

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  
Mark Cole, Deputy County Administrator  
Karl Holsten, County Attorney  
Nicole Woodard, Assistant to County Administration

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

### **APPROVAL OF AGENDA**

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

- Grant Application Request and Resolution for the FY18 Virginia Department of Emergency Management Homeland Security Grant Program for a Patrol Boat for Lake Anna.

#### **VOTE:**

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

### **PUBLIC PRESENTATIONS**

The following citizens spoke in opposition or with concerns to the proposed solar farm: Russ Mueller, Michael O'Brier, Ernie Booth, Joanne Booth, Judith Genaille, Irvin Boyles and Kristen Talken-Spaulding.

The following citizens spoke on behalf of the Buckley family regarding the removal of Juan Antonio from their care: John Buckley, Abby Buckley, Britton Brannen, Jeff Wollschlager, Jen Wollschlager, Richard Byrdsong, Johnny Bryan, Ken Gross and Marcia Stevens.

## **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:

- Approval of Purchase Order to US Digital, Inc. for Fire Station Alerting System
- Grant Application Request and Resolution for the FY18 Virginia Department of Emergency Management Homeland Security Grant Program for a Patrol Boat for Lake Anna

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 24, 2018 Board of Supervisors Meeting;
2. Approval of Contract to J L Kent & Sons, Inc. for Pump Station #43 & #16 Abandonment Project;
3. Approval of Purchase Order to Miracle Recreation Equipment Company for Patriot Park Playground Equipment;
4. Approval of Spotsylvania County Guidelines – Public-Private Transportation Act;
5. Business Tangible Property Refund – Chick-fil-A Inc, T/A Chick-fil-A at Fredericksburg FSU #730;
6. Business Tangible Property Refund – SBC Tower Holdings LLC;
7. Business Tangible Property Refund – SAI Dental & Associates Inc T/A Gentle Touch Family & Cosmetic Dentistry;
8. Business Tangible Property Refund – Deepak Kakar DDS PC T/A Fredericksburg Pediatric Dentistry;
9. Business Tangible Property Refund – Spotsylvania Emergi Center;
10. ESRI Enterprise License Agreement (ELA) – GIS;
11. Pamunkey Broadband Working Committee – Appointment of Jane Reeve, Director of Information Services.

### **VOTE:**

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

### **Approval of Purchase Order to US Digital, Inc. for Fire Station Alerting System**

On a motion by Mr. Benton and passed unanimously, the Board approved the purchase order to US Digital, Inc. for Fire Station Alerting System.

VOTE:

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

Grant Application Request and Resolution for the FY18 Virginia Department of Emergency Management Homeland Security Grant Program for a Patrol Boat for Lake Anna

Mr. Marshall asked that staff attach a letter of support to the grant application. 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, Dr. Trampe and Mr. Yakabowski
Nays:	0	
Absent:	0	
Abstain:	0	

**RESOLUTION NO. 2018-65**

**Approving Grant Application Submission and Designation of Authorized Organizational Representatives for the Homeland Security Grant Program Provided by the Virginia Department of Emergency Management**

WHEREAS, Spotsylvania County wishes to apply for a federal sub-award grant from the Virginia Department of Emergency Management in the amount of \$82,892 to be utilized by the Spotsylvania County Sheriff's Office for a patrol boat for Lake Anna; and

WHEREAS, if awarded the Spotsylvania County Sheriff's Office will be responsible for all costs associated with licensing, registration, insurance, and ongoing maintenance costs for the patrol boat; and

WHEREAS, the Spotsylvania County Sheriff's Office will utilize their operating budget to cover these additional expenses.

NOW, THEREFORE, BE IT RESOLVED by the Spotsylvania County Board of Supervisors that the following individuals are designated as authorized organizational representatives for the submission and processing of this specific grant application:

Mark B. Taylor, County Administrator, or  
Mark Cole, Deputy County Administrator, or  
Edward Petrovitch, Deputy County Administrator, or

Mary Sorrell, Finance, or  
Annette D'Alessandro, Finance

## **BOARD OF SUPERVISORS REPORTS**

Mr. Yakabouski spoke about the Soap Box Derby and thanked the tourism staff and everyone involved in putting on the event.

Mr. Ross thanked everyone who came out to support the Buckley family. Mr. Ross made a motion to have each Board member speak with their appointee on the Social Services Advisory Board and request or authorize the Social Services Advisory Board to hold a special meeting to look into the Juan Antonio Buckley case to the greatest extent allowed by law. The motion failed 3 to 4 with Mr. Benton, Mr. Marshall, Mr. Skinner and Mr. Yakabouski opposed.

### **VOTE:**

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

Mr. Marshall also spoke about the Soap Box Derby and thanked Dominion Raceway, Economic Tourism and staff, the participants and he also thanked the several local businesses and citizens that made donations and sponsorships.

Mr. Benton shared an invitation from Ms. Grampp to have a joint special meeting with the School Board. On a motion by Mr. Skinner and passed unanimously, the Board scheduled a joint special meeting with the School Board on May 29, 2018 beginning at 6:00 p.m.

### **VOTE:**

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

## **PUBLIC HEARINGS**

### **CPA17-0003 Comprehensive Plan Amendment (Renewable Energy)**

Ms. Parish presented.

The Planning Commission recommends approval, 6-0.

Staff recommended that the Board approve and adopt the Comprehensive Plan Amendments CPA17-0003.

Mr. Benton declared the public hearing opened.

The following citizens spoke in support: Dave Hammond, Michael O'Brier and Dave Meadows.

The following citizens spoke with concerns or in opposition: Dick Vanelle and Kirsten Talken.

Mr. Benton closed the public hearing.

On a motion by Mr. Benton and passed unanimously, the Board approved CAP17-0003 Comprehensive Plan Amendment (Renewable Energy).

**VOTE:**

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

**PRESENTATIONS/REPORTS BY STAFF**

**Revisions to and Adoption of the FY2019 –FY2023 Capital Improvement Plan**

At the April 12 Board meeting, the CIP was presented for adoption, but the motion failed. Since that date, additional information impacting the projects in the CIP had been received and was presented to the Board along with an updated CIP for adoption. Because several updates impact the FY 2019 budget associated with certain projects, a budget amendment was recommended for the Board's approval at this time, as well.

Updates to the CIP are summarized below:

**General Government**

- Consistent with the FY 2019 Adopted Budget, the CIP line item for Replacement Vehicles is updated to remove the \$28,000 originally planned for replacement of a County Administration vehicle in FY 2019. Because it was necessary to replace this vehicle in FY 2018, there is no need for it to be funded in FY 2019. This funding was removed from the FY 2019 Budget ahead of the budget's adoption, therefore no budget adjustment is required.
- Consistent with the FY 2019 Adopted Budget, the CIP line item for Replacement Vehicles is updated to added the \$105,000 associated with the SROs that were added to the budget ahead of its adoption. Though this funding was included in the adopted General Fund budget, it should have been included in the Capital Projects Fund budget.

A budget adjustment is attached to allocate \$105,000 of the Capital Projects Fund balance to pay for the SRO vehicles. A separate budget adjustment will be presented to the Board in the future to address and reallocate the \$105,000 currently budgeted in the General Fund for these vehicles.

- A line item is added to the CIP to reflect the \$34,679 in grant funding to be received for the capital portion of the Text to 911 project. This funding was already budgeted through the originally adopted FY 2019 Budget, and so no budget adjustment is necessary for this item.

### Transportation

- VDOT has informed staff that the County will not receive the Revenue Sharing funding we applied for towards the roundabout at Old Plank Road and Andora Drive. Absent a source of matching funding for this project, staff is suggesting that we shift the project out two years and apply for the next round of Revenue Sharing funds. Since this action reduces debt service in FY 2019, the attached budget adjustment reflects a decrease in Transportation Fund debt service.
- Originally, the Lansdowne intersection improvements were anticipated to be a jointly funded project with the City of Fredericksburg. The City did not apply for Revenue Sharing for this project, and as such, will have no funding available in FY 2019. After discussions with the Transportation Committee, staff is exploring the possibility of applying for Lansdowne intersection improvements as a regional project to be submitted by FAMPO for SmartScale funding. Pending this SmartScale application, and with the understanding that adequate funding will not exist in FY 2019 for this project to happen, Mr. Skinner has agreed to remove the \$1.0 million for the right turn lane at Lansdowne onto Rt. 2 from the CIP.
- A proffer exists for a developer to make certain improvements to the intersection at Old Plank and Chancellor roads. VDOT has reviewed the improvements and determined that a roundabout would be a better solution than the originally proffered turn lanes. After discussions with the developer, VDOT, and the Transportation Committee, Mr. McLaughlin requests that \$1.0 million be added to the CIP in FY 2019 to allow for the expansion of the developer's proffered improvements to result in a roundabout at this intersection.

### Schools

The Superintendent's Recommended CIP was presented to the School Board in November 2017. It was that version of the Schools' CIP that was included in the County Administrator's Recommended Budget on February 13. However, the Schools issued a revised CIP on February 12, and then a final CIP on April 16. The attached version of the County's CIP includes the version of the Schools' CIP adopted by the School Board on April 16.

Though the overall total cost of the Schools' five-year capital plan changed very little from their initial recommendation to the version adopted by the School Board in April, the Courtland High School renovation project budget did increase with funding being reallocated from the out years.

On a motion by Mr. McLaughlin and passed 6 to 1 with Mr. Yakabouski opposed, the Board adopted the resolution as follows:

**VOTE:**

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

**RESOLUTION NO. 2018-66**

**A RESOLUTION TO ADOPT THE FISCAL YEAR (FY) 2019 – FY 2023 CAPITAL  
IMPROVEMENT PLAN**

WHEREAS, it is the responsibility of the Spotsylvania County Board of Supervisors to approve and control the County's fiscal plans; and

WHEREAS, the Board of Supervisors has received and reviewed the County Administrator's Recommended Capital Improvement Plan (CIP) for FY 2019 – FY 2023; and

WHEREAS, the Board of Supervisors has received comments on the recommended CIP from citizens of Spotsylvania County at a duly advertised public hearing; and

WHEREAS, it is the intent of the Board of Supervisors that project managers shall adhere to the budgeted funds in accordance with project budgets presented by the County Administrator and amended by the Board of Supervisors; and

RESOLVED, that the following five-year capital plan is, and is hereby, approved effective July 1, 2018, as set forth below.

**FY 2019 – FY 2023 CAPITAL IMPROVEMENT PLAN**

**1. Capital Improvement Plan for FY 2019 – FY 2023 in the following amounts:**

a. General Capital Projects	\$112,926,090
b. Transportation Capital Projects	\$36,879,923
c. Utilities Capital Projects	\$140,433,451

d. School Capital Projects

\$85,286,546

RESOLVED FURTHER, that the County Administrator is authorized to take all necessary actions to give this resolution effect.

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, Dr. Trampe and Mr. Yakabowski
Nays:	0	
Absent:	0	
Abstain:	0	

**RESOLUTION NO. 2018-67**

**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, 2018, from the funds and for the functions or purposes indicated.

For adjustments to capital projects to align the budget and CIP, to be expended only by order of the Board of Supervisors as follows:

**CAPITAL PROJECTS FUND:** \$105,000

**TRANSPORTATION FUND:** (\$52,500)

The Board recessed at 8:40 p.m. and reconvened at 8:45 p.m.

**WORK SESSION**

**Planning Commission and Board of Supervisors Work Session to Discuss the 2018 Update of the Comprehensive Plan**

The Code of Virginia requires that jurisdictions review their Comprehensive Plan every five (5) years and update as necessary. The 2013 update of the Comprehensive Plan resulted in substantial revisions. The 2018 update was proposed to consist of necessary updates and desired enhancements to support the County's Vision as defined in Chapter 1 of the Comprehensive Plan. This joint work session was an opportunity for the Board of Supervisors and Planning Commission to discuss the Plan and provide staff with direction on the update approach, focus areas, and process.



## **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, Dr. Trampe and Mr. Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

## **RESOLUTION NO. 2018-68**

### **To Adjourn into a Closed Meeting**

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into a Closed Meeting for a discussion of assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the County, specifically, the County Administrator, the County Attorney, an employee of the Department of Information Services; and an employee of the Department of Utilities; and

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into Closed Meeting for discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community, specifically, healthcare industry, a recreational and entertainment business, and a technology 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 traffic and public safety, and stormwater facilities; and

WHEREAS, pursuant to Va. Code Ann. § 2.2-3711(A)(1), (5) and (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. Marshall, Mr. McLaughlin, Mr. Ross Mr. Skinner, Dr. Trampe and Mr. Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

**RESOLUTION NO. 2018-69**

**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. Yakabouski and passed unanimously, the Board approved the contract with the County Attorney.

VOTE:

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

**NEW BUSINESS**

None

**ADJOURNMENT**

On a motion by Mr. Yakabouski and passed unanimously, the Board adjourned its meeting at 11:58 p.m.

VOTE:

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

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Mark B. Taylor  
Clerk to the Board of Supervisors