

At a regular meeting of the Caroline County Board of Supervisors held on February 12, 2019 in the auditorium of the Community Services Center, located at 17202 Richmond Turnpike, Milford, Virginia 22514.

PRESENT

Clayton F. Forehand – Chairperson, Madison District
Jeffery M. Sili – Vice-Chair, Bowling Green District
Jeffrey S. Black – Western Caroline District
Nancy L. Long – Port Royal District
Floyd W. Thomas – Mattaponi District
Reginald L. Underwood – Reedy Church District

ALSO PRESENT

Charles M. Culley, Jr. – County Administrator
Alan L. Partin – Deputy County Administrator
Curtis S. Finney, Jr. – Director of Finance
Mark C. Garnett – Deputy Fire-EMS Chief
Craig A. Pennington – Planner
Joseph C. Schiebel – Director of Public Utilities
Gary R. Wilson – Director of Economic Development
Benjamin W. Emerson – County Attorney

CALL TO ORDER

Chairman Forehand called the meeting to order at approximately 6:00 p.m.

INVOCATION

Supervisor Thomas led the invocation.

PLEDGE OF ALLEGIANCE

Chairman Forehand led the Pledge of Allegiance.

OPENING BOARD COMMENTS

Supervisor Thomas attended Senior Night for the Caroline High School Basketball Team and said it was a great event. He noted that he ran into Frank Hammond there and it reminded him of tenth year anniversary for the County being designated as an All-America City because Mr. Hammond had been an intricate part of that committee. He then asked that the tenth year anniversary be placed on a future agenda.

Board members attended the recent Fire & Rescue Awards Banquet and congratulated everyone on their accomplishments.

Supervisor Black stated that the Polar Bear Plunge was a huge success and raised over \$24,000 for various charities in the County. He then expressed concerns about the litter problem in various areas of the County.

Supervisor Underwood attended the recent fundraising event sponsored by Second Mt. Zion for the Dawn Progressive Center. He said that the goal was to renovate a part of the old school because it was one of the first old schools attended by African-Americans in the Reedy Church area. He also attended the grand opening for the Dollar General in Dawn.

In honor of Black History Month, Supervisor Underwood recognized the accomplishments of many local African-Americans.

Chairman Forehand stated that he attended the annual Local Government Day sponsored by VACo and it was very informative.

AMENDMENTS TO THE AGENDA

Supervisor Underwood moved and Vice-Chair Sili seconded to amend the agenda by adding the following items:

- *Item #11A – Consideration of Application for Temporary Pump and Haul Permit*
- *Item #11B – Consideration of Change in March 26, 2019 Board of Supervisors Meeting Date*

<i>Roll Call Vote:</i>	<i>Black</i>	<i>Yea</i>
	<i>Forehand</i>	<i>Yea</i>
	<i>Long</i>	<i>Yea</i>
	<i>Sili</i>	<i>Yea</i>
	<i>Thomas</i>	<i>Yea</i>
	<i>Underwood</i>	<i>Yea</i>

1. PRESENTATIONS/REPORTS

- **Presentation of Black History Month Resolution**

Supervisor Thomas explained that Black History month started from a speech that Dr. Carter G Woodson gave to the members of Omega Sci-Fi Fraternity in 1920. He said that the Board adopted a resolution in honor of Black History Month at the last meeting and had scheduled the presentation of the resolution for this meeting. He then recognized newly elected members of the Caroline Branch of the NAACP as well as the immediate Past President of the State NAACP and presented them with a copy of the resolution.

➤ **Request for Plaque to Honor Caroline County Citizens Who Served in the United States Armed Forces after the Vietnam War**

Gerry Gunn, Commander of VFW Post 10292, requested approval for a plaque honoring Caroline County veterans who served in the United States military in conflicts following the Vietnam War to be placed beside the plaques honoring World War II veterans and the recently installed plaque honoring Vietnam War veterans located at the Caroline Sheriff's Office on Ennis Street. She talked about the sacrifices made by the veterans and said it would be nice if the plaque could be installed before the Memorial Day ceremony. She explained that the unveiling could be included as part of the ceremony. She noted that she had spoken with the Sheriff and he had no opposition to the request.

Board members spoke in support of the request and said it was important to remember the veterans.

Vice-Chair Sili moved and Supervisor Long seconded to approve \$2,000 to fund the plaque for Caroline County citizens who served in United States military after the Vietnam War to be placed on the outside wall of the Sheriff's Office with the other memorial plaques as requested.

<i>Roll Call Vote:</i>	<i>Black</i>	<i>Yea</i>
	<i>Forehand</i>	<i>Yea</i>
	<i>Long</i>	<i>Yea</i>
	<i>Sili</i>	<i>Yea</i>
	<i>Thomas</i>	<i>Yea</i>
	<i>Underwood</i>	<i>Yea</i>

➤ **Update from Marlene Pierson-Jolliffe – Vice President of Operations, Commonwealth Fairs & Events & The Meadow Event Park**

Marlene Pierson-Jolliffe, Vice President of Operations for Commonwealth Fairs & Events and the Meadow Event Park, provided an update on events at Meadow Event Park in 2018 and talked about upcoming events for 2019. She noted that they had exceptional weather for the State Fair and said that attendance at Meadow Event Park increased to 448,613 in 2018 and she anticipated it to continue to increase as other events were planned.

➤ **VDOT Update**

Lynn Keenan, the new Fredericksburg Residency Administrator for VDOT, provided an update on activities and road improvement projects throughout the County. She pointed out that VDOT would be posting a willingness to hold a public hearing on the Ladysmith Road Chilesburg Safety Improvements Project in late spring or early summer. She explained if enough public comments were received, a public hearing would be held.

She stated that the traffic engineers had conducted a speed study on Route 301 and Route 207. She reviewed the results and asked the Board to consider an increase in the speed limit to 60 miles

per hour for 6.19 miles on Route 207 from 0.2 miles north of Route 652 (Cool Water Drive) to Route 722 (Nelson Hill Road). She asked that Board members also consider a 60 miles per hour speed limit for 8.8 miles on Route 301 from 0.76 miles north of Route 608 (Lakewood Road) to 0.34 miles south of Route 17 (Tidewater Trail). She noted that the current speed limit for both roads was 55 miles per hour.

Supervisor Thomas expressed safety concerns about the increased speed in certain areas due to houses and Caroline High School on Route 207. He said he was opposed to the 60 miles per hour speed limit in front of Caroline High School.

Supervisor Long stated that it was important to maintain the 35 miles per hour speed limit in the Town of Port Royal for Route 301

After discussion, Vice-Chair Sili stated as proposed, the 55 miles per hour speed limit would continue on the bypass around the Town of Bowling Green, basically from the New Yorker restaurant until you get to Route 207.

Ms. Keenan noted that the proposed 60 miles per hour on Route 301 would go from just past A. P. Hill to the boundary line for the town of Port Royal.

After discussion, it was the consensus of the Board to schedule this item on the next agenda to discuss reducing the size of the area impacted by the proposed speed limit increase.

➤ **Presentation of Caroline County Public Schools Proposed Fiscal Year 2019/2020 Budget**

Dr. Sarah Calveric, Superintendent of Caroline County Public Schools, presented a PowerPoint presentation on the schools proposed budget for FY 2019/2020. The proposed budget identified the following items as priorities along with the estimated cost to the County:

➤ Implement Year 2 of Compensation Study Recommendations	\$362,744
➤ 2 Math Teachers at Caroline Middle School	\$136,254
➤ 2 English Teachers at Caroline Middle School	\$136,254
➤ 1 Behavioral Specialist at Bowling Green Elementary School	\$68,127
➤ 1 Instructional Technology Resource Teacher	\$70,938
➤ 1 Student Support Specialist at Caroline High School	\$73,748
➤ Roofing Repairs at Bowling Green Elementary School, Madison Elementary School and the School Board Office	\$45,000

She reported that the Average Daily Membership (ADM) for FY 2020 was projected to decline by 64 students to 4,076. She pointed out that the schools were projecting a 15% increase in providing health insurance for school employees for the next plan year.

This item will be discussed further as the Board moves forward in the budget process.

2. APPOINTMENTS

➤ **Board of Zoning Appeals (Bowling Green)**

Vice-Chair Sili moved and Supervisor Thomas seconded to recommend the reappointment of Joseph Pack to the Circuit Court Judge as the Bowling Green District representative on the Board of Zoning Appeals for a term beginning immediately and expiring February 1, 2024.

Roll Call Vote:

<i>Black</i>	<i>Yea</i>
<i>Forehand</i>	<i>Yea</i>
<i>Long</i>	<i>Yea</i>
<i>Sili</i>	<i>Yea</i>
<i>Thomas</i>	<i>Yea</i>
<i>Underwood</i>	<i>Yea</i>

3. CONSENT AGENDA

Supervisor Long moved and Supervisor Black seconded to approve the following Consent Agenda items:

A) **Approval of Warrants**

Action Taken: **Approval of the following warrants:**

<i>General Fund</i>	<i>\$414,437</i>
<i>Social Services Fund</i>	<i>5,957</i>
<i>Tourism Fund</i>	<i>1,307</i>
<i>Fire/Rescue Grants Fund</i>	<i>48,720</i>
<i>Capital Improvements Fund</i>	<i>632,702</i>
<i>Debt Retirement Fund</i>	<i>2,183,820</i>
<i>Carmel Church Utilities Fund</i>	<i>97,072</i>
<i>Dawn Wastewater Fund</i>	<i>16,077</i>
<i>Port Royal Utilities Fund</i>	<i><u>156</u></i>
TOTAL	\$3,400,247

B) **Approval of Planning Commission Schedule**

Action Taken: **The Board reviewed the actions taken by the Planning Commission at its January 24, 2019 meeting and authorized staff to advertise the following requests for public hearing at the March 12, 2019 meeting:**

- **SPEX-10-2018 – Vision Baptist Church of Ladysmith, Owner;
Verizon Wireless, Applicant**

- *RZ-05-2018 – Lease2U, LLC, Owner/Applicant*
- *SPEX-2018 – Lease2U, LLC, Owner/Applicant*

Roll Call Vote:

<i>Black</i>	<i>Yea</i>
<i>Forehand</i>	<i>Yea</i>
<i>Long</i>	<i>Yea</i>
<i>Sili</i>	<i>Yea</i>
<i>Thomas</i>	<i>Yea</i>
<i>Underwood</i>	<i>Yea</i>

PUBLIC COMMENTS

There being no Public Comments, Chairman Forehand declared the Public Comments closed.

PUBLIC HEARINGS

4. **SPEX-05-2018 - JETER, BENJAMIN, OWNER; LUCK STONE CORPORATION, APPLICANT:** *Request a Special Exception Permit in accordance with Article XVII, Section 13 (Standards for Special Use Permits) and Article IV (Rural Preservation), Section 5.3 of the Caroline County Zoning Ordinance on tax map #71-A-23 (part of) consisting of 110 acres, more or less. This property is located west of Route 301, 2.29 miles south of the intersection of Route 301 and Route 721, Milford, Virginia, Mattaponi Voting District. Proposed Use: Sand & Gravel Extraction & Sales (expansion of existing operation). The 2030 Comprehensive Plan designates this area as Rural Preservation & Flood Plain.*

County Planner Craig Pennington stated that the applicant was requesting approval of a Special Exception Permit for a sand and gravel extraction facility pursuant to the County’s Zoning Ordinance. He explained that the applicant currently had a sand and gravel operation on the adjacent parcel and wanted to expand the extraction area on a parcel to the southeast. He said that the new parcel was approximately 168 acres, 109 of which was included in the new extraction area. He said that the facility would continue to function at its current location on parcel 71-A-24 as well as utilize the existing entrance located off of Route 301. He pointed out that the new extraction area would not increase truck traffic at the facility as the applicant did not plan to increase production of their product.

He stated that the expansion parcel did contain some wetlands and Resource Protection Area (RPA). He explained that there would be a crossing through the RPA to access the next extraction area. He said that this would be conducted with permits through the Environmental Division of the Planning Department. He noted that the adjacent parcels were zoned Rural Preservation, but most of the site was bordered by Route 301 and by the existing sand and gravel facility.

He further stated that the Comprehensive Plan depicted this area as outside of the Caroline County Growth Areas and was to remain Agricultural/Residential. He said that the sand and gravel operation would reclaim the land utilized for extraction back into fields available for farming post operation.

Mr. Pennington stated that the Planning Commission held a public hearing at the November 29, 2018 meeting and deferred action until the December 27, 2018 meeting. He said that the Planning Commission then forwarded this request to the Board of Supervisors with a recommendation of approval to include conditions suggested by staff.

Doug Quarles, Land Use Manager for Luck Stone, applicant, stated that Luck Stone was a family owned and operated business and had operated in Virginia for 95 years and had been in operation in Caroline County since 1998. He then provided a PowerPoint presentation with an overview of the request. He reviewed a vicinity map with the location of their plant and the entrance as well as where they had mined and reclaimed the land. He talked about the current mining operation and showed the location of where they were proposing mine, which was owned by Benjamin Jeter.

He stated that they had no intention of increasing the capacity, they only wanted to expand the life of the site seven to ten years. He talked about the tax benefits for the County and said that they employed nine full-time employees, who were all residents of Caroline County.

Chairman Forehand declared the public hearing open for SPEX-05-2018.

Ray Campbell, of the Bowling Green District, stated that he owned the adjacent property with his brothers and spoke in support of this request. He stated Luck Stone was a good corporate partner and urged the Board to approve the request.

David Beale, of Reedy Mill Road, stated that he had not planned to speak on this item. However, he lived south of the entrance and he believed Luck Stone was a good corporate citizen and spoke in favor of the request. He asked that the applicant be given an opportunity to address improvements that may be needed.

There being no further public comments, Chairman Forehand declared the public hearing closed.

In response to a question from Supervisor Long, Mr. Quarles stated that there would be no increase in the truck traffic as a result of this request.

Supervisor Thomas stated that Mr. Beale was referring to any type of transportation impact that may be required. However, the applicant would be using the same footprint and only expanding the life of the site. He said that Luck Stone had proven to be a good corporate citizen.

Supervisor Thomas moved and Vice-Chair Sili seconded to approve SPEX-05-2018 – Jeter, Benjamin, Owner; Luck Stone Corporation, Applicant subject to conditions recommended by staff.

<i>Roll Call Vote:</i>	<i>Black</i>	<i>Yea</i>
	<i>Forehand</i>	<i>Yea</i>
	<i>Long</i>	<i>Yea</i>
	<i>Sili</i>	<i>Yea</i>

Thomas Yea
Underwood Yea

5. ***SPEX-06-2018 - Vickstrom, Doug & Sharon, Owner/Applicant: Request a Special Exception Permit in accordance with Article XVII, Section 13 (Standards for Special Use Permits) and Article IV (Rural Preservation), Section 5.23 of the Caroline County Zoning Ordinance on tax map #64-A-29A (part of) consisting of 2 acres, more or less. This property is located at 21560 Anderson Mill Road, Beaverdam, Virginia, Western Caroline Voting District. Proposed Use: Special Events Facility. The 2030 Comprehensive Plan designates this area as Rural Preservation.***

County Planner Craig Pennington stated that the applicant was requesting approval of a Special Exception Permit for a special events facility pursuant to the County's Zoning Ordinance. He said that the applicant would like to host weddings and other events on their residential property. He said that the proposed facility would include a 70 x 30 enclosed structure and have parking for 100 plus vehicles. He explained that the house would be available for the wedding party; however, restroom would be provided to anyone renting the venue.

He stated that the abutting properties were residential and the property was bounded by the Caroline/Hanover county line to the west, Anderson Mill Road to the east and undeveloped residential properties to the north and south. He said that the Comprehensive Plan shows this area to remain Rural Residential.

He reported that VDOT indicated that a commercial entrance would be required and the applicant would need to supply an estimated trip count in order to verify this requirement. He said that additional VDOT comments along with health Department comments regarding the Office of Drinking Water would be addressed during the site plan process.

Mr. Pennington stated that the Planning Commission deferred action at the November 2018 meeting in order for some items to be clearly defined in the operation of the facility. He the Planning Commission then forwarded this request to the Board of Supervisors with a recommendation of approval at the December 2018 meeting subject to conditions recommended by staff.

He stated that condition #4 (*All amplified noise shall be directed inward towards the center (house) of the property at a level not exceeding 250 amps*) no longer applied because the applicant had changed from a pavilion to an enclosed structure and the noise would be addressed by condition #5 (*Noise shall comply with the Noise Ordinance located in Chapter 68 of the Caroline County Code*). He said that condition #19 (*Events shall be limited to 200 guests*) would need to be addressed by the Building Department.

Chairman Forehand declared the public hearing open for SPEX-06-2018.

Doug Vickstrom stated that his wife Sharon were the applicants. Mr. Vickstrom stated that the Anderson Mill home had been in existence since the early 1900's and he and his family had lived there for 35 years. He explained that he had run a successful construction business for over 30 years and gave back to the community. He said that he and his wife wanted to open an affordable venue for people to get married and operate the business in their retirement.

Sharon Vickstrom stated that she hoped the request would be approved. She said she was present answer any questions.

Allyson Finchum, of Hanover County, stated that her house abutted the subject property and was separated by the North Anna River. She explained that her home was 600 feet from the location proposed for outdoor events. She spoke in opposition to the request and expressed concerns about noise and traffic issues on the rural road as well as safety concerns and liability issues related to the river. She then asked for denial of the request.

Michael Gray, of Spotsylvania County, stated that he was an adjacent property owner and the property had been in his family for several generations. He said that the property was currently vacant, but he and his wife planned to build there soon. He spoke in opposition to the request and noted concerns about additional traffic and safety, noise and lighting and potentially changing the rural character of the area.

Carla Crisp stated that she was born and raised in Caroline County and realized that growth was inevitable, even in a small community. She said she supported the growth of the community and was glad that Caroline had grown to have a Food Lion, CVS and a YMCA. She said she was the owner of a full wedding planning service and lived only a few minutes away from the proposed site. She spoke in support of the request and said that she had worked with Doug and Sharon Vickstrom on many events and would be the event manager if the Board approved this request. She pointed out that no one was allowed to leave an event if they had been drinking alcohol. She said the Vickstrom's took pride in their beautiful home and it was a great venue for weddings.

Joel Fletcher stated that he was a former resident of Bowling Green, but had moved to Hanover. He said he was a law enforcement officer and worked in a County neighboring Caroline and had the opportunity to travel through the area where the Vickstrom's live quite often. He said that Anderson Mill Road was considered a rural road, but he did not believe it was dangerous for the amount of traffic that would be generated from the Vickstrom's request. He said he knew the Vickstrom's to be considerate, responsible people and spoke in favor of the request.

Sharee Rosser, of Louisa County, stated that she had known the Vickstrom family for almost 25 years and had attended several functions at their home. She said they took pride in their home and their property and it would make a great wedding venue. She talked about the river being off limits during family functions and was never aware of anyone not adhering to the rules. She then asked that the request be approved.

RaeClaire Griggs stated that she lived in Hanover County less than 10 minutes from the Vickstrom home. She explained that she did hair and makeup for weddings and was excited at the possibility

of having a venue so close. She noted that she had been a family friend for a few years and did not realize that there was a river behind the property.

Wilson Whitehead, of Richmond, stated that he had known the Vickstrom's for almost 20 years and had attended several large functions at their home. He spoke highly of their integrity and in support of the proposed request.

Sam Wenwrigh, of Henrico County, stated that he had known the Vickstrom family for several years and had worked with Doug Vickstrom in his construction business as well as attended various family functions at their home. He spoke in support of the request and said it was a beautiful venue for weddings and the Vickstrom's took very good care of their historical home and the property.

Joel Fletcher, spoke previously, stated that he forgot to mention that there had been six reportable crashes on Anderson Mill road from January 2014 to February 11, 2019 from the river all the way to Ladysmith Road. He said that four of the crashes were property damage and two were personal injury, but not fatal.

Frank Marshall, stated that he lived two doors down from the Vickstroms and while he did not know them personally, he had heard nothing but good things about them. He said he supported their request and had not had any issues with music in the past, but was glad that they decided to go with an enclosed pavilion. He expressed concerns about the possibility of a large number of vehicles coming and going from the property near a curve and said he'd like to some type of provision provided for safety. He then noted that there was no light for late events.

There being no further public comments, Chairman Forehand declared the public hearing closed.

Supervisor Long stated that Board members were still receiving letters about this request today and had just learned that the pavilion was going to be enclosed. She said there were some uncertainties about the request and she'd like to see action deferred until the next meeting.

Supervisor Black stated that he did not have an issue with the request, but the Board just received the minutes from the Planning Commission meeting earlier today and he would like an opportunity to review them. He then asked about the number of events that would be held at the proposed facility

Mr. Pennington stated that there were initial discussions with the Planning Commission of six events per year. He said that he believed it was the intent of the Planning Commission to keep the events to six per year, but it was never included in the conditions.

Mr. Vickstrom stated that they originally said six events per year, but that would not begin to cover the costs associated with the improvements made to the house and the property. He said they did not have a specific number, but would like to see it grow and have one wedding per weekend during the summer.

Mr. Black asked about the possibility of starting with six events and then increasing it after the one-year review.

County Attorney Benjamin Emerson explained that the purpose of the review was to make sure they were in compliance with the conditions. He said an additional public hearing would be required in order to amend the conditions.

In response to questions from Supervisor Black, Mr. Emerson explained that no one owned the rivers, only the land surrounding them. He said people can canoe up and down a river with no issues, but would be trespassing if they got out of the river and went on private property.

Supervisor Black talked about the County's GIS system indicating that 67 cars would fit on the property, but Mr. Vickstrom stated that his brother was an engineer who designed parking lots and determined that 75 would fit. Mr. Vickstrom stated, if approved, they would be required to have a parking attendant as well as an officer so they would be the ones in charge of how the cars lined up.

Supervisor Black expressed concerns about the last minute change in the open pavilion to an enclosed structure. He said it made a big difference, but it had not been included in their packet.

Mrs. Vickstrom stated that it was always their intent for it to be an enclosed structure for 125 people seated at tables. She said that they were new to the process and apologized for not providing the information sooner. She also explained that everyone that attends a wedding does not always attend the reception.

Mr. Pennington stated that the Planning Commission used 200 people as a number and included it with the conditions. He added that the Planning Commission was not aware of the enclosed structure.

Supervisor Black asked about potential liability if someone did not adhere to the rules and wandered to the river and fell in.

Mr. Emerson stated that that was a difficult question to answer, but they would probably sue everyone involved. He noted that anyone who wandered off from the wedding venue near the river would be trespassing if the Vickstrom's don't own the property.

In response to questions from Supervisor Black regarding the proposed hours for a wedding event, Mrs. Vickstrom stated that they were proposing Friday, Saturday and Sunday to allow for various types of set-up, the actual event and cleanup. She said the actual event/wedding and reception did not last more than five hours.

In response to questions from Supervisor Underwood, Mrs. Vickstrom stated that they had agreed to follow the County's Ordinance as well as limit the number of people based on the parking spaces available. Mr. Vickstrom stated that he had been operating his construction business for over 30

years and had never had any liability issues and always abided by the required regulations and codes.

Vice-Chair Sili stated that the Board previously denied requests on larger size parcels and in less rural areas. He expressed concerns about the size of the parcel and the remoteness of the area.

Supervisor Long stated that she visited the property and the river was not easily visible. She explained that it was downhill and was visible and could also be heard. She said she asked about fencing and the Vickstrom's said they would put up a fence if necessary.

Mr. Vickstrom pointed out that the request was for a wedding venue and people typically dressed up and did not come in their bathing suits.

Supervisor Long noted that the conditions were not limited to weddings, but that was something to could be discussed.

Mrs. Vickstrom stated that they were told that they could do as many events as they wanted if they did not charge.

Supervisor Black expressed concerns about a lot information being provided to the Board just prior to the start the meeting and not having time to review it. He said everyone was under the impression that it was going to be an open pavilion, but learned tonight that it was an enclosed shelter. He said he would like to have an opportunity to review the information and visit the site.

Chairman Forehand expressed concerns about the noise level not to exceed 250 amps in condition #4, but that condition was no longer necessary per staff because of the pavilion now being enclosed. He then expressed concerns about the small size of the property. He said he agreed with comments about needing good venues, but noted that they needed to be in the right place.

Supervisor Long moved and Vice-Chair Sili seconded to defer action on SPEX-06-2018 – Vickstrom, Doug & Sharon, Applicant until the next meeting to allow Board members additional time to review the information.

<i>Roll Call Vote:</i>	<i>Black</i>	<i>Yea</i>
	<i>Forehand</i>	<i>Yea</i>
	<i>Long</i>	<i>Yea</i>
	<i>Sili</i>	<i>Yea</i>
	<i>Thomas</i>	<i>Yea</i>
	<i>Underwood</i>	<i>Nay</i>

The motion carried 5-1.

UNFINISHED BUSINESS

6. PROPOSED MAINTENANCE AND SYSTEM UPGRADE AGREEMENTS FOR CAROLINE COUNTY PUBLIC SAFETY RADIO SYSTEM

County Administrator Charles M. Culley, Jr. stated that the Board of Supervisors had previously discussed the need for new maintenance and system upgrade agreements for the County's Motorola Astro 25 Public Safety Radio System. He said that key users of the system and Motorola representatives had conducted numerous meetings in an effort to reduce the overall cost of the agreements. He said that those discussions produced a revised proposal with an overall reduction in the cost of the ten-year Essential Plus Maintenance Agreement and System Upgrade (SUA II) from the original \$4,472,947.83 to \$4,100,000, which was a savings of \$372,947.83.

He explained that the proposal planned to upgrade the County's system from ASTRO release 7.14 to release 7.16. However, version 7.16 was no longer supported by Motorola and the County would always be at least two system releases behind. He said as a result, the new proposal included a "double jump" upgrade from version 7.14 to 7.18. He reported that this would increase the combined maintenance services and SUA II cost from \$367,968.79 to \$467,718.57 in year one of the agreement. However, the increase would be more than made up through the total reductions in years two through ten. He said that all other elements of both agreements remained the same as reviewed with the Board in January.

He then reviewed the total annual cost for the 10-year Essential Plus Maintenance Agreement and the SUA II Plan compared to the January version.

After questions from Board members and discussing various options, Mr. Culley stated that the other option was to do nothing and then upgrade the system when it could no longer be supported. He said that the standard support for 7.14 ended November 30, 2018. He said that the current system was now in extended support, which would end November 30, 2020. He explained at that time, Motorola could no longer offer support unless the County upgrade the entire system. He said that \$750,000 was a good budget number to upgrade the system next year and \$950,000 to upgrade it again in 2025 and then \$1,250,000 again in 2030. He noted that those numbers did not include maintenance.

After discussion, Supervisor Thomas expressed concerns about the cost of maintenance and Supervisor Long stated that she did not believe there was much of a choice in the matter because the County needed the system. She said staff had negotiated with Motorola for a small savings.

Supervisor Long moved and Supervisor Black seconded to accept the ten-year agreements with Motorola for maintenance and SUA II for a total cost of \$4,100,000 as presented.

Supervisor Black stated that it was great deal of money and everyone took that very seriously. He then mentioned the human element and said while no one wanted to spend that amount of money, everyone needed to consider the deputies, the firefighters and EMS people as well as the school bus drivers that relied on the radio system.

Supervisor Thomas agreed with Supervisor Black about protecting the humans that rely on the system on a daily basis, but had concerns about the cost of maintenance.

Roll Call Vote:

<i>Black</i>	<i>Yea</i>
<i>Forehand</i>	<i>Yea</i>
<i>Long</i>	<i>Yea</i>
<i>Sili</i>	<i>Yea</i>
<i>Thomas</i>	<i>Nay</i>
<i>Underwood</i>	<i>Yea</i>

The motion carried 5-1.

7. DISCUSSION OF POSSIBLE LOCATIONS FOR EMS/LAW ENFORCEMENT MEMORIAL

County Administrator Charles M. Culley, Jr. stated that Kara Taylor had approached the Board at its December 2018 meeting on behalf of a citizen group working to develop a memorial honoring Caroline County Fire/EMS and law enforcement personnel, including those who may have fallen in the line of duty. He said at the conclusion of the discussion, the Board agreed to allow the placement of the memorial on County property at a site to be determined.

Kara Taylor stated that she had met with Supervisor Black, Sheriff Lippa and Fire-EMS Chief Loftus to review the potential sites and was in agreement with the location at the Community Services Center.

Staff noted that the garden spot in front of the Community Services Center was started by the Caroline Garden Club and they would contact the previous Library Director that had been involved with the initial project.

Supervisor Long stated that parking needed to be a consideration for the memorial.

Supervisor Sili moved and Supervisor Underwood seconded to locate the Emergency Medical Services/Law Enforcement Memorial in the current garden spot in front of the Community Services Center and remove the shrubbery shown in the drawing.

Supervisor Black requested that the cost and financing of the project be included on the next agenda.

Roll Call Vote:

<i>Black</i>	<i>Yea</i>
<i>Forehand</i>	<i>Yea</i>
<i>Long</i>	<i>Yea</i>
<i>Sili</i>	<i>Yea</i>
<i>Thomas</i>	<i>Yea</i>
<i>Underwood</i>	<i>Yea</i>

8. DISCUSSION OF FUNDING FOR COUNTY SHARE OF VDOT LADYSMITH ROAD IMPROVEMENTS

County Administrator Charles M. Culley stated that Supervisor Thomas previously requested further discussion of the County's share of the cost of the upcoming expansion and improvements to Ladysmith Road. He explained that the project was funded through a combination of state Revenue Sharing and Smart Scale dollars and local matching funds. He said that the County's share of the \$26,650,000 project was approximately \$6,000,000.

He reported that the County had now received an invoice from VDOT for its share of the funding for the right-of-way phase of the project in the amount of \$2,000,000. He said by previous action, the Board of Supervisors had set aside \$2,500,000 to the Ladysmith Road Improvements Debt Service Reserve to help fund the County's portion of the cost of the project. He said it was anticipated that the remaining share of the County matching funds, which was approximately \$4,000,000, would be needed in Fiscal Year 2021 to fully fund the construction phase.

Supervisor Black moved and Supervisor Long seconded to authorize payment of the \$2,000,000 invoice from VDOT from the Ladysmith Road Improvements Debt Service Reserve for the County's share of the right-of-way phase to widen Ladysmith Road.

<i>Roll Call Vote:</i>	<i>Black</i>	<i>Yea</i>
	<i>Forehand</i>	<i>Yea</i>
	<i>Long</i>	<i>Yea</i>
	<i>Sili</i>	<i>Yea</i>
	<i>Thomas</i>	<i>Nay</i>
	<i>Underwood</i>	<i>Yea</i>

The motion carried 5-1.

NEW BUSINESS

9. PROPOSED AMENDMENTS TO 2019 BOARD OF SUPERVISORS BY-LAWS AND RULES OF PROCEDURE

This item was deferred to the next meeting.

10. DISCUSSION OF BOARD OF SUPERVISORS' EXPECTATIONS FOR LITTER PICKUP

Deputy County Administrator Alan Partin stated that based on previous direction from the Board of Supervisors, staff from the Department of Public Works/Utilities have been removing litter from high visibility locations in Carmel Church and Ladysmith on a periodic basis. He said that Supervisor Black recently asked for trash removal from a portion of Paige Road in addition to the normal pickups in Carmel Church and Ladysmith.

He further stated that staff was more than willing to honor any request for litter pickup from the Board. However, there were concerns that requests from individual Board members without structure and direction from the entire Board would overwhelm staff's ability to keep pace with letter pickup. Therefore, staff was seeking guidance from the Board regarding its expectations for litter pickup so that the impact could be fully evaluated.

Supervisor Black stated that he asked staff about picking up litter on Paige Road near the Little League Park because of the amount of trash along the roadside. He said Paige Road was highly travelled by people coming from other locations to visit the Little League Park and the amount of trash was embarrassing. He said the County could not rely on volunteers to pick up the trash.

Board members talked about various areas in the County with litter issues and asked about enforcement of litter laws.

Sheriff Tony Lipa talked about the difficulties in enforcing the litter laws. He reminded everyone that someone had to actually see someone throwing out trash in order to write them a ticket. He talked about the use of inmates and people needing to serve community service hours to help with trash pickup. He said that he was also looking into the use of cameras.

After discussion, *Supervisor Thomas moved and Supervisor Black seconded to authorize the hiring of three (3) new part-time employees for the remainder of the current fiscal year (ending June 30, 2019) at a cost of \$17,000 for the purpose of cleaning up litter on County roads as determined by the Board of Supervisors. Funds will be taken from the Unencumbered Fund Balance.*

<i>Roll Call Vote:</i>	<i>Black</i>	<i>Yea</i>
	<i>Forehand</i>	<i>Yea</i>
	<i>Long</i>	<i>Yea</i>
	<i>Sili</i>	<i>Yea</i>
	<i>Thomas</i>	<i>Yea</i>
	<i>Underwood</i>	<i>Yea</i>

11. PROPOSED RESOLUTION TO APPROVE ACQUISITION OF REAL PROPERTY (FORMER FROG LEVEL VOLUNTEER RESCUE SQUAD)

County Administrator Charles M. Culley, Jr. stated that prior to determining whether to take ownership, the Board agreed to undertake a thorough environmental assessment to determine what liability may be associated with the property. He reported that a Phase 2 Environmental Site Assessment completed by Draper Aden identified a petroleum release, which was reported to the Virginia Department of Environmental Quality (DEQ) as required by law. He said that the County then completed a corrective action plan that cured all identified environmental issues to the satisfaction of DEQ.

He stated that staff and the County Attorney then spent a lengthy period of time trying to determine how to adequately satisfy the legal requirements to document the intent of the former Frog Level Volunteer Rescue Squad Board of Directors to convey the property to the County. He said that the County Attorney now believed that it was appropriate for the Board of Supervisors to adopt the proposed resolution, should it wish to acquire the property.

County Attorney Benjamin W. Emerson stated Wayne Collison, former president of the Frog Level Volunteer Rescue Squad, had indicated that he believed he could locate a significant number of the former members of the now defunct Frog Level Volunteer Rescue Squad to sign documents to convey the property to the County.

Mr. Culley stated that staff had not identified any useful function for the building or property. However, should the Board decide to take ownership, it could be sold and placed back on the tax rolls following a public hearing in accordance with the *Code of Virginia*.

Supervisor Long moved and Supervisor Underwood seconded to adopt the following resolution:

R4/19

A RESOLUTION TO APPROVE ACQUISITION OF REAL PROPERTY

WHEREAS, the Frog Level Volunteer Rescue Squad ("FLVRS") has ceased operations and offered to convey its real property located on Route 301 in Caroline County to the County (the "Property") as a gift to the County; and

WHEREAS, the Board of Supervisors (the "Board") of Caroline County (the "County"), after investigating the Property, believes it to be in the best interests of the County and its citizens to accept title to the Property and improvements thereto; and

WHEREAS, the Board desires to approve the acceptance of title to the Property by the adoption of a resolution approving such acquisition, which resolution can be recorded in the clerk's office of the Circuit Court as evidence of such approval;

NOW, THEREFORE, BE IT RESOLVED, that the Board finds it to be in the best interests of the County and the citizens thereof to approve the acquisition of the Property and improvements thereto from the FLVRS and accept a deed to the Property from the trustees in liquidation of FLVRS; and

BE IT FURTHER RESOLVED, that the County Administrator, Chairman of the Board, and County Attorney are hereby authorized and directed to take such action as is necessary in their sole discretion to carry out the purposes and intents of this resolution, including without limitation, the acceptance of a deed to the Property, and the acquisition of such real and personal property as is described herein and therein; and

BE IT FURTHER RESOLVED, that all actions taken in furtherance of the acquisition of the

Property prior to the date of adoption of this Resolution are hereby ratified and confirmed.

Adopted this 12th day of February, 2019.

Roll Call Vote:

<i>Black</i>	<i>Yea</i>
<i>Forehand</i>	<i>Yea</i>
<i>Long</i>	<i>Yea</i>
<i>Sili</i>	<i>Yea</i>
<i>Thomas</i>	<i>Yea</i>
<i>Underwood</i>	<i>Yea</i>

11A) APPLICATION FOR TEMPORARY PUMP AND HAUL PERMIT

County Administrator Charles M. Culley, Jr. stated that the Health Department had received an application from Danny Zinnecker for a permit to remove and transport sewage from his new home on Paige Road. He said that Mr. Zinnecker had a contract in place with Old Dominion Onsite, Inc. for temporary pump and haul services, but approval from the Board of Supervisors was needed for the pump and haul permit.

He explained that Mr. Zinnecker had a valid construction permit for an alternative onsite sewage system at his new home, but the site was too wet to install the system due to the weather. He said the house was complete and Mr. Zinnecker wanted to move in under a temporary pump and haul agreement in the first week of March. He added that the pump and haul approval would expire in June 2019.

Supervisor Long moved and Vice-Chair Sili seconded to approve the pump and haul permit for Mr. Zinnecker as requested.

Roll Call Vote:

<i>Black</i>	<i>Yea</i>
<i>Forehand</i>	<i>Yea</i>
<i>Long</i>	<i>Yea</i>
<i>Sili</i>	<i>Yea</i>
<i>Thomas</i>	<i>Yea</i>
<i>Underwood</i>	<i>Yea</i>

11B) CONSIDERATION OF CHANGE IN MARCH 26, 2019 BOARD OF SUPERVISORS MEETING DATE

Supervisor Underwood stated that he had to be out of town for the March 26, 2019 Board of Supervisors' meeting due to a work conflict and asked about the possibility of rescheduling.

After discussion, *Supervisor Underwood moved and Supervisor Long seconded to cancel the March 26, 2019 and April 9, 2019 Board of Supervisors' meetings and reschedule to April 2 and 16, 2019.*

Roll Call Vote:

<i>Black</i>	<i>Yea</i>
<i>Forehand</i>	<i>Yea</i>
<i>Long</i>	<i>Yea</i>
<i>Sili</i>	<i>Yea</i>
<i>Thomas</i>	<i>Yea</i>
<i>Underwood</i>	<i>Yea</i>

12. INFORMATIONAL/CALENDAR ITEMS

County Administrator Charles M. Culley, Jr. reviewed the Capital Projects Update.

He then reminded Board members of upcoming events and activities.

CLOSING BOARD COMMENTS

Supervisor Thomas congratulated the Caroline High School Varsity Boys Basketball Team for their accomplishments and heading to the Battlefield District playoffs.

CLOSED MEETING

Vice-Chair Sili moved and Supervisor Black seconded to convene in Closed Meeting pursuant to the prospective business exemption of Section 2.2-3711.A.5 of the Code of Virginia to discuss an economic development project in the County, about which no previous announcement has been made

Roll Call Vote:

<i>Black</i>	<i>Yea</i>
<i>Forehand</i>	<i>Yea</i>
<i>Long</i>	<i>Yea</i>
<i>Sili</i>	<i>Yea</i>
<i>Thomas</i>	<i>Yea</i>
<i>Underwood</i>	<i>Yea</i>

Vice-Chair Sili moved and Supervisor Black seconded to leave Closed Meeting.

Roll Call Vote:

<i>Black</i>	<i>Yea</i>
<i>Forehand</i>	<i>Yea</i>
<i>Long</i>	<i>Yea</i>
<i>Sili</i>	<i>Yea</i>
<i>Thomas</i>	<i>Yea</i>
<i>Underwood</i>	<i>Yea</i>

Vice-Chair Sili moved and Supervisor Underwood 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 meeting requirement by Virginia law were discussed in closed meeting to which this certification applies; and*
- (ii) *only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.*

Certification by Roll Call Vote:

<i>Black</i>	<i>Certify</i>
<i>Forehand</i>	<i>Certify</i>
<i>Long</i>	<i>Certify</i>
<i>Sili</i>	<i>Certify</i>
<i>Thomas</i>	<i>Certify</i>
<i>Underwood</i>	<i>Certify</i>

ACTIONS RESULTING FROM CLOSED MEETING

Vice Chairman Sili moved and Supervisor Underwood seconded to approve an Economic Development Performance Agreement with Coastal Sunbelt Produce, LLC as presented by staff.

Roll Call Vote:

<i>Black</i>	<i>Yea</i>
<i>Forehand</i>	<i>Yea</i>
<i>Long</i>	<i>Yea</i>
<i>Sili</i>	<i>Yea</i>
<i>Thomas</i>	<i>Yea</i>
<i>Underwood</i>	<i>Yea</i>

ADJOURNMENT

Supervisor Underwood moved and Supervisor Thomas seconded to adjourn the meeting.

Roll Call Vote:

<i>Black</i>	<i>Yea</i>
<i>Forehand</i>	<i>Yea</i>
<i>Long</i>	<i>Yea</i>
<i>Sili</i>	<i>Yea</i>
<i>Thomas</i>	<i>Yea</i>
<i>Underwood</i>	<i>Yea</i>

CLERK TO THE BOARD

CHAIRMAN