

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: Ed Petrovitch, County Administrator
Mark L. Cole, Deputy County Administrator
Karl Holsten, County Attorney
Aimee R. Mann, Deputy Clerk

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

Dr. Trampe announced that Mr. Marshall requested to participate remotely in the meeting from the road to Greensboro, North Carolina due to previously scheduled work travel and was unable to physically attend.

On a motion by Dr. Trampe and passed 6 to 0 with Mr. Marshall absent, the Board suspended its bylaws and authorized Mr. Marshall to participate in the meeting remotely.

VOTE:

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

On a motion by Dr. Trampe and passed 6 to 0 with Mr. Marshall absent, the Board suspended its bylaws to allow for roll call voting.

VOTE:

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

APPROVAL OF AGENDA

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

- Commendation Recognizing Staff and Volunteers Involved in the Stars and Stripes Spectacular;
- Appointment of Nancy Biscoe to the Board of Zoning Appeals Representing the Livingston District – Term Expires 07/14/20.

AWARD PRESENTATIONS AND SPECIAL RECOGNITIONS

Employee of the Quarter Recognition – 2018 4th Quarter and 2019 1st Quarter

The Board of Supervisors recognized Amy Munro, Luana Cheatam, Samantha Jessee and Vivian Proffitt, as being selected as the General Government Employees of the Quarter “Service Excellence Award” recipients for the fourth quarter of 2018 and the first quarter of 2019 respectively. In addition, the Board of Supervisors recognized Kate Matikonis, Chris Rollins, Austin Keck and Kevin Jewell as being selected as the Public Safety Employees of the Quarter “Service Excellence Award” recipients for the fourth quarter of 2018 and the first quarter of 2019 respectively.

PUBLIC COMMENT ON THE CONSENT AGENDA

None

APPROVAL OF THE CONSENT AGENDA

The County Administrator read the synopsis as a brief preview of these agenda items for the public.

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

1. Approval of the Minutes of the June 11, 2019, Board of Supervisors Meeting;
2. Appointment of Ed Petrovitch as an Alternate on the Fredericksburg Area Metropolitan Planning Organization Policy Committee (FAMPO);
3. Approval of Contract to Cherry Bekaert LLP to Provide Audit Services;
4. Approval of Contract Modification #1 for Renewal to Univar USA, Inc. for Wastewater Treatment Chemicals;
5. Approval of Purchase Order to North America Fire Equipment Company, Inc. for Fire Apparatus Equipment;

6. Approval of Public Notice – Virginia Department of House and Community Development – Virginia Telecommunications Initiative Grant – 2020;
7. Approve Revision of Employee Policy and Procedure Manual Chapter 11 Leave Accrual;
8. Capital Projects Budget Adjustments 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. 2019-76

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 close and reallocate funding on certain capital projects, to be expended only by order of the Board of Supervisors as follows:

CAPITAL PROJECTS FUND: (\$1,083,600)
UTILITIES CAPITAL PROJECTS FUND: \$1,068,725

9. Proclamation for the Sheriff's Office National Night Out 2019 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	

PROCLAMATION

National Night Out 2019

WHEREAS, the National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug and violence prevention program on August 6, 2019, entitled "National Night Out"; and

WHEREAS, the "36th Annual National Night Out" provides a unique opportunity for Spotsylvania County, Virginia to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, Spotsylvania County plays a vital role in assisting the Spotsylvania Sheriff's Office through joint crime, drug and violence prevention efforts in Spotsylvania County, Virginia; and is supporting "National Night Out 2019" locally; and

WHEREAS, it is essential that all citizens of Spotsylvania County be aware of the importance of crime prevention programs and impact that their participation can have on reducing crime, drugs and violence in Spotsylvania County; and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" program;

Now, THEREFORE WE, THE SPOTSYLVANIA COUNTY BOARD OF SUPERVISORS, do hereby call upon all citizens of Spotsylvania County to join the Spotsylvania Sheriff's Office, the National Association of Town Watch in supporting "36th Annual National Night Out" on August 6, 2019.

FURTHER, LET IT BE RESOLVED THAT, WE, MEMBERS OF THE SPOTSYLVANIA COUNTY BOARD OF SUPERVISORS, do hereby proclaim Tuesday, August 6, 2019 as "NATIONAL NIGHT OUT" in Spotsylvania County, Virginia.

10. Shift of Sheriff's Office Insurance Reimbursement to Capital Projects for Motorcycle Replacement;
11. Commendation Recognizing Staff and Volunteers Involved in the Stars and Stripes Spectacular 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	

COMMENDATION

15th Annual Spotsylvania Stars & Stripes Spectacular

WHEREAS, the 15th annual Spotsylvania Stars & Stripes Spectacular was held Saturday, June 29, 2019 in the historic Courthouse area; and

WHEREAS, it takes a minimum of six months to plan for the event that draws twenty-five to thirty-thousand people to the area each year the Saturday before the Fourth of July; and

WHEREAS, it takes effort and coordination of at least one-hundred county staff from six different departments along with resources from community partners, such as the school division and Vakos Companies, as well as help from volunteers to hold the event; and

WHEREAS, the Stars & Stripes event has become a long-standing tradition in Spotsylvania that promotes community among residents; and

NOW THEREFORE BE IT RESOLVED, that the Spotsylvania County Board of Supervisors commends and recognizes all county staff, community partners and volunteers that worked together to make the 15th annual Stars & Stripes Spectacular a success and expresses its pride and appreciation for their excellence and achievement.

12. Appointment of Nancy Biscoe to the Board of Zoning Appeals Representing the Livingston District – Term Expires 07/14/20.

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

Carl Steadman spoke about constant suffering from dust due to a gravel road on his property utilized by neighbors. He asked that the Board arrange to have enough macadam road grindings put down to pack the road.

BOARD OF SUPERVISORS REPORTS

Board members thanked the staff involved in making the Stars and Stripes a successful annual event.

Mr. Yakabouski spoke about transportation issues in the county saying he would like a work session during the budget process to drill down on what the Board is going to do about transportation.

Mr. Ross spoke about Stafford being interested in an outer connector. He thanked Nicole Flushe for her service to the county on the Department of the Social Services Advisory Board.

On a motion by Mr. Ross and passed unanimously, the Board appointed Darren O'Shields to the Social Services Advisory Committee representing the Courtland District.

VOTE:

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

Mr. Benton spoke about pot holes on Belmont Road. He commended first responders for all they do for the community. He commended the Sheriff's Office for their summer camp programs.

PRESENTATIONS/REPORTS BY STAFF

County Website Upgrade

In December 2018, the IS Department began the task of upgrading the county website. CivicPlus was chosen as the vendor and the contract was signed at the end of December 2018. The early project phases (Initiate, Logo Design and Analyze) has been completed. Staff was currently in the design phase and expected it to be completed by mid-July. There were three remaining phases to complete (Optimize, Educate and Launch). The website launch was expected to occur in late August.

Discussion ensued regarding the proposed logo and citizen input.

Funding Assistance Requested by the City of Fredericksburg for the Virginia Central Railway (VCR) Trail Hazel Run Bridge Project

On June 19, 2019, County Administration received a request from the City of Fredericksburg for County funding assistance (valued at \$135,000) for a planned bicycle/ pedestrian bridge over Hazel Run. The proposed bridge was along a segment of the Virginia Central Railway (VCR) Trail extending between Route 1 (to the east) and Interstate 95 (to the west). Due to lack of a bridge structure, the trail presently dead-ends near the Hazel Run bridge location between the Village of Idlewild (City) and Kingswood Subdivision (County). The public access trail has users from both neighborhoods. The bridge crossing was located within the City of Fredericksburg in close proximity to the County line (within 100'). Much of the developed trail corridor west of Route 1 was either within City of Fredericksburg limits or on VCR right-of-way within Spotsylvania County but owned by the City of Fredericksburg. In Spotsylvania County, the Kingswood community had no fixed link to the Trail and community members had expressed frustration over those seeking to access the trail simply "trail blazing" through private property for access to it. The Kingswood community had expressed interest in establishing a private-access only connection to the VCR Trail and appeared to be the only Spotsylvania subdivision that would benefit from construction of the planned bridge unless the Board of Supervisors supported eventual extension of the VCR Trail along the historic rail bed to the west with a new bicycle/ pedestrian-only connection crossing the Interstate via bridge or tunnel.

Staff reached out to the City to provide greater clarity regarding the bridge project and its request for funding assistance. The design of the bridge itself would be similar to those already installed on the City trail system. As per the City, “They are steel frame structures that span historic bridge abutments without touching them.” The urgency of this request comes due to a soon-to-expire bid and increases in steel costs that have resulted in a funding gap beyond the \$160,000 already “in hand” from Smartscale funding. The Smartscale funds already awarded cannot be held in reserve indefinitely. A plan to close the fund gap and implement the project was needed as soon as possible. As per the City “there is no certainty that the next bids will not be higher”. Aside from the lack of funds, because the project is otherwise “ready to go”, construction was expected to begin this summer and no additional delays were expected to result in additional funding gap concerns. The City confirmed that without County participation the current project will likely be terminated and Smartscale funds lost.

On a motion by Mr. McLaughlin and passed unanimously, the Board denied the request.

VOTE:

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

Local Stormwater Management Fund and Grant Program

The General Assembly passed legislation this year allowing localities to establish a grant program to provide funding to private property owners to assist in fixing storm water management (SWM) problems. Staff was looking for guidance as to whether the Board would like to proceed with the creation of a grant program.

On a motion by Dr. Trampe and passed unanimously, the Board directed staff to move forward with the program.

VOTE:

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

CLOSED MEETING

On a motion by Mr. Skinner 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. 2019-77

To Adjourn into a Closed Meeting

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into a Closed Meeting for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the County, specifically, an employee of the Department of Economic Development and Tourism and the position of Director of Economic Development and Tourism; 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 related to changes to the Code of Virginia; and

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

RESOLUTION NO. 2019-78

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

R19-0002 Cutler Rezoning (RO 19-0002) Livingston District

Ms. Parrish presented.

Dr. Trampe declared the public hearing opened.

The following citizens spoke in opposition or with concerns: Timothy Arwoltz, Raphael Harris and Gloria Maze.

The following citizen spoke in favor: William Cutler.

Dr. Trampe declared the public hearing closed.

Mr. Ross stated he would like the Board to look at the ordinance regarding family subdivisions at a Board meeting in October.

On a motion by Mr. Benton and passed unanimously, the Board adopted the ordinance 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	

AN ORDINANCE No. RO19-0002

To amend the zoning map to rezone the property known as Tax Map No. 43-4-1 and 7841 Panier Road from Agricultural 3 (A-3) to Planned Residential Rural 2 (PRR-2) subject to the proffered conditions attached hereto incorporated herein and made a part hereof.

PUBLIC HEARING: July 9, 2019

WHEREAS, William and Laura Cutler request a rezoning of approximately 30.81 acres from Agricultural 3 (A-3) to Planned Residential Rural 2 (PRR-2) with proffers for a three (3) lot subdivision of single-family detached homes. The property is 7841 Panier Road, located on the southwest side of Post Oak Road (Route 606), approximately 0.84 miles south of the intersection of Post Oak Road and Pamunkey Road (Route 612). This property is located outside of the Primary Development District and within the Rural Residential Development District of the Comprehensive Plan. Tax map parcel 43-4-1.. Livingston Voting District; and

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

WHEREAS, the Spotsylvania County Planning Commission held a public hearing on June 19, 2019, 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 5-0; and

WHEREAS, the Spotsylvania County Board of Supervisors held a public hearing on July 9, 2019, 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 rezoning application.

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

§ 1. That the property known as Tax Parcel 43-4-1 currently zoned Agricultural 3 (A-3) is rezoned to Planned Residential Rural 2 (PRR-2) with proffers.

§ 2. The Spotsylvania County Board of Supervisors' approval and adoption of any conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable Spotsylvania County Ordinances, rules, regulations, or adopted standards. To the extent anything in this rezoning is less restrictive than the County's Ordinances, or its rules, regulations, or adopted standards, the lessened restriction shall be void and the County's Ordinances, or its rules, regulations, or adopted standards shall control and be applicable to the rezoning.

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

R18-0003 Cleil Albrite and Christie Albrite (RO18-0003) Berkeley District

Mr. Hughes presented.

Dr. Trampe declared the public hearing opened and when no one indicated an intention to speak, closed the public hearing.

On a motion by Mr. Marshall and passed unanimously, the Board adopted the ordinance with conditions 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	

AN ORDINANCE No. RO18-0003

To amend the zoning map to rezone the property known as Tax Map Parcels. 49-A-84A & 49-A-84J and 8305 Jefferson Davis Highway & 8309 Jefferson Davis Highway from Rural (RU) and Commercial 3 (C-3) to Industrial 1 (I-1) subject to the proffered conditions attached hereto incorporated herein and made a part hereof.

PUBLIC HEARING: July 9, 2019

WHEREAS, Cleil Albrite and Christie Albrite (Albrite Property Rezoning): Requests a rezoning of two properties constituting approximately 6 acres from Commercial 3 (C-3) and Rural (RU) to Industrial 1 (I-1) with new proffers. The properties are located on the east side of Jefferson Davis Highway approximately 500 feet north of the intersection of Jefferson Davis Highway and Guinea Station Road and are addressed as 8305 and 8309 Jefferson Davis Highway. The properties are located within the Primary Development Boundary. The properties are identified for Employment Center development on the Future Land Use Map of the Comprehensive Plan and are located within the Highway Corridor Overlay District. Tax Parcels 49-A-84J and 49-A-84A. Berkeley Voting District; and

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

WHEREAS, the Spotsylvania County Planning Commission held a public hearing on June 19, 2019, 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 5-0; and

WHEREAS, the Spotsylvania County Board of Supervisors held a public hearing on July 9, 2019, 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 rezoning application.

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

§ 1. That the property known as Tax Parcels 49-A-84J and 49-A-84A currently zoned Rural (RU) and Commercial-3 (C-3) are rezoned to Industrial 1(I-1) with proffers.

§ 2. The Spotsylvania County Board of Supervisors' approval and adoption of any conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable Spotsylvania County Ordinances, rules, regulations, or adopted standards. To the extent anything in this rezoning is less restrictive than the County's Ordinances, or its rules, regulations, or adopted standards, the lessened restriction shall be void and the County's Ordinances, or its rules, regulations, or adopted standards shall control and be applicable to the rezoning.

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

Public Hearing of Amendment to County Code Chapter 7, Section 89, Regarding the Location of the Central Absentee Voter Precinct Polling Place

Ms. Acors presented.

Dr. Trampe declared the public hearing opened and when no one indicated an intention to speak, closed the public hearing.

On a motion by Mr. Skinner and passed unanimously, the Board adopted the ordinance with 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	

ORDINANCE NO. 7-12

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 7, ELECTIONS, OF THE
CODE OF THE COUNTY OF SPOTSYLVANIA, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of Spotsylvania, Virginia,
that Chapter 7, Elections, is hereby amended and reordained by amending Section 7-89,
Location, as follows:

Chapter 7

ELECTIONS

Sec. 7-89. – Location.

The Central Absentee Voter Election Precinct shall be located in the Office of
Elections/General Registrar's Office, located at 4708 Southpoint Parkway, Spotsylvania,
Virginia.

(Ord. No. 7-5, 5-14-96, Ord. 7-12, 7-9-19)

NEW BUSINESS

The Board would like to continue discussions on a county-wide contest to design a logo for the
website at the next meeting.

ADJOURNMENT

On a motion by Mr. Benton and passed unanimously, the Board adjourned its meeting at 7:15 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	

Ed Petrovitch
Clerk to the Board of Supervisors