

**MINUTES OF MEETING OF
THE BOARD OF SUPERVISORS
August 28, 2018**

A regular meeting of the Board of Supervisors was held at 7:00 p.m. in the Board Meeting Room, 600 North Main Street, Woodstock, Virginia on August 28, 2018. The following members of the Board of Supervisors were present: Chairman Conrad A. Helsley, Vice Chairman Dick Neese, Steve Baker, Richard Walker, Karl Roulston and Dennis Morris. Others present included County Administrator Mary T. Price, Assistant County Administrator Evan Vass, Deputy Clerk Chris Sherman and County Attorney Jason Ham.

An invocation was given by Supervisor Richard Walker followed by the Pledge of Allegiance.

**Supervisor Neese made a Motion, seconded by Supervisor Morris to approve the August 28, 2018 regular meeting agenda as presented. Chairman Helsley requested Special Presentations be moved to the beginning of the meeting before Non Action items. The Motion was approved by a vote of 6-0 as follows:
Ayes: Baker, Walker, Roulston, Morris, Neese and Helsley.**

SPECIAL PRESENTATIONS

Supervisors Baker and Neese recognized Mr. Logan Roberson, a student at Triplett Tech for his second place finish in Electrical Construction Wiring at the National SkillsUSA Leadership Conference as a member of 2018 Triplett Tech's SkillsUSA Team.

Also recognized by Chairman Helsley and Supervisor Morris was Strasburg High School graduate Nathan McDonald for his recent election as State FFA Vice President.

CONSIDERATION OF NON-ACTION ITEMS

1. Discussion related to Carry-Overs for Capital and other projects from FY 2018 to FY 2019.

Ms. Price explained that one additional item was added and is listed in red in the packet.

Supervisor Walker asked if any of the items are nearly finished and expected to come in under budget so that the money can be spent elsewhere. He also questioned the phase 3 cell at the landfill and any unspent funds.

Ms. Price stated that the money budgeted for refuse disposal was underspent and can be expected to be spent for an additional landfill project. She also stated that they had a recent emergency drainage problem that needed to be addressed in the amount of \$85,000.

Supervisor Walker asked if adjustments should be made to reflect the correct amount spent if different than what was previously appropriated. He indicated he has no objections to the appropriations but wanted to be sure we share how the money is accounted for.

Mr. Vass explained that it depends how different the purpose is from the original intent.

Chairman Helsley said the board can take action at the September 6 meeting.

2. Discussion related to an FY 19 supplemental appropriation of \$2,776 in Federal Asset Sharing Funds.

Fire Chief Tim Williams said that Sheriff Tim Carter recommended the funding to send Firefighter Medics to this tactical training. He said we work hand in hand with the Sheriff in this area and we are asking to send two FFM to this training to refresh their knowledge in this area.

Chairman Helsley said the board would take action at the September 6 meeting.

PUBLIC COMMENTS (other than matters previously the subject of a public hearing)

Robert Clark of 967 Fairview Circle Woodstock expressed dissatisfaction with the politics in the state's capitol.

Brandi Blosser of 9494 John Sevier Road New Market asked the board to help her file a petition to declare a blight property on neighboring land that is devaluing the property value in her neighborhood. Chairman Helsley confirmed that this property is located within the New Market town limits.

CONSIDERATION OF CONSENT AGENDA

Supervisor Neese made a Motion, seconded by Supervisor Baker to approve the consent agenda. The Motion passed by a vote of 6-0 as follows:

Ayes: Baker, Walker, Morris, Roulston, Neese and Helsley.

1. Approval of Minutes – May 22, 2018 regular meeting and August 2, 2018 regular meeting.
2. Consideration to approve 4th Quarter Fiscal Year 2018 final Re-appropriations.
3. Consideration of a Mutual Aid Agreement related to law enforcement between the County and Towns in the County.
4. Consideration of a Joint Procurement Agreement with the Northern Shenandoah Valley Regional Commission.
5. Consideration to join a Class Action suit related to Payment in Lieu of Taxes Act.
6. Consideration of the Northwestern Community Services Board FY2019 Performance Contract.
7. Consideration of a retainer agreement related to Opioid litigation.

PUBLIC HEARING(S) – No public hearings were scheduled.

OLD BUSINESS- No Old Business was scheduled.

CONSIDERATION OF PLANNING COMMISSION ITEMS

1. Consideration to revise action for a Special Use Permit for Tucker Auto Garage SUP #18-08-01.

Chairman Helsley indicated there was a concern with the motion taken during the Planning Commission meeting on May 3.

Jill Jefferson, County Planner indicated the original Motion at the Planning Commission was to amend the boundary on the east side to include a buffer, however the motion was followed by discussion and a recommendation regarding screening the perimeter and the Board of Supervisors approved that recommendation at their May 22 meeting.

Chairman Helsley asked for clarification if this request is to alter that Motion and Ms. Jefferson said yes.

Supervisor Roulston made a Motion, seconded by Supervisor Morris to deny this request to modify the original Special Use Permit. The Motion to deny failed by vote of roll call vote of 3-3 as follows:

Baker	nay	Roulston	aye
Walker	nay	Morris	aye
Neese	nay	Helsley	aye

With a failed motion, the previous action related to the special use permit in May 2018 will stand as is.

NEW BUSINESS

1. Consideration of a contract for the public safety radio project.

Evan Vass explained that this process began almost 3 years ago. He said a Request for Proposal was issued and Motorola was the selected firm. He said staff is now in a position to request execution of a contract with Motorola.

Jason Ham, County Attorney informed the board that not only does the contract need approved but further action would be necessary to approve the financing of the project.

Chairman Helsley reported that the County's financial consultants Davenport & Company will be presenting a financial report on the County's debt schedule at the September 6 meeting and asked if we could defer action on the contract at that time.

Mr. Ham agreed that would be fine but suggested not waiting any longer advising that the negotiated contract and resulting price with Motorola would be honored for a limited period of time.

COUNTY ATTORNEY COMMENTS - No comments were made by Mr. Ham.

BOARD MEMBER COMMENTS

Supervisor Roulston requested additional explanation from the School Division regarding a recent promotion and resulting salary increase for an administrative position originally funded at a lower amount.

Chairman Helsley said an invitation to Dr. Johnston to attend the September 6 meeting will be extended.

Supervisor Walker invited board members and the public to an Education public forum sponsored by the Republic Women and Dr. Stephen Curtis scheduled for Wednesday, September 5 at the Historic Courthouse.

COUNTY ADMINISTRATOR'S COMMENTS

Ms. Price indicated that the FY17 IDA Audit has been issued to each of you at your desk as well as the RSW Monthly report. She said the Commissioner of Revenue will present

information at the September 25 meeting regarding proration and senior citizen and disabled tax relief. Ms. Price also stated that bids are due September 21 for the waste collection site and the Rt. 55 Convenience site lease expires on December 31 and asked the board if they would consider extending the contract if the construction of the new site is incomplete. She said that Hockman Farms, owners of the property would agree to extend the lease for a six month minimum period at \$1000.00 per month.

Supervisor Walker stated his district did not have this option when the convenience site closed in his district which still did not have a replacement site secured and he would not support it.

Chairman Helsley said the board could take action regarding the lease extension at the September 6 meeting. He also said he attended the I-81 meeting and VDOT has a lot of problems to solve and is looking for ways to increase revenue. Chairman Helsley commented on the RSW report and the number of beds rented out is helping to reduce the costs.

Mr. Vass thanked the staff and volunteers who have helped with this very technical and complex radio project.

OTHER BUSINESS – No other business was discussed.

CLOSED SESSION(S)

1. Supervisor Neese made a Motion, seconded by Supervisor Baker to enter into Closed Session at 8:07 p.m. in accordance with Section 2.2-3711 (A)(3) of the state code to discuss the disposition of real property, where discussion in an open meeting would adversely affect the negotiating strategy of the County. The subject matter is the possible lease of a portion of county property and to enter into Closed Session in accordance with Section 2.2-3711 (A)(7) of the State code to consult with legal counsel and receive briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the County's negotiating or litigating posture, *and* request to enter into Closed Session in accordance with Section 2.2-3711 (A)(8) to consult with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel. The subject matters of the meeting are Brice vs. Shenandoah County.

The Motion passed by a vote of 6-0 as follows:

Ayes: Baker, Morris, Roulston, Walker, Neese and Helsley.

Supervisor Morris made a Motion, seconded by Supervisor Baker to return to regular session at 8:44 p.m. The Motion passed by a vote of 6-0 as follows:

Ayes: Baker, Morris, Roulston, Walker, Neese and Helsley.

Mr. Vass read the certification that all members must certify that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirement, under The Virginia Freedom Information Act and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting of the public body.

Members were polled to certify that only those matters identified in the above Code Section was discussed.

Baker	aye	Roulston	aye
Walker	aye	Morris	aye
Neese	aye	Helsley	aye

With no further business to come before the board, the meeting adjourned at 8:46 p.m.

Conrad A. Helsley, Chairman

ATTEST: _____
Mary T. Price, Clerk of the Board