

At a regular meeting of the Caroline County Board of Supervisors held on Tuesday, August 11, 2020 in the auditorium of the Community Services Center, located at 17202 Richmond Turnpike, Milford, Virginia 22514.

PRESENT

Jeffery M. Sili – Chair, Bowling Green District
Floyd W. Thomas – Vice-Chair, Mattaponi District
Clayton T. Forehand – Madison District
Nancy L. Long – Port Royal District
Jeffrey S. Black – Western Caroline 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
Donnell S. Howard – Director of Parks & Recreation
David Sadler – Director of Information Technology
Joseph C. Schiebel – Director of Public Works/Utilities
Megan Upshaw – Library Director
Gary R. Wilson – Director of Economic Development
Benjamin W. Emerson – County Attorney (*Via Videoconference*)

CALL TO ORDER

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

INVOCATION

Supervisor Long led the invocation.

PLEDGE OF ALLEGIANCE

Chairman Sili led the Pledge of Allegiance.

1. ADOPTION OF EMERGENCY CONTINUITY OF GOVERNMENT ORDINANCE

Chairman Sili stated that adoption of the proposed emergency ordinance to maintain the continuity of government during COVID-19 was recommended by the County Attorney. He explained that compliance with restrictions on the number of people that could assemble during the COVID-19 public health crisis made it difficult to conduct meetings and hold public hearings in accordance

with ordinary procedures. He said that the proposed emergency ordinance instituting emergency procedures to ensure the continuity of government was adopted by the Board in March and again in May, but had lapsed and needed to be adopted again at this time.

Supervisor Long moved and Supervisor Underwood seconded to re-adopt “An Ordinance of the Board of Supervisors of the County of Caroline, Virginia, Instituting Emergency Procedures to Ensure Continuity of the County of Caroline Government in Response to COVID-19 Disaster”.

<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>

OPENING BOARD COMMENTS

Supervisor Black stated that in approximately mid-June after the death of George Floyd in Minnesota, Vice-Chair Thomas invited Board members to attend racial relations meetings and he had attended a number of the meetings but not all. He said there was a misconception that the meetings were conducted in secret, but he wanted to correct that myth. He also pointed out that no County business was discussed during those meetings.

He then talked about the possibility of Comcast expanding its services on the western side of the County and thanked Vice-Chair Thomas for reaching out to Comcast representatives. He said it was important to include Anderson Mill Road. Vice-Chair Thomas said that he talked to Comcast about the possibility of using COVID funds for the potential expansion and the need for a private partner.

Supervisor Black talked about a regional Broadband Committee and the possibility of the County’s IT Manager serving on that committee. County Administrator Charles M. Culley, Jr. suggested that a member of the County’s Broadband Committee would be a better option for the regional committee due to the already overwhelming duties of the IT Manager.

Supervisor Black spoke in support of improved communication between the School Board and the Board of Supervisors, but was not in support of the Two-on-Two meetings between the Schools and the Board of Supervisors because information was often miscommunicated. He said everyone was currently waiting on information about the Governor’s budget.

Supervisor Underwood expressed concerns about the continued spending on Capital Improvement Projects during the pandemic. He said that broadband/internet expansion was a critical need at this time with remote learning and people working from home.

Supervisor Long suggested a joint meeting with the School Board in September. She reminded parents about the upcoming Back to School Drive-Thru event sponsored by Caroline’s Promise on August 22nd.

Vice-Chair Thomas thanked the school system for providing the summer meals program to all students and commended them for the impact it made on the community. He said he knew the decision to go back to school, in person or online, was a difficult one and he supported the School System in whatever decision they made. He then thanked Caroline Fire & Rescue for recently opening up the cooling centers during the extreme temperatures.

He then expressed concerns about cut phone lines, blocked traffic and other issues due to construction in the Brookwood subdivision and asked staff to look into the matter. He then noted that the DentaQuest 500 packets had been delivered to the Department of Parks & Recreation.

Supervisor Sili stated he had also been meeting with internet providers and the committee. He then said that everyone was waiting on the State budget for final numbers.

He stated that Building Official Kevin Wightman was recently involved in an accident when his vehicle was hit by some trees due to the recent rains and noted that everyone was thankful for his safety.

AMENDMENTS TO THE AGENDA

Vice-Chair Thomas stated that Board members received an email from the schools about their end of the year budget and remaining funds. He then asked for an explanation from staff.

Supervisor Black stated that he believed some of the savings were from COVID-19 with the schools being closed, but would like an answer from the schools. Chairman Sili stated that he believed the numbers were premature without the final State budget.

Vice-Chair Thomas moved and Supervisor Underwood seconded to request an explanation for the unexpended \$1.6 million in the school system's budget.

<i>Roll Call Vote:</i>	<i>Black</i>	<i>Nay</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.

2. PRESENTATIONS/REPORTS

- ***Expression of Appreciation to Caroline County Branch of NAACP for Donation of COVID-19 Relief Funds to Caroline County Department of Parks & Recreation and Caroline Library***

Board members presented a resolution of gratitude to the Caroline County Branch of the NAACP (National Association for the Advancement of Colored People) for its donation of COVID-19 relief funds to the County through a grant provided by DentaQuest. Checks in the amount of \$5,000 each were received for the Department of Parks & Recreation and the Library and also provided to Caroline’s Promise.

Vice-Chair Thomas moved and Supervisor Forehand seconded to adopt the following resolution:

R16/20

A RESOLUTION OF GRATITUDE TO THE CAROLINE COUNTY BRANCH OF THE NAACP FOR ITS GENEROUS SUPPORT OF CAROLINE COUNTY

WHEREAS, the COVID-19 pandemic has placed tremendous strains on the resources of local governments throughout the Commonwealth of Virginia and the nation as a whole; and

WHEREAS, like all localities, Caroline County has faced significant challenges and obstacles as it strives to provide services to citizens while keeping employees and the public safe during these trying times; and

WHEREAS, one of the major areas of uncertainty for local governments is the fallout from the COVID-19 induced economic downturn and its impact on revenue collections for the County; and

WHEREAS, to help alleviate these concerns, generous donations were provided to the Department of Parks & Recreation, the Library and Caroline’s Promise, Inc. from the Caroline County Branch of the NAACP (National Association for the Advancement of Colored People) through a COVID Relief grant provided by DentaQuest; and

WHEREAS, these donated funds will help tremendously to stabilize operations in these two departments and will be put to great use in the service of County citizens during this unprecedented crisis.

NOW, THEREFORE BE IT RESOLVED that the Caroline County Board of Supervisors hereby expresses its deep gratitude to the Caroline County Branch of the NAACP for this much appreciated donation of funds and the spirit of collaboration and generosity in which they were given.

Adopted this 11th day of August 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>

➤ Results of Request for Proposals for Lease Purchase Financing of Capital Projects (Davenport & Company)

Courtney Rogers, of Davenport & Company, stated that at the Board’s direction, Davenport prepared and distributed a Request for Proposals (RFP) to more than 25 local, regional and national lending institutions for the purpose of obtaining a commercial loan evidenced by the County’s 2020B Equipment Lease. He explained that proceeds from the lease would be used to finance the acquisition of the following items:

- Vehicle for County Administration and IT Van – \$70,000
- Sheriff’s Vehicles – \$389,296
- Multipurpose Tow Vehicle – \$50,000
- Maintenance & Student Transport Vehicles – \$100,000
- Brush Truck - \$90,000
- Ambulance – \$212,000
- Solid Waste Trash Truck – \$210,000
- Bowling Green Fire Engine – \$515,000
- Carmel Church Fire Engine – \$330,000
- Chiller – \$85,000
- Issuance Costs/Contingency – \$100,704

He stated that eight proposals were received and Davenport was recommending that the County move forward with the Key Government Finance proposal and then reviewed the repayment plan. He noted that interest rates were at an all-time low.

County Administrator Charles M. Culley, Jr. pointed out that a replacement chiller at the Community Services Center had been included in the RFP after the Board’s previous discussion due to its age and cost for repair.

Supervisor Forehand moved and Supervisor Black seconded to adopt the following resolution:

R17/20

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF CAROLINE,
VIRGINIA APPROVING EQUIPMENT LEASE FINANCING
(KEY BANK OPTION)**

WHEREAS, the Board of Supervisors (the “Board of Supervisors”) of the County of Caroline, Virginia (the “County”) has determined (i) that a true and very real need exists for certain equipment and improvements, and the installation thereof, consisting of various vehicles and related equipment for County use (the “Equipment”) described in the Lease Agreement (as hereinafter defined); (ii) that the Equipment is essential to the governmental functions of the County; and (iii) that it reasonably expects the Equipment to continue to be essential to the

governmental functions of the County for a period not less than the term of the Lease Agreement as described herein; and

WHEREAS, the County proposes to enter into an Equipment Lease Purchase Agreement, in the aggregate principal amount not to exceed \$2,152,000 (the "Lease Agreement") with Key Government Finance, Inc. (the "Lessor") to finance the purchase of the Equipment, over approximately ten (10) years, pursuant to the proposal of the Lessor dated August 5, 2020 (the "Proposal"); and

WHEREAS, (i) all amounts payable by the County under the Lease Agreement (the "Lease Obligations") are subject to appropriation by the Board of Supervisors; (ii) the Board of Supervisors is under no obligation to make any appropriation with respect to the Lease Agreement; (iii) the Lease Agreement is not a general obligation of the County or a charge against the general credit or taxing power of the County; and (iv) amounts payable by the County under the Lease Agreement do not constitute a debt of the County within the meaning of any constitutional, charter or statutory limitation; and

WHEREAS, the County is entering into the Lease Agreement to finance the acquisition of the Equipment and will be providing the moral obligation pledge of the County to support the payment of Lease Obligations (the "Moral Obligation Pledge"); and

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Caroline, Virginia:

- 1. The financing of the Equipment pursuant to the Lease Agreement is hereby approved. The Board of Supervisors hereby approves the Lease Agreement reflecting an aggregate principal component of Lease Obligations thereunder not to exceed \$2,152,000, with a final lease term of not to exceed 10 years, an interest cost of the interest component of Lease Obligations thereunder at an annual rate not to exceed 1.403%, with the final amortizations, terms, interest rates and prepayment provisions to be approved by the Chairman or Vice Chairman of the Board of Supervisors or the County Administrator, any of whom are authorized to act, whose execution thereof shall be conclusive evidence of such approval. The form of the Lease Agreement will be in substantially the form submitted to this meeting or otherwise in similar form provided by the Lender pursuant to the terms set forth in the Proposal and the Chairman or Vice-Chairman of the Board of Supervisors or the County Administrator, any of whom is authorized to act, are hereby authorized and directed to execute and deliver to the Lessor the Lease Agreement in substantially such form, with such changes and amendments, including schedules thereunder, as the officer executing the same shall approve, such approval to be conclusively evidenced by his execution and delivery thereof. The obligation of the County to pay rent under the Lease Agreement will be subject to the Board of Supervisors of the County making annual appropriations for such purpose.*
- 2. The Board of Supervisors on behalf of the County has adopted this resolution as its moral obligation to the payment of the Lease Agreement. The obligation of the County to pay rent under the Lease Agreement and to make any payments under the Moral Obligation Pledge will be subject to the Board of Supervisors of the County making annual appropriations for*

such purpose.

- 3. The County represents and covenants that it shall not take or omit to take any action the taking or omission of which will cause the Lease Agreement to be an “arbitrage bond” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the “Code”) or otherwise cause the interest on the Lease Agreement to be includable in gross income for Federal income tax purposes under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds from the execution and delivery of the Lease Agreement.*
- 4. The Board on behalf of the County hereby designates the Lease Agreement as a “qualified tax-exempt obligation” within the meaning of Section 265(b)(3) of the Code and represents and covenants that not more than \$10,000,000 in bonds, notes, leases and other obligations of the County (including any subordinate issuing entities), excluding private activity bonds, will be issued in calendar year 2020 and that neither the County nor any subordinate entity thereof will designate more than \$10,000,000 of “qualified tax-exempt obligations” pursuant to Section 265(b)(3) of the Code.*
- 5. The County 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 Lease Agreement for expenditures related to the Equipment (the “Expenditures”) 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 Lease Agreement. 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 Lease Agreement, (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.*
- 6. 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 Lease Agreement to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Equipment 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.*
- 7. The Board of Supervisors has determined to authorize the County, if and as necessary, to utilize SNAP in connection with the investment of the proceeds of the Lease Obligations.*
- 8. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.*

9. *All other acts of the officers of the County that are in conformity with the purposes and intent of this resolution and in furtherance of the execution and delivery of the Lease Agreement and the undertaking of the acquisition, equipping and installation of the Equipment are hereby approved, ratified and confirmed. County officials are authorized and directed to execute and deliver all agreements, certificates and other instruments considered necessary or desirable in connection with the execution and delivery of the Lease Agreement pursuant to this Resolution, including, but not limited to a loan agreement, project fund or escrow agreement and any other agreements, financing statements or certificates.*

10. *Nothing in this Resolution, the Lease Agreement or the Moral Obligation Pledge or any documents executed or delivered in relation thereto shall constitute a debt or a pledge of the faith and credit of the County, and the County shall not be obligated to make any payments under the Lease Agreement except from payments made by or on behalf of the County pursuant to annual appropriation thereof by the Board of Supervisors in accordance with applicable law.*

11. *This resolution shall take effect immediately.*

ADOPTED THIS 11th OF AUGUST, 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>Nay</i>

**The motion carried 5-1*

➤ **Explanation on Caroline County Public Schools Unencumbered Balance**

In response to questions from Vice-Chair Thomas, County Administrator Charles M. Culley, Jr. stated that the schools' revenues were stronger than originally thought and explained that they also received lottery money that they had previously been told not to expect. He explained that revenues were where they were expected to be and expenditures were down due to COVID-19. He said that they would know more when the final numbers were available.

In response to a question from Supervisor Black, Mr. Culley stated that he had spoken with the auditors about the School System providing the health insurance holiday and the \$1,000 bonus to all school employees. He said the auditors informed him that it was an approvable expenditure.

3. **APPOINTMENTS**

➤ **Board of Zoning Appeals (Mattaponi District)**

Vice-Chair Thomas moved and Supervisor Long seconded to recommend the appointment of Daronte Rollins as the Mattaponi District representative to the Board of Zoning Appeals to fill the unexpired term of George Spinner, which will expire on February 1, 2023, to the Circuit Court Judge.

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

➤ *Board of Assessors/Professional Assessor*

Supervisor Long moved and Supervisor Forehand seconded to forgo the appointment of a Board of Assessors and allow the completion of the reassessment by a professional assessor, Wampler-Eanes Appraisal, in accordance with §58.1-3275 of the Code of Virginia.

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

➤ *Community Policy and Management Team (CPMT) – Caroline County Public Schools Representative*

Vice-Chair Thomas moved and Supervisor Underwood seconded to appoint Paige Carter as the Caroline County Public Schools representative to the Community Policy and Management Team (CPMT).

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

4. CONSENT AGENDA

Board members requested that the following items be removed from the Consent Agenda for discussion:

- *Item #3D – Re-Appropriation of Remaining Funds from Fiscal Year 2019/2020 Capital Improvement Budget for Purchase of Sheriff’s Vehicles to Fiscal Year 2020/2021 Capital Improvement Budget*
- *Item #3E) – Re-Appropriation of Remaining Transportation Assistance Funds from Fiscal Year 2019/2020 Budget to Fiscal Year 2020/2021 Budget*
- *Item #3G) – Approval of Supplemental Appropriation to the Voter Registrar’s Fiscal Year 2020/2021 Budget to Account for CARES Act Funds Received*

Supervisor Black moved and Supervisor Forehand seconded to approve the following Consent Agenda items as presented:

A) Approval of Minutes

Action Taken: Approval of the minutes from the November 14, 2019 Board of Supervisors meeting as presented.

B) Approval of Warrants

Action Taken: Approval of the following warrants:

<i>General Fund</i>	<i>\$492,184</i>
<i>Law Library Fund</i>	<i>544</i>
<i>Social Services Fund</i>	<i>1,160</i>
<i>Confiscated Assets Fund</i>	<i>1,700</i>
<i>Tourism Fund</i>	<i>6</i>
<i>Fire/Rescue Grants Fund</i>	<i>17,600</i>
<i>Sheriff Special Revenue Fund</i>	<i>82,477</i>
<i>Debt Retirement Prepaid Interest</i>	<i>(6,051)</i>
<i>Debt Retirement Fund</i>	<i>467,827</i>
<i>Capital Improvements Fund</i>	<i>64,770</i>
<i>School Capital Projects Fund</i>	<i>48,609</i>
<i>Carmel Church Utilities Fund</i>	<i>113,729</i>
<i>Dawn Wastewater Fund</i>	<u><i>13,278</i></u>
<i>TOTAL</i>	<i>\$1,297,833</i>

C) Approval of Planning Commission Schedule

Action Taken: Board members reviewed the actions taken by the Planning Commission at its July 23, 2020 meeting and authorized staff to advertise the following requests for public hearing at the September 22, 2020 meeting:

- ***RZ-01-2020 – Hall, Gail R., Owner/M.C. Dean, Inc., Applicant***
- ***RZ-02-2020 – Jordan, Lillian & Others; Owner/Applicant***

The following items were approved for first reading at the September 8, 2020 meeting:

- ***TXT-10-2020 An Ordinance to amend the Subdivision Ordinance of Caroline County by Amending Section 6-3 Preliminary Plat, paragraph 1 and Section 6-9, paragraph 1, to 1) require a digital copy of the Preliminary Plat and Final Plat, in a form as specified by the Director of Planning, as part of the application submittal and; 2) amend the number and type of copies submitted of the Final Plat.***
- ***TXT-11-2020 An Ordinance to amend the Subdivision Ordinance of Caroline County by Amending Section 6-3 Preliminary Plat, paragraph 1.c, item xxvii to require the cluster mailbox location be shown on the preliminary plat.***
- ***TXT-12-2020 An Ordinance to amend the Zoning Ordinance of Caroline County by Amending Article XV, Supplemental Regulations, Section 15, Highway Corridor Overlay District, Paragraph 15.6., Item 6.e.1, and Paragraph 15.7., Item F.2, to remove the retention pond/stormwater pond fencing requirement.***

D) Re-Appropriation of Remaining Funds from Fiscal Year 2019/2020 Capital Improvement Budget for Purchase of Sheriff's Vehicles to Fiscal Year 2020/2021 Capital Improvement Budget

Action Taken: This item was removed from the Consent Agenda for discussion.

E) Re-Appropriation of Remaining Transportation Assistance Funds from Fiscal Year 2019/2020 Budget to Fiscal Year 2020/2021 Budget

Action Taken: This item was removed from the Consent Agenda for discussion.

F) Resolution Accepting Streets in Caroline Village into State System of Secondary Roads

Action Taken: Adoption of the following resolution:

RURAL ADDITION RESOLUTION PER STATE CODE §33.2-335
RURAL ADDITION REQUIRING FUNDS FOR IMPROVEMENT
RESOLUTION R15/20

WHEREAS, the street(s) described below was established October 3, 1966, and currently serves sixty (60) owner occupied dwelling units, and

WHEREAS, the Virginia Department of Transportation has deemed this county's current subdivision control ordinance meets all necessary requirements to qualify this county to recommend additions to the secondary system of state highways, pursuant to §33.2-335, Code of Virginia, and

WHEREAS, after examining the ownership of all property abutting this street, including the deeds and related plats, this Board finds no restriction on the use of public funds for the improvement of the road, and

WHEREAS, after examining the ownership of all properties abutting this street, this Board finds that speculative interest does not exist; and

WHEREAS, this Board has identified available funding to make improvements required to qualify the street for addition to the Secondary System of State Highways, based on the Department's cost estimate of \$255,000;

NOW, THEREFORE, BE IT RESOLVED, pursuant to §33.2-335, Code of Virginia, this Board requests the following street to be added to the Secondary System of State Highways maintained by the Virginia Department of Transportation and hereby guarantees the right-of-way of the street to be clear, unencumbered, and unrestricted, which right-of-way guarantee shall include any necessary easements required for cuts, fills, and drainage:

Name of Subdivision: Caroline Village

Name of Street: Julien Street, SR 786

From: SR 668 (Long Branch Road)

To: SR 1049 (Kennedy Street)

Length: 0.37 Miles

Guaranteed Right

Of Way Width: 50 Feet

Plat Recorded: Date: October 1966, Deed Book: 164, Page: 408

Name of Subdivision: Caroline Village

Name of Street: Mason Street, SR 787

From: SR 668 (Long Branch Road)

To: SR 1049 (Kennedy Street)

Length: 0.46 Miles

Guaranteed Right

Of Way Width: 50 Feet

Plat Recorded: Date: October 1966, Deed Book: 164, Page: 408

Name of Subdivision: Caroline Village

Name of Street: Kennedy Street, SR 1049
From: SR 786 (Julien Street)
To: SR 787 (Mason Street)
Length: 0.08 Miles
**Guaranteed Right
 Of Way Width:** 50 Feet
Plat Recorded: Date: October 1966, Deed Book: 164, Page:
 408

BE IT FURTHER RESOLVED, this Board requests the Virginia Department of Transportation to improve said street to the prescribed minimum standards, funding said improvements with the following funds:

<i>Source of Funds</i>	<i>Amount</i>
<i>Six Year Secondary Road System-SR 786 Julien St. UPC11398</i>	<i>\$100,000</i>
<i>Six Year Secondary Road System-SR 787 Mason St. UPC113799</i>	<i>\$135,000</i>
<i>Six Year Secondary Road System-SR 1049 Kennedy St. UPC114270</i>	<i>\$ 20,000</i>

BE IT FURTHER RESOLVED, this Board agrees to reimburse, within 45-days of receiving an invoice, all costs that the Virginia Department of Transportation incurs to relocate existing utilities within the right-of-way that are discovered during the course of and in conflict with the construction, drawing such funds from resources other than those administered by the Department; and

BE IT FURTHER RESOLVED, this Board agrees to reimburse, within 45-days of receiving an invoice, all costs that the Virginia Department of Transportation incurs in the construction of necessary improvements to the road that are over and above the estimated cost of improvements or to otherwise identify an eligible source of funds administered by the Department to cover such costs; and

BE IT FINALLY RESOLVED, that a certified copy of this resolution and a county check in the amount of \$0.00 be forwarded to the Residency Administrator of the Virginia Department of Transportation.

Adopted this 11th Day of August, 2020.

G) Approval of Supplemental Appropriation to the Voter Registrar’s Fiscal Year 2020/2021 Budget to Account for CARES Act Funds Received

Action Taken: This item was removed from the Consent Agenda for discussion.

H) Appropriation of COVID-19 Relief Funds Received from Caroline County Branch of NAACP to Fiscal Year 2020/2021 Library and Department of Parks & Recreation Budgets

Action Taken: Approval of the appropriation of \$5,000 to the FY 2020/2021 Parks & Recreation budget and \$5,000 to the FY 2020/2021 Library budget from COVID-19 relief funds received from the Caroline County Branch of the NAACP.

I) Approval of Replacement of Vehicle for Building Official

Action Taken: Approval of the purchase of a replacement pick-up truck for the Building Official from Bill Talley Ford in the amount of \$32,612 due to an accident related to recent tropical storm.

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>

3D –Re-Appropriation of Remaining Funds from Fiscal Year 2019/2020 Capital Improvement Budget for Purchase of Sheriff’s Vehicles to Fiscal Year 2020/2021 Capital Improvement Budget (continued)

In response to questions from Chairman Sili, County Administrator Charles M. Culley, Jr. stated that that financing was in place for the Sheriff’s vehicles. He explained that production of the requested 2020 Dodge Charger was discontinued and the lender agreed to change the model, but at the request of staff, the Sheriff’s Office delayed the new order pending approval by the Board.

Supervisor Underwood expressed concerns about treating departments differently and compared this item to the requested re-appropriation from the School Board.

Chairman Sili moved and Supervisor Forehand seconded to re-appropriate \$475,335.46 from the FY 2020 Capital Improvement Budget to the FY 2021 Capital Improvement Budget for the purchase of Sheriff’s vehicles.

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>Nay</i>

**The motion carried 4-2.*

3E) Re-Appropriation of Remaining Transportation Assistance Funds from Fiscal Year 2019/2020 Budget to Fiscal Year 2020/2021 Budget (continued)

Supervisor Underwood stated that he was voting “nay” on any re-appropriation items at this time based principle. He explained that he would not support any of the items at this time until information was received about the State budget.

Supervisor Forehand expressed concerns about this money serving the most in-need population.

Supervisor Forehand moved and Supervisor Black seconded to re-appropriate the remaining balance of \$15,880 in the Transportation Assistance Fund from the FY 2019/2020 budget to the FY 2020/2021 budget.

<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.*

3G) -Approval of Supplemental Appropriation to the Voter Registrar’s Fiscal Year 2020/2021 Budget to Account for CARES Act Funds Received (continued)

In response to questions from Board members, Mr. Culley stated that the subject funds were sent directly to the Registrar from the Commonwealth of Virginia and he did not know if additional funds would be sent. He noted that there were guidelines on how the funds could be spent.

Vice-Chair Thomas talked about the high volume of voters expected at the polls in November as well as by absentee voting. He said it was very important to keep everyone safe. Mr. Culley stated that there had been ongoing planning efforts for the upcoming election.

Vice-Chair Thomas moved and Supervisor Underwood seconded to approve a supplemental appropriation to the FY 2021 Registrar’s budget in the amount of \$56,332 to reflect CARES Act funds received from the Commonwealth of Virginia.

<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>

The Board took a recess at approximately 7:21 p.m. and reconvened the meeting at approximately 7:35 p.m.

PUBLIC COMMENTS

Dr. JoWanda Rollins-Fells, Reedy Church District Representative on the School Board, stated that she wanted to clarify comments she heard regarding last night's School Board meeting. She said the School Board had been denied meeting requests with the Board of Supervisors and expressed concerns about communication issues.

Nancy Carson, Mattaponi District Representative on the School Board, expressed concerns about the lack of Two-on-Two meetings with representatives from the Board of Supervisors and School Board. She talked about the need for regular joint meetings between the two Boards to maintain communication and transparency.

Shawn Kelly, Madison District representative on the School Board, informed everyone that the School Board approved the virtual reopening of the next school year and explained that some special needs groups would have in-person learning. He talked about various programs to assist with virtual learning for the kids and parents. He then said despite the restrictions of COVID, they were able to conduct virtual interviews and hire qualified teachers.

John Copeland, Western Caroline District representative on the School Board, talked about COVID expenses for the schools and the rising COVID cases on a national level. He said that FY21 funding levels would not be sufficient to cover all of the needed personal protective equipment for teachers, students and staff. He also talked about the importance of technology during this time and providing IT assistance to the students and teachers.

Calvin Taylor, Port Royal District representative on the School Board, talked about the increasing COVID expenses for the School System and so many unknowns related to the virus. He said it was important to have funds available when needed to prepare the schools and students for in-person learning. He then asked the Board of Supervisors to revisit the FY18, FY19 and FY20 carryover funding as well as including a school representative on the County's CARES Funding Committee.

Dr. Sarah Calveric, Superintendent of Schools, talked about COVID related costs for the School System and the CARES Act Funds and the request to have a School Board representative on the County's CARES Act Funding Committee. She also requested that the County consider the reappropriation of the School's FY18, FY19 and FY20 carryover funds for one-time expenses.

Marcia Stevens, Chief Operations Officer for Caroline County Public Schools, talked about the critical need for the County to reappropriate carryover funds as mentioned by Dr. Calveric and Mr. Taylor. She said the School System anticipated an approximate \$1.6 million carryover in FY20 as a result of closure due to COVID and an increase in Lottery sales. She then said that the School System was the County's largest employer and provided a one-time pandemic pay of \$1,000 per employee and a health insurance holiday to minimize the hardships on their employees. She added that face-to-face learning would not be possible without the available funds.

Paige Carter, of the Mattaponi District, stated that she was the new Director of Special Education for Caroline County Public Schools and had been with the School System for many years. She talked about working long and intense hours through the years, but expressed concerns for teachers this year especially, because of COVID. She talked about the need for communication between the School Board and the Board of Supervisors for the safety and future of the students. She then asked that the Board consider reappropriating the carryover funds to the School Board as requested.

Lydell Fortune, of the Mattaponi District, asked the Board of Supervisors to be leaders and remove the Confederate statue from the Courthouse Lawn immediately. He said that the Board voted unanimously at the last meeting to go to public hearing on August 25th, not a referendum. He talked about other localities that had voted to remove Confederate monuments from their public places without “kicking the can down the road” and going to referendum.

Dr. Natasha Harris, of the Madison District, stated that she was a native of the Dawn community and a member of the Association for Professionals of Criminal Justice. She talked about the need to remove the Confederate statue from the Courthouse lawn immediately. She said that justice was supposed to be blind, but could not be with that statue on the Courthouse lawn. She said it was just a reminder of oppression.

Joseph James, of the Reedy Church District, stated that it was time for the County and nation to rectify all things that were not representative of being equal and fair. He asked that Board of Supervisors do the right thing and remove the Confederate statue from the Courthouse Lawn and spoke in support of removing all monuments representing racism and oppression.

Jesse Rollins, of the Mattaponi District and Chairperson of the 2020 Census Committee, stated that she was pleased to report that 67.7% of Caroline citizens responded to the Census. She talked about the importance of counting every citizen and said it was not too late for people to respond and encouraged them go online or call.

She then stated that all citizens were equal and believed the Board of Supervisors had a responsibility to make things better and make everyone feel welcome. She spoke in support of the removal of the Confederate monument from the Courthouse Lawn.

Michael Carter, Jr., of the Port Royal District, stated that a lot of people viewed the Confederate monument on the Courthouse Lawn as a symbol of hate. He said there were several Confederate monuments throughout the State of Virginia, but not one representing African Americans or any of their contributions. He said it was time to do what was right and take it down.

Rob Hanley, of the Bowling Green District, stated that he was retired Military and had no connection to the Confederate monument, but believed the issue should be decided on by the people and put to a referendum.

Carolyn Bouchard, of the Port Royal District, spoke in support of a referendum for the possible removal of the Confederate monument. She said she understood both sides of the issue, but believed it should be the people's choice. She then talked about the cost to remove it.

William Smith, of the Mattaponi District, stated that he moved to the County two years ago and was a disabled veteran with family members still in the Military. He said he understood people wanting the statue removed, but believed it was important to understand the intent of the memorial. He said he did not see it as a memorial to glorify the Confederacy, but as a symbol representative to those that served. He said he believed the people's voices should be heard at a referendum.

Joni Rollins-Davis, of the Mattaponi District, expressed concerns that the School System had to come and request money that belonged to them. She then talked about years of hurt from slavery, indentured servants and slave trading. She said it was time to do what was right, make some good trouble and take the Confederate monument down.

Sam Henley, of the Port Royal District, stated that he had no judgement related to the Confederate statue. He said he took great pride in being a veteran and talked about people needing to help themselves and stop blaming others for things that happened years ago. He said that he attended a segregated school in his early years and then was the only Black person in a class full of White people, but went on to serve his country, got a job and got an MBA degree. He said he found when he wanted to help himself, others wanted to him as well.

Rev. Duane Fields, of the Reedy Church District, spoke in support of removing the Confederate Monument from the Courthouse Lawn and asked everyone in the audience to stand if they supported that as well. Approximately 50 people stood in agreement of removing the monument.

Cleo Coleman, of the Port Royal District, reminded Board members that they were elected to lead and asked them to do what was right and remove the Confederate monument from the Courthouse Lawn. She said when she walked past that monument her spirit was diminished.

Daronte Rollins, of the Mattaponi District, talked about the removal of the Confederate monument and said the Board could decide to make progress or maintain the status quo. He said the monument was a reminder of White supremacy and it was time for it to be removed from the Courthouse Lawn. He asked that Board members look at their moral compass and do what was right.

Rev. Marvin Fields, of the Reedy Church District, talked about voting for political reasons, but believed now was the time to vote for what was morally correct. He said it was time for the statue to come down.

Gary "Tre" Taylor, of the Madison District, spoke in support of removing the Confederate monument from the Courthouse Lawn and agreed with previous comments. He said if everyone wanted to be "One Caroline" as was so often heard, then people needed to feel each other's pain and remove the monument.

Kathy Harris, of the Mattaponi District, asked Board members to do what was morally right and remove the monument from the Courthouse Lawn.

Jerimiah Hirsch, of the Bowling Green District, stated that he believed the Board of Supervisors had a moral obligation to do the right thing and remove the confederate statue from the Courthouse Lawn.

Chairman Sili read a letter from Bobby Straight, a volunteer with the Fredericksburg Chapter of Virginia Organizing, with concerns about the lack of affordable housing for working poor families in the Caroline County

There being no additional public comments, Chairman Sili declared the Public Comments closed.

PUBLIC HEARINGS

5. **SPEX-03-2019 – VSC ASSOCIATES, LLC (D. SHAWN MILLS), OWNER/APPLICANT:**
Consideration of revocation of the above referenced Special Exception Permit for the Virginia Sports Complex, which amended SPEX-02-2013. The amendment specifically modified Condition #19 as follows:

A Facility Improvement Plan for the reinvestment of capital funds for the physical redevelopment of the fields and/or other athletic facilities and the timing thereof shall be approved by the Board of Supervisors within thirty (30) days of the approval of this amendment. Upon approval by the Board, an on-site sewage disposal system shall be designed, constructed, approved and operational within 180 days of the facility improvement plan. If either the facilities plan is not approved or it is determined that on-site sewage disposal option is not approvable, then the public sewer connection shall be completed by the owner within twelve (12) months of either the denial of the plan or the on-site sewer determination, whichever is applicable.

This property is located at 8217 County Fair Lane, Ruther Glen, Reedy Church Voting District, further identified as tax map #67-A-58, consisting of 112 acres, more or less, zoned RP, Rural Preservation.

Revocation of SPEX-03-2019, together with the revocation of the temporary pump and haul permit, is being considered by the Board of Supervisors for the failure to comply with the amended condition.

Director of Planning & Community Development Michael Finchum stated at the March 10, 2020 meeting, the Board of Supervisors authorized the advertisement of a public hearing to consider the revocation of SPEX-03-2019 to amend condition #19 of the previously approved Special Exception Permit to allow the installation of an on-site sewage disposal system in lieu of connecting to the County utility system. He said that the Board was also considering revocation of the pump and haul permit with the County, under which the facility operated. He explained if the permit was revoked, the Special Exception approval would revert to the previously approved Special Exception condition, which required connection to public sewer.

He reviewed the Staff Report and provided the history of the facility's previous owners, including financial issues and the amendment to the Special Exception Permit in September 2014 with SPEX-02-2013, which amended condition #19 requiring the applicant to connect to the County's sewer system. He explained that since 2018, Mr. Mills made application with SPEX-03-2019 for the most recent amendment to the Permit and requested to be relieved of the obligation to connect to the County's sewer system. He said that the Board of Supervisors approved the amended Permit on May 14, 2019 with an amendment to condition #19 to ensure that any savings from the granted relief was reinvested into the facility. He explained at that time, Mr. Mills was given 180 days to have the on-site sewage disposal system designed, constructed, approved and operational.

He further stated that on March 10, 2020, the Board authorized a public hearing to consider revocation of SPEX-03-2019 for non-conformance with the amended condition #19. He pointed out that due to the State Emergency declaration by the Governor because of COVID-19, with limited public gatherings and meetings, the public hearing was delayed until this meeting.

In response to questions from Chairman Sili, Mr. Finchum stated that the stormwater BMP had been temporarily repaired. He explained that it was functioning; however, water continued to leak around the pipe and was now subject to DEQ Stormwater Authority. He noted that there was information included in the Board's packet from Mr. Mills related to the cost of needed improvements as well as revenue projections related to events at the facility.

Chairman Sili declared the public hearing open for SPEX-03-2019 – VSC Associates, LLC (D. Shawn Mills), Owner/Applicant.

Terry Kochniarczyk stated that he was a resident of Ruther Glen and worked at the Virginia Sports Complex providing refreshments to the ball players. He said he would not have a place to work if the Special Exception was revoked.

Kevin Myers stated that he was the day-to-day director of the Virginia Sports Complex. He asked that staff members be allowed to work with County staff as they continued to correct the deficiencies. He said that over \$1 million had already been spent on various repairs and noted that it was one thing after the other that needed fixing, but they were making every possible effort. He talked about having a great team to work with at the Complex and various ways they could benefit the community and hopefully provide a significant economic impact from proposed tournaments. He said that the owner was willing to spend the money for the repairs and improvements.

Herbert King, of the Madison District, stated that he was an employee of the Virginia Sports Complex and talked about the various organizations helped by Mr. Mills. He said that the Complex did not have a good reputation previously, but Mr. Mills was beginning to change that by making repairs and improvements and allowing different groups to practice at the facility.

Eugene Frye, of the Madison District, stated that he previously spoke to the Board of Supervisors requesting assistance with a practice home for the Champion Circle basketball group. He said that Mr. Mills heard their plea and was allowing them to use the Virginia Sports Complex. He then talked about the Complex being more than just sports related and said that they held two Black

Lives Matter protests and meetings about youth interacting with the police at the facility. He continued to praise Mr. Mills for his efforts to help the community.

There being no additional public comments, Chairman Sili then declared the public hearing closed.

In response to questions from Chairman Sili, Mr. Finchum verified that this public hearing was only related to condition #19 of SPEX-03-2019 and what the Board wanted to do with the pump and haul condition, which allowed the facility to operate. He pointed out if condition #19 were revoked, then Mr. Mills would be required to connect to public water and sewer.

Vice-Chair Thomas noted if the pump and haul were not approved, then the facility could not operate at this point.

Chairman Sili referenced the March 10, 2020 meeting video and said that Mr. Mills indicated that he already had the permit from the Health Department. However, there was still an issue with the storage tank leaking into a stream and evidence that it had been happening for a while and the on-call service provider for pump and haul was never called.

Supervisor Underwood stated that this was a difficult situation due to issues of non-compliance by the previous owners as well as Mr. Mills, but he also felt a sense of obligation to the Complex workers and the community because of what the facility could mean for the youth. He applauded Mr. Mills for his recent efforts in making repairs and improvements, but said the issues had gone on too long and needed to be resolved.

Mr. Mills clarified that he believed the permit from the Health Department had been approved when he said that at the March meeting, but later learned that was not the case.

After discussion by Board members concerning the permit, Rodney Whittaker, owner of Whittaker Soils & Designs, stated that he was a soil scientist and had been working with Mr. Mills and they were waiting for the Health Department to approve revised plans and issue a permit for him to build the drainfield at the Complex. He said he hoped to have it next week and it would take a week to build once they received the equipment. He said he knew this was taking longer than it should, but things had slowed down significantly with the Health Department since COVID hit, so they were asking for the Board's patience.

In response to questions from Board members, Mr. Whittaker expressed his confidence that the Health Department would approve the permit and work could soon begin. He said that he could not speak for the previous owners of the Virginia Sports Complex, but he believed Mr. Mills was doing everything within his power to resolve this issue.

Supervisor Black talked about the Board of Supervisors being pro-business and making many, many attempts to work with the Virginia Sports Complex to make it a viable business. However, he was very concerned to hear about the sewage leaking into a stream and not having the septic pumped since February 2020.

Mr. Mills explained that it had not been pumped because everything had shut down due to COVID. He said there had not been any activity at the Complex until June.

Chairman Sili expressed concerns about the need for an alarm system on the septic system to indicate when it was nearing full. Supervisor Long recommended that Mr. Mills utilize his staff to inspect the system every day and install an alarm until the new system was in place.

Supervisor Long also expressed concerns about polluting the waterways. She then asked Mr. Mills if he had the funds available for the drainfield installation, if the Health Department approved the permit next week. Mr. Mills responded that he had the money available and the system would be installed by Drainfield Solutions.

Mr. Whitaker pointed out that it would be installed once the parts came in.

In response to questions from Board members, Mr. Schiebel explained that he notified the Health Department and the Department of Environmental Quality (DEQ) about the leak in the stream and it was currently under investigation.

After discussion, *Vice-Chair Thomas moved and Supervisor Underwood seconded to defer action on this item for sixty (60) days and approve the issuance of a temporary pump and haul permit for that same sixty (60) day period.*

Vice-Chair Thomas stated that Mr. Mills would have to provide the paperwork at the end of the sixty days.

Building Official Kevin Wightman stated that he had spoken with the contractor installing the on-site sewage disposal system about the proposed sixty-day deferral and everything was in order, pending Board action and Mr. Mills signing the contract. However, it was important to note that the parts had to be special ordered and may create a problem in getting everything complete in sixty days. He said it could be more like ninety days, but he believed they had a good handle on the issue.

Supervisor Forehand stated that sixty days should allow them to show some substantial movement.

<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>

The Board recessed at approximately 9:45 p.m. and reconvened the meeting at approximately 10 p.m.

6. SPEX-06-2019 – OLIFF, JAMES, 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 #85-A-6 (part of) consisting of 3.1 acres, more or less. This property is located at 23134 Penola Road, Ruther Glen, Mattaponi Voting District. Proposed Use: Special Events Facility. The 2030 Comprehensive Plan designates this area as Agricultural Preservation.

Director of Planning & Community Development Michael Finchum stated that the applicant was requesting approval of a Special Exception Permit to operate a special events facility at his property on Penola Road in the Mattaponi Voting District. He said that the facility would host weddings, receptions, retirement parties, etc. He explained that the property currently had a barn that was permitted as an Agricultural structure that was proposed for use as the wedding venue, should this request be approved, and a second barn permitted as an Agricultural structure for storage of equipment.

He stated that a permit had recently been issued for the construction of a house on the same property. He then reviewed the Staff Report and explained the proposed location of all activities associated with the wedding venue and pointed out that all special events parking would not be visible from Penola Road.

He reported that the barn had an occupancy load of approximately 250 persons. He said that a drainfield had been permitted by the Health Department with an occupancy load of 200 persons, which would govern the occupancy load of the facility, unless further modified by the Board. He noted that the drainfield had not been installed at this time. He said that the applicant was proposing a second barn structure in front of the parking area to house restrooms, which would be connected to the permitted drainfield. He advised that it was staff's recommendation that the drainfield/restroom facilities be installed prior to commencing operation, but the barn with the restrooms did not need to be constructed at this time.

Mr. Finchum stated that the applicant was requesting use of the facility seven (7) days a week with weddings and similar events to occur Thursday through Sunday and meetings, parties or other similar events could utilize the facility any day of the week. He said requested hours of operation were 8 a.m. to 9 p.m. on Sunday, 8 a.m. to 10 p.m. Monday through Thursday, and 8 a.m. through 2 a.m. Friday through Saturday. He noted that the applicant was also requesting 70 events within any 12 month period, which would limit the use of the facility to seventy (70) days.

He explained that the property was bordered by the Mattaponi Springs Golf Club to the north and other residential properties on the remaining borders and reviewed a map created by staff identifying adjacent structures and approximate distances to the proposed facility.

Mr. Finchum stated that this request spent several months at the Planning Commission and 14 people spoke at the public hearing, with seven in support of the request and seven opposed. He said that the Planning Commission forwarded this request to the Board of Supervisors with a recommendation of approval.

In response to questions from Vice-Chair Thomas, Mr. Finchum stated that a traffic study had been conducted by VDOT and the need for additional signage had been identified.

Chairman Sili declared the public hearing open for SPEX-06-2019.

Mark Ellett, a resident of Hanover County, stated that he had worked for Mr. Oliff for the past 15 years. He talked about Mr. Oliff being a perfectionist and the many accolades he had received related to Mattaponi Springs Golf Club. He spoke in support of the proposed special events facility and said it would bring more business and additional jobs to the County.

Danny Carter, of the Western Caroline District, spoke in support of the proposed request. He said he had known Mr. Oliff for 25 years and talked about his many contributions to the community. He said Mr. Oliff had a reputation for providing a first-class facility and the proposed special events facility would be the same. He asked that the Board approve this request.

Laura Gordon Strickland, of the Mattaponi District, stated that she was a professional photographer and one of 32 residents on Penola Road. She expressed concerns about traffic and safety and referenced a friend that died on Penola Road. She said she was familiar with special event facilities, but did not believe the proposed facility would serve the betterment of the community or provide the expected revenue.

Ryan Strickland, of the Mattaponi District, stated that he had attended the Planning Commission meetings and reviewed all of the information related to this request. He expressed his strong opposition and asked why this events facility could not be held at Mattaponi Springs Golf Club. He expressed concerns that the type of vendors associated with special events facilities, such as caterers, video companies, flowers, etc., would not benefit the community. He also expressed concerns about COVID, alcohol consumption and the need for increased police presence and traffic issues.

Bobby Williams, of the Mattaponi District, stated that he lived approximately 500 feet from the proposed venue and would be impacted more than anyone else in the area. He said he agreed with the previous comments and would like for the area to remain Rural Preservation.

Scott Moser, of the Bowling Green District and Major with the Caroline Sheriff's Office, talked about non-profit organizations that had been able to utilize the Mattaponi Springs Golf Club for various events and activities. He then talked about the Oliff's generous donations to the community.

Rae Williams, of Ladysmith, spoke in favor of the proposed request. He said it was going to be a beautiful facility at a great location.

Nancy Carson, of the Mattaponi District, stated that her family moved to the Penola area in 1965 and the dynamic of the road had not changed. She spoke in support of the proposed request and said it was a beautiful area and noted that Mr. Oliff had helped to keep it rural. She said some of the people speaking against this request were part of her family and they had agreed to disagree. She then encouraged Board members to visit the site.

Kevin Wightman, of the Bowling Green District, spoke in support of the proposed request on behalf of the Caroline Humane Society. He stated that Mr. Oliff had allowed the Humane Society

to hold several fund-raising events at the Mattaponi Springs Golf Club free of charge and everything at the facility was first-class and he anticipated the same with the proposed special events facility.

Valerie Gordon, of the Mattaponi District, stated that she lived approximately a mile from the proposed venue and had lived there for 42 years. She expressed concerns about traffic dangers on Penola Road due to increased traffic from the proposed venue. She said she was not in agreement with this request and expressed concerns that some people in the area had not been notified about the request.

Richard Carson, of the Mattaponi District, expressed his total support for the proposed project. He talked about his relationship with the previous owner of the property, Mr. Anderson, and how important the property was to him and his wife. He said that he believed the Andersons would have been in support of the proposed venue.

Sheriff Anthony A. "Tony" Lippa, Jr. talked about the traffic on Penola Road. He said that the road was a country road with bus and tractor-trailer traffic. He said that there had been 13 crashes on the road in the last five years, and of those, 11 occurred north of the railroad tracks, closer to where the people speaking in opposition to the request lived and not close to the proposed venue.

Kevin Botkin, First Sergeant of the Virginia State Police for the Bowling Green Area, stated that he was a neutral party and wanted to share his research. He reported that Route 207 in Caroline had approximately 10,000 vehicle trips per day, Sparta Road had approximately 3,000 and Penola Road had approximately 420.

Jim Oliff, the applicant, provided a background on his personal life and his business ventures, including being the owner of Mattaponi Springs Golf Club. He said he took pride in all his ventures and talked about the accolades received by the Golf Club from various magazines and associations. He said he had a very competent staff and they had carried out many, many successful events over the years. He said that many events had been held at Mattaponi Springs, including weddings, reunions, etc., for many years and he believed the proposed site would also be a beautiful venue for such events, only with a different environment. He explained that it would provide a farm-like setting and they had already built the first barn, and if approved, would build a second. He said that young people did not like the formal setting and the barn style would be more casual.

He stated that the Andersons were strong supporters of the Golf Club and they became friends. He said that he had spent a lot of money trying to preserve the old Anderson house, but it wasn't possible. However, the front of the proposed new facility would look exactly like the old house. He explained the proposed layout and said that several mementos from the Anderson's home had been saved and would be on display at the new facility.

He then stated that he had worked with the Planning Commission and they agreed that up to 70 events could be held per year. He talked about the need for quality lodging in the area with the proposed venue. He said that they received requests for lodging from people visiting Mattaponi Springs on a regular basis. He then talked about hosting large golf events, weddings and other

special events over the years without any traffic issues and said he did not anticipate any issues with the proposed venue. He added that he believed the proposed venue would be a benefit to the County because when people attend special events they shop locally for food and gas.

Mr. Oliff further stated that he and his wife had been residents of the County since 1980 and had a vested interest in the community. He then provided a petition in support of this request with eight of the ten living on Penola Road and then one living on Sutton Lane off of Penola. He said that the Whittakers on Penola Road also supported this request.

Vice-Chair Thomas stated that he would like additional time to conduct further research on this request before making a decision. He explained that he needed time to visit the proposed site and to also talk with the families that were opposed to the request.

Supervisor Long stated that she would like the opportunity to make a site visit as well.

After discussion, Chairman Sili stated that letters had been provided to the County office to be read at the hearing, as directed in the advertisement to accommodate people that did not feel comfortable attending in person due to COVID-19. He said those letters would be read at the continued public hearing next month.

In response to questions from Supervisor Black, Mr. Oliff stated that he was fine with a deferral. He explained that the proposed second barn would be for the groom's party and would have a specialized drainfield, which would be installed prior to the first event. He then talked about the importance of preserving the beautiful scenic, rural character of Penola Road.

Vice-Chair Thomas moved and Supervisor Long seconded to continue the public hearing for SPEX-06-2019 for James Oliff to the September 22, 2020 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>

- RZ-03-2020 - WHC ASSOCIATES, LLC, OWNER / LADYSMITH HHH, LLC, INC., APPLICANT: Request a Rezoning from RP, Rural Preservation (density of one dwelling unit per 10 acres of land) to B-1 Business (no specified density), on tax map #52-3-1, consisting of 11.49 acres, more or less. This property is located on Ladysmith Road (Route 639), approx. ¼ mile west of the I-95 interchange, Madison Voting District. Proposed Use: Business (convenience store & other highway commercial uses). The 2030 Comprehensive Plan designates this area as being located within the Ladysmith Community Plan as Community Business.***

Director of Planning & Community Development Michael Finchum stated that the applicant was requesting approval of a rezoning of an 11.5 acre parcel from Rural Preservation to B-1 Business

for a convenience store and other highway commercial uses. He explained that the property was located in the Madison voting district on Ladysmith Road, Route 639, adjacent to the McDonalds at the I-95 ramp. He said that the surrounding properties were currently zoned for Commercial uses along with the existing uses of McDonalds on the adjacent property and an Exxon gas station/convenience store across Ladysmith Road.

He explained that Sheetz stores operated 24 hours a day, seven days a week and the store would need approximately 30 employees. He said that Sheetz anticipated approximately \$25,000 - \$30,000 annually in tax revenue to the County based on stores in surrounding localities.

He stated that VDOT preliminarily approved the new design on the General Development Plan and final approval was contingent on the submission of the required documents prior to or during the site plan process. He said that the Planning Department would like a commitment to construction of the access road north of the Sheetz that would eventually connect to the stub out at McDonalds. He explained that the current design precluded eastbound traffic on Route 639 from accessing the McDonalds or other future parcels without driving through the Sheetz parking lot. He noted that during the Planning Commission meeting, the engineer for the project stated that as the lots developed, the rear access road would be constructed.

Mr. Finchum stated that the Planning Commission voted to forward this request to the Board of Supervisors with a recommendation of approval with the request that the traffic flow issues related to the site be considered. He pointed out that there had been a commitment from the applicant for assistance with intersection improvements

In response to questions from Board members, Mr. Finchum stated that ingress and egress had been relocated to the Green Road traffic signal with a concrete median on Route 639 by VDOT. He explained that this was being done to reduce left-hand turns or people doing uturns at the signalized intersection.

Supervisor Black asked about a connection behind the convenience store to McDonalds.

Mr. Finchum stated that they had planned for that, but McDonalds never recorded the ingress and egress easement. He said he did not believe it would be an issue because otherwise they would not have access to eastbound traffic on Route 639.

Chairman Sili declared the public hearing open for RZ-03-2020.

Jervis Harriston, representing the applicant, stated that the proposed request conformed with the County's Comprehensive Plan and the proposed Sheetz convenience site would offer the additional possibility of other businesses coming to the area. He noted that the owner/applicant and engineer were also present to answer any questions.

There being no additional public comments, Chairman Sili declared the public hearing closed.

Supervisor Black moved and Supervisor Forehand seconded to approve RZ-03-2020 for WHC Associates, LLC, Owner/Ladysmith HHH, LLC, Inc. as presented.

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. ***TXT-01-2020:*** *An Ordinance to amend the Zoning Ordinance of Caroline County by Amending Article XIV, Sign Regulations, Section 6, Signs Permitted in Business, Industrial and Planned Unit Development Districts, Item 2.B(a) by adding paragraph 4. The purpose of this text amendment is to allow additional development identification signage for an M-1 Industrial Park under certain conditions with a special exception granted by the Board of Supervisors.*

TXT-02-2020: *An Ordinance to amend the Zoning Ordinance of Caroline County by Amending Article XIV, Sign Regulations, Section 6, Signs Permitted in Business, Industrial and Planned Unit Development Districts, Item 2.C(b) by adding paragraph 4. The purpose of this text amendment is to allow additional development identification signage for a Planned Industrial Park under certain conditions with a special exception granted by the Board of Supervisors.*

Director of Planning & Community Development Michael Finchum stated that the Board conducted a first reading of the proposed text amendments at the July 14th meeting. He explained that the proposed amendments would allow additional development identification signage for an M-1 Industrial Park and a Planned Industrial Park under certain conditions with a Special Exception granted by the Board of Supervisors.

He stated that the Planning Commission had forwarded TXT-01-2020 and TXT-02-2020 to the Board of Supervisors with a recommendation of approval.

Chairman Sili declared the public hearing open for TXT-01-2020 and TXT-20-2020.

There being no public comments, he then declared the public hearing closed.

Vice-Chair Thomas moved and Supervisor Forehand seconded to approve TXT-01-2020, “An Ordinance to amend the Zoning Ordinance of Caroline County by Amending Article XIV, Sign Regulations, Section 6, Signs Permitted in Business, Industrial and Planned Unit Development Districts, Item 2.B(a) by adding paragraph 4” as presented.

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 Thomas moved and Supervisor Forehand seconded to approve TXT-02-2020, “An Ordinance to amend the Zoning Ordinance of Caroline County by Amending Article XIV, Sign Regulations, Section 6, Signs Permitted in Business, Industrial and Planned Unit Development Districts, Item 2.C(b) by adding paragraph 4” 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>

NEW BUSINESS

9. DISCUSSION OF POSSIBLE REFERENDUM ON PROPOSED REMOVAL OF CONFEDERATE WAR MEMORIAL STATUE FROM COURTHOUSE LAWN IN BOWLING GREEN

Vice-Chair Thomas stated that as a point of order, the Board of Supervisors voted in July to hold a public hearing on this matter. He then referenced an article in the Confederate Veterans Magazine that reported that the monument was placed on the Courthouse Lawn by the Daughters of the Confederacy.

Chairman Sili stated that the General Assembly assigned the responsibility of making the decision to remove the monument to the County and provided the option of a referendum. He reminded everyone that the \$25 million repairs for Caroline High School went to referendum because the members of the Board of Supervisors did not believe that they could make that decision.

Vice-Chair Thomas stated that while the decision on the repairs to the high school was important for the County, the issue of removing the Confederate monument from the Courthouse Lawn was important for everyone right now.

Chairman Sili stated that he believed that decision belonged to the citizens.

In response to questions from Board members, County Attorney Benjamin Emerson stated that the General Assembly recently passed a law dealing with Confederate monuments on government property. He said that it gave the government the right to remove or cover the monument or other things. He said that one option was a referendum; however, regardless of the outcome of the referendum, it was only advisory and the decision was ultimately that of the governing body. Therefore, the governing body (the Board of Supervisors in this case) would still have the final decision.

Chairman Sili stated that he had been asked about a referendum because of people not being able to attend public meetings due to COVID restrictions on the number of people that could gather.

Supervisor Black stated that he had given this issue a great deal of thought. He said he would support the referendum if it were binding; however, it was not. He pointed out that the Board voted unanimously at the July 14, 2020 meeting to hold a public hearing on this matter in August and everyone was aware that this was controversial. He said he had posted notices about this in his district asking for people to contact him with their opinions. He then expressed concerns about the cost for the process of a referendum and the Board still having to make a decision.

Supervisor Underwood stated that the original motion on this issue was to take the monument down, but the Code required 30 days notice for a public hearing. He said the reality was that the Board of Supervisors were responsible for making this decision.

Vice-Chair Thomas talked about his great-great grandfather serving in the Civil War for Colored people and other relatives being slaves. He said it was important to show people that the Board was on the right side of this issue and be a leader.

Supervisor Long stated that she mentioned the possibility of a referendum at the last meeting and did not believe it was needed. She talked about hearing many different opinions about the removal of the monument and said she believed that whatever the Board decided to do, they should do together.

Supervisor Forehand stated that he believed it was a good data point. He said he was prepared to make a decision, but was reluctant to do so not knowing where the monument would be relocated or the cost associated with it.

Supervisor Forehand moved and Supervisor Long seconded to go to referendum for the consideration of the removal of the Confederate statue on the Courthouse Lawn.

<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.*

Supervisor Black reminded everyone that the public hearing to consider this item was scheduled for August 25th and pointed out that citizens had the opportunity to speak in person or submit comments in writing.

10. PROPOSED USE OF CARES ACT FUNDS FOR PARTNERSHIP WITH COMCAST TO EXPAND BROADBAND SERVICE

County Administrator Charles M. Culley, Jr. stated that this item had been placed on the Agenda at the request of Vice-Chair Thomas and Supervisor Black as a point of information. He said that County officials had preliminary discussions with Comcast about the possibility of utilizing

CARES Act funds to offset the cost of expanding broadband service in the County. He advised that no specifics were available on the scope or cost of the proposed project at this time.

Vice-Chair Thomas stated that information was expected to be released soon regarding the use of CARES funds for broadband expansion. Board members discussed the need to expand broadband services in rural areas of the County. Supervisor Black stated that projects could not be piecemealed together and specific roads needed to be provided.

Board members discussed the possibility of contributing funds to Comcast to extend service to Jericho Road, but determined that additional information was needed on the cost.

Supervisor Underwood stated that school was starting soon and it was important to ensure that all efforts were being made in order to assist students with remote learning. He then asked about the status of expanding internet services to the Dawn Library. Director of Information Technology David Sadler reported that representatives from Rappahannock Electric Cooperative (REC) were working with the tower management company and waiting on a windload study.

11. PROPOSED PURCHASE OF WATCHGUARD CAMERA SYSTEM FOR SHERIFF'S OFFICE

County Administrator Charles M. Culley, Jr. stated that the old server for the Sheriff's Office in-car camera system recently became inoperable and unable to recover data from the 30 Sheriff's Office vehicles connected to the system. He said that the Panasonic Arbitrator system server could be reset and the software reloaded; however, the Sheriff's Office has indicated that the same problems would persist in the future because the server had reached the end of its useful life and was no longer capable of handling videos from multiple vehicles. He said in addition, the system utilized the Windows 2008 operating system and the County's Director of Information Technology David Sadler considered it a security threat to the County network and would like to see it replaced if at all possible.

Supervisor Long moved and Vice-Chair Thomas seconded to approve the purchase of the WatchGuard camera system for the remaining 30 Sheriff's Office vehicles in the amount of \$160,350 with funds being taken from the FY 2020/2021 Undesignated General 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>

12. PROPOSED USE OF CARES ACT FUNDS TO CONNECT HOMES ALONG NEWTOWN ROAD TO BROADBAND SERVICE THROUGH ATLANTIC BROADBAND

County Administrator Charles M. Culley, Jr. stated that when Atlantic Broadband extended its telecommunications network from Newtown Road North in King & Queen County along Sparta Road, twelve homes on Newtown Road in Caroline County were not given an opportunity to

connect to broadband service. He said that Atlantic Broadband had estimated the cost to extend fiber 5,000 feet to connect those twelve homes to be approximately \$56,000, which included making ready costs for pole replacements.

He said that Chairman Sili had requested that the County allocate funds from the CARES Act to connect those twelve homes to broadband. He noted that Atlantic Broadband noted that the project could be completed by December 30, 2020, should the Board decide to support with CARES Act funds.

Chairman Sili moved and Supervisor Long seconded to utilize CARES Act funding at an estimated cost of \$56,000 to connect twelve (12) homes on Newtown Road to Atlantic Broadband 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>

13. REQUEST FOR ZONING TEXT AMENDMENT - MOMENTS OF HOPE OUTREACH, INC. (MO HOPE VILLAGE)

County Administrator Charles M. Culley, Jr. stated that Moments of Hope Outreach was requesting to construct a community (Mo Hope Village) to serve individuals coming out of chronic homelessness. He provided an overview of the proposed project, including 100 small footprint homes, bathhouses, volunteer cabins, a medical facility, convenience store, etc., on 45 acres in the Reedy Church Voting District near the intersection of Signboard Road and Ruther Glen Road.

After discussion, ***Supervisor Underwood moved and Supervisor Long seconded to deny a request from Mo Hope Village for the consideration of a Zoning text amendment.***

<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>Yea</i>
	<i>Thomas</i>	<i>Yea</i>
	<i>Underwood</i>	<i>Yea</i>

**The motion carried 5-1.*

14. REQUEST FOR CELL PHONE STIPEND FOR VOTER REGISTRAR

County Administrator Charles M. Culley, Jr. stated that the Electoral Board had requested that Registrar Kathy McVay receive a monthly stipend for her personal cell phone, which she also used to receive County emails and conduct business for the Registrar's Office. He said that the cell

phone stipend typically provided to the County employees using their personal phones for County business was \$50 per month, or \$600 per year.

Supervisor Long moved and Supervisor Forehand seconded to approve a request from the Electoral Board to allow Registrar Kathy McVay to receive a monthly stipend in the amount of \$50 for use of her personal cell phone for County business and approved a supplemental appropriation to the Registrar's FY 2021 Budget (4-100-13200-5230) in the amount of \$600 from the County's Undesignated General 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>

15. INFORMATIONAL/CALENDAR ITEMS

County Administrator Charles M. Culley, Jr. reviewed the Capital Projects Update included in the Board packet.

He then informed Board members of an expedited public hearing request for a rezoning for an industrial prospect for a 400 square foot building.

Vice-Chair Thomas moved and Supervisor Forehand seconded to approve an expedited public hearing request for an industrial rezoning project on Ruther Glen 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>Yea</i>
	<i>Underwood</i>	<i>Yea</i>

Chairman Sili stated that earlier he failed to mention Rappahannock Electric Cooperative's efforts regarding broadband expansion.

After discussion, ***Chairman Sili moved and Supervisor Long seconded to direct staff to prepare a resolution in support of Rappahannock Electric Cooperative's broadband initiative.***

<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>

Underwood Yea

CLOSING BOARD COMMENTS

There were no Closing Board comments.

CLOSED MEETING

There was no Closed Meeting.

ADJOURNMENT

Supervisor Long moved and Supervisor Forehand 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