

At a regular meeting of the Caroline County Board of Supervisors held on Tuesday, February 12, 2008 in the auditorium of the Community Services Center, located at 17202 Richmond Turnpike, Milford, VA 22514.

PRESENT

Floyd W. Thomas - Chairman - *Arrived 6:45 p.m.*
Jeff Sili – Vice-Chairman
D. M. “Maxie” Rozell, Jr.
Wayne A. Acors
Bobby Popowicz

ALSO PRESENT

Percy C. Ashcraft – County Administrator
Alan L. Partin – Assistant County Administrator
Benjamin W. Emerson – County Attorney
Michael A. Finchum - Director of Planning & Community Development
Allen T. Ramsey – Director of Public Works
Gary R. Wilson – Director of Economic Development

CALL TO ORDER

Supervisor Sili called the meeting to order at approximately 6:20 p.m.

INVOCATION

Supervisor Acors led the invocation.

PLEDGE OF ALLEGIANCE

Supervisor Sili led the Pledge of Allegiance.

AMENDMENTS TO THE AGENDA

Supervisor Acors moved and Supervisor Popowicz seconded to amend the Agenda by removing Item #5C – Approval of Livestock Reimbursement Claim from the Consent Agenda.

<i>Roll Call Vote:</i>	<i>Sili</i>	<i>Yea</i>
	<i>Rozell</i>	<i>Yea</i>
	<i>Acors</i>	<i>Yea</i>
	<i>Popowicz</i>	<i>Yea</i>

Supervisor Rozell moved and Supervisor Popowicz seconded to amend the Agenda by adding Item #5I – Declaration of Local Emergency Resolution.

<i>Roll Call Vote:</i>	<i>Sili</i>	<i>Yea</i>
	<i>Rozell</i>	<i>Yea</i>
	<i>Acors</i>	<i>Yea</i>
	<i>Popowicz</i>	<i>Yea</i>

OPENING BOARD COMMENTS

There were no opening Board comments.

2. SPECIAL PRESENTATION TO MAXIE ROZELL FROM GEORGE WASHINGTON REGIONAL COMMISSION

Supervisor Sili stated that he was a member of the George Washington Regional Commission (GWRC). He said being a new member, he had no idea of what was going on, however, he heard nothing but good things about Supervisor Rozell in the reorganization of the organization and. Supervisor Sili said that the GWRC said that without Supervisor Rozell, the reorganization could never have happened and he was really going to be missed and hoped that the County would continue to participate at the level that Supervisor Rozell did while he was on the Commission.

Supervisor Sili said that the Commission wanted him to present this special commemoration from the GWRC to Supervisor Rozell for his work and dedication while he was a member.

Supervisor Rozell was presented with a proclamation from the George Washington Regional Commission in recognition of his distinguished service and dedication to the Commission.

3. PRESENTATION/REPORTS

◆ Report on Development of Master Plan for Main County Recreation Park

Mr. Allen Ramsey, Director of Public Works, stated that a representative from Clough Harbour, Consultants developing the master plan for the County's main Recreation Park on Devil's Three Jump Road, is Craig Dandusa. He said Mr. Dandusa would be making a presentation to the Board regarding the status of the study they are conducting. Mr. Ramsey said that he has forwarded a copy of the questionnaire that was presented to the Recreation Advisory Commission and also to the Board. He said this questionnaire would be sent out to all County residents.

Mr. Craig Dandusa, Senior Landscape Architect, Clough Harbour, gave an overview of their proposed approach to the future development of the park. He explained the process and stated that the survey needs to be sent out to the population and get their input and then they need to develop a schedule. Mr. Dandusa said that they will also be talking to

the Recreation Department and have asked Mr. Donnell Howard, Director of Parks and Recreation, to provide them with program information. He said that it is a 9-step process that starts with schematically and work towards detail. Mr. Dandusa said that there would be milestones built into the schedule so you will know exactly when you will be updated. He said he would provide all the steps to the Board of Supervisors. Mr. Dandusa said that government, citizens and the design team would be involved in the process. He asked the Board if they wanted to make any changes to the survey and that he would like to have it all done before school gets out.

Supervisor Rozell asked how the surveys would be mailed out to citizens, if it would be by the tax records.

Mr. Dandusa responded that the survey would be sent out with a County newsletter and put on the County website as well.

Supervisor Acors stated that he only question he had was under #8 and #9, regarding the statement of how often people in a household participate in various activities. He said those things were not available in the County.

Mr. Dandusa responded that they set up the survey up to determine what people like to do and then what they would like to see in the County. He said they could add or delete from that list and that they were just trying to get a handle on what people like and what they would like to see.

Supervisor Acors responded that #71, #72 and #73, regarding fees and that they might want to add that to see if people wanted to see those added in the County.

Mr. Dandusa responded that they could do that.

Supervisor Sili said that he knows that people in Caroline go to Fredericksburg and King George and other places to use facilities because they are not here in Caroline. He said he would like to find out where these people use other facilities, because we need to determine if there is going to be any use of facilities after they are built.

Mr. Dandusa responded that is the agenda, to keep people in the County.

Supervisor Rozell said that you need to know how much the citizens of Caroline are willing to spend, because doing nice things comes at a price. He said they need to determine how much each family is willing to spend for these things.

Mr. Dandusa responded that certainly, with all facilities comes an added price for operations and maintenance, however, you have to look at the overall programs and see what it takes to run those programs and who is willing to pay for it.

Supervisor Sili asked if those things could be added to the survey and when the survey would be sent out.

Mr. Dandusa responded they could add those things to the survey.

Mr. Ramsey stated that he wanted to clarify that it will be in the newsletters and they will be using the tax record database to send the survey in a separate mailing to all county residents.

Mr. Dandusa said that the survey will go out when the Board of Supervisors is satisfied with the content.

◆ **Presentation of Proposed Floor Plan for County Use of Old Union Bankshares Building**

Mr. Ramsey stated that representatives from Moseley Architects, Jay Moore and Paul Hessler, are here to give a presentation to the Board on the proposed floor plan for the County's use of the old Union Bankshares Building.

Mr. Jay Moore, Moseley Architects, passed out a handout to Board members and said that they have been working very closely with the County Staff that will be going into this building. He said if they understand it, they are all in agreement with the proposed floor plan.

Mr. Moore gave a brief overview of the move to the Union Bankshares Building and that the Commissioner of Revenue, Treasurer and the Voter Registrar will be on the 1st floor, because they generate the most public traffic and will be very convenient for people to make several stops in one building. He said that they have located the Voter Registrar at the front of the building for convenience and the remainder of the building can be secured on weekends. Mr. Moore said that they are currently showing the voting machines in the rear of the building, however, it has been brought to their attention that those machines may need to be located in the front as well and they are checking into that.

Mr. Moore stated that located on the 2nd floor will be the County Administrator and the Finance Department. He said that very little consideration would be necessary in the County Administrator's section because the infrastructure is in very good condition and they will be able to reuse it as is.

Mr. Moore directed the Board members to Page 3, Space Comparison. He said the Commissioner of Revenue, County Administrator, Finance, Human Resources and IT will almost double in space in the new building. Mr. Moore said that in most cases, they were able to provide a great deal of much needed additional space and he was happy to report, that the proposed budget is slightly less than reported to the Board of Supervisors last March. He said the total estimated budget for this project, which includes acquisition of the building, furniture and all the design services, is \$3.679 million.

Mr. Moore directed the Board members to Page 5, Schedule. He said that if all goes according to plan, this will put us in the building in about 12 months or perhaps a little sooner.

Supervisor Sili responded that they were still a year away from being in the building with the current schedule.

Mr. Moore responded that was correct.

4. APPOINTMENTS

◆ Recreation Advisory Committee (Mattaponi District)

This appointment was deferred until Mr. Thomas' arrival.

◆ Board of Zoning Appeals (Reedy Church District)

Supervisor Rozell moved and Supervisor Acors seconded to recommend Fredericka Dyson to the Board of Zoning Appeals to the Circuit Court Judge for appointment. This would be for a term beginning immediately and expiring February 1, 2011. Ms. Dyson would fill the unexpired term of Mordecai Andrews.

<i>Roll Call Vote:</i>	<i>Sili</i>	<i>Yea</i>
	<i>Rozell</i>	<i>Yea</i>
	<i>Acors</i>	<i>Yea</i>
	<i>Popowicz</i>	<i>Yea</i>

◆ Social Services Board (Mattaponi District)

This appointment was deferred until Mr. Thomas' arrival.

◆ VDOT Monthly Report

Mr. Charlie Stunkle, Residency Administrator for the Bowling Green Office of VDOT, said that last month he handed out a draft of the Six Year Plan to Board members and said that he would like to talk about the draft Plan at this time. He said the Plan is an update of the previous Plan with the cost estimates and revenues attached to the Plan. Mr. Stunkle said that it includes the financing of the Frog Level Road project that was completed in 2007, the turning lanes at Lake Land 'Or, as well as the rest of the Ladysmith Road improvements from Lake Land 'Or out to the previous project. He said the bridge replacement on Route 633 and the matching funds would have to come out of the Six Year Plan.

Supervisor Thomas arrived at approximately 6:45 p.m.

Mr. Stunkle said that the last item is Ladysmith Road, and the final section coming out to County Line Church Road. He said this was preliminary engineering only and the way the funding stands right now, they do not propose to apply any of that. Mr. Stunkle said the next one is two unpaved road projects on Route 742, Ryland's Corner Road, and Route 622, Durrett Road. He said they anticipate the estimate for Durrett Road to decrease considerably once the developer has finalized his plan for the reconstruction of the bulk of that road. Mr. Stunkle said that the Board probably did need to consider adding another unpaved road to the plan.

Mr. Stunkle said they then have county wide items that include entrance pipe locations, rural additions, subdivision plan review fees, and a little bit of money for preliminary engineering and surveying, traffic services and right-of-way engineering.

Mr. Stunkle stated that the last two projects on Page 3 are Route 654, Signboard Road, and Route 600, Frog Level Road. He said these are two more projects where they anticipate getting Federal Bridge Replacement Funds to construct them.

Supervisor Popowicz said that he wanted to thank Charlie Stunkle, Dave Cooper and Mike Finchum for coming out, helping, and resolving an issue that came up today in his area.

Supervisor Rozell stated that there are still some large dead trees on Route 301 between Dawn and Bowling Green. He said he did not know why they did not fall down this weekend and that some were dead. He said this is a constant concern, because some of these trees are 45 feet tall.

Mr. Stunkle responded that they actually had a contractor in over the past few weeks, removing some of the dead and problem trees, however, there is still plenty more out there.

Supervisor Acors stated that on 95, southbound lane, is probably worse than the northbound lane, but it appears that the contractor or whoever it is that is handling 95 has come in and tried to patch potholes, however, they have not done a very good job. He said it is bad on your vehicle and he does not know if there are plans to do anything with that or not.

Mr. Stunkle responded that there are several sections of 95 that are scheduled for repaving, but he was not sure that was one of them. He said he would check.

Supervisor Acors said in talking about dead trees, Route 639, where you get off the interchange going towards Ladysmith, there are a couple of trees not on the State right-of-way, that are close to the road and some are holding the other tree up and the trees are leaning. He said he was concerned that if they fall, they could hit a car or something.

Mr. Stunkle responded that they would take a look at that.

Supervisor Sili directed Mr. Stunkle to Page 1 of the Secondary Six Year Plan, Ladysmith Road, and asked about the \$12 million dollars additional funding requested. He asked Mr. Stunkle to explain the columns to him, because he was not sure how they added up.

Mr. Stunkle responded that the 1st column is the estimated cost and includes the actual construction cost and utility relocations. He said the next column, Previous Funding, is how much has previously been allocated to that project. Mr. Stunkle said that additional funding should be the difference between the first two columns. He said then the following six columns are the amount that they are proposing to allocate to those projects in each of the six fiscal years. Mr. Stunkle said that the next to the last column is balance to complete, which is funding that would exist outside of the six-year period to complete the funding of the project.

Supervisor Sili said that what he sees is funding required, \$12.5 and then the balance to complete is \$5.5, and if he adds them up is that what they don't have to do the road.

Mr. Mike Finchum explained that the amount of funding available in this Six Year Plan is less than the total project cost for that road improvement. He said the \$5 million is the shortfall and would have to be funded in subsequent six-year plans until we have funding available to complete that project. Mr. Finchum said that based on the estimates available, it would take about 5 more years beyond the end of this Six Year Plan for that funding to be available if they relied solely on Secondary Road Funding and the funding levels remain the same.

Supervisor Sili asked that if they approve this plan they approve this.

Mr. Stunkle responded that basically the Board of Supervisors is approving the priority of the projects. He said that the first year of the Six Year Plan will become next year's budget and then, of course, they will be back before the Board again next year to update the plan.

Supervisor Sili said so right now at the top of our list, is the Route 600 reconstruction.

Mr. Stunkle responded that was the 1st priority, which is to pay bills and pay off construction from last year that was completed.

Supervisor Sili asked about the turn lanes into Lake Land 'Or.

Mr. Stunkle responded that the Revenue Sharing Funds would be applied to this project to allow them to go to advertisement this year.

Supervisor Sili asked about the County portion of the cost.

Mr. Finchum responded that the County's portion is just over \$300,000 and it was 50% of the Revenue Sharing costs specific for that project plus some additional money tied to the Revenue Sharing request.

Supervisor Sili stated that this comes back to a question that the Board asked staff at the work session about proffer money being allocated by district for roads.

Mr. Finchum said that they are working on a detailed answer for the Board. He said, given the guidance under the enabling legislation that they currently operate under, it would be difficult to transfer proffers. Mr. Finchum said that there has to be a reasonable relationship between the project and the proffer and it would be difficult to take proffers from Carmel Church and apply them somewhere else in the County, such as the southern or eastern part of the County. He said generally this falls under that guidance in the State Code.

Supervisor Sili responded that the translation is, we can't use proffer money the way we thought we could.

Mr. Finchum responded that as an example, if you had a project on Frog Level Road, he does not believe that you could use the cash proffers you collect from a project in Carmel Church, Ladysmith or Bowling Green, and necessarily apply them to a project off of Frog Level Road. He said you would have to demonstrate that the impacts to Frog level Road were somehow generated by the development in Bowling Green, Ladysmith or Carmel Church. Mr. Finchum said that if the Board would recall, there was legislation last year in the General Assembly that affects the whole proffer discussion and impact fees and there is also legislation in this year's General Assembly, which affects that as well. He said again, under the current legislation, it has to pass the test of reasonable relationship.

Supervisor Sili said that he is looking for an accounting of what we have and what they can allocate and where.

Mr. Finchum responded that he could get those answers with general parameters as to where that could be allocated.

Supervisor Sili said that he does not have the information to allow him to make a decision on this. He said he wants to know what we have now and how do we get to where we want to be. Supervisor Sili said that this project is lined up to go this year.

Mr. Finchum asked if the Board wanted an accounting of proffers collected to date, where they came from, and what they could be used for.

Supervisor Sili responded yes.

Mr. Finchum said that he could provide that information.

Chairman Thomas apologized for being late, but that Springfield is closed and it took him 3½ hours to get from D.C. here.

Chairman Thomas asked about the status of the Belmont stop signs.

Mr. Stunkle responded that they conducted a study and basically, the engineers said that none of the intersections met the criteria for 4-way stops. He said he understands from the traffic engineers that it did not meet the volume criteria as well as meeting the breakdown of one road versus the other. Mr. Stunkle said that the County typically includes a breakdown of what volume was there and when.

Chairman Thomas asked to see that data.

Supervisor Sili asked about Newtown Road coming into Sparta and that he was concerned about people over shooting and going straight through. He said people are going completely through there and not stopping. Supervisor Sili asked about installing rubber stops.

Mr. Stunkle responded that he could have the traffic engineers to evaluate and make a suggestion.

Supervisor Sili asked about the Federal Highway money for bridges and about the Sparta bridge and the weight value of that bridge.

Mr. Stunkle responded that the Sparta Bridge is posted for legal loads, but he will check on that. He said there are a large percentage of fire trucks statewide, that are above legal loads and he has talked to the engineers about this particular bridge. Mr. Stunkle said that the Sparta Bridge is almost 50 years old, which is a good life span for this type of bridge, however, they need to consider replacing it at some point. Mr. Stunkle said that the engineers have suggested that they take a hard look at this bridge. He said the replacement of this bridge was going to be an expensive project and he does not think that they will be able to close it to traffic because of the volume on that road. Mr. Stunkle said also, water is an issue because it could come over the bridge during certain times. He said he was looking at what it would cost to replace that bridge without resorting to Six Year Plan money.

Mr. Stunkle stated that he would like to set a public hearing date for the Six Year Plan.

Chairman Thomas stated that it was the consensus of the Board to schedule the public hearing on the Six-Year Plan for Secondary Roads for the March 18th meeting.

5. CONSENT AGENDA

Supervisor Popowicz moved and Supervisor Acors seconded to approve the following Consent Agenda items:

A) Approval of Minutes

Action Taken: Approval of minutes from the January 22, 2008 Board of Supervisors meeting.

B) Approval of Warrants

Action Taken: Approval of the following warrants:

General Funds	\$302,267.52
Consumer Utility Tax 911	11,351.92
Law Library	335.69
Tourism	3,427.88
Capital Improvements Fund	74,428.00
School Projects	374,351.25
Utility Construction Fund	198,754.36
Debt Retirement	20,033.17
Milford Sanitary	1,964.21
Carmel Church Utilities	<u>115,853.46</u>
TOTAL	\$1,102,767.46

C) Approval of Livestock Reimbursement Claim

Action Taken: This item was removed from the agenda.

D) Approval of Resolution Authorizing FRED Transit System to Submit Application for Demonstration Grant Funding

Action Taken: Adoption of the following resolution:

R4/08

A RESOLUTION AUTHORIZING THE APPLICATION FOR STATE AID TO PUBLIC TRANSPORTATION

BE IT RESOLVED by the Caroline County Board of Supervisors that the FRED Transit System is authorized, for and on behalf of the Caroline County Board of Supervisors, hereafter referred to as the, **PUBLIC BODY**, to execute and file an application to the Department of Rail and Public Transportation, Commonwealth of Virginia,

hereafter referred to as the, DEPARTMENT, for a grant of financial assistance in the amount of \$870,555 to defray the costs borne by the PUBLIC BODY for public transportation purposes and to accept from the DEPARTMENT such documents and other information as may be required for processing the grant request.

The Caroline County Board of Supervisors certifies that the funds shall be used in accordance with the requirements of Section 58.1-638.A.4 of the Code of Virginia, that the PUBLIC BODY will provide funds in the amount of \$240,653, which will be used to match the state funds in the ratio as required in such Act, that the records of receipts of expenditures of funds granted the PUBLIC BODY may be subject to audit by the DEPARTMENT and by the State Auditor of Public Accounts, and that funds granted to the PUBLIC BODY shall be used only for purposes as authorized in the Code of Virginia. The undersigned duly qualified and acting Assistant County Administrator of the PUBLIC BODY certifies that the foregoing is a true and correct copy of a Resolution, adopted at a legally convened meeting of the Caroline County Board of Supervisors held on the 12th day of February 2008.

E) Approval of Payment Request #21 for Dawn Wastewater Project

Action Taken: Approval of Payment Request #21 from Enviroscope in the amount of \$51,839.06 for work completed on the Dawn Wastewater Project.

F) Request for Adjustment to Water Bill Based on Special Circumstances

Action Taken: Approved of a request from James Horzempa for an adjustment in his water bill to \$42 per month for November and December 2007 because of a broken water pipe, which Mr. Horzempa repaired promptly.

G) Approval of Supplemental School Appropriation

Action Taken: Approval of an additional appropriation in the amount of \$20,564.15 for Title I funds to the FY 2008 school budget. These are simply "pass through" funds and no local match is necessary.

H) Adoption of Resolution Declaring March Red Cross Month in Caroline County

Action Taken: Adoption of the following resolution:

R5/08

**A RESOLUTION DECLARING MARCH 2008 AS AMERICAN
RED CROSS MONTH IN CAROLINE COUNTY**

WHEREAS, for more than a century the American Red Cross has been at the forefront of helping Americans prevent, prepare for and respond to large and small disasters. Families and communities depend on the Red Cross in times of need; yet the Red Cross depends on the support of the American people to help sustain the foundation.

WHEREAS, each year during the month of March we formally recognize the American Red Cross and its essential humanitarian role in our community. We honor the roll of the Rappahannock Area Chapter's contribution to making the County of Caroline a better place. This year we focus on the spirit of volunteers, donors, partners and employees who support the Red Cross mission of humanitarianism.

WHEREAS, for more than 90 years, the Red Cross in the County of Caroline has relied on the everyday heroes who donate time, blood or money; heroes who help coordinate blood drives, heroes who answer disaster calls; heroes who coordinate and teach lifesaving classes in CPR, First Aid and Babysitting. The Rappahannock Area Chapter of the American Red Cross is one of more than 700 chapters across the country who tirelessly serve their community.

WHEREAS, it has been the pace where compassionate people freely give their time and talent to help prevent and ease human suffering among friends, neighbors and even strangers.

WHEERAS, the citizens of the County of Caroline made contributions to fund the cost of providing immediate relief to 75 families of house fires, gave blood or learned CPR to save the lives of friends, neighbors and strangers and also volunteered time to help those in need.

WHEREAS, in the past year alone, the Rappahannock Area Chapter of the American Red Cross responded to 59 local emergencies, assisted 506 military families and trained 8,993 people in lifesaving skills such as CPR and first aid. Red Cross volunteers are the core of the Red Cross, donating their time and energy to selflessly serve those in need; demonstrating the compassion and generosity for which Americans are known.

WHEREAS, the Rappahannock Area Chapter of the American Red

Cross and its nearly 276 volunteers and donors provide valuable tools and education to individuals, families, workplaces and schools; making us all stronger and more resilient.

WHEREAS, this year we dedicate a day to our dedicated volunteers; our hometown heroes. On Hometown Heroes Day, we celebrate and acknowledge the contributions of the many heroes of the Rappahannock Area Chapter of the American Red Cross for their contributions for their contribution to building a better quality of life in the County of Caroline. For the next 125 years and beyond, the Red Cross will meet the needs of the public by fostering volunteers who are professional, prepared and committed to continuing the tradition of providing supreme service delivery to our community.

Therefore, the Caroline County Board of Supervisors, hereby declares March 2008 as "American Red Cross Month" and urges all Americans to continue to give their time, blood and money to make a difference in the humanitarian fabric of this community. We help each other when we help the Red Cross.

Adopted this 12th day of February 2008.

I) Declaration of Local Emergency Resolution

Action Taken: Adoption of the proposed resolution:

R3/08

DECLARATION OF LOCAL EMERGENCY

WHEREAS, the Board of Supervisors for the County of Caroline does hereby find that:

- 1. The lack of rainfall, low humidity and high winds has caused the County of Caroline to face a dangerous fire condition; and***
- 2. Due to the large number and size of brush fires in the county, a state of extreme peril for life and property necessitates the proclamation of the existence of an emergency; and***
- 3. The County has a duty to declare a local emergency to protect the citizens and property located in Caroline County.***

NOW THEREFORE, IT IS HEREBY PROCLAIMED that an emergency now exists throughout said county; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said emergency the powers, functions and duties of the Director of Emergency Services and the Emergency Services organizations of the County of Caroline shall be those prescribed by state law and the ordinances, resolutions and approved plans of the County of Caroline in order to mitigate the effects of said emergency.

Dated: February 10, 2008

<i>Roll Call Vote:</i>	<i>Thomas</i>	<i>Yea</i>
	<i>Sili</i>	<i>Yea</i>
	<i>Rozell</i>	<i>Yea</i>
	<i>Acors</i>	<i>Yea</i>
	<i>Popowicz</i>	<i>Yea</i>

1. ADOPTION OF RESOLUTION DECLARING FEBRUARY AFRICAN-AMERICAN HISTORY MONTH IN CAROLINE COUNTY

Chairman Thomas stated that Mr. Alan Partin, Assistant County Administrator, has crafted a resolution declaring February as African-American History month in Caroline County. He asked Mr. Ashcraft to read the resolution.

Mr. Ashcraft read the Resolution and the Board adopted a resolution declaring February as "African-American History Month" in Caroline County.

Supervisor Sili moved and Supervisor Popowicz seconded to adopt the following resolution:

R2/08

A RESOLUTION DECLARING THE MONTH OF FEBRUARY AFRICAN-AMERICAN HISTORY MONTH IN CAROLINE COUNTY

WHEREAS, the history of the Commonwealth of Virginia and the United States of America includes numerous accomplishments and contributions of African-Americans; and

WHEREAS, Caroline County, in particular, has been fortunate to benefit from the contributions of its native sons and daughters of African descent; and

WHEREAS, the contributions of these Caroline natives are noteworthy and have benefited not only Caroline County, but in many cases the Commonwealth of Virginia and the United States as well; and

WHEREAS, the contributions of African-Americans often go unnoticed and unappreciated by many Americans; and

WHEREAS, it is important and fitting to recognize and celebrate the significant role African-Americans have played in the development of our great county, state and nation.

NOW, THEREFORE BE IT RESOLVED that the Caroline County Board of Supervisors hereby proclaims the month of February as African-American History Month in Caroline County and encourages County residents to take advantage of the presentations, displays and other materials available to learn more about the contributions of African-Americans.

Adopted this 12th day of February 2008.

<i>Roll Call Vote:</i>	<i>Thomas</i>	<i>Yes</i>
	<i>Sili</i>	<i>Yea</i>
	<i>Rozell</i>	<i>Yea</i>
	<i>Acors</i>	<i>Yea</i>
	<i>Popowicz</i>	<i>Yea</i>

4. APPOINTMENTS (continued)

◆ **Recreation Advisory Committee (Mattaponi District)**

This appointment was deferred.

◆ **Board of Zoning Appeals (Reedy Church District)**

Supervisor Rozell moved and Supervisor Acors seconded to recommend Fredericka Dyson to the Board of Zoning Appeals to the Circuit Court Judge for appointment. This would be for a term beginning immediately and expiring February 1, 2011. Ms. Dyson would fill the unexpired term of Mordecai Andrews.

<i>Roll Call Vote:</i>	<i>Sili</i>	<i>Yea</i>
	<i>Rozell</i>	<i>Yea</i>
	<i>Acors</i>	<i>Yea</i>
	<i>Popowicz</i>	<i>Yea</i>

◆ **Social Services Board (Mattaponi District)**

Supervisor Sili moved and Supervisor Popowicz seconded to reappoint Delores Brown as the Mattaponi District Representative to the Social Services Board for a term beginning immediately and expiring January 31, 2012.

<i>Roll Call Vote:</i>	<i>Thomas</i>	<i>Yea</i>
	<i>Sili</i>	<i>Yea</i>
	<i>Rozell</i>	<i>Yea</i>
	<i>Acors</i>	<i>Yea</i>
	<i>Popowicz</i>	<i>Yea</i>

The Board took a break at approximately 7:10 p.m. and reconvened at approximately 7:35 p.m.

PUBLIC COMMENTS

Chairman Thomas stated that he made a mistake at the previous meeting in not allowing a citizen (Frank Hammon) to speak during the Public Comments section of the meeting and apologized.

Mrs. Pamela Hall, Administrative Assistant, read the Rules for the Public Comments Section of the meeting.

Commonwealth's Attorney Tony Spencer, expressed concerns about full-time staffing needs in his office and that now he was a little bit more realistic about how the budget works. He said he knows money is tight, but he has submitted his request to Mr. Ashcraft. Mr. Spencer said that he wanted to tell the Board some of the things that he believes they need. He said they need a full-time secretary and a full-time Commonwealth's Attorney. Mr. Spencer said he asked for a full-time assistant, but could deal with a part-time assistance. He gave an overview of recent cases and how much time it took to plan for these cases. Mr. Spencer said that he spent almost all weekend in the office as well as Monday. He said one of the benefits of having a full-time Commonwealth's Attorney would be that on Monday, the State Police came to his office with a dire situation. Mr. Spencer explained that a woman had called her fiancée and told him she was not feeling well and that she was driving on I-95 and that she was going to pull off at the Carmel Church exit to take a nap and had not been heard from since. He said as a result, the State Police asked him for an order to track her cell phone. Mr. Spencer said unfortunately, the woman had died of a pulmonary embolism. He said that he just wanted the Board of Supervisors to realize the situation and that it is dire. Mr. Spencer said that he has information on staffing for the Board to look at, and that in comparison Caroline is by far, the most understaffed Commonwealth's Attorney Office in the State.

Chairman Thomas asked how much money would be needed to have a full-time Commonwealth Attorney and secretary.

Mr. Spencer responded that he does not know and that he is not good at budgets. He said they need someone to handle Friday General District Court docket and they have to have a full-time secretary.

Chairman Thomas asked Mr. Spencer to work the cost out for the Board.

Mr. Spencer responded that he just wanted to plead his case and that he would get with Mr. Ashcraft on this matter.

Mr. Jim Fullem, of the Madison District, said that he had prepared a statement, however, in lieu of Chairman Thomas' comments acknowledging his mistake from the past meeting, he would skip that part. He said he wanted to express his concerns about the way Frank Hammon was treated during the Public Comments section at the previous meeting. Mr. Fullem said that Frank Hammon chaired the Ladysmith Sub Area Planning Committee for the past few years without compensation and he believes the way he was treated was out of order at the last meeting and he should receive a public apology for the manner in which he was treated. He said after the public apology they could put this matter to rest for once and for all.

Mr. Fullem said that Mr. Hammon was making his views known and he was partially prevented from doing that and he believes he is owed a public apology.

PUBLIC HEARINGS

6. Proposed Adjustments to Caroline County Water & Wastewater Rates

Mr. Courtney Rogers, of Davenport & Company, stated that they have had two presentations on the ordinance that is before the Board tonight and he said he would quickly go over the ordinances and give the essence of each.

Mr. Rogers said that on the water ordinance, they are essentially asking for the availability fee to be increased from \$6,000 per connection to \$12,000. He said for the user fees to be increased from \$20 to \$21 per month for usage between zero and 6,000 gallons. Mr. Rogers said that the other rates would also change at 5% increase level accordingly. He said the wastewater side is basically the same.

Chairman Thomas declared the public hearing open on the proposed adjustments to the County water and wastewater rates.

Mr. Brett Barr, of Newland Communities in the Madison District, stated that he wanted to thank the Board for the opportunity to discuss the tap fees and the Board's consideration in working together for a public and legal partnership to get this done. He said he believes the County has done a great job in planning growth and believes also that the Board is doing many things very well. Mr. Barr said that he understands the tap fee issue and wanted to work together with the County to do what is best for all constituents

in the long run. He said that Newland Communities wants to be a long-term partner and do what is best for everyone. Mr. Barr said this is something that everyone should be concerned about, because it will affect everyone residing in the County and could potentially increase taxes. He said he does not believe the proposed increase will generate the revenue needed to cover the costs in the current market conditions. Mr. Barr said they believe raising the fees must be competitively priced so debt obligation can be satisfied. He said builders are currently working in a crisis mode with the slow down in the economy. Mr. Barr said that experts are telling them that it could take until 2010 before the market picks back up. He said Newland Communities were informed of the proposed increase during the holidays and they have met with various people in the community about tap fees.

Mr. Ashcraft advised Mr. Barr that his time was up.

Mr. Barr said that he believes the increase would be very detrimental and he would like to work with County officials to find a resolution.

Mr. Mark Simes thanked the Board for the opportunity to speak. He said he lives in Spotsylvania but has a lot of interest in what happens in Caroline. Mr. Simes said that he developed the Ladysmith Professional Center and his wife has had a medical practice in the County for about 7 years. He said they are very involved. Mr. Simes said he was here to speak on behalf of the Fredericksburg Area Builders Association (FABA) as a member of the Board of Directors. He said the FABA has developers, builders and a large number of businesses that support the residential building industry. Mr. Simes said that members also include bankers, lawyers, mortgage companies, as well as companies that sell items associated with building homes. He said he mentions this because all of them are feeling the current housing slump.

Mr. Simes said that a lot of people from the Caroline area do not have work because all these businesses have had massive layoffs and cutbacks. He said they understand the County's need to fund water and sewer systems and they want to work with the County, however, they must oppose an increase in that amount. Mr. Simes pointed out that Caroline has issued one-half of the building permits in January 2008 that they did in January of 2007. He said that the average price of new homes last month plummeted another 15%. Mr. Simes said that the anticipation is that the new housing sales will almost be non-existent, and things will be very slow for a while. He said he believes this will reduce the connection fees and consequently, this will not help the County.

Mr. Simes on behalf of FAABA respectfully urged the Board of Supervisors not to raise these fees and that FABA will gladly agree to serve on a committee to try and resolve this. He said he knew that it was not an easy issue for the County and it spreads across the entire County.

Mr. Danny Carter, of the Madison District, stated that he was here from the commercial viewpoint and the impact that increasing tap fees will have on the commercial

development in Caroline County. He said that he has done work in the Ladysmith and Bowling Green areas of the County and the impact of increased fees is certainly going to impact the commercial development in the County. Mr. Carter said that they have a strong interest in the Ladysmith area, especially at the business park. He encouraged the Board to look at where they are going with the tap fees, because the increase will have an impact on things down the road.

Mr. John Gasque, President of Tricord in the Madison District, stated that two weeks ago the Commerce Department reported that the sale of new homes dropped by 20%, which is the biggest drop in a long time. He said statistics show that the housing industry has been and will continue to be faced with the biggest challenge it has seen for a long time and does not expect to see any improvement and move towards recovery until 2010. Mr. Gasque said that the problem is not limited to just builders and developers, it is related to everyone remotely involved in the industry. He said he understands the frustration that the Board faces with the utilities, but the Board must also understand the impact this will have on builders and developers. Mr. Gasque urged the Board to look for other avenues to solve the utility issues and Tricord stands ready to work with the County to solve this issue.

Mr. Frank Sealy, of Spotsylvania County, said that John Gasque covered a lot of what he was going to say. He said he first wanted to say that he would be willing to serve on any committee the Board of Supervisors appoints, if he can help. Mr. Sealy said he certainly understands what the Board is facing because he faced a very similar problem when he was County Administrator in Spotsylvania several years ago. He said that he currently has a rezoning request put in 48 days ago with proffers of \$17,000 plus. Mr. Sealy said when he saw the increase in water and sewer fees doubling, that gave them about \$41,500 in costs before they bought the farm, before the engineer, and before they hired a contractor to build the roads. He said they have well over \$100,000 in costs and now this starter home in Caroline County is \$400,000. Mr. Sealy said that they had talked about affordable homes with the Board a few years ago. He said he would volunteer all his time to help with this issue. Mr. Sealy said that he has negotiated with all his subcontractors to get prices down and those people are happy to have the business to go to work and he asked the Board to please not stop that.

Mr. Bill Beach, of W. R. Beach, said that he was not going to belabor the situation any longer, but he did want to let the Board know that the previous comments say what they are all feeling. He said everyone is affected by this one way or another and he wanted to let the Board know that he is here to assist in any way he can.

Ms. Lynn Leneham, a Realtor, said that she has spoken to a couple of the Board members and has received return e-mails. She said they need to proceed very cautiously and she is glad to hear that they are taking this matter with a great deal of caution. Ms. Leneham said that she agrees with all the comments made previously and that she is concerned about new construction. She said that Caroline is posed to benefit with the current market, because Caroline is not considered to be a declining market. Ms. Leneham said

that Caroline has growth potential and she is concerned that people are going to pull out and go somewhere else. She said she did not have a solution, but she would suggest that there be a lot of discussion and a lot of dialogue before any decision is made. Ms. Leneham said she was particularly concerned about people that have current systems in place. She said some of them do not have much, but wanted to know what happen to them if their system fail and how would they replace it financially. Ms. Leneham said she was very concerned about that because she has been in a position where someone has had to put out \$25,000 to replace a system in another County. She said living here and being a Realtor, she would be very happy to help with whatever she could do.

Mr. Bill Webb, of the Bowling Green District, stated that he agreed with everything that has been said about this issue. He said in reviewing the Arcadis' report, it is very disturbing to him to see the operating expenses be in the red as much as they are.

There were no further comments and Chairman Thomas declared the public hearing closed.

Chairman Thomas thanked everyone for coming out and said that the Board of Supervisors does value their input.

Chairman Thomas said that with regard to the proposed fees, if you have a failed septic system or water system, he believes there are exceptions in the County's policy. He said if not, they need to correct it. Chairman Thomas said in response to the operating expenses being in the red, that he will check on that and will have the Arcadis report on the County's website as well as the report from Davenport. He said he would also ask for volunteers through the website to set up a dialogue through Mr. Ashcraft's office and then try to get more dialogue from another segment of the community.

Supervisor Acors said that he was concerned about the numbers given to the Board by Arcadis. He said he had received some additional numbers yesterday, which are even more alarming than the numbers from January, and he would ask Supervisor Popowicz, Utilities Liaison, and himself, as Finance Liaison, to meet with Arcadis and Davenport to go over these numbers, and get a better understanding of where we are and what we are doing. Supervisor Acors said that after that, they would come back and talk to the other members of the Board and the community and understand where we are and determine what is in the best interests of the County and the neighbors they are working with. He said he agrees that there is no way that they can expect to double the numbers and he does not have any confidence in these numbers and does not feel that we can ask customers to have any. Supervisor Acors asked the Board to allow Supervisor Popowicz and himself, to work with Arcadis and Davenport on this matter.

Chairman Thomas responded yes to Supervisor Acors' request. He said in the meantime, they will ask Mr. Ashcraft to provide the Board with the names of people who have volunteered to help them with this issue.

Chairman Thomas said also, the Board of Supervisors did not arbitrarily pick a number out of the air and say oh, let's raise it to this amount because that sounds like a good number. He said they basically have a set of data that says that, in order for the system to pay for itself, connection fees need to be X amount of money and if we raise the price so much, a number of people are going to stop using it. Chairman Thomas said that they understand the problem and are going to work together with everyone involved and they are not going to vote on this now or next week. He said they are going to get together and discuss this some more.

Supervisor Sili thanked everyone for coming out tonight. He said he has talked to several people about this and the one comment that he has received was, we need to wait and work together. Supervisor Sili said that it is going to take some time, but they need to move along on this so they can figure out where they are and where they need to be. He said they need to do this before the budget is finished and thanked everyone for volunteering.

Chairman Thomas stated that the Board was going to ask for the volunteers' help.

Supervisor Popowicz said that he has been working on something in the Public Works arena and he doesn't think that the bills were taken into consideration in doing this financial report. He said hopefully, they can come to a resolution on this and he is looking forward to working with the committee.

7. INFORMATIONAL/CALENDAR ITEMS

◆ Proposed Dates for Budget Worksessions

Mr. Ashcraft stated that he will be presenting the County's Administrator's proposed budget for FY 2009 at the next meeting on February 26th. He said shortly thereafter worksessions will need to be scheduled with various departments in an attempt to arrive at decisions that need to be made. Mr. Ashcraft suggested March 4, 6, and 13 as possible dates for worksession on the budget.

Mr. Ashcraft referred to the severe weather conditions this past weekend and complimented everyone involved in the activation of the Emergency Operations Center (EOC) as well as the volunteers and career staff out in the field.

Mr. Ashcraft informed everyone that the recent fundraiser for County employee Yvonne Reedal raised over \$4,000. Contributions can continue to be made at any branch of Union Bank and Trust.

The first meeting of the Technology Roundtable was held on February 14th.

The first meeting of this year's Business Roundtable is scheduled for February 19th.

The Caroline County Chamber of Commerce's annual State of the County Address will be held on February 28th. Chairman Thomas will be speaking as well as Sheriff Tony Lippa and Superintendent of Schools Stanley Jones.

CLOSING BOARD COMMENTS

Supervisor Sili stated that he and Chairman Thomas recently met with Delegate Peace and the representatives from the Department of Education regarding the Composite Index. He suggested that the Board discuss this item further at a future worksession.

Chairman Thomas asked about the status of the telecommuting center that has been set up at the Community Services Center.

Mr. Ashcraft responded that only one citizen had taken advantage of the telecommuting center set up at the Community Services Center. He said that staff would advertise it again to make sure that citizens are aware that the service is being offered.

CLOSED MEETING

Supervisor Sili moved and Supervisor Acors seconded to enter into Closed Meeting under Sections 2.2-3711(A)(7): Consultation with legal Counsel and Briefings by Staff; Section 2.2-3711(A)(5): 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; and Section 2.2-3711(A)(4): Privacy of Individuals - Personal Matter Not Related to Public Business

<i>Roll Call Vote:</i>	<i>Thomas</i>	<i>Yea</i>
	<i>Sili</i>	<i>Yea</i>
	<i>Rozell</i>	<i>Yea</i>
	<i>Acors</i>	<i>Yea</i>
	<i>Popowicz</i>	<i>Yea</i>

The Board returned to the regular meeting and adopted the following certification:

Supervisor Rozell moved and Supervisor Acors seconded that the Caroline County Board of Supervisors certify that to the best of each Board member's knowledge:

- (i) only public business matters lawfully exempted from the open session requirement by Virginia law were discussed in closed session to which this certification applies; and*
- (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Board.*

Certification by Roll Call Vote:

<i>Thomas</i>	<i>Yea</i>
<i>Sili</i>	<i>Yea</i>
<i>Rozell</i>	<i>Yea</i>
<i>Acors</i>	<i>Yea</i>
<i>Popowicz</i>	<i>Yea</i>

ACTIONS RESULTING FROM CLOSED MEETING

There were no actions from the Closed Meeting.

ADJOURNMENT

Supervisor Rozell moved and Supervisor Popowicz seconded to adjourn the meeting.

Roll Call Vote:

<i>Thomas</i>	<i>Yea</i>
<i>Sili</i>	<i>Yea</i>
<i>Rozell</i>	<i>Yea</i>
<i>Acors</i>	<i>Yea</i>
<i>Popowicz</i>	<i>Yea</i>


CLERK TO THE BOARD


CHAIRMAN