

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

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

POSSIBLE AGENDA ADDITIONS

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

Add Item #1 Letter of Support for the Alternative Design for the Route 606 Overpass Project at I-95 and Interchange Improvements East of I-95 on Route 606 (Mudd Tavern Road) under Presentations/Reports by Staff;

Add Item #2 Authorize the Fredericksburg Regional Alliance (FRA) to Act as the Authorized Agent for a Regional Grant Application and Any Subsequent Award under the FY 2017 Virginia Business Ready Sites Program - Site Development Grant Program for the Orrock Simms Property under Consent Agenda;

Move Item #1 Congressman Wittman/Legislative Update prior to the approval of the Consent Agenda;

Add Transfer/Donation of Leave Between Employees.

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	

PRESENTATIONS/REPORTS BY STAFF

Congressman Wittman/Legislative Update

Congressman Wittman gave a brief legislative update to include healthcare, defense and tax reform.

APPROVAL OF THE CONSENT AGENDA

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

The following items were removed from the Consent Agenda for separate consideration:

Adopt amended Citizen Budget Review Committee By-Laws and Charter;
Approval of Contract Renewal to James River Solutions for Delivered Unleaded Gasoline, Diesel Highway and Diesel Off Road Fuels;
Approval of Task Order to Johnson, Mirmiran & Thompson, Inc. (JMT) for the Route 1 & 208 Corridor Study;
Virginia Business Ready Sites Program - Site Development Grant Program for the Orrock Simms Property.

On a motion by Mr. Yakabouski and passed unanimously, the Board approved the amended Consent Agenda as follows:

1. Approval of the Minutes of the April 11 and 25, 2017 Board of Supervisors Meetings;
2. Acceptance, Appropriation and Budget Adjustment for the FY17 Burn Building Grant Award 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. 2017-60

Approving Grant Award Agreement, Designation of Authorized Agents in the Execution and Administration of the Grant Award and Acceptance and Appropriation of FY17 Funds

WHEREAS, Spotsylvania County has applied for and received approval for a state grant from the Virginia Department of Fire Programs in the amount of \$6,659 to be utilized by the Department of Fire, Rescue and Emergency Management for the purchase of an upgraded Temperature Monitoring System for the Regional Burn Building ; and

WHEREAS, the Department will provide the local match through the use of its FY17 Adopted Budget; and

WHEREAS, the County will administer the grant in accordance with the terms as set forth in the grant award agreement.

NOW, THEREFORE, BE IT RESOLVED by the Spotsylvania County Board of Supervisors, that the grant award agreement between Spotsylvania County and the Virginia Department of Fire Programs is approved; and

BE IT FURTHER RESOLVED by the Spotsylvania County Board of Supervisors that the following individuals are hereby designated as authorized agents any of whom may act in the execution and administration of the grant award agreement: Mark B. Taylor, County Administrator; Mark Cole, Deputy County Administrator; Edward Petrovitch, Deputy County Administrator; Lieutenant Stephen Wise; and Annette B. D'Alessandro, Grants Manager; and

BE IT FURTHER RESOLVED by the Spotsylvania County Board of Supervisors that the grant in the amount of \$6,659 is accepted and that the General Fund budget is hereby amended to reflect the increase in funds associated with the grant award; and

BE IT FURTHER RESOLVED by the Spotsylvania County Board of Supervisors that the following appropriations be, and the same hereby are, made for the fiscal year beginning July 1, 2016, for expenditures in the amount of \$6,659 to be utilized only for the purchase of an upgraded Temperature Monitoring System to be expended only by order of the Board of Supervisors as follows:

GENERAL FUND: \$6,659

3. Adjustments to Fire/Rescue Capital Projects 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. 2017-61

BE IT RESOLVED by the Board of Supervisors of the County of Spotsylvania, Virginia, that the following appropriation be, and the same hereby are, made for the fiscal year beginning July 1, 2016, from the funds and for the functions or purposes indicated.

To close out and reallocate funding on certain capital projects to be expended only by order of the Board of Supervisors as follows:

CAPITAL PROJECTS FUND: \$27,423

4. Approval of Contract to EMS Management & Consultants, Inc. for Third Party Medical Billing;
5. Approval of Four (4) Contract Modifications for Renewal to Multiple Firms to Provide Professional Engineering Services;
6. Approval of Contract Modification and Renewal to Interstate Rescue, LLC for Protective Ensemble for Structural Firefighting (Turnout Gear);
7. Appropriation of the FY 2018 Adopted Budget 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. 2017-62

A RESOLUTION TO APPROPRIATE THE FISCAL YEAR (FY) 2018 BUDGET

WHEREAS, it is the responsibility of the Spotsylvania County Board of Supervisors to approve and control the County's fiscal plan for FY 2018; and

WHEREAS, the Board of Supervisors adopted the FY 2018 County Budget on April 4, 2017; and

WHEREAS, it is the intent of the Board of Supervisors that departments and agencies shall adhere to the funds appropriated in accordance with departmental budgets presented by the County Administrator and adjusted by the Board of Supervisors; be it

RESOLVED, by the Spotsylvania County Board of Supervisors this 9th day of May, 2017, that the FY 2018 appropriations be, and are hereby approved effective July 1, 2017, as set forth below; and, be it

RESOLVED FURTHER, that as part of the \$8.4 million Transportation Fund appropriation, the Board does hereby appropriate the FY 2018 PRTC subsidy of \$111,400, the FY 2018 VRE subsidy of \$1,520,191, and does hereby authorize the payment of these subsidies during FY 2018 from the County's motor fuels tax revenue account; and, be it

RESOLVED FINALLY, that all financial activities, purchases, travel, personnel actions, etc., shall be in accordance with the policies and procedures established by the Board of Supervisors and administered by the County Administrator.

General Fund	\$123,471,682
Capital Projects Fund	\$9,838,216
Economic Development Opportunities Fund	\$906,755

Code Compliance Fund	\$3,993,647
Transportation Fund	\$8,358,320
Joint Fleet Maintenance Fund	\$2,760,110
School Operating Fund	\$274,525,185
School Food Service Fund	\$10,199,132
School Capital Projects Fund	\$27,361,447
Utilities Operating Fund	\$30,927,443
Utilities Capital Projects Fund	\$12,066,600
Total	<u>\$504,408,537</u>

8. FY 2017 Appropriation - School Food Service Program 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. 2017-63

BE IT RESOLVED by the Board of Supervisors of the County of Spotsylvania, Virginia, that the following appropriations be, and the same hereby are, made for the fiscal year beginning July 1, 2016 from the funds and for the functions or purposes indicated:

For the FY 2017 School Food Service Fund, to be used to address food service operating costs, to be expended only by the order of the Board of Supervisors as follows:

School Food Service Fund – \$200,000

9. Insurance Claim Appropriation for Repairs to Brush Truck 10 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. 2017-64

BE IT RESOLVED by the Board of Supervisors of the County of Spotsylvania, Virginia, that the following appropriation be, and the same hereby are, made for the fiscal year beginning July 1, 2016, from the funds and for the functions or purposes indicated.

For repairs to Brush Truck 10 to be funded by an insurance claim reimbursement, to be expended only by order of the Board of Supervisors as follows:

GENERAL FUND: \$2,944

10. Nutrient Offset Agreement; Town of Washington, Virginia.

VOTE:

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

Adopt amended Citizen Budget Review Committee By-Laws and Charter

On a motion by Mr. Trampe and passed 4 to 3 with Mr. Benton, Mr. McLaughlin and Mr. Ross opposed, the Board approved the amended Citizen Budget Review Committee By-Laws and Charter as presented.

VOTE:

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

Mr. Benton made a motion to change the quorum requirement to 3 members. Discussion ensued regarding Robert's Rules of Order. Mr. Skinner made a substitute motion to table until the next Board meeting. The motion passed 6 to 1 with Mr. Ross opposed.

VOTE:

Ayes:	6	Mr. Benton, Mr. Cebula, Mr. McLaughlin, Mr. Skinner, Mr. Trampe and Mr. Yakabouski
Nays:	1	Mr. Ross
Absent:	0	
Abstain:	0	

Approval of Contract Renewal to James River Solutions for Delivered Unleaded Gasoline, Diesel Highway and Diesel Off Roads Fuels

Mr. Ross requested the price per gallon to clarify the savings. On a motion by Mr. Ross and passed unanimously, the Board approved the contract renewal to James River Solutions for delivered unleaded gasoline, diesel highway and diesel off roads fuels.

VOTE:

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

Approval of Task Order to Johnson, Mirmiran & Thompson, Inc. (JMT) for the Route 1 & 208 Corridor Study

Mr. McLaughlin requested information on when this contract could be rebid. On a motion by Mr. McLaughlin and passed unanimously, the Board approved the Task Order to Johnson, Mirmiran & Thompson, Inc. (JMT) for the Route 1 & 208 Corridor Study.

VOTE:

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

Virginia Business Ready Sites Program - Site Development Grant Program for the Orrock Simms Property

Mr. Ross expressed concerns that the property was privately owned. On a motion by Mr. Yakabouski and passed 5 to 2 with Mr. Benton and Mr. Ross opposed, the Board authorized the Fredericksburg Regional Alliance (FRA) to Act as the Authorized Agent for a Regional Grant Application and Any Subsequent Award under the FY 2017 Virginia Business Ready Sites Program - Site Development Grant Program for the Orrock Simms Property.

VOTE:

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

PUBLIC PRESENTATIONS

None

PRESENTATIONS/REPORTS BY STAFF (cont'd)

Letter of Support for the Alternative Design for the Route 606 Overpass Project at I-95 and Interchange Improvements East of I-95 on Route 606 (Mudd Tavern Road)

Sean Nelson reviewed the alternate design for the Route 606 Overpass Project at I-95 and Interchange Improvements East of I-95 on Route 606(Mudd Tavern Road). This project was scheduled to go before the Commonwealth Transportation Board (CTB) to get the approval of the limited access for the Route 606 East project. (Since the design was changed during the procurement process, VDOT must seek CTB re-approval including the new design.) VDOT held the public hearing for this new design in late April. Only twelve people came to the public hearing and no major comments or concerns were expressed.

On a motion by Mr. Cebula and passed unanimously, the Board authorized the County Administrator to execute the letter of support as presented.

VOTE:

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

Food Truck Rodeo Follow Up

Staff gave an overview of the food truck rodeo and noted that the event was awarded the Virgo Award for Niche Tourism Special Interest/Other at the annual Virginia Association of Destination Marketing Organizations (VADMO).

The Board recessed at 6:22 p.m. and reconvened at 6:30 p.m.

PUBLIC PRESENTATIONS

None

PUBLIC HEARINGS

R16-0001 Courthouse Road Used Auto, R016-0001 (Courtland Voting District)

Mr. White presented. The Planning Commission recommended denial (7-0).

Staff recommended approval of Ordinance RO16-0001 with proffers dated May 12, 2016, and last revised October 17, 2016.

Chuck Floyd, on behalf of the applicant: Gave an overview of the project and stood to answer any questions.

Mr. Ross declared the public hearing opened.

The following citizens spoke in opposition or with concerns: Rev. Craig Muffley and Bill Todd.

Mr. Ross closed the public hearing.

Chuck Floyd, on behalf of the applicant: Reminded the Board that this was a rezoning application and was not about the use.

On a motion by Mr. Ross and passed unanimously, the Board adopted the resolution of denial 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. 2017-65

Denial – Rezoning R16-0001 Yonus Attai (Courthouse Road Auto Center).

WHEREAS, Yonus Attai (Courthouse Road Auto Center), requests an amendment to the zoning map rezoning 2.36 acres from Residential 1 (R-1) to Commercial 2 (C-2) with proffers to allow certain uses permitted in the C-2 zoning district as well as the development of a Vehicle sales, rental, and ancillary service establishment use being requested via a concurrent Special Use application (SUP16-0003). The property is addressed as 10726 Courthouse Road, which is located on the north side of Courthouse Road (Route 208) and approximately 440 feet east of the intersection of Courthouse Road and Rollingwood Drive/Southpoint Parkway. The site is partially within the County's Highway Corridor Overlay District. The Comprehensive Plan identifies the property as within the Primary Development boundary and the Future Land Use Map identifies this area for Commercial Land Use. Tax Parcel 35-A-119. Courtland Voting District; and

WHEREAS, the applicant's zoning map amendment request is a companion to a request for a Special Use Permit for a Vehicle sale, rental, and ancillary service establishment; and

WHEREAS, staff has reviewed the subject application and recommends approval as stated in the staff report and the executive summary; and

WHEREAS, the Spotsylvania County Planning Commission held a public hearing, duly advertised in a local newspaper for a period of two weeks, on December 7, 2016, and interested citizens were given an opportunity to be heard; and

WHEREAS, the Spotsylvania County Planning Commission recommended denial of the project with a vote of 7-0, noting concern that the only access being provided is on Courthouse Road and it already having too many driveway entrances, noting Courthouse Road having too much traffic, noting proximity and potential conflict of the use on neighboring residences and church uses, and noting concern that vehicles being serviced inside a building could have negative impacts; and

WHEREAS, the Spotsylvania County Board of Supervisors held a public hearing, duly advertised in a local newspaper for a period of two weeks, on May 9, 2017, and interested citizens were given an opportunity to be heard; and

WHEREAS, the general welfare and good zoning practice are served by denial of the application.

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors does hereby deny Rezoning R16-0001 Yonus Attai (Courthouse Road Auto Center).

SUP16-0011 – Eco-Site T-Mobile Telecommunications Tower (Courtland Voting District)

Mr. White presented. The Planning Commission recommended denial by a vote of 6-0 on March 1, 2017.

Staff recommended approval of the Resolution of Approval including recommended conditions.

The Board requested the County's consultant, George Condyles, President of Atlantic Technology Consultants, Inc., provide his expert assessment as to why the tower was needed. Mr. Condyles said that after reviewing the information submitted by T-Mobile he found this to be a split cell site that would add additional channels designed to increase capacity.

Charlie Payne, counsel on behalf of the applicant: Introduced Justin Blanset, Network Building and Consulting, to provide an overview of the project on behalf of Eco-Site. Mr. Blanset spoke regarding the need for the tower to address capacity issues along Route 3, capacity issues in this high density commercial and residential area, the potential lack of indoor voice and data coverage, and the desire to plan for potential future capacity and coverage issues.

Ryan Conoway, RF Expert T-Mobile, stated that T-Mobile was at maximum capacity on both sites and therefore another tower was needed to increase capacity.

Mr. Ross declared the public hearing opened.

The following citizens spoke in opposition: Jason Poulter and Nancy Poulter. Without objection, Nancy Poulter was given 5 minutes to speak on behalf of the approximately 118 residents who signed a petition in opposition to the proposed tower.

Mr. Ross closed the public hearing.

Charlie Payne, on behalf of the applicant: Requested the opportunity to give the project another look to consider the height, location and coverage capacity issues discussed and bring back updated propagation maps.

On a motion by Mr. Ross and passed unanimously, the Board tabled SUP16-0011 to the next Board of Supervisors meeting to allow for further information and to legally prepare if the Board denied the application.

VOTE:

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

PRESENTATIONS/REPORTS BY STAFF (cont'd)

Finance Report on Billing/Invoices for Public Release

Staff gave a brief presentation of the County's first Open Checkbook tool proposed for public release. By unanimous consent, the Board endorsed the release of the County's first Open Checkbook tool on the County's website.

Judicial Center Project Update and Future Courthouse Area Development Update

Staff, along with W. J. Vakos Company, provided an update on Court and County space needs as well as future development plans for the Courthouse area.

On a motion by Mr. Skinner and passed unanimously, the Board approved moving forward with the design stage.

VOTE:

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

COUNTY ADMINISTRATOR/COUNTY ATTORNEY REPORTS

Amendment to the Citizen Budget Review Committee

Mr. Yakabouski made a motion to reconsider the Citizen Budget Review Committee By-Laws and Charter. 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	

On a motion by Mr. Yakabouski and passed unanimously, the Board approved amending the language in the Citizen Budget Review Committee Charter from shall appoint an alternate to may appoint an alternate.

VOTE:

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

BOARD OF SUPERVISORS REPORTS

Mr. Yakabouski thanked the Economic Development staff for their efforts in the Business Appreciation Week events. He also thanked the Spotsylvania Education Foundation for the Teacher of the Year event. Mr. Yakabouski spoke about misinformation during the rezoning process and asked staff to look at how the County could do better at tracking issues through the process to eliminate misinformation and make rezoning properties more accessible.

Mr. Cebula announced that the bridge on Fairview Road had been completed and there was no longer a need to use the detour. He spoke about the lack of notification of a rezoning in the rural areas due to the distance to the rezoned property and suggested an expansion of the circumference. Mr. Cebula also suggested listing community meetings on the County website. He also announced the Spotsylvanians Community Chorus was celebrating their 15th anniversary and the spring concert would be May 20 at 7:30 p.m. and May 21 at 3:00 p.m. at the Spotsylvania Middle School auditorium.

Mr. Skinner announced the Virginia Aeronautical Historical Society was moving their headquarters to Shannon Airport. He invited the Board to attend the opening ceremony on June 2 at 10 a.m.

COUNTY ADMINISTRATOR/COUNTY ATTORNEY REPORTS (cont'd)

Transfer/Donation of Leave Between Employees

Discussion ensued regarding potential policy changes to allow for the transfer/donation of leave between employees. Staff will bring back more information for the Board to review at the next Board meeting.

NEW BUSINESS

None

ADJOURNMENT

On a motion by Mr. Skinner and passed unanimously, the Board adjourned its meeting at 10:03 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