

PRESENT: Greg Benton, Livingston District
Greg Cebula, Berkeley District
Timothy J. McLaughlin, Chancellor District
David Ross, Courtland District
Gary F. Skinner, Lee Hill District
Paul D. Trampe, Salem District
Chris Yakabouski, Battlefield District

STAFF PRESENT: Mark B. Taylor, County Administrator
Mark Cole, Deputy County Administrator
Karl Holsten, County Attorney
Aimee R. Mann, Deputy Clerk

With the Chairman and Vice-Chairman absent, Mr. McLaughlin made a motion that Mr. Trampe act as Chairman. The motion passed 5 to 0 with Mr. Benton and Mr. Ross absent.

VOTE:

Ayes:	5	Mr. Cebula, Mr. McLaughlin, Mr. Skinner, Mr. Trampe, Mr. Yakabouski
Nays:	0	
Absent:	2	Mr. Benton and Mr. Ross
Abstain:	0	

Mr. Trampe called the meeting to order at 6:00 p.m. and gave the invocation. Mr. McLaughlin led the Pledge of Allegiance.

POSSIBLE AGENDA ADDITIONS

Mr. Cebula made a motion to approve the agenda with the following changes:

Item #7 5th Annual Team Deadly Hertz Car Audio Show/Competition removed from the Consent Agenda;

Item #2 Adopt FY18 Budget, CIP and Tax Rates removed from the Work Session;

Add Recognition of Eagle Scout Nathan Hinkson;

Add Agreement for Economic Development Prospect.

The motion passed 5 to 0 with Mr. Benton and Mr. Ross absent.

VOTE:

Ayes:	5	Mr. Cebula, Mr. McLaughlin, Mr. Skinner, Mr. Trampe, Mr. Yakabouski
Nays:	0	
Absent:	2	Mr. Benton and Mr. Ross
Abstain:	0	

APPROVAL OF THE CONSENT AGENDA

The County Administrator read the synopsis as a brief preview of these agenda items for the public.

The following item was removed from the Consent Agenda for separate consideration:

Appointment of Dawn Napper to the Citizen Budget Review Committee.

On a motion by Skinner and passed 5 to 0 with Mr. Benton and Mr. Ross absent, the Board approved the amended Consent Agenda as follows:

1. Approval of the Minutes of the March 16, 28 and 30, 2017 Board of Supervisors Meetings;
2. Approval of Purchase Order to Atlantic Machinery, Inc. for a 2017 Jet/Vacuum Sewer Cleaner Truck;
3. Approval of Contract Renewal to Anderson Oil Company for Delivered Heating Oil;
4. Approval of Purchase Order to Laake Enterprises, Inc. for Purchase of Ambulances;
5. Approval of Contract with Pegasus Cleaning Corporation for Janitorial Services.

VOTE:

Ayes:	5	Mr. Cebula, Mr. McLaughlin, Mr. Skinner, Mr. Trampe, Mr. Yakabowski
Nays:	0	
Absent:	2	Mr. Benton and Mr. Ross
Abstain:	0	

Appointment of Dawn Napper to the Citizen Budget Review Committee

On a motion by Mr. McLaughlin and passed 5 to 0 with Mr. Benton and Mr. Ross absent, the Board tabled discussion on the appointment of Dawn Napper to the Citizen Budget Review Committee until the full Board was present.

VOTE:

Ayes:	5	Mr. Cebula, Mr. McLaughlin, Mr. Skinner, Mr. Trampe, Mr. Yakabowski
Nays:	0	
Absent:	2	Mr. Benton and Mr. Ross
Abstain:	0	

PUBLIC PRESENTATIONS

Robert Morrison spoke in support of increased pay for first responders and eliminating the compression issue.

Michael Berry spoke favorably of the programs implemented by the sheriff's department for the community.

Vivica Berry spoke about strategic planning, needed improvements to the School Board accounting system and getting the county and schools out of debt.

Sue Sargeant spoke about the need for a balanced board that supports public education.

VDOT REPORT

Sean Nelson from VDOT was present. He reviewed the April VDOT Report provided to the Board.

Mr. Benton noted a failing culvert on Post Oak Road past Seays Road. He also expressed concerns from citizens on the need for road improvements on Route 621.

Mr. Cebula asked about litter pickup and the Rappahannock Regional Jail contract.

Mr. McLaughlin noted potholes on Teeside Drive and the intersection of Falcon Ridge Drive and Old Plank Road.

Appointment of Dawn Napper to the Citizen Budget Review Committee

Mr. Ross made a motion to table for 2 weeks until the Board can have a policy discussion and determine a direction for the committee.

Mr. Skinner made a substitute motion to appoint Dawn Napper to the Citizen Budget Review Committee. The motion failed 3 to 4 with Mr. Benton, Mr. McLaughlin, Mr. Ross and Mr. Trampe opposed.

VOTE:

Ayes:	3	Mr. Cebula, Mr. Skinner, Mr. Yakabouski
Nays:	4	Mr. Benton, Mr. McLaughlin, Mr. Ross, and Mr. Trampe
Absent:	0	
Abstain:	0	

Mr. Ross made a motion to table for 2 weeks until the Board can have a policy discussion and determine a direction for the committee. The motion passed 4 to 3 with Mr. Cebula, Mr. Skinner and Mr. Yakabouski opposed.

VOTE:

Ayes:	4	Mr. Benton, Mr. McLaughlin, Mr. Ross, and Mr. Trampe
Nays:	3	Mr. Cebula, Mr. Skinner, Mr. Yakabowski
Absent:	0	
Abstain:	0	

COUNTY ADMINISTRATOR/COUNTY ATTORNEY REPORTS

After discussion, the consensus of the Board was to hold a strategic planning work session on June 27, 2017 and agreed to not place other items on that agenda.

Mr. Taylor gave an update on the Evergreen study implementation beginning in late July.

Mr. Taylor gave an overview of Universal Dynamics and asked that the Board consider the performance agreement. Mr. Yakabowski made a motion to accept the agreement as presented and authorized execution by the County Administrator. The motion passed unanimously.

VOTE:

Ayes:	7	Mr. Benton, Mr. Cebula, Mr. McLaughlin, Mr. Ross Mr. Skinner, Mr. Trampe and Mr. Yakabowski
Nays:	0	
Absent:	0	
Abstain:	0	

BOARD OF SUPERVISORS REPORTS

Mr. Yakabowski said that Lansdowne Road and Route 2 needed to be at the top of the priority list and suggested discussing transportation issues as part of the strategic planning process. He also said he'd like economic development to be a part of the strategic plan and suggested staff gather plans from Fredericksburg City to get a feel for what other localities are doing.

Mr. Cebula announced a public hearing on the Mudd Tavern Road East configuration on April 27 from 5:00 -7:00 p.m. at Riverview Elementary School.

CLOSED MEETING

Mr. Skinner made a motion to strike the provision in the closed meeting resolution with regards to the specific public officer member of the Spotsylvania Board of Supervisors. The motion passed 4 to 3 with Mr. Benton, Mr. McLaughlin and Mr. Ross opposed.

VOTE:

Ayes:	4	Mr. Cebula, Mr. Skinner, Mr. Yakabouski and Mr. Trampe
Nays:	3	Mr. Benton, Mr. McLaughlin, Mr. Ross,
Absent:	0	
Abstain:	0	

On a motion by Skinner and passed unanimously, the Board adopted an amended resolution to adjourn into closed meeting as follows:

VOTE:

Ayes:	7	Mr. Benton, Mr. Cebula, Mr. McLaughlin, Mr. Ross Mr. Skinner, Mr. Trampe and Mr. Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2017-49

To Adjourn into Closed Meeting

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into Closed Meeting for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; specifically, the Chief of Fire, Rescue and Emergency Management; and

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into Closed Meeting for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; specifically, discussion of real property in the Lee's Hill District; and

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into Closed Meeting for discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community, specifically a systems engineering and technical assistance business; and

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into Closed Meeting for 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, specifically regarding the matters of *Walgreen Co. v. County of Spotsylvania, Virginia*, Case Nos.

CL13001151-00 and CL15000723-00, and *Kohls Department Stores, Inc. v. Board of Supervisors of Spotsylvania County*, Case No. CL14000001-00; and

WHEREAS, pursuant to Va. Code Ann. § 2.2-3711(A)(1), (3), (5) and (7), such discussions may occur in Closed Meeting.

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors does hereby authorize discussion of the aforestated matters.

RETURN TO OPEN MEETING AND CERTIFICATION

On a roll call vote, the Board returned to open meeting and adopted the following resolution:

VOTE:

Ayes:	7	Mr. Benton, Mr. Cebula, Mr. McLaughlin, Mr. Ross Mr. Skinner, Mr. Trampe and Mr. Yakabowski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2017-50

Return to Open Meeting

WHEREAS, the Spotsylvania County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors hereby returns to open session and certifies, by roll call vote, that to the best of each member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Freedom of Information Act and identified in the motion to go into Closed Meeting were heard, discussed or considered in the Closed Meeting.

PUBLIC PRESENTATIONS

Nora Eldridge spoke saying that requiring mug shots, finger prints and back ground checks to obtain a massage permit was insulting and a violation of the Dillon Rule.

Eagle Scout Recognition

Mr. Taylor read a letter of recognition to Nathan Hinkson for his Eagle Scout achievement.

PUBLIC HEARINGS

FY-2018 – FY2023 Secondary Six Year Plan Joint Public Hearing with VDOT

Mr. Morgan presented.

Mr. Ross declared the public hearing opened and when no one indicated an intention to speak, closed the public hearing.

On a motion by Mr. McLaughlin and passed unanimously, the Board adopted the resolution as follows:

VOTE:

Ayes:	7	Mr. Benton, Mr. Cebula, Mr. McLaughlin, Mr. Ross Mr. Skinner, Mr. Trampe and Mr. Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2017-51

FY2018-2023 SECONDARY ROAD SIX-YEAR TRANSPORTATION IMPROVEMENT PLAN AND FY2018 SECONDARY ROAD CONSTRUCTION BUDGET PUBLIC HEARING

WHEREAS, Section 33.2-331 of the Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Road Six-Year Transportation Improvement Plan; and

WHEREAS, the Spotsylvania County Board of Supervisors had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed FY2018-2023 Secondary Road Six-Year Transportation Improvement Plan And FY2018 Secondary Road Construction Budget on April 11, 2017 after duly advertised so that all citizens of Spotsylvania County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan; and

WHEREAS, the Virginia Department of Transportation, appeared before the Spotsylvania County Board of Supervisors and recommended approval of the FY2018-2023 Secondary Road Six-Year Transportation Improvement Plan and the Construction Budget for FY2018 for Spotsylvania County identifying the completion of Mr. Holly Lane and the continuation to fund the unpaved roads in Spotsylvania County.

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interests of the citizens of Spotsylvania County, the Spotsylvania County Board of Supervisors does hereby approved the FY2018-2023 Secondary Road Six-Year Transportation Improvement Plan and the Construction Budget for FY2018 as presented at the public hearing.

CLOSED MEETING

On a motion by Skinner and passed unanimously, the Board adopted a resolution to adjourn into closed meeting as follows:

VOTE:

Ayes:	7	Mr. Benton, Mr. Cebula, Mr. McLaughlin, Mr. Ross Mr. Skinner, Mr. Trampe and Mr. Yakabowski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2017-52

To Adjourn into Closed Meeting

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into Closed Meeting for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; specifically, discussion of real property in the Lee's Hill District; and

WHEREAS, pursuant to Va. Code Ann. § 2.2-3711(A)(3), such discussions may occur in Closed Meeting.

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors does hereby authorize discussion of the aforestated matters.

RETURN TO OPEN MEETING AND CERTIFICATION

On a roll call vote, the Board returned to open meeting and adopted the following resolution:

VOTE:

Ayes:	7	Mr. Benton, Mr. Cebula, Mr. McLaughlin, Mr. Ross Mr. Skinner, Mr. Trampe and Mr. Yakabowski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2017-53

Return to Open Meeting

WHEREAS, the Spotsylvania County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors hereby returns to open session and certifies, by roll call vote, that to the best of each member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Freedom of Information Act and identified in the motion to go into Closed Meeting were heard, discussed or considered in the Closed Meeting.

NEW BUSINESS

Mr. Ross made a motion to add discussion of a member of the Board of Supervisors to the agenda. The motion passed unanimously.

VOTE:

Ayes:	7	Mr. Benton, Mr. Cebula, Mr. McLaughlin, Mr. Ross Mr. Skinner, Mr. Trampe and Mr. Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

Discussion ensued regarding allegations Rev. Michael Hirsch made against Mr. Yakabouski.

ADJOURNMENT

On a motion by Mr. Skinner and passed unanimously, the Board adjourned its meeting at 7:30 p.m.

VOTE:

Ayes:	7	Mr. Benton, Mr. Cebula, Mr. McLaughlin, Mr. Ross Mr. Skinner, Mr. Trampe and Mr. Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

Mark B. Taylor
Clerk to the Board of Supervisors