

At a regular meeting of the Caroline County Board of Supervisors held on December 10, 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
Michael A. Finchum – Director of Planning & Community Development
Curtis S. Finney, Jr. – Director of Finance
Donnell S. Howard – Director of Parks & Recreation
Jason R. Loftus Fire-EMS Chief
David Sadler – Director of Information Technology
Megan Upshaw – Library Director
Gary R. Wilson – Director of Economic Development
Chris MacKenzie – County Attorney

CALL TO ORDER

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

INVOCATION

Rev. Hurst led the invocation.

PLEDGE OF ALLEGIANCE

Chairman Forehand led the Pledge of Allegiance.

OPENING BOARD COMMENTS

Supervisor Thomas stated that it was always delightful to hear a large group of children saying the Pledge of Allegiance, but it brought him chills to hear the entire auditorium saying the Pledge. He then requested that staff continue to work with the Treasurer and Commissioner to include notices in future tax bills about tax relief programs.

Board members thanked citizens for their inquiries, emails and communication on Facebook regarding the Second Amendment.

Supervisor Black talked about the SmartScale Project to improve the curve at Chilesburg and asked that efforts be made to ensure that it was solving the problem and not making it more dangerous.

Supervisor Long thanked the Upper Caroline Volunteer Fire Department for hosting the Wounded Warrior Hunt and Dinner. She then reminded everyone about the Bowling Green Christmas Parade scheduled for December 14th.

Supervisor Underwood stated that he had a meeting with Meadow Event Park and everyone agreed that there was no need to look into an Admissions Tax at this point.

Vice-Chair Sili stated that this was the second year of the Town Christmas Tree and the start of a new tradition. He thanked everyone for participating in the lighting and decorating of the tree. He then said he was looking forward to the Senior Gala scheduled for Friday.

Chairman Forehand stated this was his meeting as Chair and thanked his fellow Board members and staff for their support during the year. He echoed Supervisor Thomas' previous comments about the volume of people in the room during the Pledge of Allegiance and said it was very heartwarming to hear that number of people reciting the Pledge.

AMENDMENTS TO THE AGENDA

Vice-Chair Sili moved and Chairman Forehand seconded to remove Item #5, "Proposed Purchase of Department of Fire & Rescue Training Simulators" from the agenda to allow him time to talk with A. P. Hill.

Supervisor Black expressed concerns about removing this item from the agenda because it had been deferred previously.

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

**The motion failed 2-4. (Item #5 remained on the agenda.)*

Supervisor Thomas moved and Supervisor Underwood seconded to amend the agenda by adding the following item to the Consent Agenda:

- ***3F) Request for Supplemental Appropriation for Roof Repairs at Caroline County School Board Office, Bowling Green Elementary and Madison Elementary***

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>

1. PRESENTATIONS/REPORTS

➤ **Recommendation for Employee Medical/Dental Insurance Plan Year 2020/2021 Renewal**

Deputy County Administrator Alan Partin stated it was time to renew the medical and dental insurance for County employees. He said that the County had a good year with claims experience and the County benefits consultant, One Digital, was recommending the same funding as the current plan year.

In response to questions from Supervisor Thomas, Mr. Partin stated that there was no recommended increase in the rates for plan year 2020/2021.

8. RENEWAL OF EMPLOYEE MEDICAL/DENTAL INSURANCE FOR PLAN YEAR 2020/2021 (ACTION ITEM)

Deputy County Administrator Alan Partin reviewed the requested actions of the Board.

Supervisor Thomas moved and Vice-Chair Sili seconded to:

- 1) Select Anthem to act as third-party administrator for the March 1, 2020 through February 28, 2021 plan year;*
- 2) Continue to offer Point of Service OA plan (an enhanced HMO product), KeyCare 25 (a PPO) and Anthem dental plans;*
- 3) Approve flat funding rates, same as the current year, for the medical insurance plan and dental plan; and*
- 4) Continue same coverage tiers and same County/Employee premium contribution rates as current year and appropriate the estimated funds for this purpose.*

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>

➤ **Fiscal Year 2018/2019 End of Year Budget Report – Curtis Finney, Finance Director**

Finance Director Curtis Finney presented the Fiscal Year 2018/2019 end of year budget report. He reported that 97.8% of budgeted revenues for the major funds had been collected or billed and 96.2% of budgeted expenditures had been expended. He informed everyone that as of June 30, 2019, the overall General Fund expenditures were 99.7% of the estimated budget which resulted in an anticipated positive change in the General Fund Balance of \$711,155. He noted that Meals Tax revenues collected were a 2.3% increase over last year.

He stated the during Fiscal Year 2019, the Caroline County collection of revenue was within 2.2% of the budget, while managing expenditures to within 38% of the budget. He added that the school system continued to operate within its adopted budget and utility funds generated sufficient income to cover operating expenses while needing assistance with Debt Service payments.

2. APPOINTMENTS

➤ **Planning Commission (Bowling Green District)**

This appointment was deferred.

➤ **Rappahannock Area Community Services Board of Directors**

Supervisor Long moved and Supervisor Thomas seconded to appoint Susan Gayle as one of the County’s representatives to the Rappahannock Area Community Services Board of Directors to fill the unexpired term of Jessica Boyd which expires June 30, 2020.

Roll Call Vote:	Black	Yea
	Forehand	Yea
	Long	Yea
	Sili	Yea
	Thomas	Yea
	Underwood	Yea

3. CONSENT AGENDA

Supervisor Thomas moved and Supervisor Long seconded to approve the following Consent Agenda items as presented:

A) **Approval of Warrants**

Action Taken: *Approval of the following warrants:*

General Fund	\$640,619
Law Library Fund	479
Social Services Fund	8,449
Tourism Fund	989

<i>Fire/Rescue Grant Fund</i>	<i>4,193</i>
<i>Capital Improvements Fund</i>	<i>50,727</i>
<i>Debt Retirement Fund</i>	<i>438,467</i>
<i>Carmel Church Utilities Fund</i>	<i>108,714</i>
<i>Capital Projects – Utilities Fund</i>	<i>68,670</i>
<i>Port Royal Utilities Fund</i>	<i>6</i>
<i>Dawn Wastewater Fund</i>	<i>19,117</i>
TOTAL	\$1,340,430

B) Approval of Planning Commission Schedule

Action Taken: *The Board reviewed the actions from the November 21, 2019 Planning Commission meeting and authorized staff to advertise the following requests for public hearing at the January 28, 2020 Board of Supervisors meeting:*

- *SPEX-05-2019 – Commonwealth Fairs & Events, Inc., Owner: T-Mobile Northeast, LLC, Applicant*
- *RZ-03-2019 – The Virginia Bazaar, Owner/Applicant*
- *SPEX-07-2019 – Starr Management Corporation, Owner/TKC CCLXII, LLC, Applicant*
- *SPEX- -08-2019 – Starr Management Corporation, Owner/TKC CCLXII, LLC, Applicant*
- *RZ-02-2109 – 17431 Jefferson Davis, LLC, Owner/Brandt, Matt, Applicant*

C) Authorize Transfer of Funds from Caroline Detention Facility Fund to Capital Improvements Fund for Purchase of AS/400 Computer and New Exchange Server/Software

Action Taken: *Approval of the transfer of funds from the FY 2019/2020 Caroline Detention Facility Fund to the FY 2019/2020 Capital Improvements Fund for a new AS/400 computer to operate the County’s BAI Municipal Software System (the “Bright System”) in the amount of \$50,636 and a new exchange server/software at a cost of \$40,020.12.*

D) Adoption of a Resolution Declaring the Intention of the Board of Supervisors to Reimburse Itself from the Proceeds of One or More Tax-Exempt Financings for Certain Expenditures Made and/or to be Made in Connection with Capital Improvement Projects for the County

Action Taken: *Adoption of the following resolution:*

R27/19

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF CAROLINE, VIRGINIA DECLARING ITS
INTENTION TO REIMBURSE ITSELF FROM THE
PROCEEDS OF ONE OR MORE TAX-EXEMPT
FINANCINGS FOR CERTAIN EXPENDITURES MADE
AND/OR TO BE MADE IN CONNECTION WITH
CAPITAL IMPROVEMENT PROJECTS FOR THE
COUNTY**

WHEREAS, the County of Caroline, Virginia (the "County") is a political subdivision organized and existing under the laws of the Commonwealth of Virginia;

WHEREAS, the County is interested in providing funds (the "Expenditures") for the costs relating to the acquisition, engineering, design, construction and installation of a new Fire/EMS station in Carmel Church and a replacement Fire Station in Sparta, all in order to improve the health and safety of the County citizens (together, the "Projects"); and

WHEREAS, the Board of Supervisors of the County (the "Board") has determined that those moneys previously advanced no more than 60 days prior to the date hereof and to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the County for the Expenditures from the proceeds of one or more issues of tax-exempt bonds (the "Bonds"); and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF CAROLINE, VIRGINIA, AS FOLLOWS:

Section 1. The Board hereby declares, in accordance with U.S. Treasury Regulation Section 1.150-2, as amended from time to time, the County's intent to reimburse the County with the proceeds of the Bonds for Expenditures with respect to the Projects made on and after the date which is no more than 60 days prior to the date hereof. The County reasonably expects on the date hereof that it will reimburse itself for the Expenditures with the proceeds of the Bonds.

Section 2. Each Expenditure was and will be either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditures), (b) a cost of issuance with respect to the Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the County so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the County.

Section 3. At this time, the preliminary engineering costs are estimated at up to \$200,000 per facility, and the range of maximum principal amount of the Bonds expected to be issued for the Projects is from \$3,000,000 to \$4,000,000 in total.

Section 4. The County will make a reimbursement allocation, which is a written allocation by the County that evidences the County's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Projects are placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The County recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Section 5. This resolution shall take effect immediately upon its passage.

Passed and adopted this 10th day of December, 2019.

E) Proposed Amendments to Fiscal Year 2018/2019 Budget

Action Taken: Approval of the following amendments to the FY 2018/2019 budget as presented by staff:

General Fund – 100

<u>Revenues</u>	<u>Increase/(Decrease)</u>
Property Tax	\$528,435
Recovered Costs	<u>196,923</u>
	\$725,358

<u>Expenditures</u>	<u>Increase/(Decrease)</u>
County Administration	\$354
Legal Services	112,115
Public Communications	1,069
General District Court	10,326
Magistrates	599
Clerk of Circuit Court	17,407
Detention Facility	320,178
Inspections	3,854
E911 Dispatch	233,859
Public Works Administration	2,143
Solid Waste	<u>23,454</u>

\$725,358

Confiscated Assets – 222

Increase/(Decrease)

Revenues

Confiscated Assets

\$53,266

Expenditures

Commonwealth Attorney

\$12,764

Sheriff's Office

19,998

\$32,762

Fire/Rescue Grants – 225

Revenues

Increase/(Decrease)

Fire/Rescue Grants

\$74,628

Expenditures

Fire/Rescue Grants

\$74,628

F) Request for Supplemental Appropriation for Roof Repairs at Caroline County School Board Office, Bowling Green Elementary and Madison Elementary

Action Taken: *Approval of supplemental appropriation in the amount of \$45,000 to the FY 2019/2020 Caroline County Public Schools Capital Improvement Budget for roof repairs at the School Board Office, Bowling Green Elementary and Madison Elementary*

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>

UNFINISHED BUSINESS

5. PROPOSED PURCHASE OF DEPARTMENT OF FIRE & RESCUE TRAINING SIMULATORS

Fire-EMS Chief Jason Loftus stated that the Department of Fire & Rescue wanted to purchase two live-fire training props in order to provide hands-on training for personnel. He explained that the Department was in need of a way to provide entry level and continuing education for firefighters and currently did not have any live burn training props.

He stated that the Department currently used old cars to burn, but there were many dangers associated with that including exposing personnel to significant risk of explosions, toxins and other hazards while only allowing for a few fires to be conducted. He said that the proposed training equipment would be a safe repeatable alternative, while giving years of continued service and reduced pollution during training.

Supervisor Black stated that money was already included in the Reserve Fund for this purchase and noted the potential dangers of a large propane facility located in the County and the need for training.

Vice-Chair Sili stated that he had received complaints about the County not using the training equipment available at A.P. Hill and not calling them for assistance with calls in close proximity to the Base.

Chief Loftus explained that the County used A.P. Hill's burn building whenever possible and conducting testing their last year, but the testing equipment had been out of service this year. He explained the benefits of using the proposed LP Gas fire-training simulators for firefighters of all experience levels. He said if the Board wanted to consider automatic aid with A.P. Hill, it could be discussed but noted that the posture typically changed with the change of command.

Supervisor Long stated that she was the Board of Supervisors representative on the A.P. Hill Steering Committee and could approach the issues at that level if it was the consensus of the Board.

Supervisor Thomas stated that the County had a good relationship with A.P. Hill through the years and believed it was something that could be discussed.

In response to questions from Chairman Forehand, Chief Loftus stated that this type of equipment had been needed 11 to 15 times in the last year for Fire and EMS calls.

Supervisor Black moved and Supervisor Thomas seconded to approve the purchase of two live fire-training simulators from Bullex in the amount of \$54,545. Funds are available in the Fire-Rescue Capital Reserve for this purchase.

<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>

NEW BUSINESS

7. PROPOSED PURCHASE OF SCBA EQUIPMENT – DEPARTMENT OF FIRE & RESCUE

Fire-EMS Chief Jason Loftus stated as the Board was aware, Caroline County had been awarded a U.S. Department of Homeland Security Assistance to Firefighters Grant (AFG) in the amount of \$904,586.36 to purchase equipment to replace self-contained breathing apparatus (SCBA) equipment. He explained that SCBA was a device worn by rescue workers, firefighters and others to provide breathable air in an immediately dangerous to life or health atmosphere.

He stated that the grant would provide the large majority of the funds needed to replace the County's current SCBA inventory, which was nearing the end of its useful life. He said that the Board had previously approved \$95,313.64 in local matching funds toward the project.

Supervisor Thomas moved and Supervisor Black seconded to approve the proposed purchase of MSA GI SCBA equipment from The Fire Store in the amount of \$963,313 utilizing the HGAC cooperative bid and declare all old SCBA equipment as surplus and authorize its sale to The Fire Store for the price of \$17,000 once the new SCBA equipment is in service.

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>

Supervisor Black pointed out that this was a great savings to the County taxpayers.

Supervisor Thomas moved and Supervisor Long seconded to authorize Chief Loftus to file an addendum request with FEMA to utilize the remaining balance of \$36,687 in grant funds to purchase 40 cylinders, one quantitative fit test machine and 277 mask bags from The Fire Store.

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>

11. REQUEST FOR EXPEDITED PUBLIC HEARING FOR SPECIAL EXCEPTION **SPEX-09-2019, KEYS ACADEMY**

Director of Planning & Community Development Michael Finchum stated that staff had received a request from Keys Academy for an expedited public hearing. He explained that Keys Academy operated private, co-educational day schools for special education students and would like to open a new location in the Ladysmith Professional Building. He further explained that in order to do so, classrooms, bathrooms and offices would need to be constructed within the proposed space by July 2020. He said that Keys Academy had indicated that it would not lease the space unless it could be up and running by July.

He stated that if an expedited public hearing was granted, the special exception request would be heard by the Planning Commission on January 23, 2020 and the Board of Supervisors on January 28, 2020, subject to Planning Commission approval.

Supervisor Long moved and Vice-Chair Sili seconded to approve a request for an expedited public hearing for SPEX-09-2019 for Keys Academy and required that the applicant pay the additional advertising costs as recommended 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>

12. REVIEW OF SPECIAL EXCEPTION CONDITIONS – SPEX-04-2013, BARDON, INC., OWNER/AGGREGATE INDUSTRIES, APPLICANT

Director of Planning & Community Development Michael Finchum stated that the Board of Supervisors granted a special exception (SPEX-04-2013) to Aggregate Industries for sand and gravel extraction on a 200-acre parcel in the Bowling Green Voting District. He said that the special exception was subject to conditions, which included a review every five years from the date of approval and this was the first review.

He reported that the applicant had received permits from DMME and mining operations had commenced on site. He pointed out that a site plan and reclamation plan had been approved by the Planning & Community Development Department and the required berm and landscape buffer had been installed. He added that no complaints had been received with regard to the site.

In response to questions from Chairman Sili, Mr. Finchum stated that no action was required unless Board members wanted to modify any of the conditions of the previously approved permit.

Board members had no changes.

13. FIRST READING OF A PROPOSED AMENDMENT TO CHAPTER 15, ARTICLE III, §15-20 OF THE CODE OF CAROLINE COUNTY REIMBURSEMENT OF EXPENSES INCURRED IN RESPONDING TO DUI INCIDENTS AND OTHER TRAFFIC INCIDENTS

Deputy County Administrator Alan Partin stated that Chapter, Article III, §15-20 of the Caroline County Code allowed the County to be reimbursed for reasonable expenses incurred by the Sheriff's Office and Department of Fire & Rescue in responding to vehicle accidents caused by impaired drivers, reckless driving, driving without a license or with a suspended or revoked license or improperly leaving the scene of an accident.

He stated that the current ordinance provided that in determining reasonable expenses, the County may bill a flat fee of \$250 or a minute-by-minute accounting of the actual costs incurred. He reported that the *Code of Virginia* now permitted the County to bill a flat fee of \$350 for reasonable expenses. He said as a result, the purpose of the proposed ordinance amendment was to increase the flat fee to \$350. He noted that Sheriff Lippa had also asked that the County incorporate a reference to Virginia Code §46.2-341.24, which relates to driving a commercial motor vehicle while intoxicated, into the County ordinance.

Vice-Chair Sili moved and Supervisor Long seconded to authorize staff to advertise the proposed amendment to Chapter 15 for public hearing as presented.

<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>

14. DISCUSSION OF POSSIBLE SALE OF FORMER FROG LEVEL VOLUNTEER RESCUE SQUAD PROPERTY

Deputy County Administrator Alan Partin stated that after a lengthy process, the County had completed the process to take ownership of the former Frog Level Rescue Squad property on Richmond turnpike (Route 301 South). He said if the Board of Supervisors wished to consider selling the property, staff would need to advertise a public hearing to allow the public to comment on the proposed sale and disposal of surplus property.

He stated that if Board decided to move forward with a sale following the public hearing, it could be accomplished through an auction or by engaging a real estate agent to list the property, following a procurement process for the service. He added that if the real estate agent option was selected, they could provide an opinion on the list price or an appraisal could be completed.

Supervisor Underwood stated that the property had been vacant for quite a while and spoke in support of putting it on the marker if the County didn't have any use for it.

Supervisor Long asked about possible interest in the building from other organizations.

County Administrator Charles M. Culley, Jr. stated that the building could not be declared surplus until after a public hearing. He explained that the purpose of the public hearing was to receive comments from the public and the Board could then declare it surplus, if that was the desire.

Supervisor Thomas asked that adjacent property owners be notified of the public hearing as a courtesy.

Supervisor Underwood moved and Supervisor Long seconded to move forward with the public hearing process for the former Frog Level Rescue Squad property.

Roll Call Vote:	Black	Yea
	Forehand	Yea
	Long	Yea
	Sili	Yea
	Thomas	Yea
	Underwood	Yea

The Board took a recess at approximately 7:10 p.m. and reconvened the meeting at approximately 7:30 p.m.

PUBLIC COMMENTS

Chairman Forehand stated that the auditorium appeared to be at full capacity, which was 419, and noted that there was also overflow seating in the gymnasium.

Faye Peatross stated that she was representing Margie Peatross and other residents on Edwards Road. She expressed concerns about the closing of the southern end of Edwards Road and said it was very inconvenient for a lot of people and presented dangers for those in need of medical assistance. She spoke in support of development in the County, but not at the cost of altering the lifestyles of the current residents. She said that the construction workers for the Brookwood Subdivision were inconsiderate and disrespectful to the neighbors and caused dangers for the school buses and residential traffic.

Arthur Wholey, of the Bowling Green District, spoke in opposition to Agenda Item #6, “Review of Department of Fire & Rescue Apparatus Marking Guide”, approved by the Board of Supervisors on August 23, 2018 and asked that it be reconsidered. He talked about the volunteers’ loyalty to the County and its citizens and taking pride in their fire departments and rescue stations and asked that each department be allowed to put their name on the front door of the emergency vehicles.

Sheriff Anthony A. “Tony” Lipka, Jr. requested that the Board of Supervisors consider increasing the VRS multiplier for Sheriff’s Office employees as a morale booster for those nearing retirement and as a possible way to retain personnel. He stated that the Sheriff’s Office was in a crisis because of a manpower shortage and pay disparity for the deputies and requested a worksession with the Board of Supervisors to discuss this issue. He then stated that he believed every citizen had the right to bear arms and spoke in support of Second Amendment rights.

The following people spoke in support of everyone’s right to bear arms under the Second Amendment and in support of Caroline County becoming a Second Amendment Sanctuary:

- Ken Kurick, of Northumberland County
- Sherman Sammy
- Ken Allen, former resident of Caroline County and Ladysmith Volunteer Fire Department
- Ken Ross, of the Mattaponi District
- Bob Schwartz, of the Bowling Green District
- Greg Perry, of the Western Caroline District

- Linda Keath, Bowling Green District
- Rev. Michael Hirsch, Bowling Green District
- Rick Blankenship, Bowling Green District
- David Robinette, of DK Firearms
- Margaret Kerns, Reedy Church District
- Carl Upshaw, Reedy Church District
- Aaron Staub, Port Royal District
- Bob Harrie, Reedy Church District
- John “Jack” Powell, Madison District
- Daniel Schiebel, Bowling Green District
- Jim Day, Bowling Green District
- Adrienne Mack, Western Caroline District
- Jacob Schmitz, Western Caroline District
- Andrew Satterwhite, Reedy Church District
- John Consela, Bowling Green District
- Michael Upshaw, Bowling Green District
- David Rababy, Madison District
- Kenny Harless, Mattaponi District
- Dustin Breon, Port Royal District
- Bradley Burns, Mattaponi District
- William Smith, Mattaponi District
- Steve Scarlett, Mattaponi District
- Mike Broaddus, Bowling Green District
- James Holsten, Bowling Green District
- Joe Dedrick, Bowling Green District
- Gerri Gunn, Madison District
- Judy Brooks, Western Caroline District
- Christian McQuirt, Mattaponi District
- William Plattner, Reedy Church District
- Russell Price, Bowling Green District
- Roland Holcomb, Bowling Green District
- Danny Burke, of the Port Royal District
- Rob Hanley, Bowling Green District

There being no further Public Comments, Chairman Forehand declared the Public Comments closed. He thanked everyone for their comments and said some excellent points were made. He explained that discussion on the Second Amendment was scheduled for discussion later in the meeting.

PUBLIC HEARINGS

4. PROPOSED AMENDMENTS TO ARTICLE V, §103 OF THE CODE OF CAROLINE COUNTY – VEHICLE LICENSE TAX

Deputy County Administrator Alan Partin explained that the proposed amendments to Vehicle License Tax section of the County Code were as follows:

- 1) Specify that only vehicles operated on the streets, highways or roads within the County, for business purposes or for the private use and benefit of the owner, must be licensed (the current ordinance applies the license fee to any vehicle which was normally garaged, stored or parked within the County); and
- 2) Allows a vehicle license to be transferred to a newly acquired vehicle at no additional fee from a previously licensed vehicle which was sold, disposed of or deregistered by either surrendering or transferring the registration or such vehicle by making application to the Commissioner's Office within ten (10) business days following the acquisition of the replacement vehicle.

He stated that the proposed amendments had been prepared in consultation with the Commissioner of the Revenue's Office and the County Attorney.

In response to questions from Board members, County Administrator Charles M. Culley, Jr. stated that the proposed amendment only applied to the Vehicle License Fee.

Chairman Forehand declared the public hearing open for the proposed amendments to Article V, §103 of the Code of Caroline County regarding Vehicle License Tax. There being no public comments, he then declared the public hearing closed.

Vice-Chair Sili moved and Supervisor Long seconded to approve the proposed amendments to Article V, §103 of the Code of Caroline County regarding Vehicle License Tax as presented with an effective date of January 1, 2020.

<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>

NEW BUSINESS (continued)

6. REVIEW OF DEPARTMENT OF FIRE & RESCUE APPARATUS MARKING GUIDE

Vice-Chair Sili stated that he requested that this item be placed on the Agenda because he had received numerous inquiries about changing the policy and marking guide for Fire & Rescue apparatus. He said that by including the name of the individual station on the front door it would give the station pride and provide encouragement to volunteers and give them an incentive for spending their time in the County. He said that the County name and seal could be placed on the second door.

In reference to a question from Chairman Forehand, Vice-Chair Sili stated that he would like for each station to have a choice with regard to the placement of the names on the doors of the vehicles/apparatus.

Supervisor Underwood stated that this Board had agreed to the policy regarding the location of the names and markings on fire and rescue apparatus just over a year ago and expressed concerns about wanting to change it so soon and waffling back and forth. He said that he had spoken with volunteers for Frog Level Volunteer Fire Department recently and they were satisfied with the adopted policy. He said he would like to hear from each fire chief to make sure this wasn't being considered for only station. He said he did not believe that people cared about the markings on emergency vehicles when they responded to them in a time of need.

Arthur Wholey, Chief for Bowling Green Volunteer Fire Department, stated that pride and tradition ran deep in the fire departments and it was a big deal to have the station name on the front door. He said they were listed as the Bowling Green Volunteer Fire Department with the SCC (State Corporation Commission) and they currently had 45 members on the books. He said he had 10 years of dedication to the Department himself and talked about the various sacrifices made by volunteers, such as missing family meals and events, etc.

Walter Cater, of the Sparta Volunteer Fire Department, stated that he had been a volunteer for twenty years and spoke in support of keeping the Department's name on the front door of the trucks.

In response to questions from Supervisor Black, Chief Loftus stated that the Board adopted the policy last year. He said monthly meetings were held with the volunteer chiefs and captains of the fire and rescue stations and everyone was aware of the policy.

Vice-Chair Sili stated that he heard that most of the fire departments wanted their name put back on the front door of the truck and he had discussed this with Chief Loftus.

Supervisor Long stated that the policy was approved last year by the Board of Supervisors and by all the volunteer departments. She said that she had the utmost respect for all of the volunteers and believed all were treated equally. She said that she did not believe taxpayers should have to pay if departments wanted the names moved to the front doors of the trucks. She said if they wanted it changed, then they should fundraise to purchase their own vehicles so they could have the signage like they wanted.

Supervisor Black talked about this issue not being unique to Caroline. He said other localities were having the same issue with some volunteer departments. He said that generally there was a decline in the volunteer fire and rescue population and talked about the stipend incentive approved by the Board of Supervisors to attract volunteers, but there was a low participation rate in the program.

He stated that he had spoken with volunteers from Ladysmith Fire Department and they were in agreement with the current policy. He said he understood and appreciated volunteers taking pride in the organization, but everyone needed to realize that it was about helping citizens in need.

Vice-Chair Sili stated that it was very important to some volunteers that the department's name be on the front door.

Chief Loftus noted that Sparta had a 2008 truck with Caroline County's name on the front door and Sparta's name on the back door.

Vice-Chair Sili moved and Chairman Forehand seconded to allow the volunteer fire departments to place their department name on the front door of the vehicles/apparatus if they paid for it.

Supervisor Thomas noted that all of the vehicles had four doors and the discussion was about the placement of the department name on the first door or the second door.

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

The motion failed 2-4

9. DISCUSSION OF PROPOSED RESOLUTION REAFFIRMING THE CAROLINE COUNTY BOARD OF SUPERVISORS' COMMITMENT TO UPHOLD THE CONSTITUTION OF THE UNITED STATES AND THE BILL OF RIGHTS INCLUDING THE SECOND AMENDMENT

Chairman Forehand presented Board members with an amended version of the proposed resolution related to this matter and noted that it had been prepared with the assistance of the County Attorney. He then read the resolution aloud for the audience.

Vice-Chair Sili moved and Supervisor Long seconded to adopt the following amended resolution as prepared by legal counsel:

Supervisor Black expressed his appreciation to everyone for taking the time to attend the meeting. He stated that he had supported the original resolution included in the Board's packet related to this issue that was copied from Powhatan County. He explained that he supported that resolution because other amendments were being affected by proposed bills in the General Assembly, such as the First Amendment related to the right to assembly and the Fourth Amendment related to searches and seizures and the Fifth Amendment for due process. He noted that he was not anti-gun and voted a few years ago for the hunting ordinance and was a member of a Ruritan Club that sponsored turkey shoots on a regular basis.

Supervisor Underwood stated that he wanted everyone to know that he took his Oath of Office very seriously and actually carried a gun himself. He said he wanted to fight for citizens' rights

and commended everyone for showing up tonight to do just that and make sure that the people that were elected heard everyone's voice.

Supervisor Thomas thanked everyone for attending the meeting and expressing their opinions. He said he believed everyone had the right to keep and bear arms and protect their family. He said that he also believed in hunting, but was familiar with the pains of gun violence and shared that he had lost a college friend during an armed robbery. He said he believed that current gun laws could be enforced better.

He stated that it was unusual for the County to send a resolution to the State about matters that were not locally controlled, but this was a very important matter. He stressed the importance of controlling gun violence and said it was important that everyone work together.

Supervisor Long stated that this matter was not a Republican or Democratic issue, but a Red, White and Blue American issue. She said that the State legislatures advised her that citizens needed to pay attention to bills coming up in the General Assembly session and write and call their representatives. She said it was more important coming from citizens than from the Board of Supervisors and encouraged everyone to work together to be proactive. She then thanked everyone for their input and attending the meeting.

Vice-Chair Sili thanked everyone for attending the meeting. He then held up a barrel extension and a suppressor and said that with proposed legislation, they would be illegal. He echoed Supervisor Long's comments and stressed the importance of citizens paying attention to the bills in Richmond and contacting their State representatives to make a difference.

Chairman Forehand thanked everyone for their attendance at the meeting and said that he had three pages of notes from all the comments from everyone's comments regarding this issue earlier in the meeting. He spoke in support of the resolution and citizens' rights.

R26/19

RESOLUTION OF CAROLINE COUNTY BOARD OF SUPERVISORS

WHEREAS, the Second Amendment of the United States Constitution reads: "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed;" and,

WHEREAS, Article I, Section 13, of the Constitution of Virginia provides "that a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defense of a free state, therefore, the right of the people to keep and bear arms shall not be infringed; that standing armies, in time of peace, should be avoided as dangerous to liberty; and that in all cases the military should be under strict subordination to, and governed by, the civil power;" and,

WHEREAS, legislation considered at the state and federal levels potentially could have the effect of infringing on the rights of law-abiding citizens to keep and bear arms, as guaranteed

by the Second Amendment of the United States Constitution; and,

WHEREAS, the Caroline County Board of Supervisors wishes to oppose the passage of any bill containing language which would unlawfully infringe the rights of the citizens of Caroline County to keep and bear arms or unconstitutionally restrict the Second Amendment rights of the citizens of Caroline County; and,

WHEREAS, the Caroline County Board of Supervisors wishes to express its deep commitment to the constitutional rights of all citizens of Caroline County to keep and bear arms; and,

WHEREAS, the Caroline County Board of Supervisors wishes to express its opposition to any law that would unconstitutionally restrict the rights of the citizens of Caroline County to bear arms under the Second Amendment; and,

WHEREAS, the Caroline County Board of Supervisors wishes to express its intent to oppose, within the limits of the Constitutions of the United States and the Commonwealth of Virginia, any efforts to unconstitutionally restrict such rights, and to use reasonable legal means at its disposal to protect the constitutional rights of the citizens to keep and bear arms, including, its power to not appropriate public funds to violate such rights, and its recognition of citizens' right to petition for redress of grievances.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CAROLINE COUNTY, VIRGINIA:

That the Board of Supervisors hereby expresses its intent to uphold the Second Amendment rights of the citizens of Caroline County and its intent that public funds of the County not be used to unlawfully restrict Second Amendment rights or to aid in the unnecessary and unconstitutional restriction of the rights under the Second Amendment of the citizens of Caroline County to bear arms; and

That the Board of Supervisors hereby declares its intent to oppose unconstitutional restrictions on the right to keep and bear arms through such reasonable means as may be approved by the Board hereafter; and,

That the Board of Supervisors hereby declares Caroline County, Virginia, as a "Second Amendment Sanctuary."

Adopted this 11th day of December 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>Nay</i>
	<i>Underwood</i>	<i>Yea</i>

The motion carried 5-1.

Supervisor Thomas explained that he voted “nay” because he told citizens that he planned to vote for the original resolution.

10. REQUEST FOR GENERAL ASSEMBLY SUPPORT FOR LEGISLATION GRANTING CAROLINE COUNTY THE AUTHORITY TO IMPOSE ADDITIONAL PARKING REGULATIONS

Vice-Chair Thomas stated that he requested that this item be placed on the agenda in an attempt to correct a parking issue in the Belmont Subdivision. He explained that last year, the Board adopted an amendment to Chapter 108 of the County Code regarding vehicles and traffic pursuant to the *Code of Virginia* to address parking issues in Belmont. He said during the Board’s previous discussion of possible remedies to the parking issues, staff identified that the County lacked adequate enabling legislation to address many of the identified complaints and the County needed to reach out to the General Assembly representatives. However, due to a mix up the request was not submitted to the General Assembly in time to file the required legislation.

After discussion, *Supervisor Thomas moved and Supervisor Underwood seconded to request permission from the General Assembly to allow Caroline County to be added to the list of other localities with expanded parking authority under the following sections of the Code of Virginia and move forward to create a parking ordinance:*

- §46.2-1222 Regulation of parking on secondary highways by certain counties*
- §46.2-1222.1 Regulation or prohibition of parking of certain vehicles in certain counties and towns*

Supervisor Long noted that it would not be required, but would allow the County the ability to regulate the parking as noted.

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

The motion carried 4-2.

15. INFORMATIONAL/CALENDAR ITEMS

County Administrator Charles M. Culley, Jr. reviewed the Capital Projects Update Report and reminded everyone of upcoming events and the holiday schedule for County offices.

CLOSING BOARD COMMENTS

Supervisor Black thanked Chairman Forehand for efforts as Chairman for 2019.

CLOSED MEETING

There was no Closed Meeting.

ADJOURNMENT

Vice-Chair Sili moved and Supervisor Long seconded to adjourn the meeting.

<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>

CLERK TO THE BOARD

CHAIRMAN