

PRESENT: Greg Benton, Livingston District  
Kevin W. Marshall, 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  
Ed Petrovitch, Deputy County Administrator  
Karl Holsten, County Attorney  
Niki Woodard, Assistant to County Administration

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

### **APPROVAL OF AGENDA**

On a motion by Mr. Yakabouski and passed unanimously, the Board approved the agenda with the following additions:

Wireless Resolution – General Assembly;  
Appointment of Karen Adams to the Citizen Budget Review Committee;  
Appointment of Chris Yakabouski to the George Washington Regional Commission;  
Appointment of Chris Yakabouski to the Healthy Generations Area Agency on Aging Board of Directors;  
Appointment of Chris Yakabouski to the Rappahannock Area YMCA;  
Appointment of Chris Yakabouski to the Community Policy and Management Team (CPMT);  
Appointment of Les Inbody as a Primary Citizen Budget Review Committee (CBRC) Member.

The following item was removed from the agenda:

Total Compensation Study: Benefits Recommendations

### **VOTE:**

Ayes:	7	Mr. Benton, Mr. Marshall, 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 pulled from the Consent Agenda for separate consideration:

Wireless Resolution – General Assembly

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

1. Approval of Contract Renewal to Univar USA Inc. for Water Treatment Chemicals;
2. Approval of Elys Ford Boat Landing Cooperative Agreement;
3. Appointment of Greg Benton to Lake Anna Advisory Committee;
4. Appointment of Nathan Richards to the Agricultural/Forestral Committee;
5. Continuation of Board Committees and Revocation of Board Committee Charters;
6. Appointment of Karen Adams to the Citizen Budget Review Committee;
7. Appointment of Chris Yakabouski to the George Washington Regional Commission;
8. Appointment of Chris Yakabouski to the Healthy Generations Area Agency on Aging Board of Directors;
9. Appointment of Chris Yakabouski to the Rappahannock Area YMCA;
10. Appointment of Chris Yakabouski to the Community Policy and Management Team (CPMT);
11. Appointment of Les Inbody as a Primary Citizen Budget Review Committee (CBRC) Member.

VOTE:

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

Mr. Marshall made a motion that the public speakers state their address for the permanent record. The motion passed unanimously.

VOTE:

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

## **PUBLIC PRESENTATIONS**

The following citizens spoke regarding the addition of fluoridation in county water: Julie O'Brien, John Unkel, Steve Slott, Misty Mesimer, Karen Delaney, Lynn Browoiir, Susan Pharr, Diane Olivares, Samantha Dorr, Larry Plating, Stacy Horne, Jeffrey Day, William Donke, Hannah Rustin, Cynthia Erville, Lloyd Moss, Elizabeth Barrett, Courtney Caldwell, Stephanie Perkins, Lloyd Moss, Jr., Ken Urshwald.

Martha Mastin spoke regarding the Marshall Center.

Justin Langridge expressed appreciation to Mr. Cole and the Board of Supervisors.

### **Wireless Resolution – General Assembly**

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

#### **VOTE:**

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

## **RESOLUTION NO. 2018-6**

### **Wireless Resolution**

**WHEREAS**, in the 2017 General Assembly Session localities worked with the telecommunications industry ("the industry") to pass SB1282, which was a compromise bill providing a pathway to small cell telecommunications facilities to be located on existing structures; and

**WHEREAS**, VML and VACo and the industry agreed to discuss how to assist underserved areas after the session; and

**WHEREAS**, the industry officials did not engage in meaningful discussions regarding underserved areas and only wanted to discuss a further erosion of local land use authority regarding new structures; and

**WHEREAS**, 2018 legislation by the Industry (HB1258 and SB405) proposes to eliminate most local control over the installation and operation of new structures and the replacement of current technology; and

**WHEREAS**, this legislation mandates a ministerial process which eliminates the ability for local officials, residents and businesses to have meaningful input into decisions affecting the character of their own communities; and

**WHEREAS**, this legislation represents a shift in authority, moving decision-making authority from the community and local elected officials to for-profit corporations that install wireless equipment; and

**WHEREAS**, the wireless equipment installations can have significant health, safety and aesthetics impacts but those companies have little, if any, interest in taking into account those concerns that potentially conflict with their profit margins;

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Board of Supervisors of Spotsylvania County by this Resolution formally expresses its opposition to the Industry legislations: HB 1258 and SB405 as eliminating the opportunity for communities to weigh local issues and concerns in the siting of wireless facilities; and

**BE IT FURTHER RESOLVED**, that the Board of Supervisors of the County of Spotsylvania, Virginia directs the Clerk to send a copy of this Resolution to the delegates and senators representing the Spotsylvania County; Delegate Terry Kilgore and Senator Ryan McDougle, the Governor of the Commonwealth of Virginia and the Virginia Municipal League.

## **BOARD OF SUPERVISORS REPORTS**

Mr. Yakabouski spoke about Amazon H2 and Apple announcing new facilities and asked what the county could do to continue stand out. He spoke about rehabilitating the Route 1 corridor. Mr. Yakabouski also directed staff to place waiving real estate taxes for first responders surviving spouses on the next agenda. He also requested a spot on the agenda for the strategic plan.

## **PRESENTATIONS/REPORTS BY STAFF**

### **Revised By-Laws Presentation**

Proposed revision to Board of Supervisors bylaws to require material or information to be displayed on County computer during Public Presentations (Section 4-1(E)(5)) or by the public during Public Hearings (Section 5-3(C)) be provided to the County's Department of Information Services for review as an electronic file not later than 9:00 A.M. on the day of the meeting. This provides the Department of Information Services with the opportunity to review the electronic file provided to verify that it can be uploaded and displayed without causing harm to the County computer. The IT Department will upload the file to the computer and monitor its use. Due to technical constraints, the County computer is not available for use at Board meetings held in any location other than the Board room of the Richard E. Holbert building.

Mr. Skinner made a motion to deny public use of the floor computer. The motion failed 2 to 5 with Mr. Benton, Mr. Marshall, Mr. McLaughlin, Mr. Ross and Mr. Trampe opposed.

VOTE:

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

Mr. Benton made a motion to approve the By-Laws as presented and bring back an addition regarding group use of the floor computer. The motion passed unanimously.

VOTE:

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

Drinking Water Fluoridation Informational Presentation

Staff gave an informational presentation in conjunction with the Rappahannock Area Health District regarding the Utilities Department drinking water fluoridation program which included additional health related information as requested by the Board of Supervisors in November of 2017.

**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. Marshall, Mr. McLaughlin, Mr. Ross Mr. Skinner, Mr. Trampe and Mr. Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

**RESOLUTION NO. 2018-7**

**To Adjourn into a Closed Meeting**

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into a 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 healthcare industry and a defense contractor business; and

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 process and procedures related to the Board of Supervisors; and

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into a Closed Meeting for discussion of plans to protect public safety as it relates to terrorist activity or specific cybersecurity threats or vulnerabilities and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such matters or a related threat to public safety; discussion of information subject to exclusion in subdivision 2 or 14 of § 2.2-3705.2, where discussion in an open meeting would jeopardize the safety of any person or the security of any facility, building, structure, information technology system, or software program; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure, specifically relating to a Spotsylvania governmental facility; and

WHEREAS, pursuant to Va. Code Ann. § 2.2-3711(A)(5), (8) and (19), 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. Marshall, Mr. McLaughlin, Mr. Ross Mr. Skinner, Mr. Trampe and Mr. Yakabowski
Nays:	0	
Absent:	0	
Abstain:	0	

### **RESOLUTION NO. 2018-8**

### **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.

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

**VOTE:**

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

**RESOLUTION NO. 2018-9**

**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 replacement of and upgrades to the Judicial Center security system, to be expended only by order of the Board of Supervisors as follows:

**CAPITAL PROJECTS FUND: \$850,000**

**NEW BUSINESS**

None

**ADJOURNMENT**

On a motion by Mr. Yakabouski and passed unanimously, the Board adjourned its meeting at 11:02 p.m.

VOTE:

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

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Mark B. Taylor  
Clerk to the Board of Supervisors