

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  
Niki Woodard, Assistant to County Administration

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Mr. Benton called the meeting to order at 4:30 p.m. Mr. Benton led the Pledge of Allegiance and gave the invocation.

### **APPROVAL OF AGENDA**

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

- Revisions to Board Bylaws Regarding Meeting Agenda Order

#### **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 individuals spoke with concerns regarding the proposed solar farm: David Hammond, Richard Genaille, Russ Mueller, Vivian Stanley, Michael O'Bier and Alfred King.

### **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 for separate consideration:

- Approval of Contract to R. J. Smith Construction, Inc. to Provide the Old Sheriff's Office Demolition & Courthouse Stabilization;
- Budget Adjustments to Add 3 Mid-Year SROs, Fund Additional Children's Services Act (CSA) Mandated Costs, and Modify School Funding Sources;
- Revisions to Remote Attendance Policy;
- Revisions to Board Bylaws Regarding Meeting Agenda Order.

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

1. Approval of the Minutes of the September 11, 2018 Board of Supervisors Meeting;
2. Acceptance and Appropriation of a State Homeland Security Program Grant Award for a Regional Unmanned Aerial System Program by the Sheriff's Office 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. 2018-128**

#### **Approving Grant Award Agreement, Designation of Authorized Agents in the Execution and Administration of the Grant Award and Acceptance and Appropriation of FY19 Funds**

**WHEREAS**, Spotsylvania County has applied for and received approval for a federal pass through grant from the Virginia Department of Emergency Management in the amount of \$45,150 to be utilized by the Sheriff's Office for training and equipment for a regional Unmanned Aerial System (UAS) program; and

**WHEREAS**, the County is not required to provide a local match; and

**WHEREAS**, the Sheriff's Office will be responsible for all costs associated with licensing, registration fees, insurance, and all ongoing operational expenses for the UASs; 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 Emergency Management 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; Mary Sorrell, Finance Director; 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 \$45,150 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, 2018, for expenditures in the amount of \$45,150 to be utilized only for training and equipment for a regional Unmanned Aerial System (UAS) program, to be expended only by order of the Board of Supervisors as follows:

**GENERAL FUND: \$ 45,150**

3. Approval of Contract to Nostos SS Contractors, LLC and Budget Adjustment for Courthouse Elevated Water Storage Tanks Upgrades;
4. Approval of Donated Funds from Silver Associates for Parks & Recreation Activities/Programs/Supplies for Senior Citizens as a Thank You 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. 2018-129**

**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 funding received from Silver Liners Dance Association to be used solely for Parks & Recreation senior citizen activities/programs/supplies, to be expended only by order of the Board of Supervisors as follows:

**GENERAL FUND: \$1,144**

5. Approval of Purchase Order to Matheny Fire & Emergency for the purchase of a 2019 E-One Cyclone II Tanker for Fire Rescue and Emergency Management (FREM);

6. Approval of Purchase Order to Matheny Fire & Emergency for the purchase of 2019 E-One Cyclone II Engine for Fire Rescue and Emergency Management (FREM);
7. Approval of Tank Order to Rummel, Klepper & Kahl (RK&K) for Pump Stations 23 & 24 Replacement Project;
8. Budget Adjustment and Appropriation for Purchase and Installation of a Generator at the Holbert Building 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. 2018-130**

**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.

To adjust the budget for use of the Capital Projects Fund balance to purchase a replacement generator for the Holbert Building, to be expended only by order of the Board of Supervisors as follows:

**CAPITAL PROJECTS FUND: \$100,000**

9. Dabney Woods Street Acceptance to the Virginia Secondary Street System (Berkeley District) 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. 2018-131**

**A RESOLUTION REQUESTING BLUEBIRD COURT AND LUNETTE LANE ADDED  
TO THE STATE SYSTEM OF SECONDARY ROADS**

WHEREAS, Bluebird Court and Lunette Lane in the Dabney Woods Subdivision located within the Berkeley voting district as described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Spotsylvania County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Street Requirements of the Virginia Department of Transportation,

WHEREAS, the County and the Virginia Department of Transportation have entered into a comprehensive agreement on June 6, 1997, for stormwater detention in Spotsylvania County,

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form AM-4.3 to the secondary system of state highways, pursuant to Sec. 33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as currently described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

10. Grant Award Acceptance and Appropriation for FFY 2017 Staffing for Adequate Fire and Emergency Response (SAFER) 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. 2018-132**

#### **Approving Grant Award Agreement, Designation of Authorized Agents in the Execution and Administration of the Grant Award and Acceptance and Appropriation of FFY 2017 SAFER Funds**

**WHEREAS**, Spotsylvania County has applied for and received approval for a three year federal grant from the Department of Homeland Security in the amount of \$1,149,277 to be utilized by the Department of Fire, Rescue, and Emergency Management (FREM) for personnel costs associated with the hiring of ten Firefighter 24/7 positions; and

**WHEREAS**, the County is required to provide a local match; and

**WHEREAS**, the County will be responsible for all operational costs associated with these positions; and

**WHEREAS**, the County and FREM will administer the grant in accordance with the terms and conditions 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 Department of Homeland Security 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; Mary Sorrell, Finance Director; and Annette B. D'Alessandro, Grants Manager; and

**BE IT FURTHER RESOLVED** by the Spotsylvania County Board of Supervisors that the grant amount of \$187,438 associated with FY 2019 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, 2018, for expenditures in the amount of \$187,438 to be utilized only for personnel costs associated with the hiring of ten Firefighter 24/7 positions, to be expended only by order of the Board of Supervisors as follows:

**GENERAL FUND: \$ 187,438**

11. Mallard Road Right-of Way Abandonment (Berkeley District) 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. 2018-133**

**A RESOLUTION REQUESTING THE SOUTHER PORTION OF MALLARD ROAD  
Route F163 BE ABANDONDED FROM THE STATE SYSTEM OF SECONDARY  
ROADS**

WHEREAS, pursuant to §33.2-902 Code of Virginia, the Commissioner of the Virginia Department of Transportation has provided this Board with its notice of intent to abandon from the Primary System of State Highways a 0.3 mile end section of Route F163, Mallard Road located within the Berkeley voting district, as described on the attached form, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Spotsylvania County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board that abandonment of the portion of Route F163, Mallard Road, only serves one property owner, and is a portion of Right-Of-Way in the State System of Secondary Road, and

WHEREAS, the applicant made application to Spotsylvania County to abandon the southern portion of Route F163, Mallard Road, and improve a new cul-de-sac at the new terminus of the proposed Right-Of-Way, and

WHEREAS, the Spotsylvania County Board of Supervisors opened up at least Thirty (30) day period of review on August 14, 2018 for the public to determine if a public necessity exists, and

NOW, THEREFORE, BE IT RESOLVED, this Board supports Virginia Department of Transportation and the applicant, proving no public necessity exists to abandon the end portion of Route F163, Mallard Road, and

NOW, THEREFORE, BE IT RESOLVED, that this Board supports the Virginia Department of Transportation's action to abandon from the Primary System of State Highways the section of Mallard Road, Route F163, 0.3 mile end section, pursuant to §33.2-904 Code of Virginia, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Commonwealth Transportation Board for review and approval.

12. Request to Continue R18-0002; Keswick Land Development Corporation, Keswick Senior Apartments, LLC and Keswick Apartments I, LLC (R018-0002)(Berkeley District);
13. VACo Voting Credentials for the Annual Business Meeting.

VOTE:

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

**APPROVAL OF THE CONSENT AGENDA ITEMS REMOVED FOR SEPARATE CONSIDERATION**

**Approval of Contract to R. J. Smith Construction, Inc. to Provide the Old Sheriff's Office Demolition & Courthouse Stabilization**

Mr. Skinner requested a breakdown of the costs associated with the demolition and stabilization. On a motion by Mr. Benton and passed unanimously, the Board approved the contract to R. J. Smith Construction, Inc. to provide the old sheriff's office demolition & courthouse stabilization.

**VOTE:**

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

**Budget Adjustments to Add 3 Mid-Year SROs, Fund Additional Children's Services Act (CSA) Mandated Costs, and Modify School Funding Sources**

On a motion by Mr. Ross and passed 6 to 1 with Dr. Trampe opposed, the Board approved the appropriation as follows:

**VOTE:**

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

**RESOLUTION NO. 2018-134**

**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.

To adjust the budget for additional CSA funding and expenditures; to add 3 SROs at mid-year; and to appropriate the \$1 million each withheld from both the School Operating Fund and General Fund when the original FY 2019 appropriations were made, to be expended only by order of the Board of Supervisors as follows:

**GENERAL FUND: \$2,650,000**

**SCHOOL OPERATING FUND: \$1,000,000**



### Revisions to Remote Attendance Policy

The County Attorney gave an overview of the proposed revisions to the remote attendance policy. On a motion by Mr. Marshall and passed unanimously, the Board approved the revisions to the remote attendance policy as presented.

#### VOTE:

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

### Revisions to Board Bylaws Regarding Meeting Agenda Order.

Discussion ensued regarding revisions to Board of Supervisors Bylaws regarding meeting agendas, placing approval of consent agenda before public comment.

Mr. Ross made a motion to direct the County Attorney to revise the Board Bylaws to include 2 separate public presentations. The first public presentation would be for the consent agenda only prior to approval of the consent agenda and the second public presentation would be after the approval of the consent agenda. Mr. Skinner made a substitute motion to include a separate agenda item for award and recognitions at the start of the meeting. The motion was approved 6 to 1 with Mr. McLaughlin opposed.

#### VOTE:

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

## **BOARD OF SUPERVISORS REPORTS**

Mr. Skinner stated it was not his intention to attack Mr. Buckley's character in his comments on September 12, 2018 and apologized if it was taken in that manner. Additionally, he asked county staff and the county attorney to look into the land at the Bowman Center and ways a county partnership could be created and bring the information back at the first meeting in November. Mr. Skinner said it would be a beautiful place for an adult care center.

Mr. Marshall recognized Ms. Webb's greenhouse class for placing first at the State Fair.

Mr. Yakabouski welcomed Una-Dyn to the county. He asked staff to look at building and expanding community outreach.

Mr. Ross shared an event at Shannon Airport from 5:30-7:00 pm this Thursday to meet with Senator Rand Paul and Congressman Dave Brat.

Mr. Benton thanked Mr. Loveday for going above and beyond in working with a citizen. Additionally, he said staff was still working through the S Power application and there was still a long ways to go.

## **VDOT REPORT**

Kyle Bates was unable to be present. Mr. Morgan reviewed the October VDOT Report presented to the Board.

### **Transportation Element of the Comprehensive Plan Work Session**

During the May 22, 2018 Joint Planning Commission and Board of Supervisors work session, the Board indicated that it would like to be directly involved in the discussion about the Transportation Chapter of the Plan. In particular, the Board wanted to provide input into the project prioritization process.

The objectives of the work session were:

1. Identify transportation projects on an active working list.
2. Discuss a scoring methodology for prioritizing projects.
3. Discuss a policy for adding projects, removing projects, and re-prioritizing projects on the list.

## **PRESENTATIONS/REPORTS BY STAFF**

### **FY 2018 Preliminary End of Year Financial Report and Recommended Carryover Request**

Staff gave a presentation reviewing the County's financial position at the close of FY 2018 and requested the Board's approval of budget adjustments and appropriations related to the recommended carryover request list. Staff from each department were available to address questions concerning carryover requests. A draft carryover listing was reviewed and approved by the Finance Committee at its meeting on September 20. A public hearing was not necessary since the total of the budget adjustment for the recommended carryover requests was less than the legal threshold required for a public hearing.

On a motion by Mr. Ross 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. 2018-135**

**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 the funding of the carryover expenses for various departments in the General, Code Compliance, Capital Projects, EDO and Utilities Operating funds, to be expended only by order of the Board of Supervisors as follows:

**GENERAL FUND:** \$1,917,712

**CODE COMPLIANCE FUND:** \$27,613

**CAPITAL PROJECTS FUND:** (\$55,426)

**EDO FUND:** \$585,000

**UTILITIES OPERATING FUND:** \$221,938

**Initial Presentation of FY 2020 – FY 2024 CIP Concepts**

Based on CIP requests received from project managers and CIP Working Group discussions, staff presented the initial FY 2020 - FY 2024 CIP concepts. This presentation provided an opportunity for the Board to learn of, gain additional information on, and ask questions about the projects being considered for inclusion in the County Administrator's Recommended FY 2020 - FY 2024 CIP.

This session with the Board was the first of multiple sessions through which the Board and staff would exchange information/questions/concerns about the CIP. In late October, Board members will have an opportunity to work two at a time with staff on CIP matters. The two at a time sessions will be followed by up to two additional presentations at Board meetings to arrive at a fine-tuned CIP concept ahead of the County Administrator making decisions on his budget and CIP recommendations.

When?	What?
October 9	CIP Work Session - Initial presentation of CIP concept to Board for comment

Week of October 29	Meetings with 2 Board members at a time re: CIP projects
November 15	CIP Work Session - Second presentation of CIP concept to Board for comment
November 27	CIP Work Session – Final presentation of CIP concept to Board for comment. Will use input from this meeting for Recommended CIP.
Early December	Final decisions made by County Administrator as to Recommended CIP
February 12	CIP transmitted to the Board as part of FY 2020 Recommended Budget

### **PUBLIC PRESENTATIONS**

None

### **PUBLIC HEARINGS**

#### **SUP18-0007 – B-Farms Development, LLC (Franklin’s Crossing ALF)(Lee Hill Voting District)**

Mr. White presented.

Charlie Payne, on behalf of the applicant: He gave an overview of the project and stood to answer any questions.

Mr. Benton declared the public hearing opened.

The following citizens spoke in opposition or with concerns: Andrew Wonpat, Terrance Sauders, Timothy Willging, Curtis Dunn, Renee Dunn, Dustin Giertz, Vamol Cadette, Wendy Daniels, Robert Craig, Robert Findley, Brian Butler, Shane Lack, Leslie Petrey, Martin Petrey, Butch Dreany and Jerrell Maple.

Mr. Benton closed the public hearing.

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

On a motion by Mr. Skinner and passed unanimously, the Board tabled SUP18-0007 to the October 23, 2018 Board meeting.

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 (cont'd)**

**Comcast Report – Lake Anna Expansion**

Staff and Comcast presented an update to the Board regarding their extension of cabled services into the Lake Anna area.

**NEW BUSINESS**

None

**ADJOURNMENT**

On a motion by Mr. Benton and passed unanimously, the Board adjourned its meeting at 8:45 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