

PRESENT: Deborah H. Frazier, Salem District  
Barry K. Jett, Livingston District  
Kevin W. Marshall, Berkeley District  
Timothy J. McLaughlin, Chancellor District  
David Ross, Courtland District  
Gary F. Skinner, Lee Hill 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

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

### **ORGANIZATION OF THE BOARD OF SUPERVISORS**

Mr. Petrovitch asked for nominations for the Chairman of the Board.

Supervisor McLaughlin nominated Supervisor Marshall.

On a motion by Supervisor McLaughlin and passed 6 to 1 with Supervisor Yakabouski opposed, the Board elected Supervisor Marshall as Chairman of the Board of Supervisors for 2021.

#### VOTE:

Ayes:	6	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner
Nays:	1	Yakabouski
Absent:	0	
Abstain:	0	

Chairman Marshall asked for nominations for Vice Chairman of the Board.

Supervisor Ross nominated Supervisor McLaughlin.

Supervisor Skinner nominated Supervisor Jett.

Supervisor Ross made a motion to elect Supervisor McLaughlin as Vice Chairman of the Board of Supervisors for 2021. The motion failed 3 to 4 with Supervisors Frazier, Jett, Skinner and Yakabouski opposed.

VOTE:

Ayes: 3 Marshall, McLaughlin, Ross,  
Nays: 4 Frazier, Jett, Skinner, Yakabouski  
Absent: 0  
Abstain: 0

Supervisor Skinner made a motion to elect Supervisor Jett as Vice Chairman of the Board of Supervisors for 2021. The motion passed 4 to 3 with Supervisors Marshall, Ross and Yakabouski opposed.

VOTE:

Ayes: 4 Frazier, Jett, McLaughlin, Skinner  
Nays: 3 Marshall, Ross, Yakabouski  
Absent: 0  
Abstain: 0

The Board recessed at 4:35 p.m. and reconvened at 4:38 p.m.

On a motion by Chairman Marshall and passed unanimously, the Board adopted the resolution for the Schedule of Meetings for 2021 as follows:

VOTE:

Ayes: 7 Frazier, Jett, Marshall, McLaughlin,  
Ross, Skinner, Yakabouski  
Nays: 0  
Absent: 0  
Abstain: 0

**RESOLUTION NO. 2021-1**

**Adopting the Spotsylvania County Board of Supervisors' Schedule of Meetings for 2021**

BE IT RESOLVED by the Spotsylvania County Board of Supervisors, that all Board of Supervisors meetings for 2021 shall be held in the Board Meeting Room of the Holbert Building, 9104 Courthouse Road, Spotsylvania, Virginia 22553, unless otherwise noted in the following schedule, and

BE IT FURTHER RESOLVED, that the dates and times for such meetings shall be in accordance with the following schedule:

<b>Date</b>	<b>Time</b>
January 12 .....	4:30 p.m.

January 26 .....6 p.m.  
February 9 .....4:30 p.m.  
February 23 .....6 p.m.  
March 9 .....4:30 p.m.  
March 23 .....6 p.m.  
March 30..... 6:30 p.m. at Courtland High School  
April 6 .....6 p.m.  
April 8 .....6 p.m.  
April 13 .....4:30 p.m.  
April 27 .....6 p.m.  
May 11 .....4:30 p.m.  
May 25 .....6 p.m.  
June 22 .....4:30 p.m.  
July 27.....4:30 p.m.  
August 10.....4:30 p.m.  
August 24 .....6 p.m.  
September 14 .....4:30 p.m.  
September 28 .....6 p.m.  
October 12.....4:30 p.m.  
October 26.....6 p.m.  
November 9.....4:30 p.m.  
December 14 .....4:30 p.m.  
January 11, 2022 .....4:30 p.m.

**BOARD APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS**

Chairman Marshall made the following appointments:

Capital Construction Committee:

Vice Chairman Jett and Supervisor Yakabouski (primary); Supervisor Skinner (alternate)

Extension Leadership Council

Vice Chairman Jett (primary); Chairman Skinner (alternate)

Finance Committee

Chairman Marshall and Supervisor Skinner (primary); Supervisor Yakabouski (alternate)

On a motion by Chairman Marshall and passed unanimously, the Board made the following appointments:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

CPMT

Supervisor Skinner

FAMPO

Supervisors McLaughlin, Ross and Yakabouski (primary); Supervisor Frazier, Chairman Marshall and Supervisor Skinner (alternate)

Fredericksburg Regional Alliance

Supervisor Yakabouski (primary); Chairman Marshall (alternate)

Joint Fleet Maintenance

Supervisor Skinner

Lake Anna Advisory Committee

Chairman Marshall (primary); Vice Chairman Jett (alternate)

Public Safety Committee

Chairman Marshall

Transportation Committee

Supervisors McLaughlin, Ross and Yakabouski; Supervisor Skinner (alternate)

Transportation Committee School Representative

Ms. Phelps

**ADOPTION OF THE BOARD OF SUPERVISORS' BYLAWS AND CODE OF ETHICS**

On a motion by Supervisor Skinner and passed unanimously, the Board approved the proposed changes to the bylaws except Section 4-5 and 7.1 and with the addition of language to Section 5.3 changing 9 a.m. to close of business the previous business day.

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

Supervisor Ross made a motion to approve the proposed bylaw changes to Section 4-5 and 7.1 as presented. Supervisor Skinner made a substitute motion to not approve the proposed bylaw changes to Section 4-5 and 7.1 as presented. The substitute motion failed 3 to 4 with Supervisors Jett, McLaughlin, Marshall and Ross opposed.

VOTE:

Ayes:	3	Frazier, Skinner, Yakabouski
Nays:	4	Jett, McLaughlin, Marshall, Ross
Absent:	0	
Abstain:	0	

On a motion by Supervisor Ross and passed 4 to 3 with Supervisors Frazier, Skinner and Yakabouski opposed, the Board approved the proposed bylaw changes

VOTE:

Ayes:	4	Jett, McLaughlin, Marshall, Ross
Nays:	3	Frazier, Skinner, Yakabouski
Absent:	0	
Abstain:	0	

On a motion by Chairman Marshall and passed unanimously, the Board adopted the Code of Ethics as presented.

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

### **APPROVAL OF AGENDA**

On a motion by Supervisor McLaughlin and passed unanimously, the Board approved the agenda with the following additions:

- Direction Requested on \$2.0 Million Reserved for County Technology and Building Access Improvements;
- Request to Approve an Additional 1.0 FTE for a Child Protective Services Supervisor Position;
- Authorization to Advertise Public Hearing for Amendments to Spotsylvania County Code Chapter 14 Article 1 – Offenses and Miscellaneous, Section 10 – Camping and Use or Storage of Camping Equipment;
- MOU Agreement Between Health Department and the County for FREM to Assist in COVID Vaccine.

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

On a motion by Supervisor Skinner and passed 5 to 2 with Supervisors McLaughlin and Ross opposed, the Board added the following item to the agenda:

- Direction Requested on \$2.4 Million Reserved for Schools

VOTE:

Ayes:	5	Frazier, Jett, Marshall, Skinner, Yakabouski
Nays:	2	McLaughlin, Ross
Absent:	0	
Abstain:	0	

### **PUBLIC COMMENT ON 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.

The following items were removed for separate consideration:

- Approval of Waiver of Protective Covenants of Spotsylvania County Industrial Park for Monument Fifteen, LLC;
- Approval of Letter Supporting a Limited Access Change for I-95 Exit 126 along U.S. Route 1 SB.

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

VOTE:

Ayes: 7 Frazier, Jett, Marshall, McLaughlin,  
Ross, Skinner, Yakabouski  
Nays: 0  
Absent: 0  
Abstain: 0

1. Approval of Minutes of the December 8, 2020 Board of Supervisors Meeting;
2. Appointment of Gerald Childress to the Planning Commission (Chancellor District);
3. Appointment of Nicole Cole to the Citizen Budget Review Committee (Salem District);
4. Approval of Contract to Mid-Atlantic Communications, Inc. for Mobile Equipment Installations Services for FREM;
5. Resolution to Authorize in Absence of the County Administrator as follows:

VOTE:

Ayes: 7 Frazier, Jett, Marshall, McLaughlin,  
Ross, Skinner, Yakabouski  
Nays: 0  
Absent: 0  
Abstain: 0

### **RESOLUTION NO. 2021-2**

#### **Authorization in the Absence of the County Administrator**

WHEREAS as of this date the COVID-19 pandemic continues across the United States and the Commonwealth of Virginia;

WHEREAS in response to the pandemic, the County declared a local emergency by adopting Resolution 2020-32 on March 17, 2020;

WEHERAS it is the best interest of the County and its citizens to maintain the ability of the County to operate despite any time during which its administrative leadership is unavailable due to health restrictions or other absence;

WHEREAS the Board of Supervisors desires to authorize the County's administrators to act on behalf of the County Administrator should he be physically unavailable to execute documents and the like;

NOW THEREFORE BE IT RESOLVED that the Deputy County Administrator is hereby authorized to act on behalf of the County Administrator should the County Administrator be physically unavailable to act; and that the County's Assistant County Administrators are hereby designated to act on behalf of the County Administrator should the Deputy County Administrator be physically unavailable to act on his behalf and;

BE IT FURTHER RESOLVED that any document executed on behalf of the County Administrator due to the physical unavailability of the County Administrator prior to this authorization which the County Administrator would otherwise be lawfully able to execute directly, is hereby ratified.

6. US 17 Limited Access Break Request for New Post 7-Eleven as followsL

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

### **RESOLUTION NO. 2021-3**

#### **A RESOLUTION ENDORSING NET LEASE DEVELOPMENT LIMITED ACCESS WAIVER; TIDEWATER TRAIL AND MILLS DRIVE**

WHEREAS, pursuant to Virginia Department of Transportation (VDOT) Regulation 24 VAC 30-401-10, et al., Net Lease Development (Net Lease) has applied for a change of limited access control along U.S. Route 17 (i.e., Mills Drive) and an Access Management Exception (AM-E) along BUS-U.S. Route 17/State Route 2 (Tidewater Trail) for the purposes of developing a 7-Eleven convenience store with fuel services in the northwest quadrant of the Tidewater Trail at Mills Drive intersection (Project);

WHEREAS, Net Lease Development has prepared a conceptual site plan for the site access driveway locations, overarching access restrictions, and off-site improvements to efficiently and safely accommodate future traffic demand, and to the extent reasonably possible meet VDOT Access Management Policy standards; and

WHEREAS, to accommodate the proposed site access driveway along the north side of U.S. Route 17 (Mills Drive) a request for a break in the limited access boundary must be approved by

the Commonwealth Transportation Board (CTB) in order for VDOT to allow/permit the construction of the site access driveway improvements; and

WHEREAS, to accommodate the proposed site access driveway along the west side of BUS U.S. Route 17/State Route 2 (Tidewater Trail) an Access Management-Exception must be approved by the VDOT Fredericksburg District Land Use Engineer and VDOT Fredericksburg District Administrator in order allow/permit the construction of the site access driveway improvements; and

WHEREAS, Net Lease has requested the Board's support for the Project, the requested break in the limited access boundary along Mills Drive, and the access management exception along Tidewater Trail; and

WHEREAS, the Spotsylvania County planning and transportation staff have reviewed the Project details and concur with the proposed requests.

NOW, THEREFORE, BE IT RESOLVED, the Spotsylvania County Board of Supervisors endorses the Project, supports the request for the limited access control change along Mills Drive, and the access management exception along Tidewater Trail as submitted by Net Lease.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Virginia Department of Transportation for inclusion with Net Lease's request for limited access control change application, and access management exception application.

Adopted this 12<sup>th</sup> day of January, 2021.

7. Request to Approve an Additional 1.0 FRE for a Child Protective Services Supervisor Position;
8. Authorization to Advertise Public Hearings for Amendments to Spotsylvania County Code 14-Article 1 – Offenses and Miscellaneous, Section 10 – Camping and Use or Storage of Camping Equipment as follows:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

**RESOLUTION NO. 2021-4**

**A RESOLUTION DIRECTING STAFF TO ADVERTISE  
AMENDMENTS TO SPOTSYLVANIA COUNTY CODE CHAPTER 14**

**ARTICLE 1 – OFFENSES-MISCELLANEOUS, SECTION 10 – CAMPING  
AND USE OR STORAGE OF CAMPING EQUIPMENT**

WHEREAS, the Board of Supervisors of Spotsylvania County (hereinafter the “Board”) desires to consider amendments to Spotsylvania County Code Chapter 14 Article 1- Offenses and Miscellaneous, Section 10 – Camping and Use or Storage of Camping Equipment; and

WHEREAS, the Board desires to allow property owners to camp on their property; and

WHEREAS, based upon public necessity, safety, convenience, the general welfare, and good zoning and subdivision practices, consideration of County Code amendments is appropriate.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby direct staff to advertise for public hearings the draft amendments to Spotsylvania County Code Chapter 14 Article 1- Offenses and Miscellaneous, Section 10 – Camping and Use or Storage of Camping Equipment.

9. MOU Agreement Between Health Department and the County for FREM to Assist in COVID Vaccine.

**CONSENT AGENDA ITEMS FOR SEPARATE CONSIDERATION**

Approval of Waiver of Protective Covenants of Spotsylvania County Industrial Park for Monument Fifteen, LLC

Supervisor Yakabouski did not support this project and asked for this item to be removed from consent agenda so that he could vote in opposition. On a motion by Supervisor McLaughlin and passed 6 to 1 with Supervisor Yakabouski opposed, the Board approved the waiver of protective covenants as presented.

VOTE:

Ayes:	6	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner
Nays:	1	Yakabouski
Absent:	0	
Abstain:	0	

Approval of a letter Supporting a Limited Access Change for I-95 Exit 126 along U.S. Route 1 SB

VDOT requested County support to extend the limited access for I-95 Exit 126 along US 1 SB and as part of the Exit 126 project VDOT would like to extend the limited access line along the existing right of way line of one parcel (TM 35-15-5). This limited access line extension would

include a 16' break for a gate for access to the parcel. After a brief discussion regarding the financial impacts, Supervisor Skinner made a motion to approve the letter supporting a limited access change for I-95 Exit 126 along U.S. Route 1 SB as presented. The motion passed unanimously.

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

**PUBLIC PRESENTATIONS**

Maureen Howell submitted comments that were read during public presentations.

**BOARD OF SUPERVISORS REPORTS**

During this time, Supervisors reported on items of interest and/or concern within their districts.

Chairman Marshall read the following statement:

I hereby disclose I have an interest in Presentations/Reports by Staff # 3, Budget Adjustment & Appropriation for Bonuses Stemming from State Requirement for Bonuses for Certain Sheriff's Office Positions, on the January 12, 2021 Agenda, to the extent the discussion now includes consideration of bonuses to be given to all employees, as an employee of Spotsylvania County earning over \$5,000 annually. My disclosure is on file with the clerk and is available to the public for review. Mark/Aimee, please record this disclosure in the minutes of this meeting as required by law.

Supervisor Frazier read the following statement:

I hereby disclose I have an interest in Approval of Agenda Including Possible Agenda Additions Item # 1, Direction Requested on \$2.4 Million Reserved for Schools, on the January 12, 2021 Agenda, as an employee of Spotsylvania County Schools earning over \$5,000 annually. My disclosure is on file with the clerk and is available to the public for review. Mark/Aimee, please record this disclosure in the minutes of this meeting as required by law.

**PRESENTATIONS/REPORTS BY STAFF**

Seeking Direction for Internal Audit Function

On February 25, 2020, County staff presented their recommendation to create and outsource the County's new internal audit function for approval by the Board. Normally the first task of a new internal auditor is to gain an understanding of the entity to guide the creation of a multi-year work plan. However, based on prior discussions with the Board, County staff made, and the Board approved, the recommendation for RSM to address two immediate needs in priority order, 1) establishing the County's first Fraud, Waste & Abuse Hotline (completed in August 2020) and 2) the inventory control project (in process).

RSM presented their status on the inventory control project and stood to answer any questions.

On a motion by Supervisor McLaughlin and passed unanimously, the Board voted to move forward with a multi-year detailed audit plan.

**VOTE:**

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

Department of Social Services (DSS) Advisory Board Presentation

Department of Social Services Advisory Board Chairman, Todd Rump gave an update to include successes, the state of the department and a budget overview.

Chairman Marshall requested that Sheriff Harris present to the Board what is being done to mitigate the substance abuse problem in the region.

**PUBLIC PRESENTATIONS**

Elise Anderson and Dawn Shelley addressed the Board during public presentations.

**PRESENTATIONS/REPORTS BY STAFF (cont'd)**

Budget Adjustment & Appropriation for Bonuses Stemming from State Requirement for Bonuses for Certain Sheriff's Office Positions

Actions taken by the Governor and General Assembly during the 2020 Special Session required that a one-time, \$500 bonus be paid in December 2020 to Compensation Board-funded sworn positions in the Sheriff's Office, all of which were full-time positions. Out of all 255 budgeted full-time Public Safety Pay Scale positions in the Sheriff's Office, only 87 of those were sworn positions funded through the Comp Board. As such, the county expected to receive a total of \$46,828 from the State to fund the required \$500 bonus (and related FICA benefits) for 87 full-

time, sworn Sheriff's Office employees. It is only these 87 employees to whom the county was required to pay the bonus in December 2020, and the Board voted on December 8 to move ahead first only with the 87 required bonuses and for staff to return with additional information at the first Board meeting in January 2021.

Though not required by State actions and now law, County Administration recommended that this bonus be extended to all position titles on the Public Safety Pay Scale approved by the Board last year. This would allow for all sworn positions – not just those funded by the Comp Board – as well as Communications Operators and Communications Officers to be included in the bonus payment. Further, staff recommend that regular part-time employees in positions with titles on the Public Safety Pay Scale receive a pro-rated bonus commensurate with their FTE.

A Board member asked what it would cost to extend the bonus to full-time and regular part-time FTEs beyond just those on the Public Safety Pay Scale and then requested that staff bring back information regarding the cost of a bonus for full-time and regular part-time FTEs making \$80,000 or less. The costs and number of employees affected are shown in the following table. It should be noted that 25 (29%) of the 87 Sheriff's Office employees who received the State-mandated bonus in December have salaries of \$80,000 or more. The 87 employees to whom the State-mandated bonus was paid in December are excluded from the figures in the table.

Scenario*	All		\$80,000 or Less	
	Cost	Count	Cost	Count
Public Safety (PS) Scale positions	\$212,312	403	\$187,553	357
All Employees (includes PS)	\$531,839	1,036	\$459,714	902

\*Applicable to Full-Time and Regular Part-Time positions with an associated FTE.

After budget discussions, Chairman Marshall made a motion to table the budget adjustment and appropriation for bonuses to the next Board meeting. The motion passed unanimously.

VOTE:

Ayes: 7 Frazier, Jett, Marshall, McLaughlin,  
Ross, Skinner, Yakabouski  
Nays: 0  
Absent: 0  
Abstain: 0

Direction Requested on \$2.4 Million Reserved for Schools

The School Board requested \$2.5 million be allocated to the Schools' budget from available local funding as assistance in making individual electronic devices available to students, adding and providing hotspots, and otherwise making distance learning possible. Ultimately, the Board determined to appropriate \$100,000 of this \$2.5 million to the Schools for hotspots, and then reserved the \$2.4 million for consideration in conjunction with the Schools' carryover request.

Subsequently, the Schools received \$4.1 million in federal CARES funding through the State (this was in addition to two separate CARES allocation totaling \$2.9 million) and due to the fact that expenditures of that \$4.1 million had a very short turnaround time and had to be spent by the end of calendar year 2020, used the CARES funds for purchase of the individual electronic devices. The Schools have certain other pandemic-related needs for which they are requesting release of the \$2.4 million reserve:

<b>General Description</b>	<b>Cost</b>
Bipolar Ionization to Improve Air Quality in All Building Areas	\$1,430,133
Cleaning Materials & Supplies	603,313
Touchless Water Fountains in All Buildings	264,000
Personal Protective Equipment	102,554
<b>Total</b>	<b>\$2,400,000</b>

On a motion by Supervisor Yakabouski and passed 5 to 2 with Supervisors McLaughlin and Ross opposed, the Board approved the appropriation for bipolar ionization equipment as follows:

**VOTE:**

Ayes: 5 Frazier, Jett, Marshall, Skinner, Yakabouski  
Nays: 2 McLaughlin, Ross  
Absent: 0  
Abstain: 0

**RESOLUTION NO. 2021-5**

**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, 2020, from the funds and for the functions or purposes indicated.

For support of the Schools' pandemic-related needs, to be expended only by order of the Board of Supervisors as follows:

**GENERAL FUND:** (\$1,430,133)  
**SCHOOL OPERATING FUND:** \$1,430,133

Supervisor Yakabouski made a motion to approve the appropriation of \$603,313 for cleaning materials and supplies. Supervisor McLaughlin made a substitute motion to appropriate \$967,000 to small business tax relief in FY21. The substitute motion failed 3 to 4 with Supervisors Jett, Frazier, Skinner and Yakabouski opposed.

VOTE:

Ayes:	3	Marshall, McLaughlin, Ross
Nays:	4	Jett, Frazier, Skinner, Yakabouski
Absent:	0	
Abstain:	0	

The main motion made by Supervisor Yakabouski to approve the appropriation of \$603,313 for cleaning materials and supplies failed 3 to 4 with Supervisors Jett, Marshall, McLaughlin and Ross opposed.

VOTE:

Ayes:	3	Frazier, Skinner, Yakabouski
Nays:	4	Jett, Marshall, McLaughlin, Ross
Absent:	0	
Abstain:	0	

Supervisor Yakabouski made a motion to approve the appropriation of \$264,000 for touchless water fountains in all buildings. The motion failed 3 to 4 with Supervisors Jett, Marshall, McLaughlin and Ross opposed.

VOTE:

Ayes:	3	Frazier, Skinner, Yakabouski
Nays:	4	Jett, Marshall, McLaughlin, Ross
Absent:	0	
Abstain:	0	

On a motion by Supervisor Yakabouski and passed 5 to 2 with Supervisors McLaughlin and Ross opposed, the Board approved the appropriation for personal protective equipment as follows:

VOTE:

Ayes:	5	Frazier, Jett, Marshall, Skinner, Yakabouski
Nays:	2	McLaughlin, Ross
Absent:	0	
Abstain:	0	

**RESOLUTION NO. 2021-6**

**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, 2020, from the funds and for the functions or purposes indicated.

For support of the Schools' pandemic-related needs, to be expended only by order of the Board of Supervisors as follows:

**GENERAL FUND:** (\$102,554)

**SCHOOL OPERATING FUND:** \$102,554

#### FEMA Flood Insurance Rate Map (FIRM) Revisions

FEMA completed an update to the Flood Insurance Rate Map (FIRM) for Spotsylvania County. Spotsylvania's last update occurred in 1998. The map revision process was administered by FEMA and the County is responsible for participating through the review and comment of the collected flood hazard data, preliminary maps and public outreach.

With this update, some properties currently not in the floodplain would be mapped into the floodplain; some properties were already in the floodplain and would remain there; and some properties would be mapped out of the floodplain.

Staff presented information related to FEMA's FIRM revision process to include actions taken to date, statistics related to impacted property owners, timelines going forward and the County's public outreach and participation in the process.

#### Overview of GeoHub Site for Review and Comment on the Draft Comprehensive Plan

The Planning Commission and Planning staff completed a draft update to the Comprehensive Plan (Plan). County Planning staff, working closely with the GIS Division, translated the Plan update into an interactive web-based format. The Plan is currently available for public for review and comment. Staff provided a brief overview of the website in order to showcase its content. The website provides comment boxes for each Chapter and the ability to provide comment in interactive maps embedded within the site. Comments will be collected through January 31, 2021, which the Planning Commission will consider in finalizing the Plan for public hearings.

#### Residential Refuse Decal Presentation

Larry Pritchett, Treasurer, gave a brief presentation to the Board regarding the proposed implementation of a residential refuse decal.

On a motion by Supervisor McLaughlin and passed 6 to 1 with Supervisor Yakabouski opposed, the Board authorized the committee's guidance to issue a one-time residential refuse sticker to be placed on the windshield with a maximum of 5 stickers per house, each sticker requires a signature for person use only, with the program to begin May 1, 2021.

VOTE:

Ayes: 6 Frazier, Jett, Marshall, McLaughlin,  
 Ross, Skinner  
 Nays: 1 Yakabouski  
 Absent: 0  
 Abstain: 0

Direction Requested on \$2.0 Million Reserved for County Technology and Building Access Improvements

In September 2020, the Board allocated \$1.3 million in local funding made available through the County’s use of CARES funding for public safety salaries for the purpose of purchasing and installing necessary equipment, licensing, and software improvements associated with the County’s response to the coronavirus emergency. This \$1.3 million was part of a total requested amount of \$3.3 million. The \$2.0 million balance was then reserved by the Board for these improvements, and was to be considered until after the County’s and Schools’ FY 2020 operating results were known.

Staff was requesting that \$1.6 million of the reserved \$2.0 million be allocated now for the purposes originally requested, and as identified below. Due to revisions in costs and refinement of needs, \$0.4 million is no longer necessary and could be shifted to the General Fund balance.

<b>Breakdown of Technology Improvements</b>	<b>Reserved</b>	<b>Request</b>
Conference/training/Board room technology & sound attenuation upgrades for conferencing & remote interactions (10 conference rooms; 1 training room; 1 Board room; 11 F/R stations)	\$462,500	\$150,000
300 laptops & 150 camera/microphones for remote work	425,000	375,000
Building security/access improvements – 4 buildings/~22 access points	471,000	471,000
Licensing & security improvements for remote access	168,750	168,750
EOC upgrades to allow for social distancing, multiple specialized meetings, improved interactive displays	232,500	232,500
Security software – user training, monitoring, testing	150,000	150,000
Platform subscription for conferencing capabilities	100,000	100,000
<b>Total</b>	<b>\$2,009,750</b>	<b>\$1,647,250</b>

Supervisor Yakabouski made a motion to allocate \$1,294,133 to county for the items listed and allocate remaining \$705,867 to the school district for touchless water fountains. Mr. Ross requested a point of order regarding the allocation to the schools as it was previously voted down earlier in the meeting.

Supervisor McLaughlin made a substitute motion that passed 5 to 2 with Supervisors Frazier and Yakabouski opposed, to allocate \$1,647,250 with the remaining balance of \$362,500 to go to small business tax relief as follows:

VOTE:

Ayes:	5	Jett, Marshall, McLaughlin, Ross, Skinner
Nays:	2	Frazier, Yakabouski
Absent:	0	
Abstain:	0	

**RESOLUTION NO. 2021-7**

**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, 2020, from the funds and for the functions or purposes indicated.

For allocation of \$1.6 million of the \$2.0 million reserved for County technology, and of \$0.4 million for Small Business assistance, to be expended only by order of the Board of Supervisors as follows:

**GENERAL FUND:** (\$1,378,500)

**CAPITAL PROJECTS FUND:** \$1,378,500

**PUBLIC HEARINGS**

Public Hearing for Lease Office Space for Congresswoman Abigail Spanberger

Chairman Marshall opened the public hearing and when no one indicated an intention to speak, closed the public hearing.

On a motion by Supervisor Skinner and passed unanimously, the Board authorized the lease agreement as presented for Congresswoman Abigail Spanberger.

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

Public Hearing for the FY21-26 Secondary Six Year Transportation Improvement Plan

Mr. Agnello presented.

Chairman Marshall opened the public hearing and when no one indicated an intention to speak, closed the public hearing.

On a motion by Chairman Marshall and passed unanimously, the Board added Twilight Lane to the #3 spot at the cost of \$30,000 and adopted the resolution as follows:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

**RESOLUTION NO. 2021-8**

AMENDED FY2021-2026 SECONDARY ROAD SIX-YEAR  
TRANSPORTATION IMPROVEMENT PLAN

WHEREAS, Section 33.2-331 of the Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing an amended Secondary Road Six-Year Transportation Improvement Plan, including the FY2021 Construction Budget; and

WHEREAS, the Spotsylvania County Board of Supervisors agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed FY2021-2026 Amended Secondary Road Six-Year Transportation Improvement Plan, duly advertised so that all citizens of Spotsylvania County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed amended Plan; and

WHEREAS, the Virginia Department of Transportation, appeared before the Spotsylvania County Board of Supervisors and recommended approval of the amended FY2021-2026 Secondary Road Six-Year Transportation Improvement Plan; and

WHEREAS, that the County Administrator and/or his designee is authorized to execute all agreements and/or addendums for any approved projects with the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interests of the citizens of Spotsylvania County, the Spotsylvania County Board of Supervisors does hereby approve the FY2021-2026 Secondary Road Six-Year Transportation Improvement Plan attached.

**CLOSED MEETING**

On a motion by Supervisor Skinner and passed unanimously, the Board adopted a resolution to adjourn into closed meeting as follows:

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

**RESOLUTION NO. 2021-9**

**To Adjourn into a Closed Meeting**

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into a Closed Meeting for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, specifically regarding the matter of *In re: May 19, 2020 Decisions of the Board of Zoning Appeals for the County of Spotsylvania, Virginia on Appeal Applications A19-0003 and A20-0001*, filed in the Circuit Court for the County of Spotsylvania, Virginia, Case Number CL20-208; 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 matters related to the County's cable franchise agreement; and

WHEREAS, the Spotsylvania County Board of Supervisors desires to adjourn into a Closed Meeting for a discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, matters related to a contract for legal services; and

WHEREAS, pursuant to Va. Code Ann. § 2.2-3711(A)(7), (8) and (29), 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	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

**RESOLUTION NO. 2021-10**

**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 Supervisor McLaughlin and passed unanimously, the Board adjourned its meeting at 10:03 p.m.

VOTE:

Ayes:	7	Frazier, Jett, Marshall, McLaughlin, Ross, Skinner, Yakabouski
Nays:	0	
Absent:	0	
Abstain:	0	

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Aimee R. Mann  
Deputy Clerk to the Board of Supervisors