

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

APPROVAL OF AGENDA

Mr. Benton made a motion to approve the agenda with the following additions:

Approval of 3 Private Sector Directors to the Fredericksburg Regional Alliance Board of Directors as follows:

Kent Farmer
Linda Worrell
Pete Humes

Request the Authorization of Letters of Support to Bring Disc Golf Tournaments to Spotsylvania County in 2019.

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	

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 for separate discussion:

Request the Authorization of Letters of Support to Bring Disc Golf Tournaments to Spotsylvania County in 2019.

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

1. Approval of Recommended 2018 Board of Equalization Members;
2. Grant Application Request for Highway Safety Improvement Program Projects 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- 131

**A RESOLUTION IN SUPPORT FOR THE SUBMISSION OF FIVE (5) PROJECTS FOR
THE
FY 2018 HIGHWAY SAFETY IMPROVEMENT PROGRAM**

WHEREAS, there is a Federal program which allocates money for Highway Safety Improvement Projects (HSIP) that address bicycle and pedestrian safety to reduce crashes and risks to transportation users and is used to upgrade non-standard safety features to meet existing standards; and

WHEREAS, Spotsylvania County is eligible for a grant under this program for up to \$5,000,000; and

WHEREAS, the Spotsylvania County Transportation Committee, in coordination with the Spotsylvania Greenway Initiative, has reviewed and recommends five (5) projects for this program:

1. A multi-use trail along the east side of Route 1 from Spotsylvania Parkway to future development to the south, including the proposed Park & Ride Lot on Commonwealth Drive,
2. A sidewalk on the east side of Spotswood Furnace Road connecting Riverbend High School to Route 3,
3. A sidewalk or multi-use trail along the east side of Smith Station Road connecting the current sidewalk terminus adjacent to Lee's Parke to Spotsylvania Parkway,
4. A multi-use trail on Smith Station Road from the terminus of the existing trail on Spotsylvania Parkway to the west to connect with a future trail to be built by the developers of Courtland Park, and

5. A multi-use trail on Salem Church Road from Harrison Road to the Virginia Central Shared-Use Path.

WHEREAS, the Virginia Department of Transportation will administer this program and the County is not required to provide a local match for the grant award; and

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 Transportation is approved.

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 and Annette B. Alessandro, Grants Manager.

3. Approval of Cost Share Agreement to Barley Woods, LLC for Barley Woods Water and Sewer;
4. Commendation for George Washington Gregory Raines as follows:

RESOLUTION OF COMMENDATION

RECOGNIZING GEORGE WASHINGTON GREGORY RAINES ON HIS 94TH BIRTHDAY

WHEREAS, George Washington Gregory Raines will turn 94-years-old October 29, 2017; and

WHEREAS, Mr. Raines is a native of Spotsylvania County and was born on a farm off Monrovia Road; and

WHEREAS, Mr. Raines' parents ran Raines Store at Belmont; and

WHEREAS, Mr. Raines was a Private 1st class in the 95th Infantry in General Patton's 3rd Army; and

WHEREAS, Mr. Raines married Frances Ariela Wingfield of Wingfield's corner near Stubb's Bridge Road in Belmont and remained married 68 years until her death; and

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Board of Supervisors, this 24th day of October 2017, publicly recognizes George Washington Gregory Raines and extends on behalf of its members and the residents of Spotsylvania, appreciation for his service to the County and congratulations upon his 94th birthday.

5. VACo Voting Credentials for the Annual Business Meeting;
6. Approval of 3 Private Sector Directors to the Fredericksburg Regional Alliance Board of Directors.

VOTE:

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

Authorizing Letters of Support to Bring Disc Golf Tournaments to Spotsylvania County in 2019

Mr. Skinner asked staff to clarify for the public how disc golf is played.

On a motion by Mr. Skinner and passed unanimously, the Board authorized letters of support to bring disc golf tournaments to Spotsylvania County in 2019.

VOTE:

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

PUBLIC PRESENTATIONS

Tiffany Roman, Martha Mastin, Joella Dawkins, Freddie Braswell, Cristine Lynch and Mary Lee Carter spoke in support of programs for seniors remaining in the Marshall Center.

Martha Mastin stated she knew an organization that would like the plaque that used to be in the Board room in honor of Agnes McGhee.

Larry Plating requested the Board stop the process of adding fluoride to the water.

Sarah Tovani spoke with concerns about student's kneeling during the National Anthem at the Courtland High School football games. She expressed dismay over the lack of response from the school division regarding her concerns and asked that students be taught appropriate ways to protest.

BOARD OF SUPERVISORS REPORTS

Mr. Yakabouski asked VDOT to take care of the upkeep of median strips. He expressed frustration about the Marshall Center saying the Board put out an RFP and a decision needed to be made because it was unfair to the citizens coming out month after month to speak. Mr. Yakabouski said he had no desire to take away services and urged staff to present a plan.

Mr. Cebula thanked the Spotsylvania Women's Club for the excellent presentation sent regarding the history of the Women's Club. He said he went to the high speed rail hearing in Fredericksburg and was pleased to share there was an option to keep the high speed rail in the same right-of-way and create a 3rd track. Additionally, he reminded everyone deer season was approaching and that road conditions become hazardous at night.

Mr. McLaughlin thanked Ms. Tovani for her comments regarding her concerns about student's kneeling during the National Anthem at Courtland High School football games. He commended her for sharing her concerns and encouraged her to take her same comments to the School Board meetings.

Mr. Skinner thanked Mr. McLaughlin for his comments saying he agreed with him. Mr. Skinner announced the 3rd Annual Harvest Festival taking place at Shannon Airport on Saturday October 28, 2017 from 10am – 4pm. He shared this would be the first airshow in 36 years at Shannon Airport.

Mr. Benton echoed the comments of Mr. McLaughlin and asked Mr. Taylor to contact the schools to ask why they are condoning kneeling during the National Anthem at football games. Mr. Benton asked staff to provide him with cost information along with safety studies on fluoride in the water. Additionally, he announced he would be holding 2 town hall meetings on November 13 at Livingston Elementary and November 21 at Brock Road Elementary, both starting at 6:30 p.m.

Mr. Ross echoed the comments of Mr. McLaughlin and also thanked Ms. Tovani for having the courage to speak out on the issue. He also informed the Women's Club that the information they sent went to a different David Ross in the County but that he looked forward to looking at it once he received it.

Mr. Taylor announced the Harvest Festival at Fire and Rescue Station 1 on Saturday, October 28, 2017 starting at 4:00 p.m.

PUBLIC HEARINGS

R17-0009 (RO17-0009) Crossroads Associates, LLC (Virginia Railway Express – VRE, Applicant)(Berkeley District)

Ms. Pomatto presented.

The Planning Commission recommended approval of the zoning.

Staff recommended that the Board approve the zoning.

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. Cebula and passed unanimously, the Board adopted the ordinance 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	

AN ORDINANCE No. RO17-0009

To amend the zoning map to zone a portion, approximately 4.77 acres, of the property known as Tax Parcel 37-A-41A to Industrial 1 (I-1).

PUBLIC HEARING: October 24, 2017

WHEREAS, Crossroads Associates, LLC requests a portion, approximately 4.77 acres, of tax parcel 37-A-41A which currently has no zoning designation be zoned Industrial 1 (I-1). Tax parcel 37-A-41A totals approximately 99.1308 acres and is zoned Mixed Use 5 (MU-5), Industrial 1 (I-1) and Rural (RU). The property is located at 9440 and 9442 Crossroads Parkway. The 4.77 acres subject to the zoning action are located at the southern end of the property, south of the Virginia Railway Express (VRE) maintenance yard. The property is located within the Primary Development Boundary. The property is identified for Mixed Use and Employment Center development on the Future Land Use Map of the Comprehensive Plan. Tax parcel 37-A-41A. Berkeley Voting District; and

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

WHEREAS, the Spotsylvania County Planning Commission held a public hearing on September 20, 2017, duly advertised in a local newspaper for a period of two weeks, and interested citizens were given an opportunity to be heard; and

WHEREAS, the Spotsylvania County Planning Commission recommended approval of the project, with a vote of 6-0; and

WHEREAS, the Spotsylvania County Board of Supervisors held a public hearing on October 24, 2017, duly advertised in a local newspaper for a period of two weeks, 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 a portion of the property, approximately 4.77 acres, known as Tax Parcel 37-A-41A be zoned Industrial 1 (I-1).

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

CA17-0008 Zoning Ordinance Amendment – Vehicle Sales (Ord #23-174)

Ms. Parish presented.

The Planning Commission recommended approval.

Staff recommends approval.

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. Cebula and passed unanimously, the Board tabled the ordinance until the second meeting in November.

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 OTHERS

Information Transparency Website Presentation

As the County continues to enhance openness and transparency of government services, staff has added a link on the County's website that consolidates access to various county activities and information topics.

Zoning Public Notices Update

Ms. Parrish provided an update to the September 12th discussion about the various ways the public is informed about zoning actions, including special use permit and rezoning applications. These included 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.

On a motion by Mr. Cebula and passed unanimously, the Board approved the Community Meeting Recommended Guidelines 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	

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. 2017-132

To Adjourn into Closed Meeting

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into a Closed Meeting for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically regarding the Virginia Conflict of Interest and Ethics Advisory Council; and

WHEREAS, pursuant to Va. Code Ann. § 2.2-3711(A)(8), 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 aforesated 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. 2017-133

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

None

ADJOURNMENT

On a motion by Mr. Cebula and passed unanimously, the Board adjourned its meeting at 9:43 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