appointed Jeff Slaven and Michael L. Shull to the Agricultural and Forestal District Committee for a one-year period.

EMERGENCY MANAGEMENT DIRECTOR

Re-appointed Chairman of the Board of Supervisors, Gerald Garber, as Emergency Management Director.

EMERGENCY MANAGEMENT CO-DIRECTOR

Re-appointed Timothy K. Fitzgerald, County Administrator, as Emergency Management Co-Director.

EMERGENCY MANAGEMENT COORDINATOR

Re-appointed Donna Good, EOC Director, as Emergency Management Coordinator.

ASSISTANT EMERGENCY MANAGEMENT COORDINATOR

Re-appointed Anthony Ramsey, EOC Operations Manager, as Assistant Emergency Management Coordinator.

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COMMITTEES & COMMISSIONS FOR 2021 APPOINTED BY THE BOARD (CONT'D)

Mr. Wells moved, seconded by Mr. Garber, that the committees appointed by the Board be approved.

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

Motion carried.

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COMMITTEES FOR 2021 - APPOINTED BY THE CHAIRMAN

Chairman Garber announced the following appointments:

- Public Safety Committee: Jeff Slaven and Scott Seaton
- Property Committee: Michael Shull and Steve Morelli
- Parks and Recreation Liaison: Steve Morelli
- Library Board Liaison: Steve Morelli
- Recycling Committee Liaison: Steve Morelli
- Board & Commission Liaison: Butch Wells
- General Assembly/VACo Liaison: Gerald Garber
- Governmental Opportunities Committee with
 Cities of Staunton and Waynesboro Liaisons: Gerald Garber
- Rockingham/Augusta Liaisons: Jeff Slaven and Gerald Garber
- Audit Committee: Butch Wells and Michael Shull
- Ordinance Review Committee: Butch Wells and Steve Morelli
- Agriculture Industry Board Liaison: Jeff Slaven
- Community Action Program – Staunton/
 Augusta/Waynesboro (CAP-SAW): Pam Carter and Scott Seaton
- School Liaisons: Gerald Garber
- Economic Development Committee: Michael Shull and Pam Carter
- Metropolitan Planning Organization (MPO) Scott Seaton and
 Pam Carter (Alt)
- Broadband Committee: Pam Carter
- Shenandoah Workforce Development: Pam Carter

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January 13, 2021, at 7:00 p.m.

MIDDLE RIVER REGIONAL JAIL COMMUNITY CORRECTIONS PLAN AND EXPANSION

The Board heard a presentation by Superintendent Newton. Mr. Newton gave an overview of the Middle River Regional Jail Authority. He discussed the administrative process for expansion approval, the overview the project scope and the potential project. The jail's original DOC rated capacity of was 396 and the original construction provided for core space for 150% capacity or about 600 inmates. The average daily population for CY2020 was 843 with 37 inmates on HEI. Populations in the jail have previously been above 1000 since 2015. The Jail Authority approved publishing a Request for Proposal to conduct a Community Based Corrections Plan (CBCP). Moseley Architects was awarded the contract. The CBCP was approved to be submitted to the Department of Corrections and the Commonwealth Board of Local and Regional Jails for review and approval. The Commonwealth Board of Local and Regional Jails approved the plan in September 2020 for a 400-bed expansion. Three options were developed with the goal of increasing the rated capacity of the jail to improve the safety and security for staff and inmates. Option A consists of renovation, medical, laundry, warehouse/maintenance, mental health beds and 400 new beds with capacity for additional 400 beds in the future with limited new construction. The cost for option A is \$96,531,639.00. Option B consists of renovation, medical, laundry, warehouse/maintenance, mental health beds and 400 new beds with no capacity for additional 400 beds at a cost of \$58,441,761.00. Option C consists of renovation, medical, laundry, warehouse/maintenance, no mental health beds and 200 bed minimum custody beds and 200 community corrections beds with no capacity for additional 400 beds at a cost of \$40,033,233.00. The Authority Board authorized submitting a Community Based Corrections Plan based on Option A. Moseley and MRRJ Staff revisited previously reviewed options with the MRRJA Board of Directors on December 2, 2020. After several meetings, revised project options were presented to the MRRJA Finance Committee on December 21, 2020. There was a Special Meeting on January 7, 2021 to review the revised project options. The key issues with the project options include renovation – facility 15 years, community corrections, mental health, increased minimum custody beds and warehouse/maintenance. Mr. Newton reviewed the recommended renovations. He reviewed the potential new option and costs associated with the option and the budget increase that is anticipated. The February 2, 2021 MRRJA Board meeting will include Board guidance for expansion option, Board approval to obtain Bond Counsel, and Board approval to negotiate the contract.

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THIRD PARTY COLLECTION SERVICES FOR RECENUE RECOVERY RFP

The Board considered awarding the contract to First Point Collection Resources, Inc. for Third Party Collection Services.

Misty Cook, Director of Finance, stated that several months ago the Revenue Recovery rates were presented to the Board. There were some changes made to the Revenue Recovery Policy and this would be awarding the contact. The selection committee has reviewed and evaluated the proposals and the top three highest scored firms were interviewed. It is recommended to award the contact to First Point Collection Resources, Inc.

Dr. Seaton moved, seconded by Ms. Carter, that the Board award the contract to First Point Collection Resources, Inc. for Third Party Collection Services.

January 13, 2021, at 7:00 p.m.

THIRD PARTY COLLECTION SERVICES FOR RECENUE RECOVERY RFP (CONT'D)

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

Motion carried.

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SOLID WASTE & RECYCLABLES COLLECTION

The Board considered awarding contract to Meridian Waste for Solid Waste & Recyclables Collection.

Ms. Cook stated that there were four bids received for the Solid Waste & Recyclables collection IFB. Meridian Waste was the lowest of those bids and it is recommended that the Board award the contract to Meridian Waste in the amount of \$907,807.88. The contract term shall run for five years with an option to renew for two additional one-year renewals.

Ms. Carter received a letter from a citizen who is very familiar with this and has concerns with changing companies. In her letter, she states that Bobby's Towing has been an exceptional company to work with and they go above and beyond what is expected of them. Bobby's Towing has provided excellent service over the past twenty years and it has been a pleasure to associate with them on a daily basis. She requests that the Board consider this staff recommendation carefully.

Mr. Fitzgerald stated that the contract requirements are the same as in the past. There are times that BTS went beyond the contract requirements and that is appreciated. State procurement law requires the project to be bid out. The concern is understood, however there is no legal reason to not award the contract to Meridian with the same contract requirements.

Mr. Slaven has received concerns from citizens as well. He questioned the extensions or alterations that may have changed the timeframe for submitting bids.

Ms. Cook stated that she was not aware of any issues.

The Board discussed concerns about switching companies after being with the same one for so many years.

Mr. Fitzgerald explained that procurement laws are very specific in how this process has to be completed. If for some reason the Board decides not to approve the contract, there has to be valid reasons for the decision.

Dr. Seaton moved, seconded by Mr. Wells, that the Board award contract to Meridian Waste for Solid Waste & Recyclables Collection.

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

Motion carried.

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January 13, 2021, at 7:00 p.m.

LANDFILL AGREEMENT

The Board considered agreement for the Augusta Regional Landfill.

Mr. Fitzgerald stated that the most recent landfill management agreement was entered into on December 31, 2015, with automatic renewal terms of one year. The limited number of renewals expired on December 31, 2020. The Augusta Regional Landfill Management Agreement has been revised and reviewed by ACSA and all three-owner localities. This agreement designates ACSA as the primary site operator of the existing sanitary landfill operated under Virginia Department of Environmental Quality solid waste Permit Number 585. There were no significant changes to the agreement, which would impact daily operations of the landfill. The revisions clarified, cleaned-up, and corrected language within the agreement.

Dr. Seaton moved, seconded by Mr. Slaven, that the Board approve the agreement for the Augusta Regional Landfill.

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

Motion carried.

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FFCRA ACT – CARES LEAVE

The Board considered date for CARES leave extension.

Mr. Fitzgerald stated that the Paid Sick Leave and Expanded Family Medical Leave under FFCRA was not extended past December 31, 2020. Employers are not required to provide employees with FFCRA leave after that date, but the employer may voluntarily decide to provide such leave. As a local government entity, the County is not eligible for the tax credits for paid sick leave and expanded family medical leave. Due to Congress not acting on the continuation of the Act, it was decided to extend it through January 15, 2021 in hopes Congress would make a decision before the Board meeting on January 13. Staff recommends not extending it past January 15 and employees that need to take COVID leave can take their sick leave or PTO. Since the time of this recommendation, there has been a meeting with Fire Chief Nichols and Matt Lawler regarding concerns with not extending the paid leave for fire and rescue. Fire and Rescue has a young workforce in years of service. There is a concern that an employee may have symptoms and may not have leave to be able to take time off and decide to come to work. Mr. Fitzgerald suggests continuing the FFCRA leave through the first quarter and end on March 31, 2021 and then re-evaluate at that point.

Dr. Seaton moved, seconded by Ms. Carter, that the Board approve extending the CARES Act leave to March 31, 2021

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

Motion carried.

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WAIVERS – NONE

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January 13, 2021, at 7:00 p.m.

CONSENT AGENDA

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

CLAIMS

Consider claims paid since December 1, 2020

Vote was as follows: Yeas: Garber, Wells, Carter, Shull, Slaven
 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 -- NONE

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MATTERS TO BE PRESENTED BY THE BOARD

Ms. Carter welcomed anyone from any district to contact her regarding broadband. She encourages charging for FOIA requests received.

Ms. Carter would like for the Board to consent to naming the Old White Hill Bridge in memory of K9 Kara. K9 Kara died while assisting the Skyline Drug Taskforce in Augusta County.

Ms. Carter moved, seconded by Mr. Morelli, that the Board recommend to Delegate Avoli to dedicate the bridge in memory of K9 Kara for services provided to the community.

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

Motion carried.

Mr. Slaven requests that the infrastructure funds previously used to pay for the steps at Churchville Elementary and the Buffalo Gap High School storage building be taken from the Parks & Recreational Infrastructure funds and reimbursed back to the general infrastructure account. Ms. Carter would like the same for her infrastructure.

Ms. Cook stated that the adds and deletes for infrastructure accounts will be presented at the next Staff Briefing and it can be voted on at that point.

Mr. Wells suggests that the Board look at the CSPDC Commission handout.

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January 13, 2021, at 7:00 p.m.

MATTERS TO BE PRESENTED BY STAFF

Mr. Fitzgerald discussed the following:

- 1) General Assembly is back in session today. He will keep on top of what is going on and keep the Board updated.
- 2) The next process on the solar project. At this point, the Planning Commission has voted against the project because it is not in substantial accord with the Comprehensive Plan. Strata Solar has ten days to file an appeal to the Board of Supervisors of the Planning Commission's decision that the project is not in accord with the Comprehensive Plan. Once the appeal is filed, the Board has sixty days to place it on the agenda for consideration to determine whether it is in accord with the Comprehensive Plan. This is separate from the Special Use Permit. done.

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CLOSED SESSION

On motion of Mr. Wells, seconded by Ms. Carter, 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, , Ag Ind. Brd., Recycling
- (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) 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) Mill Place Commerce Park
- (4) **the legal counsel exemption under Virginia Code § 2.2-3711 (A) (19)**
[A discussion of plans to protect public safety as it relates to terrorist activity in accordance with §2.2-3711 (A) (19) of the Code of Virginia]:
 - A) Security-Augusta County Government Center

On motion of Ms. Carter, seconded by Dr. Seaton, the Board came out of Closed Session.

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

Motion carried.

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January 13, 2021, at 7:00 p.m.

CLOSED SESSION (CONT'D)

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.

Vote was as follows: Yeas: Garber, Wells, Carter, 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, Dr. Seaton moved, seconded by Mr. Wells that the Board adjourn subject to call of the Chairman.

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

Motion carried.


Chairman


County Administrator