

At a regular meeting of the Caroline County Board of Supervisors held on September 8, 2020 in the auditorium of the Community Services Center, located at 17202 Richmond Turnpike, Milford, Virginia 22514.

PRESENT

Jeffery M. Sili – Chairman, Bowling Green District
Floyd W. Thomas – Vice-Chair, Mattaponi District
Jeffrey S. Black – Western Caroline District
Clayton F. Forehand – Madison District (*Arrived at Approximately 7 p.m.*)
Nancy L. Long – Port Royal 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
Jason R. Loftus – Fire-EMS Chief
Donnell S. Howard – Director of Parks & Recreation
David Sadler – Director of Information Technology
Joseph C. Schiebel – Director of Public Utilities/Works
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

Rev. Donnell Howard led the invocation.

PLEDGE OF ALLEGIANCE

Chairman Forehand led the Pledge of Allegiance.

INTRODUCTION OF NEW FINANCE DIRECTOR

County Administrator Charles M. Culley, Jr. introduced Tomeka Smith as the new Finance Director. Ms. Smith stated that she was excited to start with Caroline.

OPENING BOARD COMMENTS

Supervisor Black talked about the importance of getting broadband throughout the County. He suggested that Director of Information Technology David Sadler play a large role in upcoming broadband related decisions.

Supervisor Long talked about recent public behavior throughout the country and noted that it was important to treat others the way you wanted to be treated.

Vice-Chair Thomas stated that he received an email and wanted to clarify that the recent donation to County departments through the NAACP from DentaQuest had no connection to the recent decision to remove of the Confederate monument from the Courthouse Lawn. He explained that the DentaQuest presentation had been previously scheduled, but had to be postponed due to COVID.

He then encouraged all businesses to get their business licenses so they could benefit from the local grant program being handled by the Department of Economic Development with COVID funding.

Supervisor Black stated that he had talked with the School Board Chairperson about the possibility of scheduling a retreat with the Board of Supervisors and School Board.

After discussion, *Supervisor Black moved and Supervisor Underwood seconded to have a joint meeting with the School Board on October 6th or 8th, pending confirmation of the date by the School Board.*

<i>Roll Call Vote:</i>	<i>Black</i>	<i>Yea</i>
	<i>Forehand</i>	<i>Absent During Vote</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>

AMENDMENTS TO THE AGENDA

Supervisor Black moved and Supervisor Underwood seconded to move the following items to New Business that were mistakenly listed under Public Hearings:

- 8. First Reading of Amendments to the Subdivision Ordinance – Section 6 Approval of Plats.***
- 9. First Reading of Amendment to the Zoning Ordinance – Article XV Stormwater Pond Fencing.***

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

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

1. PRESENTATIONS/REPORTS

➤ **Dewberry Inc. - Ladysmith Service Area Sewer Evaluation**

Mr. Dan Villhauer with Dewberry, the County’s utility engineering consultants, provided a PowerPoint presentation on the Preliminary Engineering Report (PER) for the Ladysmith service area sewer system. He explained that they had evaluated the sewer capacity and determined improvements needed for maximizing capacity in support of future development. He then recommended a phased approach to increase the capacity and install significant upgrades and reviewed the projected cost.

Supervisor Forehand arrived at approximately 7 p.m.

Staff pointed out that there had been significant growth in Pendleton and noted capacity issues. Board member talked about the need for additional information related to the proposed upgrades.

After discussion, Chairman Sili stated that a date would be determined for a future worksession.

2. APPOINTMENTS

➤ **Board of Equalization**

Supervisor Long moved and Vice-Chair Thomas seconded to recommend Keith Upshaw to the Circuit Court Judge for appointment to the Board of Equalization.

<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>

Supervisor Underwood moved and Vice-Chair Thomas seconded to recommend Mary Pitts to the Circuit Court Judge for appointment to the Board of Equalization.

<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>

Supervisor Underwood moved and Vice-Chair Thomas seconded to recommend Ernest Rollins to the Circuit Court Judge for appointment to the Board of Equalization.

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>

➤ *George Washington Regional Commission Bicycle and Pedestrian Committee*

Vice-Chair Thomas moved and Supervisor Underwood seconded to appoint Kevin Wightman as the citizen representative to the George Washington Regional Commission Bicycle and Pedestrian Advisory Committee for a term beginning immediately and expiring September 7, 2021.

Roll Call Vote:

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

3. CONSENT AGENDA

Chairman Sili requested that *Item 3C, “Approval of Letter of Support for Rappahannock River Scenic River Designation Study”* be removed from the Consent Agenda for discussion.

A) Approval of Warrants

Action Taken: Approval of the following warrants:

<i>General Fund</i>	<i>\$187,530</i>
<i>Social Services Fund</i>	<i>1,863</i>
<i>Tourism Fund</i>	<i>53</i>
<i>Fire/Rescue Grants Fund</i>	<i>6,463</i>
<i>Capital Improvements Fund</i>	<i>38,525</i>
<i>School Capital Project Fund</i>	<i>23,372</i>
<i>Carmel Church Utilities Fund</i>	<i>2,720</i>
<i>Capital Projects Utilities Fund</i>	<i>16,996</i>
<i>Dawn Wastewater Fund</i>	<i><u>220</u></i>
<i>TOTAL</i>	<i>\$277,740</i>

B) Approval of Planning Commission Schedule

Action Taken: Staff was authorized to advertise RZ-05-2020 – Carmel Church Station, LLC; Caroline 40, LLC; Caroline 544, LLC; Caroline 225, LLC; Carmel Church Station Towne Center, LLC, Owner/Applicant for public hearing at the October 13, 2020 meeting.

C) Approval of Letter of Support for Rappahannock River Scenic River Designation Study

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

D) Adoption of Resolutions Supporting Applications for Virginia Department of Transportation Smart Scale Funds (Route 207/Route 639 Intersection Improvements, Route 207/Route 722 Intersection Improvements and Improvements in the Town of Bowling Green)

Action Taken: Adoption of the following resolutions:

RESOLUTION R 20/20

A RESOLUTION SUPPORTING THE SMART SCALE APPLICATION FOR SAFETY IMPROVEMENTS TO THE ROUTE 207/639 INTERSECTION

WHEREAS, The Route 207/639 intersection is a high volume and un-signalized intersection between a major collector and an arterial highway; and

WHEREAS, The intersection supports interstate travel along Route 207 and regional travel between I-95 in western Caroline County and Route 207; and

WHEREAS, Caroline County and the staff of the Virginia Department of Transportation-Fredericksburg District have identified the Route 207/639 Intersection as a candidate for Safety Upgrades through Smart Scale and prepared a design for said improvements; and

WHEREAS, this Board of Supervisors identified this intersection as a top priority for Smart Scale and directed county staff to work with the Virginia Department of Transportation-Fredericksburg District staff to prepare and submit a Smart Scale application at its Feb 11, 2020 meeting;

NOW, THEREFORE BE IT RESOLVED THAT, the Board of Supervisors of Caroline County hereby supports this Smart Scale application for the identified improvements to the Route 207/639 intersection and requests favorable consideration of same by the Commonwealth Transportation

Board.

Adopted this 8th day of September, 2020.

RESOLUTION R 21/20

**A RESOLUTION SUPPORTING THE SMART SCALE APPLICATION
FOR SAFETY IMPROVEMENTS TO THE ROUTE 207/722
INTERSECTION**

WHEREAS, the Route 207/722 intersection is a high volume and un-signalized intersection between an arterial highway and a major secondary road; and

WHEREAS, the intersection supports interstate travel along Route 207 and significant heavy truck traffic from the Milford Industrial Park, which traffic often conflicts with the through traffic on Route 207; and

WHEREAS, Caroline County and the staff of the Virginia Department of Transportation-Fredericksburg District have identified the Route 207/722 Intersection as a candidate for Safety Upgrades through Smart Scale and prepared a design for said improvements; and

WHEREAS, this Board of Supervisors identified this intersection as a top priority for Smart Scale and directed county staff to work with the Virginia Department of Transportation-Fredericksburg District staff to prepare and submit a Smart Scale application at its Feb 11, 2020 meeting;

NOW, THEREFORE BE IT RESOLVED THAT, the Board of Supervisors of Caroline County hereby supports this Smart Scale application for the identified improvements to the Route 207/722 intersection and requests favorable consideration of same by the Commonwealth Transportation Board.

Adopted this 8th day of September, 2020.

RESOLUTION R 22/20

**A RESOLUTION SUPPORTING THE SMART SCALE APPLICATION
FOR PEDESTRIAN AND BICYCLE IMPROVEMENTS IN THE TOWN
OF BOWLING GREEN**

WHEREAS, the Town of Bowling Green is requesting a Smart Scale application for Improvements to the pedestrian and bicycle facilities within

the Town of Bowling Green; and

WHEREAS, the improvements support alternative modes of transportation in the Town; and

WHEREAS, many town residents utilize the sidewalks in lieu of vehicles to shop and work in Town; and

WHEREAS, this Board of Supervisors identified these improvements as one of its top priorities for Smart Scale and directed county staff to work with Town staff and Virginia Department of Transportation-Fredericksburg District staff to prepare and submit a Smart Scale application at its Feb 11, 2020 meeting;

NOW, THEREFORE BE IT RESOLVED THAT, the Board of Supervisors of Caroline County hereby supports this Smart Scale application for the identified improvements in the Town of Bowling Green and requests favorable consideration of same by the Commonwealth Transportation Board.

Adopted this 8th day of September, 2020.

E) Post Adoption of a Resolution Declaring August 25, 2020 as First Responder Appreciation Day in Caroline County

Action Taken: Adoption of the following resolution:

R18/20

A RESOLUTION DECLARING AUGUST 25, 2020 AS FIRST RESPONDER APPRECIATION DAY IN CAROLINE COUNTY

WHEREAS, Caroline County volunteer and career first responders include law enforcement officers, firefighters, paramedics, emergency medical technicians, and 911 dispatchers who bravely and selflessly risk their lives every day to protect Caroline County families, visitors and businesses; and

WHEREAS, Caroline County first responders do not hesitate to risk their own lives in order to save the lives of others, and their commitment to continued training, skill enhancement, and inter-agency coordination make them vital members of our community; and

WHEREAS, the life of a first responder requires the sacrifice of time with family; and physical and mental stress; and

WHEREAS, acts of kindness and appreciation from citizens for first responders provide them needed encouragement and support to confront the dangerous and uncertain situations they face every day; and

WHEREAS, the Fredericksburg Regional Chamber of Commerce, in partnership with community businesses, is honoring all regional first responders on Tuesday, August 25, 2020, during the First Responders Appreciation Breakfast at the Fredericksburg Expo Center; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of local first responders and emergency service personnel, including emergency medical technicians, paramedics, firefighters, law enforcement officers, and the many individuals, volunteers and otherwise that provide services to Caroline County and its citizens.

NOW, THEREFORE, BE IT RESOLVED, that the Caroline County Board of Supervisors hereby proclaims August 25, 2020, as FIRST RESPONDER APPRECIATION DAY in Caroline County in an effort to recognize and celebrate our County's first responders, and encourages all citizens to take time out of their day to show first responders and their families how much we value their service to our community.

Adopted this 8th day of September 2020.

F) Authorization to Apply for Rescue Squad Assistance Fund Grant

Action Taken: Staff was authorized to apply for a Virginia Office of EMS Rescue Squad Assistance Fund grant in the amount of \$28,994.80 with a local match of \$14,472.40 to come from the Fire-Rescue Capital Reserve Fund. If awarded, grant funds would be used to purchase two (2) replacement mechanical Cardiopulmonary Resuscitation (CPR) Devices.

G) Adoption of Resolution R19/20 Acceptance of Pendleton Streets into the State Secondary Highway System

Action Taken: Adoption of the following resolution:

RESOLUTION R 19/20

A RESOLUTION REQUESTING THE VIRGINIA DEPARTMENT OF TRANSPORTATION ACCEPT THE STREETS IN PENDLETON SUBDIVISION (SECTION 1 AND SECTION 3) INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the street(s) described on the attached Additions Form AM-

4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Caroline County; and

WHEREAS, the representative for the Virginia Department of Transportation has advised this Board that street(s) meet the requirements established by the Virginia Department of Transportation' Subdivision Street Requirements; and

WHEREAS, the County and the Virginia Department of Transportation have entered into a comprehensive storm water detention agreement dated August 24, 2018 which covers Pendleton Section 1 and Section 3; and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) in the Pendleton Subdivision (Section 1 and 3) described on the attached Additions from AM-4.3 to the secondary system of state highways, pursuant to §33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements, after receiving a copy of this resolution and all outstanding fees and documents required of the developer, whichever occurs last in time; and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

Adopted this 8th Day of September, 2020.

H) Proposed Changes to 2020 Holiday Calendar

Action Taken: Approval of the following additional time off for County employees in accordance with the State holiday schedule:

- Wednesday, November 25th – offices close at noon*
- Thursday, December 24th – offices closed all day*

I) Proposed Amendment of Section 8.3 of the Caroline County Personnel Policy (Holiday Pay)

Action Taken: Approval of the amendment to Section 8.3 of the County's Personnel Policy related to holiday pay for employees when holidays fall on a weekend.

J) Approval of Mutual & Automatic Firefighting and Rescue Assistance Agreement with Spotsylvania County

Action Taken: *Approval of a Mutual & Automatic Firefighting and Rescue Assistance Agreement between Caroline County and Spotsylvania County.*

K) Award of Contract: Asphalt Repair, Removal, Replacement and Installation

Action Taken: *Approval of the award of a contract to Finley Asphalt & Sealing, Inc. for asphalt related work required by the County periodically.*

L) Award of Contract: Concrete Repair, Removal, Replacement and New Concrete Structures

Action Taken: *Approval of the award of a contract to G.H. Watts Construction, Inc. for miscellaneous concrete services required by the County periodically.*

M) Award of Contract: Light Construction/Remodeling Services and/or Supplies

Action Taken: *Approval of the award of a contract to W.V. DeLoach Home Improvement for light facility upgrade and remodeling services required by the County periodically.*

N) Award of Contract: Landscaping/Hardscaping Services and/or Supplies

Action Taken: *Approval of the award of a contract to Quality Grounds, LLC for landscaping/hardscaping services and supplies required by the County periodically.*

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>

3C) Approval of Letter of Support for Rappahannock River Scenic River Designation Study (continued)

Supervisor Sili expressed concerns about losing a portion of the County's tax base because large amounts of land were purchased by utilities, making those properties non-taxable and placing a more intensive burden on the taxpayers. He requested that the County be notified prior the designations being made.

Supervisor Long explained that she believed this designation only affected the shore of the Rappahannock River and was in a Resource Sensitive Area. She noted that it had been approved by the counties of Spotsylvania, King George and City of Fredericksburg.

Supervisor Long moved and Supervisor Black seconded to authorize staff to draft a letter of support for the Chairman’s signature to the Virginia Department of Conservation & Recreation for a study of the lower section of the Rappahannock River for designation as a Virginia Scenic River.

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

The motion carried 5-1.

NEW BUSINESS

8. FIRST READING OF AMENDMENTS TO THE SUBDIVISION ORDINANCE – SECTION 6 APPROVAL OF PLATS:

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.*

Director of Planning & Community Development Michael Finchum stated that this was a first reading of two text amendments to the Subdivision Ordinance related to preliminary and final plat requirements. He explained that the United States Post Office was no longer delivering mail to individual boxes within any neighborhood platted after 2016. He explained that the proposed amendment would allow the Planning Department to require the location of cluster boxes to be shown on the final plat of subdivision.

He said that the other proposed amendment would add a digital copy of the preliminary and final plat at the time of submission and amend the number and type of copies required for a final plat. He said that this amendment accurately reflects what was necessary for the subdivision review and approval process.

After discussion, it was the consensus of the Board to authorize staff to advertise the proposed text amendments for public hearing at the October 13th meeting.

9. **FIRST READING OF AMENDMENT TO THE ZONING ORDINANCE – ARTICLE XV
STORMWATER POND FENCING:**

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

Director of Planning & Community Development Michael Finchum stated that this was a first reading of a text amendment to remove the retention pond/stormwater pond fencing requirement. He said that requiring fencing around stormwater/retention ponds was a potential safety hazard and liability issue and a decision best left to the individual HOA/POA or individual property owners.

After discussion, it was the consensus of the Board to authorize staff to advertise the proposed text amendment for public hearing at the October 13th meeting.

The Board took a recess at approximately 7:15 p.m. and reconvened the meeting at approximately 7:30 p.m.

PUBLIC COMMENTS

Jessie Rollins, of the Mattaponi District, spoke as Chairperson of the 2020 Census Committee and provided an update on the County's response. She reported that as of August, 68% of County citizens had responded to the Census and reminded everyone that federal funding for the County was based on Census data. She then encouraged people to respond if they had not already done so.

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

PUBLIC HEARINGS

4. **RZ-04-2020 - RUTHER GLEN ROAD 80, LLC C/O THOMPSON DEVELOPMENT LLC; CARMEL CHURCH STATION, LLC; AND CAROLINE 40, LLC, OWNER/APPLICANT:** *Request a Rezoning from PMUD, Planned Mixed Use Development, (with a density of 8.2 dwellings per acre [8,659 units] and 3.16 million square feet of office, commercial, and industrial space) to M-1 Industrial (no specified density), on tax map number 82-17-A and 82-17-B (Land Bay G), consisting of 79 acres, more or less. The properties are located between I-95 and Route 652 (Ruther Glen Road), north of the CSX Railroad right of way, Mattaponi Voting District. The 2030 Comprehensive Plan designates this area as being located within the Carmel Church Community Plan as Heavy Industrial/Office Industrial. Proposed Use: Industrial. The purpose of the rezoning is to remove the 500,000 square feet of industrial limitation and remove the parcels from the General Land Use Plan, Phasing Plan, Proffers and the Carmel Church Development Regulations of RZ-08-2009.*

Director of Planning & Community Development Michael Finchum stated that the applicant was requesting the rezoning of two parcels on Ruther Glen Road in the Mattaponi Voting District from Planned Mixed Use Development to M-1 Industrial. He said that the subject parcels were part of the Carmel Church Station rezoning approved in 2010. He explained that the purpose of this rezoning was to remove the 500,000 square foot limitation on the amount of industrial development and remove the parcels from the General Land Use Plan, Phasing Plan, Proffers and the Carmel Church Development Regulations of RZ-08-2009.

He reviewed the Staff Report and stated that this request had been forwarded to the Board by the Planning Commission with a recommendation of approval, but concerns had been noted about undesirable uses and the desirability of buffers to abutting residential properties.

In response to questions from Vice-Chair Thomas, Rusty Foley (representing the applicant) stated that he believed the applicant would be agreeable to a reasonably increased buffer and agreed to fifty (50) feet.

Chairman Sili declared the public hearing open for RZ-04-2020.

Nancy Albright, of the Mattaponi District, stated that she owned the adjacent property and did not know much about the proposed project yet, but would like for it to have a positive impact on the neighbors and asked everyone to remember the residential properties in the area. She expressed concerns about possible declining property values as well as safety concerns. She then spoke in support of the increased buffer as presented by the applicant.

Marie Kay, of the Mattaponi District and a nearby resident of the subject property, stated that she was not opposed to the request but asked that Board keep the neighbors in mind when making its decision. She expressed concerns about additional traffic, noise and lighting and spoke in support of the added buffer and vegetation.

George Spinner, of the Mattaponi District, stated that he wanted to clarify that the applicant agreed to a fifty (50) foot buffer.

Rusty Foley stated that he was speaking on behalf of the applicant and asked for the Board's support of the proposed request to change the zoning from PMUD to M-1 Industrial and noted that the project was time sensitive.

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

In response to questions from Supervisor Long, Mr. Foley stated that the fifty-foot buffer was only on two sides of the property because there were two small homes on the site and they would comply with the Code requirements in relation to a buffer on the side of the property facing Interstate 95.

Mr. Finchum explained that standard setbacks were required for the interstate and some of the trees would remain, but not all of them.

Board members expressed concerns about safety issues related to additional traffic and being mindful of the existing neighbors. Mr. Finchum explained that a traffic analysis was required by VDOT that would include the evaluation of improvements along the frontage of properties and help with the narrowness. However, he pointed out that those improvements would not all happen at the same time.

Mr. Foley stated that the applicant wanted to be a good neighbor.

In response to questions from Board members, Mr. Finchum stated that this request was presented to staff as fast track Economic Development project and some of the specifics were unknown.

Vice-Chair Thomas noted that when Carmel Church Station was first presented, it was an idea of a future project.

After discussion, *Vice-Chair Thomas moved and Supervisor Long seconded to approve RZ-04-2020 with the amended proffers as presented to include a 50' buffer.*

<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>

5. AN ORDINANCE INSTITUTING EMERGENCY PROCEDURES TO ENSURE CONTINUITY OF THE GOVERNMENT OF THE COUNTY OF CAROLINE IN RESPONSE TO COVID-19 DISASTER

Deputy County Administrator Alan Partin stated that compliance with limitations on the number of people gathering in person caused by the COVID-19 health crisis made it very difficult and almost impossible for the Board of Supervisors to safely physically assemble to conduct meetings and hold public hearings in accordance with ordinary procedures. He said as a result, the Board adopted an emergency ordinance in March instituting emergency procedures to ensure the continuity of government.

He stated that an additional emergency ordinance was adopted in May, but elapsed after 60 days and another emergency ordinance was adopted in August with the understanding that a standard ordinance would be advertised for public hearing at this meeting. He explained that the ordinance would remain in effect through the end of the current budget year to coincide with the Governor's action or until such time as the Governor declares the public emergency to no longer be in effect.

Chairman Sili declared the public hearing open on the proposed ordinance. There being no public comments, he declared the public hearing closed.

Vice-Chair Thomas moved and Supervisor Long seconded to adopt "An Ordinance of the Board of Supervisors of the County of Caroline, Virginia, Instituting Emergency Procedures to Ensure

Continuity of the Count of Caroline Government in Response to COVID-19 Disaster” 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>

6. PROPOSED AMENDMENT OF CHAPTER 37, ARTICLE II (COURT COSTS), §37-6 (SECURITY FEE) OF THE CODE OF CAROLINE COUNTY

Deputy County Administrator Alan Partin stated that the General Assembly passed legislation enabling localities to increase the amount of the courthouse security fee assessed for criminal traffic cases in the district or circuit court. He explained that revenues generated from the fee were used for courthouse security personnel or, if requested by the Sheriff and appropriated by the Board of Supervisors, equipment and other personal property used in connection with courthouse security.

He stated that the proposed amendment would increase the amount from \$10 to \$20 as allowed by the legislation. He noted that the last increase was in 2007 from \$5 to \$10.

Chairman Sili declared the public hearing open on the proposed amendment to Chapter 37. There being no public comments, he then declared the public hearing closed.

Supervisor Long moved and Supervisor Forehand seconded to adopt the “Amendment of Chapter 37 (Court), Article II (Court Costs), §37-6 (Security Fee) of the Code of Caroline County” 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>

7. PROPOSED AMENDMENT OF FISCAL YEAR 2020/2021 CAROLINE COUNTY BUDGET (SECOND ROUND OF CARES ACT FUNDS)

County Administrator Charles M. Culley, Jr. stated that in accordance with the Code of Virginia, a public hearing had been advertised for the second round of Coronavirus Aid, Relief and Economic Security (CARES) Act of 2020 funds. He said that the public notice included the County’s intent to amend the FY 2020/2021 budget to add the additional \$2,680,638 received from the Commonwealth of Virginia in a second round of federal CARES Act funds.

He explained that the funds would again be used for expenditures incurred due to the public health emergency associated with pandemic and provided an overview of the proposed expenditures.

Vice-Chair Thomas noted that the funds had to be spent prior to December 30, 2020.

Chairman Sili declared the public hearing open on the proposed amendment to the Fiscal Year 2020/2021 budget. There being no public comments, he then declared the public hearing closed.

Mr. Culley stated that the appropriation of funds would be handled later in the meeting.

NEW BUSINESS (continued)

10. REQUEST FOR PERMIT TO HOLD COVID-19 ESSENTIAL WORKERS MUSIC FESTIVAL

Director of Planning & Community Development Michael Finchum stated that staff had received a request from Callye Holmes to hold a music festival to recognize essential employees that had worked during the COVID-19 pandemic. He said that the proposed festival would be held on the patio and lawn area at the Timbers Restaurant in Ladysmith.

Supervisor Black moved and Supervisor Forehand seconded to approve a request from Callye Holmes for a festival permit for a music festival to recognize essential employees that worked during the COVID-19 pandemic.

Ms. Holmes stated that she was trying to share some joy and happiness to essential workers taking care of the people in Caroline County during this difficult time. She said it would be a small event and explained that she had planned some music and wanted to present certificates and encouraged Board members to attend.

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

11. REVIEW OF SPECIAL EXCEPTION CONDITIONS FOR SPEX-09-2018 – REBEKAH & JOHN TUCKER; OWNER/APPLICANT (TUCKER KENNELS)

Director of Planning & Community Development Michael Finchum reminded everyone that the Board granted a special exception (SPEX-09-2018) to Rebekah and John Tucker to operate a commercial kennel at their residence on Frog Level Road in the Bowling Green Voting District. He explained that the special exception was subject to conditions, which included a one-year review from the date of approval.

He stated that staff had conducted a site visit to review compliance with the permit conditions and did not find any violations. He added that no complaints had been received related to the operation.

Board members did not have any questions or modifications to the conditions. Therefore, no action was required.

12. PROPOSED USE OF SECOND ROUND OF CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY (CARES) ACT OF 2020 FUNDS RECEIVED FROM THE COMMONWEALTH OF VIRGINIA

County Administrator Charles M. Culley, Jr. reviewed the information in the Board’s packet related to the proposed spending plan for the second round of CARES Act funds. He explained that the proposed expenditures were based on requests from various departments and agencies and complied with the spending guidelines.

In response to questions from Supervisor Black, Superintendent of Schools Dr. Sarah Calveric stated that the proposed funds for the schools would provide adequate cleaning supplies and they were extremely appreciative.

Supervisor Underwood moved and Supervisor Thomas seconded to approve the spending plan as presented and adopt the following resolution:

R23/20

A RESOLUTION ADOPTING AND APPROPRIATING CARES ACT II FUNDS FOR THE FISCAL YEAR 2020/2021 BUDGET

Be it resolved by the Board of Supervisors of the County of Caroline that the following appropriations are hereby made for the fiscal year from July 1, 2020 through June 30, 2021.

CARES ACT FUND

The CARES Act Fund Budget is hereby adopted and funds are hereby appropriated by department as follows:

<i>Revenues</i>	
<i>State</i>	<u>\$2,680,638</u>
<i>Total Revenues Received</i>	\$2,680,638
 <i>Expenditures</i>	
<i>County Administrator</i>	\$197,929
<i>Sheriff – Law Enforcement</i>	\$677,137
<i>Fire & Rescue</i>	\$716,620
<i>General Properties</i>	\$395,900
<i>Utilities</i>	\$38,000
<i>Library</i>	\$11,000

<i>Planning Department</i>	<i>\$4,000</i>
<i>Transfer to Schools:</i>	
<i>Operating Fund</i>	<i>\$640,052</i>
 <i>Total General Fund Expenditures</i>	 <i>\$2,680,638</i>
 <i>Total for Fund</i>	 <hr/> <i>\$2,680,638</i>

Adopted this 8th day of September, 2020.

Supervisor Underwood moved and Supervisor Forehand seconded to approve the appropriation of \$11,091.02 to the CARES Contingency Funds (4-260-43200-9005) 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. PROPOSED CHANGE TO PROJECT APPROVED IN FIRST ROUND OF CARES ACT FUNDS (SHERIFF’S OFFICE STORAGE FACILITY)

County Administrator Charles M. Culley, Jr. stated that the list of approved expenditures for the first round of CARES Act funds included \$40,000 for a project to create additional storage space for the Sheriff’s Office. However, it had been determined that the original plan to add on to the existing building could not be completed by the December 30th CARES Act deadline. He said staff was now proposing to purchase a storage shed rather than adding on to the Sheriff’s Office.

He explained that a total of \$40,000 was allocated for the original project and the estimated cost for the revised project was \$60,000. He said it was the recommendation of staff to secure the additional \$20,000 by reallocating the \$30,000 approved for the Sheriff’s Office to purchase a Moonbeam UVC Disinfectant Machine in the first round of CARES Act allocation.

Supervisor Underwood moved and Supervisor Long seconded to approve the revised plan for the Sheriff’s Office storage space and the expenditure of up to \$20,000 remaining from the allocation for the Sheriff’s Office Moonbeam UVC Disinfectant Machine, which is in addition to the \$40,000 previously approved the project.

<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. REQUEST FROM VOTING REGISTRAR TO CONVERT PART-TIME POSITION TO FULL-TIME

County Administrator Charles M. Culley, Jr. stated that staff received a letter from General Registrar Kathy McVay requesting approval to convert her part-time Assistant Registrar position to full-time due to increased duties and responsibilities being placed on her office. He stated that the estimated cost to convert the position to full-time was \$24,776.88. He explained that Ms. McVay was currently reviewing the budget to determine if any of the needed funds could be provided from her current budget. However, some of all of the funds may need to come from the Undesignated General Fund Balance if the request were approved.

In response to questions from Board members, Mr. Culley stated that three part-time positions were added to the Registrar's Office with her COVID funds. He also confirmed that one part-time position in the Registrar's Office was converted to full-time not that long ago. He talked about additional duties required by the Registrar's Office due to new laws and regulations recently passed related to early voting and additional traffic in the office.

Board members talked about a good portion of the additional duties and extra traffic being a result of the upcoming Presidential election and only occurring every four years. Board members suggested working the part-time positions longer hours.

15. CONSIDERATION OF AMENDMENTS TO CHAPTER 56 OF CODE OF CAROLINE COUNTY TO ALLOW RIFLE HUNTING

Deputy County Administrator Alan Partin stated that this item had been placed on the agenda at the request of Supervisors Underwood and Black. He said that they were asking the Board to consider amending the County Code to allow hunting with rifles larger than .22 caliber. He explained that current County Code prohibited hunting with a rifle larger than a .22 caliber except:

- 1) When hunting groundhogs, coyotes and feral hogs outside of the general firearms deer season as set forth by the Virginia Department of Wildlife Resources; and
- 2) The use of muzzle-loading rifles is permitted during the open season for the hunting and killing of deer.

He stated that the Board could make changes to the existing County ordinance or repeal it and go with the State Code.

Chairman Sili stated that hunting ordinance was amended a few years ago and it was a very long process with varying opinions from citizens.

Board members discussed options included in ordinances adopted by other localities related to hunting and talked about revising the ordinance to reflect the State Code along with an option for an elevated stand requirement as noted in item #85 of the Virginia Hunting & Trapping Regulations. No action was taken because changes could not be made in time to publish in the

Regulations for the current hunting season. This item will be discussed again in the future to coincide with time restraints for inclusion in the Hunting Regulations.

16. AUTHORIZATION TO EXPEND UP TO \$2,500 FOR AN ENGINEERING STUDY TO DETERMINE STRUCTURAL INTEGRITY OF DAWN PROGRESSIVE CENTER (FORMERLY DAWN SCHOOL)

Supervisor Underwood stated that he requested that this item be placed on the agenda and asked Building Official Kevin Wightman to attend a recent meeting of the Dawn Progressive Association.

Mr. Wightman stated that there was a new group of people involved with the Dawn Progressive Association with many ideas of how to preserve the building, or at least a portion of the previous school. He noted that the building had been condemned a few years ago, but this group was very energetic and believed parts of the building could be salvaged. He said the group talked about possible grants to help with efforts to restore the building, but requested assistance from the County to evaluate the structure.

Supervisor Underwood stated that his request was out of the ordinary, but asked for the other Board's indulgence. He said he was trying to support the efforts of the new group to revive a community center in the area.

Vice-Chair noted that this was a previous school site.

Supervisor Underwood moved and Supervisor Thomas seconded to approve the allocation of up to \$2,500 for an engineering evaluation of the structural integrity of the Dawn Progressive Association building (formerly the Dawn School) from the Undesignated General Fund Balance to the General Properties budget (4-100-43200-3160).

<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>

17. SELECTION OF METHOD TO MAKE FORMER FROG LEVEL VOLUNTEER RESCUE SQUAD PROPERTY AVAILABLE FOR SALE TO THE PUBLIC

Assistant County Administrator Alan Partin reminded everyone that the County took ownership of the property containing the former Frog Level Volunteer Rescue Squad on Route 301 after the organization went out of existence several years ago. He said that no use of the property had been identified by the County and it was staff's understanding that the Board intended to move forward with placing it for public sale.

After discussion, *Supervisor Underwood moved and Supervisor Long seconded to issue a Request for Proposals for a Real Estate Agent for the former Frog Level Volunteer Rescue Squad property in accordance with the County's Procurement Procedures.*

<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>

18. DISCUSSION OF PROPOSED WATER & SEWER RATE INCREASES FOR CAROLINE COUNTY UTILITY SYSTEM

Director of Public Works/Utilities Joseph Schiebel stated that the last sewer increase was 5% in 2012 and the last water increase was 5% in 2014. He referred to previous meetings with the County's financial advisor Courtney Rogers and said that Mr. Rogers provided results of a Utility Rate Study that incorporated goals and objectives, an overview by the rating agency and the importance of a Credit Rating as well as historical financial results regarding the Utility Fund. He said the Study also provided information on the County's debt profile and local rate comparison.

He stated Mr. Rogers recommended options to continue with annual increases for a five-year time period and the Board requested adjustments, which included year one with a 5% increase and changes to the Capital Asset Fee. He noted that each of the following years would continue with a 5% increase. He then reviewed the proposed rate changes.

Chairman Sili stated that a great deal of time had been spent on this and believed it was best to make the increases slowly. He said he did not want the County to be in a bad position if a significant repair was needed.

Mr. Schiebel talked about rates of surrounding localities and the number of customers on the County's system compared to those in Spotsylvania and King George, noting the Caroline was in the middle of comparable localities.

After discussion, *Supervisor Black moved and Supervisor Long seconded to authorize staff to advertise the proposed rate increases for public hearing as presented.*

Supervisor Thomas expressed concerns about a proposed rate increase to the users on the County system that provided a benefit to everyone. He suggested that a penny be added to the tax rate so that everyone paid into it. He then talked about breaks being provided to many people during the pandemic and said that he did not support the increase.

Mr. Schiebel stated that rates had not been increased on a regular basis and the history had shown that the rates would eventually have to increase. He noted the system users previously talked about increasing the rates slowly and not all at once and that was the plan.

Supervisor Black talked about the need for an increase to support the system.

Supervisor Forehand stated that the public water and sewer system actually took the place of a private drainfield and some people liked that convenience. He said this allowed for a denser population in the Ladysmith and Carmel Church areas. He noted that an increase was needed to help maintain the system.

Supervisor Underwood agreed that there should be some type of increase, but also agreed that the burden was being placed on the people building the system. He said it was important to plan for the future and the County needed more businesses to support the system.

Supervisor Long stated that she had a utility bill that had not increased for the last five years and she was aware of the increasing costs of chemicals, pipes, equipment, maintenance, etc. She said she supported a reasonable increase and noted that electric bills and other utilities increased their costs on a regular basis. She said she believed it would be easier for families to plan their budgets knowing a smaller increase was coming on a regular schedule.

Supervisor Thomas pointed out that the County system included low income people in the Milford area and they would be adversely affected by the increase.

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

The motion carried 4-2.

19. INFORMATIONAL/CALENDAR ITEMS

County Administrator Charles M. Culley, Jr. reviewed the Capital Projects Update included in the Board's packet and reviewed the upcoming meeting schedule. He reminded everyone that a joint meeting with the School Board had been scheduled for October 6th.

He then noted that information had been received from the Greenlawn Cemetery and the Caroline Historical Society in support of relocating the Confederate monument to Greenlawn Cemetery.

CLOSING BOARD COMMENTS

Supervisor Black requested a litter update at a future meeting.

Supervisor Long noted that the Town of Port Royal received an increase on the water rates.

CLOSED MEETING

There was no Closed Meeting

ADJOURNMENT

Supervisor Underwood moved and Supervisor Forehand seconded at 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