

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. Trampe gave the invocation and Mr. McLaughlin led the Pledge of Allegiance.

POSSIBLE AGENDA ADDITIONS

Mr. Taylor noted that Mr. Cebula rescinded his request to add the Reappointment of Shawn Hockaday to the Transportation Committee to the agenda.

On a motion by Mr. Yakabouski and passed unanimously, the Board approved the agenda 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	

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 for separate consideration:

Appointment of Les Inbody as an Alternate Member to the Citizen Budget Review Committee (CBRC)
Correction to CBRC Charter
Reappointment of Robert Fogg to the Transportation Committee

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 August 8, 2017 Board of Supervisors Meeting;
2. Acceptance and Appropriation of the FY2018 Petfinder Foundation Sponsor a Pet Grant 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. 2017-105

Administration of the Grant Award and Appropriation of FY18 Funds

WHEREAS, the Spotsylvania County Sheriff's Office has applied for and received a foundation grant from the Petfinder Foundation anticipated to be in the amount of \$180 to be utilized by the Sheriff's Office for animal care; and

WHEREAS, the Spotsylvania County Sheriff's Office is not required to provide a local match for the grant award; and

WHEREAS, the Spotsylvania County Sheriff's Office has entered into the grant award agreement; and

WHEREAS, Sheriff's Office and to the extent required, the County, will administer the grant in accordance with the terms as set forth in the grant award agreement; and

WHEREAS, the County is acting as fiscal agent for the Spotsylvania County Sheriff's Office for the purposes of processing the funding of this grant.

NOW, THEREFORE, BE IT RESOLVED by the Spotsylvania County Board of Supervisors that since the grant award agreement anticipated to be in the amount of \$180 has been accepted by the Sheriff's Office, 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, 2017, for expenditures in the amount of \$180 to be utilized by the Spotsylvania County Sheriff's Office only for animal care, to be expended only by order of the Board of Supervisors as follows:

GENERAL FUND: \$180

3. Acceptance of Grant Award and Budget Amendment for the FY18 Highway Safety Grant Program Selective Enforcement for Speed 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. 2017-106

Approving Grant Award Agreement, Designation of Authorized Agents in the Execution and Administration of the Grant Award and Acceptance and Appropriation of FY18 Funds

WHEREAS, Spotsylvania County has applied for and received approval for a federal pass through grant from the Virginia Department of Motor Vehicles in the amount of \$52,200 to be utilized by the Sheriff's Office for training and selective enforcement of speed related traffic violations; and

WHEREAS, the County is required to provide a local in-kind contribution of \$26,100; and

WHEREAS, the Sheriff's Office will provide the in-kind match through the use of fuel and maintenance costs for enforcement vehicles; and

WHEREAS, the County and Sheriff's Office 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 Motor Vehicles 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; First Sergeant Timothy Bryner; Sergeant Scott Lockard; 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 \$52,200 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,

2017, for expenditures in the amount of \$52,200 to be utilized only for training and selective enforcement of speed related traffic violations, to be expended only by order of the Board of Supervisors as follows:

GENERAL FUND: \$ 52,200

4. Acceptance of Grant Award and Budget Amendment for the FY18 Highway Safety Grant Program Selective Enforcement for Alcohol 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. 2017-107

Approving Grant Award Agreement, Designation of Authorized Agents in the Execution and Administration of the Grant Award and Acceptance and Appropriation of FY18 Funds

WHEREAS, Spotsylvania County has applied for and received approval for a federal pass through grant from the Virginia Department of Motor Vehicles in the amount of \$116,050 to be utilized by the Sheriff's Office for training, equipment, supplies, and selective enforcement of alcohol related traffic violations; and

WHEREAS, the County is required to provide a local in-kind contribution of \$58,025; and

WHEREAS, the Sheriff's Office will provide the in-kind match through the use of fuel and maintenance costs for enforcement vehicles; and

WHEREAS, the County and Sheriff's Office 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 Motor Vehicles 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; First Sergeant Timothy Bryner; Sergeant Scott Lockard; 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 \$116,050 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, 2017, for expenditures in the amount of \$116,050 to be utilized only for training, equipment, supplies, and selective enforcement of alcohol related traffic violations, to be expended only by order of the Board of Supervisors as follows:

GENERAL FUND: \$ 116,050

5. Acceptance and Appropriation of the Fall 2018 Virginia Office of Emergency Medical Services Rescue Squad Assistance Fund 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. 2017-108

Approving Grant Award Agreement, Designation of Authorized Agents in the Execution and Administration of the Grant Award and Acceptance and Appropriation of FY 2018 Funds

WHEREAS, Spotsylvania County has applied for and received approval for a state grant from the Virginia Office of Emergency Medical Services in the amount of \$49,422 to be utilized by the Department of Fire, Rescue and Emergency Management for the purchase of equipment; and

WHEREAS, the County is required to provide a local cash match of \$49,422; and

WHEREAS, the Department of Fire, Rescue and Emergency Management will provide the local match through the use of their FY18 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 Office of Emergency Medical Services 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; Division Chief Greg Leitz; 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 \$49,422 is accepted and that the Capital 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, 2017, for expenditures of state funds in the amount of \$49,422 to be utilized only for the purchase of equipment, to be expended only by order of the Board of Supervisors as follows:

CAPITAL FUND: \$49,422

6. Application for the Virginia Office of Emergency Medical Services FY2018 Rescue Squad Assistance Fund Grant for Fire, Rescue and Emergency Management 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. 2017-109

Approving Grant Application Request and Designation of Authorized Agents in the Grant Application Process

WHEREAS, Spotsylvania County requests to apply for state grant funds from the Virginia Office of Emergency Medical Services to be utilized by the Department of Fire, Rescue and Emergency Management for four training simulation systems; and

WHEREAS, the County is required to provide a local cash match of \$16,980; and

WHEREAS, the County will be requesting \$16,980 in grant funds; and

WHEREAS, the match of \$16,000 will be provided from Information Services' FY 2018 Adopted Budget as part of FREM's technology request and the remaining match of \$980 will be provided from FREM's FY 2018 Adopted Budget; and

WHEREAS, the County will administer any subsequent grant award 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 request to submit a grant application to the Virginia Office of Emergency Medical Services 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 application: Mark B. Taylor, County Administrator; Mark Cole, Deputy County Administrator; Edward Petrovitch, Deputy County Administrator; Division Chief Greg Leitz; and Annette B. D'Alessandro, Grants Manager.

7. Appointment of Stan Huie to the Citizen Budget Review Committee (CBRC);
8. Appointment of Marc G. Smith to the Economic Development Authority (EDA);
9. Approval of a Contract Modification #1 for Renewal to Mary Washington Healthcare Physicians for Medical Services;
10. Approval of Contract Modification #1 for Renewal to BMS Direct, Incorporated for Printing and Mailing Services;
11. Approval of Task Order to Moseley Architects, P.C. for the Judicial Center Expansions and Renovation Phase I;
12. Authorize Advertisement of a Public Hearing for Amendments and Additions to County Code Chapter 13, Section 6, Dogs Constituting Public Nuisance;
13. Authorize Advertisement of a Public Hearing for Amendments and Additions to County Code Chapter 4, Animals and Fowl, Articles I and IV;
14. Authorization to Advertise Public Hearing to Amend the Use of Harrison Crossing Proffers;
15. Budget Adjustment and Appropriation for the Acceptance of the 2018 Virginia State Police Internet Crimes Against Children Task Force Sub-Award for the Sheriff's Office 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. 2017-110

WHEREAS, the Spotsylvania County Sheriff's Office has received approval for a state sub-award from the Virginia Department of State Police in the amount of \$12,000 to be utilized by the Sheriff's Office for overtime and supplies related to investigations for internet crimes against children; and

WHEREAS, the Spotsylvania County Sheriff's Office is not required to provide a local match for the grant award; and

WHEREAS, the Spotsylvania County Sheriff's Office has approved the award agreement; and

WHEREAS, the Sheriff's Office and to the extent required, the County will administer the sub-award in accordance with the terms as set forth in the award agreement; and

WHEREAS, the County is acting as fiscal agent for the Spotsylvania County Sheriff's Office for the purposes of processing the funding of this sub-award.

NOW, THEREFORE, BE IT RESOLVED by the Spotsylvania County Board of Supervisors that since the award agreement in the amount of \$12,000 has been accepted by the Sheriff's Office that the General Fund budget is hereby amended to reflect the increase in funds associated with the sub-award agreement; 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, 2017, for expenditures in the amount of \$12,000 to be utilized by the Spotsylvania County Sheriff's Office only for overtime and supplies related to investigating internet crimes against children, to be expended only by order of the Board of Supervisors as follows:

GENERAL FUND: \$12,000

16. Budgeting of 2017 Bond Sale Proceeds 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. 2017-111

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, 2017, from the funds and for the functions or purposes indicated.

For the projects, debt service and cost of issuance adjustments associated with the 2017 sale of General Obligation (GO) bonds to be expended only by order of the Board of Supervisors as follows:

GENERAL FUND: (\$47,055)

CAPITAL PROJECTS FUND: \$1,964,033

SCHOOL CAPITAL PROJECTS FUND: \$185,203

17. Grant Application Request for the Federal Fiscal Year 2017 Edward Byrne Memorial Justice Assistance Grant Program – Local Solicitation 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. 2017-112

**A RESOLUTION IN SUPPORT OF THE APPLICATION FOR THE FFY 2017
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT – LOCAL
SOLICITATION**

WHEREAS, the Department of Justice offers the Edward Byrne Memorial Justice Assistance Grant – Local Solicitation and allows local governments to support a broad range of activities to prevent and control crime based on their own local needs and conditions, and

WHEREAS, Spotsylvania County is eligible to receive \$30,237 under the FFY17 Edward Byrne Memorial Justice Assistance Grant – Local Solicitation, and

WHEREAS, the Spotsylvania County Sheriff's Office would like to utilize these funds to support the initial costs associated with the storage requirements for body-worn cameras, and

WHEREAS, the County is not required to provide a local match for the grant award.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of the County of Spotsylvania, Virginia that Spotsylvania County submit a grant application under the FFY17 Edward Byrne Memorial Justice Assistance Grant – Local Solicitation in the amount of \$30,237, and

BE IT FURTHER RESOLVED by the Board of Supervisors of the County of Spotsylvania, Virginia, that the following individuals are Authorized Agents for the purposes of preparing and submitting the grant application: Mark B. Taylor, County Administrator; Mark Cole, Deputy County Administrator; Edward Petrovitch, Deputy County Administrator; and Annette B. D'Alessandro, Grants Manager.

18. Proclamation – Recognizing First Responders Appreciation Day as August 24, 2017 and Awards;

VOTE:

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

PROCLAMATION

RECOGNIZING FIRST RESPONDER APPRECIATION DAY AS AUGUST 24, 2017

WHEREAS, individuals, both career and volunteer, including police, firefighters, emergency medical technicians, search and rescue professionals, as well as other organizations in the public safety sector, come together as first responders during emergencies to provide services that can make the difference between life and death; and

WHEREAS, members of first responder organizations undergo significant education, training and personal sacrifice in order to achieve the expertise required to respond to emergency situations; and;

WHEREAS, first responders are ready to respond 24 hours a day, seven days a week, and are our first and best defense against emergencies that threaten our communities; and

WHEREAS, first responders are vital in every community to maintain order as they risk their own lives and safety in the performance of their duties to provide crucial services in times of crisis.

WHEREAS, the Fredericksburg Regional Chamber of Commerce is honoring all regional first responders Thursday, August 24, 2017 during the First Responders Appreciation Breakfast, specifically, Frank Corona, Senior, a detective with the Spotsylvania Sheriff's Office, Investigative Merit Award and the Fire Prevention Division of Spotsylvania Fire, Rescue and Emergency Management, "Business of First Responding" Award; and

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors proclaims the 24th day of August 2017 as First Responder Appreciation Day in Spotsylvania adopted this 12th day of September 2017 and extends on behalf of its members and the residents of Spotsylvania, gratitude for their service to the County.

Appointment of Les Inbody as an Alternate Member to the Citizen Budget Review Committee (CBRC)

Mr. Yakabouski requested a resume. On a motion by Mr. Ross and passed unanimously, the Board tabled the appointment of Les Inbody as an alternate member to the Citizen Budget Review Committee until the next Board meeting to allow for review of his resume.

VOTE:

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

Reappointment of Robert Fogg to the Transportation Committee

Mr. Yakabouski noted that the expiration date of Robert Fogg was not accurate and should be December 31, 2017. On a motion by Mr. Yakabouski and passed unanimously, the Board approved the reappointment of Robert Fogg to the Transportation Committee with the corrected expiration date.

VOTE:

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

Correction to CBRC Charter

On May 9, 2017, the Board approved amendments to the CBRC charter and bylaws. The Board had a CBRC charter with changes in redline to review. The version of the charter used to create the redline version, however, was an unapproved draft rather than the charter previously approved by the Board and in force at that time. The draft contained differences that were not redlined, but that were adopted upon the approval of the redlined version. The County Attorney's Office was seeking to undo the changes that were not redlined for the May 9, 2017, meeting in the belief that the Board did not intend to make those changes.

On a motion by Mr. Yakabouski and passed unanimously, the Board adopted the amendments to the CBRC Charter to include the following change:

The committee shall work through the designated point of contact in each organization as identified by the County Administrator and School Superintendent.

VOTE:

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

PUBLIC PRESENTATIONS

Carl Steadman requested the Board help relieve him of the pond on his property on Forest Walk Drive.

Sara Toyo spoke in favor of the zoning changes being proposed on the agenda this evening.

Mary Lou Collier said she was amazed by all the construction at the old GM Plant. She also questioned why there were no stop signs coming out of the parking lot at the Holbert Building.

VDOT REPORT

Sean Nelson from VDOT was present. He reviewed the Route 17 limited access changes.

On a motion by Mr. Skinner and passed unanimously, the Board authorized the design for limited access lanes.

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

Business Walk - Presentation

Staff provided a presentation on a recent economic development event, the Business Walk.

Resolution to Remove or Repair an Unsafe Structure at 16540 Days Bridge Road and to Authorize Advertisement of a Public Notice Ad

The Building Department had received complaints from concerned citizens regarding an unsafe structure at 16540 Days Bridge Road. Upon investigation, the structure located thereon has been deemed an unsafe structure and needed to be repaired or removed to deny entry and protect the health, safety and welfare of the general public. The Building Department has attempted to contact the property owners, Michael B. Holliday, Hyattsville, MD, Barrajean A. Holliday, Fort Washington, MD, Donna L. Dangerfield, last known address Woodland, PA, Joseph K. Holliday, Jr., last known address Little Rock, AR, Queen Ann Rogers, Washington, DC, Delores H. Johnson, Bumpass, VA, Roberta Norfleet, Bumpass, VA, Regina Holliday, Washington, DC, and Kayla Holliday, Capitol Heights, MD, and has been unsuccessful. The Code of Spotsylvania, Section 5-4, allows the Board of Supervisors to pass a resolution directing the property owners to

remove or repair this unsafe structure which might endanger the health or safety of the residents of Spotsylvania County. The fees or costs associated with this may be recovered by the County on parity with a tax lien. The Building Department requests that the Board of Supervisors adopt a resolution directing the property owners to remove or repair the structure within thirty (30) days and to authorize the expenditure of funds to remove or repair the structure should the property owners fail to act.

On a motion by Mr. Benton and passed unanimously, the Board 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. 2017-113

**A Resolution Directing Action with Respect to Unsafe Structure Located at
16540 Days Bridge Road, Orange, Virginia 22960 (Tax Map # 54-2-A)**

WHEREAS, a Code Compliance Officer of the Spotsylvania County Building Safety Department has deemed a structure located at 16540 Days Bridge Road as unsafe and as endangering the public health or safety of County residents.

WHEREAS, upon finding the property is owned by the Estate of Melvina Scott Holliday, who died intestate in April, 1970, extensive research was conducted to determine and locate the heirs of the Estate of Melvina Holliday. The heirs were determined to be, in order of degree of relation and highest share percentage: Michael B. Holliday (grandson), Barragean A. Holliday (grandson), Donna L. Dangerfield (great-granddaughter), Joseph K. Holliday, Jr., (great-grandson), Queen Ann Rogers (grandson's wife and heir), Delores H. Johnson (great-granddaughter), Roberta Norfleet (great-granddaughter), Regina Holliday (great-granddaughter), and Kayla Holliday (great-great-granddaughter).

WHEREAS, Building Safety sent certified letters to the known addresses of the property owner(s) on or about July 14, 2017. Two letters were returned unclaimed, and no response was received from the other heirs.

WHEREAS, Spotsylvania County Code Section 5-4 requires property owner(s) to remove, repair or secure dangerous structures when directed by the County and provides for removal or repair by the County when property owner(s) fail to do so within the specified time frame

WHEREAS, Spotsylvania County Code Section 5-4 provides that the cost of such removal shall constitute a lien against such property ranking on parity with liens for unpaid local taxes and enforceable in the same manner.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SPOTSYLVANIA: THAT the subject structure might endanger the public health or safety of other residents of the County; therefore, the heirs of the Estate of Melvina Scott Holliday, which owns the property of 16540 Days Bridge Road, are hereby directed to remove, repair or secure said unsafe structure located on this parcel within thirty (30) days of this Resolution.

BE IT FURTHER RESOLVED: That notice shall be published in the *Free Lance Star* once per week for the next two successive weeks, which shall direct all heirs of the Estate of Melvina Scott Holliday, as heirs of the property owner of 16540 Days Bridge Road to remove, repair or secure said unsafe structure within thirty (30) days from the date of this Resolution. No action shall be taken by the County to remove, repair, or secure said structure for at least thirty (30) days following said newspaper publication pursuant to Spotsylvania County Code Section 5-4 and Virginia Code Section 15.2-906.

BE IT FURTHER RESOLVED: That should the heirs of Estate of Melvina Scott Holliday, as heirs of the property owner of 16540 Days Bridge Road fail to remove, repair or secure the said unsafe structure within the timeframe above, staff is directed to take any and all action necessary to do the same including the expenditure of funds to remove or repair said structure, with costs and expenses chargeable to and paid by the property owner(s), at this time being the Estate of Melvina Scott Holliday, and to place a lien against said property for collection of same.

Zoning Notices

Staff presented an overview of the various ways the public is informed about zoning actions such as special use permit and rezoning applications. These include notices required by the Code of Virginia, Spotsylvania County Code, and by Board adopted policy. Draft Community Meeting Recommended Guidelines that increases notification radii for various types of applications was presented for Board consideration and adoption.

Based on feedback received from the Board and the public, an updated recommended notification radius was proposed in the Community Meeting Guidelines that sets a minimum 3,000 foot radius for projects that may have wider spread sound, vibration, or similar impacts.

Mr. McLaughlin made a motion to adopt the community meeting recommended guidelines to include the minimum 3,000 foot radius.

Mr. Ross made a friendly amendment to bring back the sign options and prices, the ability to use spotsy alert for notifications and cell tower distance.

The motion, to include the friendly amendment, 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	

iDX Surplus Property

48.07469 acres of substantially unimproved property behind the idX Corporation plant on Tidewater Trail (referred to as the “Back Forty”) is to be transferred to the EDA to be marketed for industrial development. Paragraph 23 of the Agreement sets forth the covenant and agreement of the EDA that “it shall not develop the Back Forty property or otherwise transfer any interest in the Back Forty Property, including, but not limited to, any lease or license, without the express consent of the Board of Supervisors of Spotsylvania County.” The Agreement also contains an Option provision (Paragraph 13) whereby the Board of Supervisors may elect to take title to the Back Forty property directly. The public hearing required by statute for the Board’s consideration of its option to take title to the property was held at the Board’s meeting on August 8. The Board may now, by motion and vote, choose to exercise the option to take title to the Back Forty itself, or may, by taking no action, forego exercising its Option and allow the Back Forty property to pass to the EDA. In consideration of the flexibility afforded to them under state law in matters concerning business development, staff notes that marketing of the Back Forty may be undertaken most efficiently and effectively by the EDA. Paragraph 12 of the Agreement makes any disposition of the property subject to approval by the Board of Supervisors, so the Board will have the final word on the disposition and future use of the property.

On a motion by Mr. Cebula and passed unanimously, the Board 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. 2017-114

WHEREAS, the Board of Supervisors (the “Board”) of the County of Spotsylvania (the “County”) is dedicated to the furtherance of economic development in Spotsylvania County and the provision of local business opportunities to the citizens of the County; and

WHEREAS, the County entered into a Purchase and Sale Agreement, whereby the County has the option to purchase 48.07469 acres, more or less, of current tax parcels 25-1-1 and 25-1-2, located at 11032 Tidewater Trail (“the Property”), as set out in the Purchase and Sale Agreement entered into between the County, 11032 Tidewater Trail, LLC, and the Economic Development Authority of the County of Spotsylvania (“the EDA”) on April 27, 2017, for the development thereon of business and industry; and

WHEREAS, at this time it is in the County’s best interest that the EDA acquire the Property; and

WHEREAS, once acquired by the EDA, the development or transfer of the Property must still be approved by the County pursuant to the Purchase and Sale Agreement;

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby authorize and direct Mark B. Taylor, County Administrator, to advise the EDA and 11032 Tidewater Trail, LLC that the Board at this time has declined to exercise its option to purchase the Property and that the parties should prepare for the transfer of the Property to the EDA pursuant to the Purchase and Sale Agreement and to take all steps he deems necessary and reasonable to effectuate the transfer.

Government and Military Affairs Committee

The Chamber of Commerce recently parted ways with the Fredericksburg Regional Military Affairs Committee (MAC) and started a Chamber committee, the Government and Military Affairs Committee (GMAC). Spotsylvania has been a member of the MAC for many years, and appointed Supervisor Cebula as its representative to the MAC and Deputy County Administrator Cole as an alternate.

When the Chamber started the GMAC, they assumed that Supervisor Cebula was the County's representative on the GMAC; however, the Board has not made any appointments to the GMAC.

Mr. Trampe stated he does not support sponsorship of GMAC.

On a motion by Mr. Cebula and passed unanimously, the Board agreed to remain a member of MAC and not participate in GMAC.

VOTE:

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

Proposed Amendment to Board Bylaws Adding Moratorium

Mr. Ross suggested the Board consider revisions to Board of Supervisors bylaws to add a moratorium on certain action by the Board of Supervisors in November or December of any year in which members of the Board are elected in a general election. Specifically, the amendment would prohibit any Board action on

(1) rezoning applications; (2) conditional use permit applications; (3) comprehensive plan amendments; (4) zoning text amendments; (5) land acquisitions, excluding those acquisitions associated with approved projects in the Capital Improvement Plan (CIP); (6) borrowing money; (7) appointments to any boards, authorities, commissions, and/or committees; and/or (8) budget amendments, except prior year re-appropriations after the County's financial statements are completed.

Mr. Ross made a motion to approve the proposed amendments to the Board Bylaws. The motion failed 3 to 4 with Mr. Cebula, Mr. McLaughlin, Mr. Skinner and Mr. Yakabowski opposed.

VOTE:

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

INFORMATIONAL MATTERS

Mr. Taylor reminded the Board that the County would be hosting the Quantico Civilian Military Council Social on Tuesday, September 19 from 7:00 – 9:00 pm at Stevenson Ridge.

BOARD REPORTS

Mr. Trampe said he has had inquiries regarding putting in a school safety zone on Harrison Road and would like to discuss this with VDOT. He also said he would like a safety study from VDOT for the Harrison Rd and Old Plank Road intersection. Mr. Trampe suggested putting in a U-turn sign or left turn signal.

Mr. Ross shared that the HOA at the Retreat of Chancellorsville asked the Board to assist in getting deputies to enforce speed limit in the neighborhood. He also asked staff to look into the drainage issues on Rolling Wood Drive saying construction was causing drainage into yards. Mr. Ross requested a status update on the Waverly Village drainage issue.

CLOSED MEETING

On a motion by Mr. Yakabouski 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. Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2017-115

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 Berkeley 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. Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

RESOLUTION NO. 2017-116

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

None

PUBLIC HEARINGS

R17-0003 Gloria C. Bear and L. Eugene Bear (Barrington Subdivision) (Ordinance No. R017-0003)

Ms. Pomatto presented.

The Planning Commission held a public hearing for the request on August 16, 2017. On a motion by Mr. Thompson, seconded by Mr. Smith, the Planning Commission voted 4-3 to recommend denial of the request noting concerns with the project adding traffic to River Road.

Staff recommended approval of RO17-0003 with the proffer statement dated July 18, 2017.

Charlie Payne, on behalf of 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: Nancy Cole and Mary Lou Collier.

The following citizens spoke in favor: Glenn McClinney, Erin Osnaker, John Hurst, get Earl Perry and Michelle Hall.

Mr. Ross closed the public hearing.

Charlie Payne, on behalf of applicant: He addressed the concerns of the citizens.

On a motion by Mr. Ross and passed unanimously, the Board approved R17-0003 Gloria C. Bear and L. Eugene Bear (Barrington Subdivision) (Ordinance No. R017-0003) 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	

AN ORDINANCE No. RO17-0003

To amend the zoning map to rezone the property known as Tax Parcel 11-A-9 from Rural (RU) to Planned Residential Rural 2 (PRR-2), subject to the proffered conditions attached hereto, incorporated herein, and made a part hereof.

PUBLIC HEARING: September 12, 2017

WHEREAS, Gloria C. Bear and L. Eugene Bear request a rezoning of 197.774 acres from Rural (RU) to Planned Residential Rural 2 (PRR-2) with proffers to allow for 39 single family detached residential units. The property is located at 13210 Spotswood Furnace Road which is located on the northwest quadrant of the Spotswood Furnace Road (Route 620) and River Road (Route 618) intersection. The property is located outside of the Primary Development Boundary. The property is identified for Rural Residential development on the Future Land Use Map of the Comprehensive Plan. Tax parcel 11-A-9. Courtland Voting District; and

WHEREAS, staff has reviewed the subject application and recommends approval of the rezoning with proffers as stated in the staff report and 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, August 16, 2017, 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 4-3, noting concern that the project would generate additional traffic on River Road; 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 September 12, 2017, and interested citizens were given an opportunity to be heard; and

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

**NOW, THEREFORE, THE SPOTSYLVANIA COUNTY BOARD OF SUPERVISORS
HEREBY ORDAINS:**

§ 1. That the property known as Tax Parcel 11-A-9 currently zoned Rural (RU) is rezoned to Planned Residential Rural 2 (PRR-2) subject to the proffered conditions dated July 18, 2017, attached hereto, which are incorporated herein and made a part hereof.

§ 2. This ordinance shall be in force and effect upon adoption.

NEW BUSINESS

None

ADJOURNMENT

On a motion by Mr. Skinner and passed unanimously, the Board adjourned its meeting at 8:00 p.m.

VOTE:

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

Mark B. Taylor
Clerk to the Board of Supervisors