

County Business

VIRGINIA:

At a regular meeting of the King George County Board of Supervisors, held on Tuesday, the 5th day of February 2019 at 6:30 p.m. in the Board Room of the Revercomb Building at 10459 Courthouse Drive, King George, Virginia:

PRESENT: Jeff Bueche, Chairman
Cathy Binder, Vice-Chairman
Richard A. Granger, Member
Ruby A. Brabo, Member
Neiman C. Young, County Administrator
Eric A. Gregory, County Attorney

ABSENT: John E. Jenkins, Jr., Member

Mr. Chairman: Call to order this meeting of the King George County Board of Supervisors. Are there any amendments to the agenda?

Ms. Binder: Yes. I move to amend the agenda to add under presentations and reports the following; King George Stakeholder report partnership with the Fredericksburg Region Alliance by Mr. Ryan Gandy, director of economic development.

Male Speaker: Second.

Mr. Chairman: All those in favor.

All: Aye.

Mr. Chairman: Opposed? Chair votes aye. Motion passes. At this time I'd like to open the floor for public comment. We ask that you please limit your comments to three minutes.

Mr. Courtney: Good evening. My name is Jerry Courtney and I live at 16033 Ranger Wood Boulevard in Shiloh District of King George. I am here to voice my opposition to the gun range proposal. I live approximately one mile as the crow flies from the property in question, and yes, I am still worried about the sound from the gun range. As a retired Navy veteran, I spent 20 years working in an anti-submarine warfare and I also currently work in that field as a contractor to this day. Through my experience, I have obtained

significant knowledge and understanding on physics of acoustics. Without teaching a class here today, let me give a basic relationship to demonstrate sound intensity of propagation that most here can understand. Anyone attending a home King George football game has most likely been blessed with the performance of the King George Royal Regimen. Imagine one of the students playing a solo and how hard it can be to hear them. Now, imagine the entire band playing together. When playing together, the intensity of sound is stronger and the sound carries further. If you don't believe me, ask the people that live around the high school. The fact is, you'll hear the entire band playing together further away than you'll hear the solo. If I remember correctly, it has been stated that multiple shooting lanes will be no louder than a single lane. This is an inaccurate statement when shooting is occurring at the same time as demonstrated in the example with the King George Royal Regimen. Basically, the more people you have shooting at the same time, the higher the intensity of sound. You can look it up on Google. You can do the calculations there. There are calculators available.

Now, I don't believe my ears will be blaring with gunfire a mile away. However, I do know that people in my area, including myself, will hear continuous gunfire at times from the range when we are trying to enjoy the sounds of nature. I have personally taken pictures and reviewed every page of the proposed application. I see where the investors are trying to mitigate our concerns. I know you can only mitigate sound so far when totally enclosing the area, unless you're enclosing the entire area. I also know it's just a proposal, and if approved, the investors will have substantial leeway on what they can do with the property beyond the proposal. In many cases, they are not subject to enforcement actions if they do something different from what they're proposing.

Overall, statistics show that gun range will negatively impact property values and the surrounding area. As bad as it will affect me, I really feel bad for the King George brothers and sisters that live closer to the proposed area. To the board of supervisors, I ask that you please take the surrounding residents in account when you're considering this proposal and vote it down. Thank you for your time and thank you for your service to this community.

Mr. Dooley:

My name's Dave Dooley, 16420 Gaelic Circle in the Rollins Fork area right down the road from the prior gentleman. Again, I'm speaking in objection to the proposed gun range. I think you've probably heard from several people on Salem Church Road. What

I think gets minimized sometimes is how broad this impact actually may be. We're actually a little closer than Dale is, probably closer to half mile as the crow flies to the old golf course. Just to give you an example of how sound travels, my neighbors will attest to this. You can hear the... from the Rappahannock river about two miles as the crow flies, you can hear duck hunting in the winter inside your house. You can hear shots going off. What I want to make sure is people understand that this is not a Salem church, just a Salem Church road issue. It's much broader than that.

I've been in the county for 25 years, specifically been in Rollins Fork area for 10 years. I think we have a little slice of paradise there. I don't think any of us are, none of us are... none of us are anti-gun. I personally am not anti-development either, but we are talking about the proposal of a business who, if it's successful, the more successful they are, the bigger negative impact they're going to have to that surrounding area. Hunting and target shooting, things of that nature, I understand it's part of country living and it's not a problem when it's happening in a natural life for all those residents that live there and in fact, people that are target shooting and doing things like that. They all respect each other. They all respect the neighbors for the most part.

I'm not saying this business is coming in with the intent of not respecting their neighbors, but I don't see how they can... I don't see how they can avoid negatively impacting their neighbors. I can see it and hear it daily, just some anecdote information that says, "Man, if I have to listen to this for a business, multiple users, six to eight hours a day or however many hours or days a week it operates, it's basically infringing on my enjoyment of my property." Most of the neighbors in our neighborhood are enjoying the outdoors because of where we live. It's absolutely beautiful, and I think this is a big negative impact to that. Again, thank you for your efforts for the county. I do appreciate it. I just wanted to make sure you keep Rollins Fork area in mind.

Mr. McCullough:

My name's John McCullough, 16017 Rangerwood Boulevard. I do want to speak to my opposition to the gun range. I wanted to make sure everybody knew that nobody could be any more pro-gun than I am. I just couldn't imagine living over there for the rest of my life not hearing anything but gunfire especially on weekends, all day long, all weekend long. I don't want to be redundant. I agree with everything they said and I don't want to travel on, but I just wanted to publicly speak my opposition to it as well. Thank you.

Mr. Neil:

My name is Rob Neil, 17123 Bald Eagle Drive. I left my glasses over there. Excuse me one second. I don't know if you all saw the paper. I guess it was yesterday, the day before yesterday. I'm not sure, but Mr. Granger, one of the things that was commented in the paper was some comments that you've made a few times. Did you read what it said? Okay. It basically says that on two separate occasions, Richard Granger has reminded the audience in the county officials would have to amend the comprehensive plan to make the gun range acceptable in an agricultural area. In addition to that, they would have to apply for a special exception permit. I know in the last session you told me that yourself, which I appreciate that. There was a comment that Mr. [0:58:14 **inaudible**] had mentioned that. It said, "We will successfully demonstrate our application for a special exception would not require a comprehensive change."

The two are contradictory. I certainly hope that what you're sharing with us is correct, and I know it's what you believe and I hope it is. The other thing I wanted to mention was, Ms. Brabo, you had mentioned that... and it's in the paper as well. "Trust me, I would not want this next to my house." I wanted to thank you for publicly stating what you feel and you wouldn't want it next to your house, nor would any of you nor would the og nicks. Thank you for your comments there.

Moving off the gun range. The other day, I was driving down Route Three, and as I was driving down, I noticed the plantings between the... both lanes. I was really, really impressed by that. I was invited by the county to I guess an economic seminar that they had sometime in December. One of the things that had come up in that it was how to help the county from an economic standpoint. To me making a place where you live more beautiful psychologically makes people want to be there. I know that it's an investment that's going to take a long time to come to fruition, but I appreciate whether it's the board or whoever chose to make those choices. I think it'll help our community. Sir, I... how do you pronounce your name?

Mr. Bueche:

Bueche.

Mr. Neil:

Mr. Bueche, in the last meeting, you had made a comment about somebody who had disrespected some folks out at the recycle center. I wish I had mentioned that to you that night, but those guys are awesome and they bend over backwards to help

everybody. I always wondered who to share that with and I figured there's no better time, so thank you.

Mr. Chairman:

Anyone else with public comment? Do we have anyone online or any submitted correspondence? Okay, we'll turn it over to board reports. Mr. Granger.

Mr. Granger:

Thank you. First, I'd just like to say thank you to everyone who came out to speak. I appreciate your comments upon this and Mr. Neil, in addition to the praise you give the staff. Thank you for sharing that. It's nice to hear and I'm sure they appreciate it as well. Mr. Courtney, thank you for the example of the impact this would have to give a real world example. I appreciate that. That always helps to better understand things.

The last thing I'd like to bring up in regards, I believe you said that the paper mentioned that it will require an amendment to the comprehensive plan. That's a mistake. My understanding is it will require a change... an amendment to our ordinances. Currently it's zoned agricultural. Obviously a commercial activity like a gun range would not be allowed in a commercial area, but there are special exceptions for certain types of things like a golf course for an agricultural area. A gun range is not allowed. When I read through our current set of ordinances, it's not allowed currently. I've conferred with staff and I do believe that is the case. It would require us to make an amendment to our current ordinance to allow it, and then they'd have to apply for special exception and then we'd have to provide it to get through that process. I can be wrong. I've been wrong in the past, but that's my understanding, my honest understanding. Hopefully I'm not wrong.

I do appreciate all your concerns in regards to the noise. Those will be things we definitely take into account whenever we make a decision to make. I'll say it's things I would take into account whenever I would make a decision to make a change for ordinance when looking at an agricultural area, any area. It's all things that you need to be aware of, so thank you for coming out and speaking about it.

With that, on Thursday, January 24th, I attended the transfer meeting with the base representatives, **[1:02:36 inaudible]**, Chris Parker, Chris Hodges, the FRA, a company TechLink, and another company CIT. This has been about two years in the making, so it's been exciting that we actually... we were able to make our connection. Ms. Ryan seems to be very interested in making this happen. They were able to provide a handful of

patents at this meeting for socialization out. The FRA, I spoke with Chris a couple of days ago to ask him how things are going and if anything's come of this. They already have two meetings set up with some corporations to discuss what could possibly be done so they have some leads, and hopefully we'll be seeing something come of this soon and be advantageous to us from an economic development perspective.

On Thursday, January 24th, I also attended our first budget work session. I'll say thank you to all our budget advisory committee members. Thank you for coming out and participating. It was really just a getting ready to understand what the whole process is going to be with the meeting we also had on Thursday, January 31st, our next budget work session where we went line by line through a couple of our departments. We'll still have the social services that we'll have at our next one. Mr. Coleman was not available for this one, so we'll continue with that.

Friday, February 1st, I attended the military out brief I appreciate all the efforts they put into assessing our county and all the recommendations they had. It's always good to look at those things, and I appreciate their recommendations. They had some interesting ideas and things we should definitely look into to see if it would make sense, some things for the base as well to look into in regards to transportation and traffic. I don't know if it will bear fruit, but some interesting outside of the box kind of ideas and maybe it will and it'll be advantageous to help with some of the traffic issues.

Then lastly, we had a... yesterday, Monday, February 4th, we had our tourism advisory committee and Board of Supervisors joint work session. That was a good meeting. I'm just looking forward to the 300th anniversary of King George and the whole schedule and kind of trying to plan that out and make sure that we have a handle on that. It's exciting to see what's going to be happening.

I'm sorry. I do have one other thing, I apologize. I know it's been many, many months, but I would like to say thank you to Chris for helping me find someone from the Parks and Recreation Advisory Committee. I'd like to make an appointment. I move to a point. Mr. Allen R. Parker to the Parks and Recreation Advisory Committee.

Ms. Brabo:

Second.

Mr. Chairman:

Discussion? All those in favor?

All: Aye.

Mr. Chairman: Chair votes aye. Motion passes.

Mr. Granger: That's all I have.

Mr. Chairman: Ms. Binder.

Ms. Binder: First of all, I would like to thank my constituents for coming out and speaking to me and to the whole board about your concerns about the gun range. I also read thoroughly the... excuse me a second, the Free Lance-Star article. I went and spoke to Heather to ask her questions specifically about Mr. Granger's comments, and she confirmed exactly what he had stated. I'm staying abreast of the issue and I understand exactly how you feel, not exactly because I don't live there, but how you would feel if this was in your area.

On the 29th, I participated in the military mock town hall. That is always a good experience to help our soldiers that are going to go overseas and prepare them by introducing them to the different... how a political session goes or how you go into an environment where you have people disagreeing with you. It helps them and then they take their skills and they help us with bringing fresh eyes into the community and looking at issues.

On the 25th, I met with Mr. Weakley. We went and talked about the service authority and its way forward. On the 1st and 2nd with Mr. Bueche, I also attended the chairpersons' institute and we talked a lot about King George and the positive things that are happening in King George, especially about the citizens' appointments to our budget committees. They thought that was a wonderful idea. A lot of the other supervisors were asking for our cards to ask us a little more about it too, to let stuff be transparent in the community. I think, specifically when I ran for office and I sat in the chairs that you sit in, I didn't totally understand everything, and now you're behind here and you actually look at everything line by line in all the budget work sessions we have on the 24th on the 31st. Then you really understand everything that goes into a budget and it gives you a different perspective and you try to do what's best for the community with keeping our debt down and not raising taxes, but understanding that there's a lot of things that are mandated that we have to... are required to give that the state doesn't help us with and we want to balance it so that the constituents are served and we do everything that we're supposed to do. Hold on, I got one more thing.

Then yesterday we met with the tourism advisory committee, going over the 300th anniversary. It looks very exciting, and hopefully everyone come out and we can publish it soon so everybody can see the great things that are going to happen starting in the fall for the next year with the 300th anniversary. That's all I have. Thank you.

Mr. Chairman:

Ms. Brabo.

Ms. Brabo:

Thank you for commenting on the plantings. I have received nothing but good feedback. I have received emails, I have received voicemails, and people have stopped me in public, so I'm really glad that folks have noticed this and that they appreciate it. The plantings actually came as a result of us asking the tourism committee to sort of help us establish more of a defined downtown corridor area. This was one of the ideas they presented to us, and we supported it. You can thank the volunteers that serve on the tourism advisory committee for coming up with this and seeing that it was implemented.

With regards to the gun range, I'm going to ask Dr. Young, I just want to make sure that staff... do we know, has staff interpreted the ordinances correctly? Have we conferred with the attorney?

Dr. Young:

Yes, ma'am. Actually, Mr. Granger is correct. That [1:09:04 parcel of] zone either A1 or A2, zoning ordinance and not our comprehensive plan. I'm looking at the zoning ordinance now, and under A2 zoning, there is approximately 23 by right uses and then there's 26 uses for special exception permit. If our use is not stated specifically as by right or allowed in the special exception, that means that the ordinance is silent. If the ordinance is silent on a specific use, that means that that the use is not allowed. So, for a gun range to be brought to agricultural land of King George County, first, that use would have to be added to the Zoning Ordinance. After that use is then added to the zoning ordinance, any investor in the community would then have to apply for a special exception permit because it's not by right use. Mr. Granger, that was spot on, sir.

Male Speaker:

I would only add one more comment.

Ms. Brabo:

Sure, go ahead.

Male Speaker:

The comp plan is definitely part of the zoning scheme for the county, but it is not a governing document; it is a guideline. It provides guidance to the county, the Board of Supervisors and

planning and zoning staff and the planning commission, but it is not binding on the board. It's the zoning ordinance, as Dr. Young mentioned, that is the important thing.

Ms. Brabo: Mr. Gregory, to amend our ordinances would require a public hearing. Correct?

Mr. Gregory: Absolutely. Yes, ma'am.

Ms. Brabo: All of the constituents throughout all of King George would have to want this special exception added to all agricultural areas because we wouldn't be able to just say only for Cameron Hills golf course. Does everyone want the possibility of a gun range next door to them in their agricultural area is the question. With regards to the FRA, Mr. Granger, if I may ask for some clarification points. Does the FRA have an established MOU, MOA with regards to these patents?

Mr. Granger: They have an MOU with the base. I don't know about...

Ms. Brabo: That's what I meant, yes.

Mr. Granger: Yes. That was all hammered out over this period of time. Ms. Ryan is finally... I know they've had a lot of turnover in regards to their staff, and so they're an office of one. Ms. Ryan seems very passionate about making this happen, so she was amenable to having the meeting and looking forward with actually executing on it.

Ms. Brabo: FYI, the first ones to have this MOU and agreement was the EDA of King George County. Maybe they can get back on track since we seem to have some success occurring with the FRA.

All right. On the 24th, I attended the budget work session. On the 28th, I participated in the National Association of Counties, Military, and Veteran Affairs Committee as I serve as vice chair. VA hospitals and healthcare facilities remained open during the shutdown, but there were some issues with receiving claims assistance. One third of the workforce are veterans, so the shutdown did impact a lot of veterans. Coast Guard is funded through the homeland security versus the Department of Defense budget like other branches of military, which is why during the shutdown they were not paid. Sorry, Jeff.

The Appeals Modernization Act looks to simplify the VA appeals claims process. This would reduce the current timeframe to 12 months versus in the past it has taken as much as five years. Can

you imagine waiting five years for your claim to be processed, and 12 months, really?

All right. On the 29th, I participated in the military exercise mock town hall. On the 30th, I attended the Rural Action Caucus Reception in Richmond. Both the governor and lieutenant governor addressed the audience regarding the need for broadband expansion into rural areas and more workforce development programs.

On the 31st, I attended the Virginia Association of Counties Board of Directors meeting where we spent three hours reviewing all legislation currently in the general assembly that would impact local governments. That evening, I attended the county budget work session. On February 1st, I along with Mr. Granger attended the military out brief. Again, we really appreciate the week-long experience having the military unit here, augmenting our staff and bringing us new ideas where we can hopefully implement some of those ideas to address issues we have here in the county.

Last night, I attended the Joint Tourism Committee and supervisor meeting. Our focus was looking at the newly created tourism website to provide feedback before the final product and launch of it. We gave consensus on the selection for the 300th anniversary logo and tagline and we reviewed the plan of events for the year-long celebration.

Today I participated in the conference call with the governor's chief broad band advisor, Evan Feinman to discuss what the governor's office plan to do with broadband and his new coalition that was established, Commonwealth Connect. The idea is that we would have universal broadband coverage throughout the entire Commonwealth in no more than 10 years, meaning it would be accomplished in less than 10 years. The Commonwealth Connect report was just published and is available for review. It is 42 pages long. It explains how the money will be deployed and how to bridge state funding and expertise with local and private funding and expertise.

There is roughly 660,000 Virginians who currently do not have access to reliable broadband connectivity. Rural communities such as ours, and I can point specifically to ours, have lost 21st century businesses because we do not have 21st century technology infrastructure. For many families across the Commonwealth and even here in our own county, they have to load their children in the car after school and go sit at the

McDonald's, the Starbucks, or the library in order for their children to complete their homework. Children who grow up in homes without connectivity do not do as well in school, and this has been proven.

Funding two years ago by the state budget for broadband infrastructure was \$1 million. Last year it was \$2 million and this year it was \$4 million. The governor has proposed \$50 million for next year, but the House and Senate have both proposed 20 million. If we would like to see the money directed towards this essential need, I would recommend that this board give consensus for the county attorney to draft a letter to our representatives requesting that they support this as the priority this year. I could list things such as the \$40 million for state employee bonuses as not necessarily the priority.

- Mr. Granger:** To be honest, I'm a little hesitant because I know there's so many different pieces to that budget to say this is the priority. Education is always a big thing, and so you never know what they'd be taking it from. I'll be honest, I'm just not prepared to go along with that. I would like to look at the budget first at to see if... looking at it more closely to see if I could agree. I do like the idea of having large dollars amounts available for that. I really do.
- Mr. Chairman:** Ms. Binder.
- Ms. Binder:** I agree with Richard. I'd like to see the rest of it first.
- Mr. Chairman:** Would the board be open to... and I don't know how the timeline works out, but at our next meeting when Mr. Jenkins will be able to be present, that you give us time to do some research and look into the budget. If we can re- approach it that time.
- Ms. Brabo:** I don't think we have that kind of time. Do we, Mr. Gregory?
- Mr. Chairman:** Oh, man.
- Mr. Gregory:** Members of the board, February 7th is a deadline for each chamber to complete work on its budget in response to the governor's proposals and their own, so I don't think... the next meeting's on the 19th. I don't think that's going to do it.
- Ms. Brabo:** My only comment was, if you wanted to specifically point out the \$40 million that is in the budget for state employee bonuses.
- Mr. Gregory:** I will note that VACo and others are lobbying on this item and trying to achieve the most they can within the budget negotiation

process. You might rely upon their efforts if there's not consensus tonight, but I'd be happy to submit a letter on behalf of the board if you like.

Mr. Chairman: Well, what I'm thinking is we might have to get input from Mr. Jenkins if we can do that over the phone tomorrow because I tend to side with Ms. Brabo. If they're allocating \$40 million for the state employees, I think there could be some re-racking. Broadband is serious. It's basically utility that the counties are without. I think it... they finally need to declare it a priority, so I think we have a split.

Mr. Granger: Well, actually, Ms. Brabo talked about qualifying in particular addressing about the state employee bonuses. If we were to qualify in that way, I think I could get on board and say, hey, this is a priority and we think it's more important along these lines. I just don't want to leave it open and to say this is our top priority as a county that we're looking at. Okay.

Mr. Gregory: I would recommend having a more broad comment in favor of funding for broadband at the local level and expansion at the highest levels possible. Something along those lines.

Ms. Binder: I would be very comfortable with that because that is a major priority.

Mr. Chairman: So you have consensus.

Male Speaker: Understood.

Mr. Chairman: Thank you.

Ms. Brabo: Thank you, sir. All right, let's see. I've got one more. I apologize. I lost my train of thought here. I did point out on the conference call, I asked the gentleman from the governor's office, how does the fact that the FCC mapping is self-reported by providers, which does not show a true picture of Virginia's broadband capability and impacts our federal funding? How are they addressing that? He stated they did submit comments, especially with regards to the rural USDA connect program. They do not themselves utilize the map in any shape, manner, or form for making decisions with where to allocate funding for distribution because they recognize that the mapping is flawed. I asked him about the legislation that was passed a few years ago regarding allowing broadband providers to access utility poles and why they had not been working to create any of those types of partnerships. He said it has to do with liability and insurance issues, but they are looking at trying to bridge that gap by creating mutual insurance

agreements between providers and the utility companies that own the poles. This is not a priority in their opinion at this time. It's more important for them to get funding and disperse it to the localities based upon what the locality believes is the priority for the area that needs service.

Then the last thing I have, Dr. Young, Mr. Weaver from VDOT had stated to us that they would install a blinking warning light on Dahlgren road going into... headed towards the base as you approach the Caledon in 206 new traffic light because it's a blind curve. I'm just wondering, why is it taking so long for that to be installed?

Dr. Young: I'll look into it, ma'am.

Ms. Brabo: That is all I have. Thank you.

Mr. Chairman: I hear it's there.

Male Speaker: Yeah, I took a picture.

Ms. Brabo: A lady just sent me a message on Facebook asking about it. It's there. Never mind, sir. All right.

Mr. Chairman: **[1:21:56 inaudible]** I'm at your disposal. Good evening. Thank you gentlemen for coming out and giving a comment tonight. As I've said before, many people unfortunately wait till very late in the process to convey their concerns, and at that point it's basically determined. You, along with a lot of your neighbors, have engaged very early in the process, so I commend you on doing that.

On the 24th of January, I participated in the first budget work session of 2019. I'd like to thank our citizen budget advisory committee members for volunteering of their time to offer insights on this process, especially the Jays Road district member, Ms. Carrie Cleveland. Dr. Young gave a very informative state of the county briefing, which I found of great assistance to ascertain situational awareness and to help us formulate the priorities of the county.

On 25 January, I had the pleasure of attending to King George Fire Rescue and Emergency Services Awards banquet. Congratulations to all the award recipients and thank you to all who serve both career and volunteer. The stories they shared as everyday moments and just another day at work were nothing shy of heroic to me. They protect us, our property, and saves lives

every day. Keep in mind, with no emergency medical center within a minimum of a 30-minute drive, our ambulances are the hospitals for some and our EMTs, their doctors.

On 31 January, joined by Dr. Young, Mr. Gregory, and my son, Tyler, I took advantage of county government day at the general assembly in Richmond. We had great talks with our state representatives and staffers on the legislative agenda items that directly impact King George. On a side note, it was a unique opportunity for me to expose my son to the workings of government. I was so happy to afford him a unique view into his state government and to spend the day with him when he would normally be in school. That evening, I was back in King George to participate in our second budget work session.

The 1st and 2nd of February, I participated and successfully completed VACo chairpersons institute along with my colleague, Ms. Binder. On the 4th of February, I participated in a joint work session of the Board of Supervisors and the Tourism Advisory Committee with a focus on King George's tricentennial in 2020.

Finally, I'd like to share some thoughts as we are engaged in our budget talks. The budget is a plan on how we will spend taxpayers' money. You're a stakeholder by choosing to live here. We must be intentional and aware of the whole picture throughout the process. It's not a question of important versus unimportant. There is no right or wrong answer. It's a question of how do we leverage limited dollars to competing interest. Every line item has an impact to someone, some department, et cetera. We were elected to make the best decision with the information we have at the time, and we are doing our diligence and making study. I encourage you, your neighbors, your family and friends to come out to one of our work sessions should your schedule allow.

At this time, I will entertain a motion on the consent agenda.

Ms. Brabo:

So moved.

Male Speaker:

Second.

Mr. Chairman:

All those in favor?

All:

Aye.

Mr. Chairman:

Opposed? Chair votes aye. Motion carries. Report from the County Attorney.

County Attorney:

Thank you, Mr. Chairman. Mr. Chairman, members of the board, I just got two items this evening. Number one, I believe County Administrator just handed to you a copy of a proposed deed of easement that has been requested to be accepted by the county. It's been submitted by a Miss Scarlet Cooper by council. It's a storm water facility easement, a BMP, best management practices easement. I'm sorry for the late nature of this, but the real estate transaction that this is related to is what has been finalized over the past few weeks, and it's been going back and forth with them. This property is located at 9150 James Madison Parkway Route 301 tax map 17A16. It's in the Wildlife Springs subdivision. It's lot six in Wildlife Springs. It's five-acre lot zone A2, and basically Mr. Cooper is requesting that the county accept this ordinance, which is standard operating procedure.

The easement... did I say ordinance? I meant easement. I'm sorry. Easement, for this storm water management facility, Ms. Cooper would be primarily responsible for managing and maintaining the facility. The county would only have responsibility if she or the subsequent property owner failed to do that. If the county had to step in and do maintenance on the facility, we could place the easement and titles the county to place a lien on the property to recoup those expenses. I believe with that, the county has protected. These things, the easement requires the property owner to do their due diligence on maintaining the facility. This is fairly standard. Miss Heather Hall in the Community Planning Department has also been involved in this and has seen it. I'm asking you for a motion and recommend that you, by motion, authorize the County Administrator sign this on your behalf.

Male Speaker:

So moved.

Ms. Brabo:

Second.

Mr. Chairman:

Any discussion? All those in favor?

All:

Aye.

Mr. Chairman:

Opposed? Chair votes aye.

County Attorney:

Thank you, Mr. Chairman, members of the board. Number two is the legislative report. I will follow through on the broadband funding legislation letter, which you just directed me to do. Before I get into the actual bills, I want to share with you just the calendar of the General Assembly. For those of you who do not know, the General Assembly is in session right now. The February 5th today

is what's known as Crossover Day, so this marks the halfway point of the session. This year is what's called a short session. It's approximately 45 days versus in other years felt like, for instance, last year and next year they alternate between a short session and a long session. This is a short session year, 45 days; 60 days would be a long session. Regardless of whether it's a short session or a long session, they usually handle about the same number of bills. That's about 3000 bills per session, whether it's short or long. This year, I believe it's a little bit less than 3000 bills, but still it's a big number.

We're at crossover. The deadline for each chamber to complete the work on the budget as we discussed earlier is February 7th, then February 23rd is the date of the scheduled adjournment for the General Assembly for this year. They may of course have a... they'll have a reconvene session on April 3rd to consider gubernatorial amendments and vetoes, but that should basically do it for the calendar.

Now, some of these bills you all have taken a public position on. Some of them, you haven't. I'm not obviously not going to address every single bill that's being considered and I'm not even going to address every single bill that may touch upon local government interests. I'm just going to hit some highlights. Speaking of storm water management, HB 1328. When I say HB or SB, that's House Bill versus Senate Bill. HB 1328, patron by senator Hanger, concerns a storm water local assistance fund and will provide funding for non-MS for localities like King George County to assist them in their compliance and management of the storm water management facilities.

That bill has passed the Senate. At Crossover Day... I should have explained this: at Crossover Day, each respective house, the house and the Senate, completes work on their bills and then they crossover to the other side, right? Then house needs to consider the Senate Bills and vice versa. The Senate needs to consider the House Bills. Now, some bills, a lot of bills, a lot of bills, most bills actually die in their respective houses. They never see the light of day beyond the committee meeting or the respective house, but the bills that are approved by their house then crossover for further consideration. Now, the Senate Bill for instance, or this House... I'm sorry, it's SB 1328, not House Bill. SB 1328 may be killed in the house because each house can vote down or can refuse to report a bill from the other side.

However, in this case, SB 1328 we believe has a strong chance of passing the house and ultimately becoming law, and that's a good thing. It would help out King George County and other similarly situated localities like us. There's also some related legislation which would provide greater flexibility for local governments, and those are expected to pass as well. I can explain those to you at a later date, but they're all good and we're working on those bills in conjunction with VACo.

HB 2189, that would have provided local authority for counties to tax cigarettes. There was other similar legislation which would have also provided that authority. We worked fairly hard on that as did many other local governments, as did the Virginia Association of Counties, VACo. Unfortunately, that legislation failed in the house, and so we don't expect... none of those bills will proceed any further this year.

Ms. Brabo: None of them. They gave equal taxing authority? Not one?

County Attorney: None of them.

Male Speaker: [1:32:06 inaudible]

County Attorney: Right. There's always next year. We do believe those bills will come up again next year, and we'll take another bite at the apple. Proffer legislation. This is good news. There are two bills respectively, Senate Bill 1373 and House Bill 2142. Both of those bills were reconciled to the same. They passed. We expect the opposite houses to pass those bills also, so they will be consolidated and ultimately be approved by both houses and signed by the governor and will become law. That legislation, excuse me, that legislation will amend the legislation that was passed in 2016, which was very detrimental to the locality position on proffers and basically development, working with developers to provide for residential housing in communities. It put localities in a very bad position and basically really inhibited the development process because it unnecessarily hampered the ability of local governments to freely and openly discuss in local impacts by development and how those were going to be mitigated.

This legislation is not perfect. It was a compromise like all legislation, but it definitely puts local governments like King George County in a better position going forward with regard to development and how to absorb that. So, more to come. We'll see how that rolls out. I still have concerns in many local government. VACo and other local governments have many concerns still

remaining, but hopefully this will improve the situation. We will see.

HB 2640, I believe I have corresponded with you about this. This would have changed the local government's ability to tax machinery and tools. It would have changed the formula by which those taxes are calculated. Fortunately, this is a good thing and other good news item, that bill has failed. This legislation, if it had passed, would have potentially had a detrimental effect on local tax revenues and would have complicated matters in the collection of those taxes. The fact that that failed is a good thing, and we're glad to see that. We do expect it to be back next year, but we'll hopefully be able to fight the good fight again and get that bill or prevent that bill from passing.

House Bill 2122, that allows school buses to advertise on the back quarter of the bus. Believe it or not, that has passed the house and been reported to the Senate. That's still pending.

Let's see. House Bill 2164 would have added weddings to the definition of agritourism activity. That was problematic because defining weddings as agritourism would impede local authority to address things such as impacts on neighboring property access, parking, noise, sanitary issues, and other concerns because the legislation that would have been inserted into basically exempted that kind of activity from a good deal of local regulations. It was really... it's complicated. It's complicated, but it was not a great bill, and we're pleased to see that go down.

House Bill 1822 deals with WQIF grants and provides additional funding for WQIF grants, so that could potentially help the service authority. That's very good and very positive.

That is the bulk of my report. I'm happy to answer questions to my best ability and then come back if you need further information on specific bills or provide follow-up later. Okay. All right. Thank you very much.

Mr. Chairman:

Thank you.

Ms. Brabo:

Mr. Attorney, did you have a report from the high coalition growth meeting you attended?

County Attorney:

A number of those bills were included in the high growth coalition report. We addressed that. I can you touch on a few more of those if you like. HB 2139 deals with a transfer of development rights. It's kind of complex, but it deals with sending and receiving areas

for the transfer of development rights. King George County does not have a transfer of development rights ordinance, but if this bill passes, I may recommend at a future date that you consider that. It's not a bad thing necessarily. Consider it: that legislation is cruising through. We expect it to pass and be signed by the governor, but that's just a policy matter. We can look at that later.

Ms. Brabo: Is this legislation going to mandate that?

Mr. Turner: No, it's never mandated. In order to have a transfer of development rights program, you would have to pass the ordinance establishing it, but that's a decision for the board to make.

Ms. Brabo: Am I correct, Stafford County already has this in place?

County Attorney: I believe that's correct.

Ms. Brabo: If this is something, I think we should have taken a serious look at how that has caused Stafford to develop as it has.

County Attorney: Right. It's not necessarily right, may not necessarily be right for King George County, but it does provide a tool where you can direct development into certain areas. I don't know, we' certainly can cross that river when we cross that bridge when you come to it. I already addressed the HB 2364 regarding wedding venues and agritourism. That was a big one.

There are bills concerning impact fees. Impact fees are a little different than proffers. Those bills pass the... actually, I'm sorry, were passed by indefinitely, which would **[1:38:24 mean to say]** they were killed in the Senate and that they died basically as a result of the fact that the proffer compromise legislation got legs and proceeded to passage or so far so good anyway. Those bills are sort of set aside for another day. Maybe that might come up. It's my understanding that the development community is continuing to talk about that or consider it and work with local governments on that potentially, so we'll see. Impact fees are another tool in the toolbox if they're available. Not really practically available right now, but maybe at a future date. That was the bulk of the high profile legislation the high growth coalition was interested in. I hope that answers your question.

Ms. Brabo: Thank you.

Country Attorney: Thank you.

Mr. Chairman:

Any other questions? All right. King George County Board of Supervisors will now hold the public hearing to receive public input regarding case number 01- tech 18 tech S01, amendment to the King George County subdivision ordinance to require only preliminary plats more than 50 lots to go before the board of supervisors, giving the approval authority of final plats to the planning commission. Amendment to sections 2.2, 2.3, 3.3, 3.4, 3.12.2, 3.12.3 of the King George County Subdivision Ordinance. I'll ask Ms. Heather Hall for a brief overview. I will then open the floor for public comment. I ask that you limit your comments to three minutes in order to afford everyone an opportunity to speak. Upon completion of the public comment, I will bring the matter back to the board for consideration. The board may or may not take action tonight depending on the information received during public comment. Ms. Hall.

Ms. Hall:

Good afternoon. If you recall, you had a joint work session with the Planning Commission back in August of 2018 in which we discussed that there were two items that were part of the action and update of our subdivision ordinance. First, it was previously brought to the attention of the commission board briefly at the August meeting that King George County subdivision's out of date with State Code 15.2- 2160. Second it was discussed that the final plat approval process may be overly burdensome for applicants and staff as well as costly for both applicant and King George County.

The Board of Supervisors and Planning Commission agreed to update the ordinance to require only preliminary plats, 51 or more lots to go before the board of supervisors, thus making the Planning Commission and the approving authority for major subdivision final plats and those minor subdivision plats not under the final review authority of the subdivision agent. The George County Subdivision Ordinance Section 3.3 currently requires every person proposing to subdivide land shall submit a preliminary plat and such subdivision for approval in accordance with herein. However, Virginia Code now requires that only subdivisions with more than 50 lots be required to go through this preliminary process. Therefore, we amended our ordinance. As you could see in the bold, it now states every person proposing to subdivide land into 51 lots or more shall submit a preliminary plat. The rest of the texts did not change. This is the list of waiver requirements. As you see, minor subdivisions, family subdivisions are listed as well as lots of 50 or less are now listed as exempt from this process.

Planning Commission review is now also the approving authority after review by the agent that shall provide 12 copies of the final record plat for review by the commission and the Board of Supervisors. Additional copies may be requested by the agent and shall be provided by the applicant upon request. The Planning Commission shall view and approve, modify, or disapprove the final plat. The subdivider shall be advised in writing by form of letter of the governing bodies action on the final plat. If the plat is disapproved, the reasons for disapproval shall be stated in writing with reference to the specific section or sections of the subdivision or zoning ordinance in which it does not comply. The governing body, which is the Board of Supervisors, this section was deleted as you would no longer have that authority.

We go on to amend planning commission. Final plats of major subdivision will be reviewed and approved, disapproved, or modified by the Planning Commission. The Planning Commission shall review preliminary plats of major subdivisions and submit their recommendations to the governing body for final action on the preliminary plat. This is where preliminary plats with 51 or more lots would still come before the board of supervisors.

The commission shall also review and approve, disapprove, or modify appeals or actions of the proposed exceptions under this ordinance for major or minor subdivisions. The commission shall make recommendations for appeals and exceptions concerning preliminary plats to the governing body. The planning commission would still make a recommendation on preliminary plats. However, they would make the final decision on those minor and major subdivision plats that have previously come before both boards.

The governing body shall review and approve, disapprove, or modify the preliminary plats and all major subdivision plats as required by this ordinance and shall decide appeals and requests for exceptions concerning preliminary plats under this ordinance. Again, if the exception would it be part of the preliminary plat approval that would still come before the board of supervisors. Community Development Staff and King George County Planning Commission recommend that the Board of Supervisors approve and adopt case number 0118S01.

Female Speaker:

So moved. Oh, public hearing?

Mr. Chairman:

Then we got to give discussion. Thank you, Heather. I'll open the floor for public comment. Is there anyone online? No? Discussion.

Female Speaker: Go ahead and give me a second.

Male Speaker: Second.

Mr. Chairman: All those in favor?

All: Aye.

Mr. Chairman: Opposed? Chair votes? Aye. Motion passes.

Male Speaker: Mr. Gregory, was there any concern with the way that was done? Do we need to read, make the motions. I just want to make sure we cross all our...

Mr. Gregory: The motion was a little premature, but I think it well taken.

Male Speaker: Okay, just want to make sure. Thank you.

Mr. Chairman: Okay. Presentations and reports. Machodoc Creek no wake zone application presentation by Mr. Jeff Stonehill, Machodoc Creek Marina. Mr. Stonehill.

Mr. Stonehill: Good evening, ladies and gentlemen, chairman.

Mr. Chairman: Mr. Stonehill, can you pull the mic closer to you? It's a little hard to hear. Thank you.

Mr. Stonehill: Okay. My wife Marcia and I purchased a Jack's Marina where Dahlgren Marine works a year ago and we had been doing lots of things updating it. As the creek gets busier and we have a lot more traffic, we've run into a certain situation that tonight we're going to talk to about a no wake zone, eight speed limit or speed zone for the body of water. This is just the overview of where we are. This is the navy base here, the Potomac River out here. This is the Dahlgren yacht club on the base. This is the marina right here. This is kind of facing north east right this way.

The problem that we're having is that people are coming in and out of the creek. This is Williams's creek right here, which goes over to the water treatment center and Dahlgren road right here. What's going on is that we have now have a new boat ramp right here and also a gas tank here where the dispenser is right out here at the end of this dock. The problem we're having is boat traffic coming in and out of here very fast throwing a large wake. Wake is the water that's being displaced by the whole **[1:47:51 boat]** moving through the water, and what's happening is that my customers' boats are being damaged and also it's causing a real safety issue here at the gas dock where you're trying to fuel up a

boat, when you're having a nozzle and the side of a boat getting fuel and somebody coming by here throwing a big wake, causing the boat to bang against the dock and generally having to hold the boat away from the dock with your feet, hands as you're fueling of the boat.

It's also creating right here a hazardous situation. The boat ramp is right here, so when you put your boat in the water, you're actually coming out here, and unfortunately there's a blind spot right here. I don't know why it is, but the marina has turned into a magnet. Everybody wants to go by flying past here, the Williams creek, or for some reason just coming by here very fast. If you're coming this way then you got a boat coming out this way, there's a bad blind spot right here, and we're trying to avoid boating accidents right here.

This is what Virginia describes as no wake. Basically no wake is defined as the slowest possible speed to maintain steerage and headway. There is a law... I also am a boating instructor for the state. There is a law right now saying that any boat within 50 feet of docks, piers, boathouses, boat ramps, and people in the water have to be at a slow no wake speed. Unfortunately, no matter how many times I drill that into people's heads in class, they don't pay attention to this [1:49:58 inaudible]. They don't pay attention to those. There is something in state law right now, but 50 feet is really... it's the width of this room. It's not very much far at all.

Ms. Brabo:

The people on television and online can't hear you if you don't speak into the microphone.

Mr. Stonehill:

Got you. Okay. I walk around too much. Safe speed here in Virginia, as you can see here, is the speed where people can avoid or stop on a boat. If you know anything about boats it's not like driving a car. They don't stop immediately and they're hard to maneuver. I've spoken to the state DGIF, Department of Game and Inland Fisheries and talked to the James River city captain who takes care of our area here in King George. He explained the process of what needed to be done to get a no wake zone established here in King George. Since we don't have one, I figured this is the time to do one for the safety of the people at the marina and everybody coming over there.

Basically, as this says, any person, meaning us, the marina, has desires to place no wake buoys, we basically bear all the cost. We have to buy the buoys, we have to maintain the buoys, we have to do all the placements, everything, so there's no cost in the county.

The state determines what type of signs, what type of buoys, and they just have three or four different types that you have to buy that's approved by DGIF. I would be responsible for putting them in and then taking them out if we wanted to do before ice comes.

Just more pictures of what's going on here. Williams's Creek, just a straight overhead view of the marina. Like I said, it's just boats coming in and out of here, throwing a big wake. What happens is that, as a boat passes, a wake comes in, rocking all these boats that are tied up in their slips. This right here is our new gas dock. A boat that comes by here throwing a big wake, the wake goes in and, number one, it goes in and rocks the boat on the way in. Then it also hits the bulkhead, which is right here, and then gets redirected going out. As the weights are going in, this wakes are going back out in this area in through here, gets caught in between, and it makes it even worse.

Typical no wake zone markers, these are all the number of different kinds, but this is the most popular that's out on the market right now. You attach an anchor chain to it and then you drop it down to either a mushroom anchor or a bunch of blocks of concrete or something, but these are just two types of no wake markers that's approved.

Penalties if approved can be enforced by marine police, DGIF personnel, and the King George Sheriff's office, and anybody in violation of this no wake or speed zone area would be... it would be a class four misdemeanor ticket that could be enforced by all the local law enforcement. Questions?

Mr. Chairman:

I had a quick question. Could you go back a couple of slides where you talk about the no wake zone and what that entails exactly. I was just kind of curious in regards to... just back one more.

Mr. Stonehill:

That one?

Mr. Chairman:

No, I think it was one more. I'm sorry, go forward one more. Right there, it was right there. The number one point: no wake is defined as the slowest possible speed required to maintain steerage and headway. I'm not real boat savvy. Is it different for different size boats, like what the speed they would have to maintain in order to keep a steerage and headway, and then how do you police that as well? Because it's not like a gun where it's 10 miles an hour or something like that. How does that process work?

Mr. Stonehill:

Usually the way that works, it also depends on your wind and your tide and everything. Colonial Beach has all of Monroe Creek has been designated no wake zone. They had it right in front of Colonial Beach yacht club where there's a strong current that's coming in and out of there. If the tide is going out, it's going to take more power to go through that way through the tide to go forward, so you're going to have more speed as opposed to the opposite way. If you're going with the tide, you can go even slower. It's really a judgment call. It would be up to the law enforcement officer or somebody that is there to look at it. If somebody's... and in boats, you can be going slow on a big boat and what we would call dragging, which if you're kind of slushing along here, you're throwing a much bigger wake is that if you're going either much slower and then the back end of your boat would be up and work. It all depends. It depends on your boat. A big boat obviously is going to displace that much more water, so it's going to normally throw a much bigger wake than a pontoon boat or a bass boat or a catamaran which sits on two different hulls.

Mr. Chairman:

Okay. Thank you. I appreciate it.

Female Speaker:

I have a question. How many did you have to put up for the wake zone?

Mr. Stonehill:

Sorry, it, I didn't throw this one in there. My thoughts are, so what happens I guess is the board would make their decision that would then go to the law enforcement officer, the captain who I spoke to, DGIF. I think the final call would actually be up to our local game warden that's here because they handle it. It would be Sergeant [1:56:31 inaudible] for our area here. What I'm proposing is there would be one marker right here, one marker right out here. One marker that would be right here would be 510 feet off of this bulkhead right here, so it'd be roughly right about here. The next one would be 900 feet off of that, which would be out somewhere right in this area. Then they would have matching ones right here and out here, so basically it would be just in a square that's out here. I did pull the GPS coordinates for those, but that would be up to the inspector of the game warden who would be coming up to look at that.

It would basically be just four markers here making a big box right there. I did have a lot of our neighbors that are up in this creek here. When I talked to them about proposing this right here and they said, "Oh, please, let's extend it all the way up into Williams's creek," because the deeper water is right in here, the shallower

water is it this way. People go flying in and out of here, which rocks their boats and also then creates wakes, which erodes the shoreline as well. Like I said, a lot of these boats go through right close by here, and all these neighbors all the way up to creek said, "Let's please extend it all the way up." I said, well, let's do one step at a time and then go from it.

Female Speaker:

My other question is how much will this be policed and how do they ticket violators or...

Mr. Stonehill:

I've asked the marine police, talked to Kevin Bell down in the Heathsville, the local game wardens, and I've asked for more presence there, but they're in very short supply, but if it's an approved zone, if somebody sees them and wants to testify to it, a law enforcement officer can use yours or somebody else's testimony saying that I saw this boat go through and then they would be their eye witnessed for the ticket. Ticket would be just written, just like you would get a speeding ticket on the side of the road, which you would then go to King George Court and go for there.

Ms. Brabo:

Mr. Gregory, am I correct, the proper procedure for this would be for us to send this to staff and the Planning Commission to actually draft an ordinance specific to King George County?

Mr. Gregory:

Just about. I first of all want to hand it to Mr. Stonehill and Mrs. Stonehill for doing their homework. This is fantastic. I really very much appreciate what you've done. I've looked at everything, and I think we... the way the process... the way I would suggest going forward would be to ask Mr. Stonehill to apply to the Board for this ordinance and request that the board submit an application, and that can be done in one step. It would be his responsibility to prepare a draft application which would be submitted to VDGIF, Virginia Department of Game and Inland Fisheries. You could provide a cover letter requesting that the board submit that application for authorization to promulgate the ordinance, so then we give notice to VDGIF that we're going to be applying for that and we submit it.

While VDGIF is considering the application, the county can work on drafting an ordinance in anticipation of that authorization. We can work with Mr. Stonehill and Sheriff Dempsey and others on that if you like. Then, once we get the authorization from VDGIF, which we hopefully will get, I suspect we probably would, the county as in any other case would provide the public notice, conduct the public hearing, and then once it is adopted, then Mr.

Stonehill would have the authorization necessary to work with VDGIF to install the buoys and proceed accordingly. That's what I would suggest after reviewing your materials and doing further research.

Ms. Brabo: Okay, so we have to get actual permission from this organization before we can... to allow us to have this ordinance.

Mr. Gregory: That's correct because the waterways are administered or regulated in part by VDGIF, Virginia Department of Game and Inland Fisheries, which is a state agency of course, so we just need to work with them on that process.

Ms. Brabo: Recognizing the timeline that is involved in order to get all of this done and advertise and conduct appropriate public hearings with the planning commission, and then you have to advertise...

Mr. Gregory: It wouldn't have to go to the planning...

Ms. Brabo: Would not have to. Okay. All right, but still you have to advertise and conduct a public hearing here. You may want to think about, since you have to go through this whole process, do you want to go ahead and include the other entities or do you simply want to have it be just that one section? It's just something for you to think about. You don't have to decide that tonight. It's just something for you to think about.

Mr. Gregory: As Mr. Stonehill mentioned, whoever submits the application is ultimately authorize to install the buoys. They're responsible for purchasing the buoys, installing the buoys, maintaining the buoys, all of those things. I wouldn't expect Mr. Stonehill to pick up the tab for the entire creek, but once the ordinance is established, it seems to me that other people along the creek, because it would probably be called the Machodoc Creek no wake zone ordinance. Depending on how the ordinance is drafted, and we'd probably draft it as broadly as possible, you could establish additional no wake zones in other areas if desired. Other people along the creek could take action under that ordinance with the proper authorization, not just willy-nilly on their own but with the county's authorization, and working with DGIF, I suspect additional buoys could be installed at their expense but not Mr. Stonehill.

Ms. Brabo: Just for clarification, the name of the marina is Machodoc Creek, but the actual creek itself is Williams creek. If you named it Machodoc Creek Ordinance, would that mean it's only specific to the Marina?

Mr. Gregory: Oh, that's a good question. That's my mistake. I forgot the distinction between the Machodoc Creek versus Williams Creek, but we can tailor it to however the board and Mr. Stonehill want depending on what the board's desires are. DGIF, they would have some input on that once the application was submitted. They may impose certain requirements on us or have guidance for us in that regard.

Ms. Brabo: Well, it sounds like you have to submit an application before we can make any determination.

Male Speaker: Yes, and we have the draft application, which I believe you've seen.

Male Speaker: The one that I sent? That you all got?

Male Speaker: I believe so. Yes, sir.

Male Speaker: Got the final one?

Mr. Chairman: Thank you, sir.

Ms. Brabo: Thank you.

Mr. Chairman: Next is Dominion Medical Mitigation presentation by Mr. Brad Hudson, Director of Community Development.

Mr. Hudson: Good evening, board and Mr. Chair. Tonight I bring before you... maybe nothing. Oh, I think we're online now. Got this going? This is IFB funding request. IFB is for invitation for bid for the former Dominion Medical Building at 11463 Ridge Road in King George, Virginia. This is the property, a segment. It's attached to the building known as Big Dog Outfitters now. It's one half of it. The other portion of it, the small segment here, is the old Dominion Medical Building.

On June 25th, 2018 community development received a complaint about the state of disrepair of the former Dominion Medical Building at 11463 Ridge Road. On June 29, 2018, staff made a site visit to address the complaint. The structure was in a various state of disrepair. Noted was the following: partial roof collapse; soffits rotted and falling to the exterior, creating openings within the building; piles of wet and damaged records, presumed medical; moisture and growing mold in areas exposed to the elements.

These pictures here dictate the soffits falling off. This is a rooftop view showing that the rubber membrane is dislocated and

apparently has been dislocated for some time. This is actually a hole in that membrane. All of these areas are exposed to the elements into the outdoors. This is the rear corner of the building. As you can see, all the soffit that has gone to this section. This is all open to the exterior as well as the membrane is dislodged, and it appears that it's dislodged back here to some extent as well.

Now the aerial view. This is another aerial view showing how the roof has also started to sag here due to the membrane being dislocated. This is actually where the manufacturer roof trusses are collapsing. This area here is where the water is ponding. It actually has more than one hole in it, but water, snow, moisture all goes through it. This is a picture looking through the side door open to the building where you can see the ceiling has collapsed, heat registers have collapsed, very hard to tell in these pictures, but from this area across and as far as you could see back through the front windows was a large growth of mold, mold spores, standing water within the building, and so on. Just a few more pictures of the soffits and how they've fallen down to the ground. I think the neighbors to this building had been going over there regularly, cleaning up the fallen debris. This is where the building was originally posted. This is looking into the building, very hard to see with the glare, but you can see some of the ceiling elements of some of the structure has fallen through.

On June 29, 2018, staff placed a placard on the building, declaring it unsafe for human occupancy, pursuant to the King George County code article three, unsafe building and structures sections 4-52 through 4-55 abatement of public nuisance. Since the building was placarded, two certified letters to two different addresses have been returned to King George County unclaimed. The structure was again placarded on November 8th, 2018 with a post it notice of violation requesting immediate action by the owner. A legal notice was placed in the Free Lance-Star and published for two consecutive weeks per section 454-54B of the King George County Code. There's a copy of the second placards with the written notices. The last publication in the Free Lance-Star was November 20th, 2018. Community development has yet to receive a response from the owner.

On December 20, 2018 was 30 days from the last required publication and still no response from the owner. At this time, Community Development request funding from the board of supervisors to remove, repair, or secure this building per article three of the King George County Code. County Engineer Travis

Quesenberry checked several online cost estimating guides for demo cost. What was found that these types of buildings without removal of the slab and foundation that demolition costs between \$4 and \$8 per square foot. Using the mid-range at \$6 per square foot, that would be 12,500 for this building. There's also a possibility of asbestos cost. Estimates typically include \$2 per square foot for asbestos testing and removal. That would be another 5,500. Additionally, there will be hauling and disposing of the debris at the landfill using the debris estimating guidelines for demolition, that could be as much as 400 cubic yards of debris with an assumed wall height of 12 feet. That equates to about \$7,000 for debris disposal, not including the slab and foundation. The estimate is \$25,000, not including the advertising costs for the invitation for bids.

The medical records, it's not 100% sure they are medical records. At this point, it's an assumption. However, I went through the County Attorney and we came up with these items to share with the board. The code of Virginia title 541-243.3 addresses medical record ownership. Records are clearly the property of the provider. There's no provision stating that ownership reverts to a locality or to another person or entity. The code of Virginia title 541-2405 addresses duties that the provider has if the office is sold, moved, or closed. There are no duties imposed on the landlord, locality, et cetera in these situations.

18VAC85-20-26D list of duties that providers have for the maintenance of records. The law requires six years from the date of last visit. The longest obligation is the maintenance of juvenile records until age 18 years old plus six years from the last date of visit. The property has been abandoned for decades. 18VAC85-20-26E states that the records shall be destroyed in a manner that protects confidentiality. The county could shred or incinerate surviving records to protect confidentiality of the citizens. However, the county has no duty to do so. Liability rests within the provider. Legal counsel advises no statute or regulation imposes liability on the locality for safekeeping up abandoned medical records.

The King George County Department of Community Development staff recommend that the King George County Board of supervisors approve funding to abate the public nuisance unsafe structure known as Dominion Medical Building in the amount of 25,000. Upon completion of the abatement and inspection of such abatement by community development staff, King George County

shall enforced the King George County Code Article Three Section 4-55 collection of costs lien on the property.

The pictures you saw earlier were taken back in June when we first went out. These were taken last Friday. As you can see, it started to deteriorate even more in this area. This area is now even more sunken. There's definitely more areas that are starting to sag. These manufactured trusses in here are actually broken. They're being partially held up by interior walls. This is a picture of the biggest hole in the roofing itself. It's full of debris now and was holding some moisture the day we actually flew. The photos were done by Chief Lynd with King George Fire and Rescue for me. Building's too dangerous to get on top of to examine.

That's all I have. If you have any questions, I'll do my best to answer them.

Mr. Chairman:

Thank you, sir. Any questions?

Ms. Brabo:

This appears to be from the photographs attached to the actual building that houses Big Dog Outfitters. Is it attached to it?

Mr. Hudson:

Those two buildings are separated by a masonry firewall.

Ms. Brabo:

Okay. All right. Are they owned by the same person?

Mr. Hudson:

They are not. They are owned by two different...

Ms. Brabo:

...interesting.

Mr. Hudson:

Two different people. The masonry firewall is the property line. The Big Dog side is owned by one person; this side is owned by somebody completely different.

Ms. Brabo:

Okay. With regards to whether or not there's any medical records inside, obviously no one has come to any of us, so there's either none in there or folks aren't concerned because it's been so long. While we may not have any duty, I would ask that the board give consensus that if there are documents inside that we do the right thing and that we ensure that they are destroyed because it's the right thing to do.

Male Speaker:

I was going to mention that also because I wouldn't like my records to get out there in the public.

Ms. Brabo:

Okay, and then the only other comment I have won't affect the vote tonight as far as moving forward, but I think it is something that either the County Attorney can clarify for me now or

something we need to look at with regards to the ordinance itself. If you don't find the property owner and you don't get reimbursed for the cost to demolish the building, hypothetically the \$25,000, then the county has the right based upon the ordinance to put a lien on the property. But the ordinance speaks about if the property owner then sells the property to someone who is not a blood relative, the county has the authority to waive the lien. Who is the county? Because I'm... is that the treasurer? Is that the Commissioner of Revenue? Is that us?

Male Speaker: The county can only act through the Board of Supervisors.

Ms. Brabo: County is the Board of Supervisors?

Male Speaker: Yes.

Ms. Brabo: So that's what I wanted clarification on.

Male Speaker: The Commissioner of the Revenue and the treasurer are not...

Ms. Brabo: Because they handle those types of real estate transactions when there's a lien. That's why I was wondering because I didn't see where... I mean, of course I didn't look at everything, but I didn't see where it was defined who is county?

Male Speaker: A county is defined in the ordinance generally in the code of the county, so that refers to the King George County, and the Board of Supervisors acts on behalf of the county. It would be the Board of Supervisors would have to take action to waive the lien or release the lien. The Commissioner of Revenue and/or the treasurer do not have that authority.

Ms. Brabo: All right. Okay, so I just wanted to make sure that was... if we're the ones authorizing this type of action, then we should also be the ones who can determine whether or not to wave that lien. All right, thank you for that clarification.

Male Speaker: Welcome.

Male Speaker: I would keep in mind one thing. I did not get an estimate for shredding those documents. Part of the reason for that was, one, we didn't know if they weren't medical records, so that could change...

Ms. Brabo: Correct.

Male Speaker: ...the proposal. Secondly, what we could see were so moldy and wet. You could only identify them as edges of paper. They may be damaged to the point now where they're not legible.

Ms. Brabo: That is possible, but if they are, the board would like to see that they are destroyed appropriately. Yeah. Any other... no? I move to approve funding in the amount up to \$25,000 to abate the public nuisance unsafe structure known as Dominion Medical Building.

Male Speaker: I second.

Mr. Chairman: All those in favor.

All: Aye.

Mr. Chairman: Opposed? Chair votes, aye, motion passes. Thank you, Mr. Hudson.

Ms. Brabo: This right here is the reason why we passed that ordinance. So, thank you to the colleagues that supported it.

Mr. Bueche: Next we'll have a presentation on King George Stakeholder report partnership with Fredericksburg Regional Alliance by Mr. Ryan Gandy, director of Economic Development.

Mr. Gandy: Sir. Thank you, Mr. Bueche. Good evening, board members. I was asked to provide a stakeholder report on our relationship with the Fredericksburg Regional Alliance. I think everybody got a copy of the slides. This is just a little, a bit about the Fredericksburg Regional Alliance. They are public private economic development marketing partnership created to provide CEOs, presidents, corporate real estate executives, and site selection consultants with a single source for comprehensive, demographic, economic, and commercial real estate information in this region, in the Fredericksburg region, which includes the city of Fredericksburg and the counties of Caroline, King George, Spotsylvania, and Stafford. They also provide a wide range of services designed to facilitate the creation of jobs and capital investment while diversifying the economy and increasing the tax base.

These are some marketing metrics received from the FRA. It breaks it down by the last three years. I don't have the 2018 numbers because they are still in the process of completing those. You will see, FYI 15, 16 and 17. Do you have any questions about any of that? I just will clarify that all those jobs are full time employment, and then the average for the last three years ROI is

\$220.67 per year for the return on investment for all FRA assistant announcements.

Okay, and the budget comparisons. I wanted you to see this because I wanted you to see what Northern Virginia and greater Richmond partnerships contributions are compared to the Fredericksburg region. If you take a look at the top, the greater Richmond partnership, all those counties contribute an equal amount of dollars, which is 385,000. Northern Virginia does not contribute anything to a partnership because they act on their own. They are not a part of a partnership. Then you can take a look at our comparison at the bottom. That's actually from 2017, so I do have the 2018 numbers on the next page. I wanted to point out to you also that there are 16 regional economic development organizations in the Commonwealth. Again, Northern Virginia does not participate in a regional partnership. The Greater Richmond Partnership and Northern Virginia counties have outspent the Fredericksburg region on economic development by over 40 million during FY 18. Then, if you take a look at the next section, county contributions made to the FRA are based on \$1 per capita, so that's population base. In FYI 18, our contribution was 25,381.

Each of the four jurisdictions in the GRP invest the same amount, 385,000 per year. Just wanted to point out that both Stafford and Spotsylvania have populations greater than Hanover County, which is the smallest of the GRP. We are contributing far less than the smallest county in the GRP in this region. Regardless of population size or contribution level, each member locality of the FRA has equal representation on the board of directors. The FRA does attempt to maintain a 50/50 funding split between public and private investors, and that's not entirely true for every partnership in the Commonwealth. The FRA does try to keep it as a 50/ 50 split.

Additional contributions from the FRA. They did assist with the finish line environmental project during the personnel transition from the previous economic development director. They also assisted in helping convince VDOT to initiate and fund the 301 corridor study even though the county is not a full member of FAMPO for the past two years, therefore it's also been instrumental in helping bring NSF Dahlgren to the table to discuss the tech transfer, which is what Mr. Granger talked about earlier, and we are finally making headway with that because of the recent meetings with the base. They also act as the liaison

between the VDP, which is the state economic development arm and King George on all VDP projects. Just to clarify, we don't get projects sent to us directly. They get sent to regional partnerships or regional EDOs, which are economic development organizations, then they distribute those among the member localities.

They also assisted us with the PoMonkey Net initiative and they were instrumental in getting the project funded through Go Virginia. They provide data and research for the county on individual projects that are cultivated by the county. What I mean by that is I can go to them with research or data requests on projects that I directly am involved with that they have no knowledge of or they didn't have previous knowledge of, and they will give us the data and the research, just as if it were a project that they distributed.

They are currently working on eight prospects for us this year, and that's not counting project holiday and the regional data center tax coordination efforts. Again, that also does not count the research done on the projects that we cultivate internally. If you take a look at the bottom, the number of projects worked for King George from FY 15 to 19 year to date, 2015, 24, 21, 9, 24, and then 8 currently this year, which I fully expect that to exceed the previous year.

Those page talks about the subscription-based services that FRA utilizes. They spend \$23,000 for ROI, which is research on investment. They are a lead generation firm specifically specializing in economic development leads for business to business. They also spend \$10,000 for subscriptions such as JobsEQ, Esri, CoStar, and other labor demographic and site information. If you want to read the three subscriptions, they're basically... JobsEQ is data for labor demographic information. They provide charts, tables, maps, et cetera. Esri is a GIS and geodatabase management application. Then CoStar provides commercial real estate information analytics and online marketplace information. Then they also spend \$6,000 for memberships in regional and state organizations, which includes the Fredericksburg Chamber membership.

The next page is natural gas related projects that the FRA was directly involved with over the past three years. If you look at 2015, there were two projects that came down the pipeline. 2016 a good bit more, seven, and then two in 2017. Again, I don't have

the 2018 numbers yet because they haven't provided that, but as you can see, these are projects that we are not even qualified to respond to an RFI right off the bat because we don't have natural gas or we don't have a pipeline for natural gas. That gives you the numbers and the potential for jobs as well.

This page, I just wanted you to realize some of the benefits of regional economic development. The IEDC published a white paper called Organizing for Success: Regional Economic Development. The IEDC is the industry standard for economic development professionals, and they emphasize the biggest benefit of regional economic development as the ability to pool and leveraged limited marketing resources. Key advantages of regional economic development partnerships allows for more efficient use of limited resources. Larger groups are more effective at voicing issues of a collective concern than smaller divisions, thus maximizing our political influence. If we weren't a member of FRA, we would have a smaller voice when we're coming to the table for state projects or things like Eric was talking about with House Bills and Senate Bills. It helps to have the FRA involved because collectively we have a bigger voice. Then, it allows localities to better compete for investment on a large scale, so with the help of the FRA, they do international call trips, they will go to Europe or Canada, bring back leads for the region. That's what I mean by that. That's it.

Male Speaker:

Thank you, sir. Any questions? Discussion?

Mr. Chairman:

I didn't have any questions. I just like to say I do serve on FRA and so I'll be honest, I didn't really have a lot of concerns in regards to the value that FRA provides. I know Ms. Brabo brought up and asked to look at it. I don't think that's ever a bad idea to look at and see if there's value being provided by organizations. As I said, I wasn't really concerned because I thought there was value in it and I appreciate Mr. Gandy putting together to help quantify the value that is being brought in. I obviously didn't have those hard numbers, and so I appreciate you putting that together for us. I think there's some exciting things going on right now and hopefully will bear fruit that will be very exciting for the county.

Mr. Gandy:

Thank you.

Ms. Brabo:

Have any comments? No? This was nice. This was much more informative - and I mean no disrespect to Mr. Curry Roberts - than him just coming and giving us a marketing pitch, to actually see where our money is going, how it's being utilized. Again, we only

in the past have had brought to us projects that will come to fruition. Eight years, one project, where's my return on investment? It appears to me majority of the return on the investment is the data and the access, the research that we don't have the staff to be able to do that. I mean by sharing those expenses. Although I do have to question why the FRA chooses to only be a member of the Fredericksburg Chamber and has never chosen to also join the King George Chamber since we pay into the organization. I think that is a point of contention that should have been brought to their point. Although I will say, your chart here, sure seems like Fredericksburg and Caroline receive a lot more bang for their buck then we do when you... but...

Mr. Gandy: In terms of the return on investment or just...

Ms. Brabo: Mm-hmm.

Mr. Gandy: Well, again, it's based... I don't know if you're speaking to what they actually get in terms of projects, but...

Ms. Brabo: What they put in and versus what is budgeted for them. Fredericksburg puts in 29,213 and their budget is 971,249. We put in 24,000, not much less than them, and we're getting a budget of 164,000.

Mr. Gandy: Yeah, and that may be something that you as a board can address with the FRA because, as it stands currently, it's based on population. We're going by per capita, and if you wanted to... if that's something that the board wanted to say, "Hey, can we base this on budget?" that's within your purview to do, but when this was set up, that was what was decided.

Ms. Brabo: Absolutely, right. Again, none of this has ever been brought to our attention before, so this is definitely good information to have a conversation going forward to ensure that King George County is not getting slighted when we are investing almost as much as Caroline County and Fredericksburg but our budget does not reflect that with the FRA, with what they're investing and marketing us

Mr. Chairman: As the representative of the FRA, I can work with Ryan and we can have a sit down with Curry and just with them to see what can be done to help put a little more focus on King George.

Ms. Brabo: Then the last thing I would like to point out. Again, it's always a win when you can do something regionally, but while we are working together as a region, in some aspects we are still

competitors because obviously, at the end of the day, everybody wants the business in their locality to provide the jobs and the revenue for their locality. I do have a little bit of heartburn with regards to the Dahlgren Patent MOU. King George County EDA was the first out of the gate. They did all the leg work to bring that to fruition, and rather than the FRA assisting our own King George EDA, they went out and got their own MOU for the region and have worked the last two years to bring it for the whole region. In other words, what may come to fruition may benefit Stafford instead of King George County EDA or benefit Spotsylvania instead of King George County EDA, who did all of the legwork to bring that to fruition initially. We're supposed to be their big feather in their cap.

Mr. Gandy: Yes, ma'am, and I will say that the operating agreement that we have with the base is between King George and NSF Dahlgren. We didn't sign a new one that includes the FRA or anyone else. We do have one strictly between the county and the base. The base did ask that each entity that was participating sign their own operating agreement. To that, I don't, I don't know how it's going to play out going forward, but I certainly hear your concern and I'll make sure that that's...

Ms. Brabo: Well, I'm trying to understand how the EDA wound up being excluded from the table when they were the ones who initiated all of this.

Mr. Gandy: Honestly, I can't tell you because that process was started before I arrived. We spent... and since I've been here, we have spent countless hours trying to get the base back to the table. Before they had any turnover in personnel, it wasn't a priority on their list. I've had two discussions with them so far. We're still early in the process, so that's something that we can obviously get the EDA back to the table and get them involved. I'm sure Ms. Stonehill would love to be a part of that because she's the chair of the EDA

Ms. Brabo: I would appreciate that because this was supposedly going to be a means for them to suddenly be able to generate revenue into the future.

Mr. Gandy: Yes, ma'am.

Mr. Chairman: Anyone else? Mr. Gandy, thank you for your presentation. It was really nice to actually see numbers and some measurables here on paper. Dr. Young, I know we're going to be revisiting this in our budget work session. Can we have this made available for that

work session for Citizen Budget Advisory Committee members since that discussion took place in a budget work session? I'd like them to see the same materials we saw tonight if possible. Thank you very much.

Mr. Gandy: Thank you, sir.

Mr. Chairman: Thank you. We'll now move into action items. Department of Finance, transfer of funds for the General Fund to the Capital Fund for debt mitigation.

Male Speaker: Yes. On December 19, 2018 King George County paid \$2,948,892 towards the county's debt mitigation fund. We were requesting that \$2,018,082 be transferred from General Fund to Capital Fund to cover the cost of the debt payment. We recommend that the board approve the transfer \$2,018,082 from the General Fund to the Capital Fund for the debt mitigation payment. If you all recall, that was the plan, that **[2:38:37 inaudible]** and associates explained to us that we had a larger balance in our General Fund balance, so he recommended that we take the bulk of the payment that was going towards the debt mitigation payment from the General Fund. However, of course, to make that payment, we'll have to just take the \$3 million from the Capital Fund fund balance to pay the capital debt. We are now asking the board for us to bring that \$2 million from the General Fund to cover that gap that's in the Capital Fund fund balance.

Male Speaker: So moved.

Ms. Brabo: Second.

Mr. Chairman: All those in favor?

All: Aye.

Mr. Chairman: Opposed? Chair votes aye, motion passes. Next is Department of Parks and Recreation Citizens Center fee updates.

Male Speaker: Tonight, I've come before you to review the Citizens Center fees. They have not been changed since 2010, and maybe not before that. The latest copy I have in our books is 2010, but we're not sure actually when they were last updated. Right now our rate structure includes a rental fee, a supervision fee, a cleaning fee, and then your security deposit, so when you come in to rent Citizens Center, it's rather confusing. One of the first days I was on the job, I couldn't understand how much the person-- I was

sitting in the office listening to what they were telling the citizen they were going to pay, and I had no idea what the total was.

Currently, the structure has holiday surcharges. It doesn't take into account whether or not the event has alcohol at it, and what we find is when events have of alcohol, the cleaning takes longer and is harder. The cleaning fee is subject to the discretion of our operations manager, so she has a good judgment based on how long your vendor is and how many people you're expecting to attend, but it's not concrete. We could be looking as playing favorites, and the total range of charges actually decreases over time. It's just the way the current structure is set up.

What we propose now is to have four different rate plans. Two for a whole hall and two for half hall based on whether or not you have alcohol present at your event. The fee chart is strictly an hourly rate, so a whole hall rental would be \$60 for an alcohol event, \$50 for non-alcohol event, 45 and 44 half halls. We would update our security deposits to \$100. Currently it's \$100 for all events. We still remain \$100 for alcohol-free events and would be \$200 for an event with alcohol just to make sure any damage done in the facility, we have at least a starting point to pay for that damage.

We would continue to have exceptions for the right plan for groups if they meet certain criteria; nonprofits, health department, county government, school system. We worked with different things. Co-op extension, folks that'll come in, we work hand in hand with them to make sure that they have access to a facility. Just as an example, currently an eight-hour wedding reception, which sounds long, but literally you start renting the facility from the moment you start setting up through the end of your event. Under the current plan, that would be \$406. The new plan jumps a little bit to 480, but similarly, if you went to Hopyard Farm to rent their facility for eight hours, it's \$800. Just across the line in Stafford County, the volunteer rescue squad, their fee is 500 at White Oak. At Hopyard, you're responsible for your own cleaning. At our events we clean and we supervise. We don't just hand you a key and say come on into our facility and rent; we provide supervisors.

In the case of wedding reception like that, we actually... when we get into the hours of the reception, we'd have two supervisors on site and **[2:42:09 if it's an alcohol event, there's more]**. For a small four-hour baby shower, which does sound rather long, we set up and clean up, under the current plan it's \$188. Our new

plan going to a set hourly fee would be 160. Then Hopyard Farm again, that \$100 per hour is their flat rate, and the White Oak Volunteer Rescue Squad, just a little confused on whether or not, depending on the alcohol, their event, you could either have \$100 or \$350 fee. I couldn't quite understand the difference in there, but when it comes down to it, we are still very competitive. We're still probably the cheapest place to rent, but as I mentioned too in the budget work session last week, one of the things to do is... our goal is to get the Citizens Center funds up more so that we're relying less and less on county taxpayers in how we're funding the Citizens Center.

Just as I mentioned at the budget meeting last week as well, last year, in fiscal year 2018, we brought in \$15,007.25 at the Citizens Center for rentals. To date, through last week this year, it's \$14,793.25. We're going to far exceed that last year for folks that weren't here. We were out of commission for three months during our bathroom innovation, hence the fact that revenues are similar to this point. Tonight I asked that you pass the proposed rate plans and make them effective immediately. They would be effective for events that would book starting tomorrow. Any events that are already on the books would stay under the old plan because obviously we're not going to change people's fees once they've already signed up with us.

Male Speaker:

Discussion?

Ms. Brabo:

I move to approve the new attached fee structure for the Citizens Center rentals effective immediately for all new rentals.

Male Speaker:

Second.

Mr. Chairman:

All those in favor?

All:

Aye.

Mr. Chairman:

Opposed? Chair votes, aye. Motion passes.

Male Speaker:

Thank you.

Male Speaker:

Thank you, sir.

Mr. Chairman:

County Administrator. Third party landfill study, sir.

Dr. Young:

Thank you, Mr. Chair. As the board is aware, we have received a significant amount of citizen complaints regarding odors in our community that are allegedly sourced from our landfill. In response, waste management and the Department of

Environmental Quality where DEQ have conducted studies to investigate these concerns. Waste management have found no issues with the landfills operations, and we are still awaiting the report from DEQ.

In addition to both of these agencies conducting assessments, I directed the county engineer to publish a request for proposal to solicit a fund to conduct an independent review of the landfill's operations. When we see two proposals with the best offer coming from SCS engineers. SCS proposes to conduct an independent evaluation of our landfill's efforts to mitigate, abate, and control odor. The scope of work will include assessing the effectiveness of the landfill's gas collection infrastructure, the landfill's operations, practices, and protocols, the integrity of the landfill's daily, intermediate, and final cover, the landfill's compliance with its permit and odor plan and waste management and DEQ's odor monitoring procedures.

The SCS will review, will conclude, will report, detailing the results of the independent monitoring and review. It would include recommendations that both waste management and accounting could take to remediate any noted issues. The study will come at a cost of \$15,000. I recommend the board appropriate \$50,000 of contingency funding and authorize the County Administrator to execute SCS engineer work order number one to conduct the independent review of the King George County landfill.

Mr. Chairman:

Discussion?

Male Speaker:

I will just ask this. I know this is my district, but I would appreciate it if everyone would support this. I think we've had an exceptional situation going on this past year, but as we talked about with FRA, I think it's good to do due diligence and just to investigate. I would appreciate your support in moving forward with this to hopefully get some of mind to citizens if there is an issue that we would also uncover it.

Ms. Brabo:

Move for approval.

Female Speaker:

I'll second.

Mr. Chairman:

All those in favor?

All:

Aye.

Mr. Chairman:

Opposed? Chair votes aye, motion passes.

Male Speaker: Thank you, everyone.

Mr. Chairman: Next up is a discussion item on a letter of thanks to Hap Connors.

Dr. Young: Yes, sir. This request is from Supervisor Bravo to have it added to the agenda as a discussion item, given the fact that Mr. Hap Connors is part of the Commonwealth Transportation Board. He has been a very strong supporter of King George County's past small-scale projects. What we're seeking is the consistence from the board to authorize the staff to write a letter on behalf of King George's County thanking Mr. Hap Connors for all the support that he's provided to King George County through his years of service on the CTB.

Male Speaker: Absolutely. All right.

Mr. Chairman: Do you need a vote on that, Dr. Young? Just consensus? Okay. Next is the County Administrator's report, Dr. Young.

Dr. Young: I received correspondence from the Department of Environmental Quality or DEQ. DEQ wishes to advise the board of the fact that the department has received an application for Crops Incorporated to add an additional 1050.7 acres towards permit for land authorized to receive biosolids treatment. Currently, there are 1,943 acres of land in King George County that are permitted to receive biosolids treatment. Since Crops Incorporated is applying to add an amount of land that is greater than 50% of the existing permitted acreage, DEQ must hold a public meeting to entertain comments from the general public. In response, DEQ is seek assistance from the county. The department is asking that we provide them a facility to host a meeting. In return, DEQ will advertise the engagement and notify the landowners of the parcels adjacent to the applicant properties. If the board so pleases, the staff can coordinate the logistics for this meeting and keep you informed as the planning for this engagement progresses.

Male Speaker: I would agree.

Dr. Young: Mr. Chair, that concludes my report.

Mr. Chairman: I believe we have a close session.

Female Speaker: I move that the King George County Board of Supervisors convene in closed meeting pursuant to State Code Section 2.2371183 for discussion or consultation with legal counsel and briefings by staff members or consultants pertaining to the

potential disposition of publicly held real property or the acquisition of property for the public purpose where discussion in an open meeting would adversely affect the bargaining position or a negotiating strategy of the Board of Supervisors and pursuant to State Code Section 2.237118 for purposes of discussion and consultation with legal counsel employed or retained by the public body regarding specific legal matters requiring the provision of legal advice by such council. Invited to attend the close meaning as necessary are the County Administrator and the County Attorney because they are deemed necessary and their presence will reasonably aid the board in its consideration of the topics to be discussed pursuant to Virginia FOIA Section 2-.23712F.

Male Speaker: Second.

Mr. Chairman: All those in favor?

All: Aye.

Mr. Chairman: Opposed? Chair votes aye. We're in closed session.

Female Speaker: --the public meeting and certified by vote that only public business matters lawfully exempted from open meeting requirements by Virginia law and only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered during the closed meeting.

Male Speaker: Second.

Mr. Chairman: Mr. Granger, do you so certify?

Mr. Granger: I certify.

Mr. Chairman: Ms. Binder?

Ms. Binder: I certify.

Mr. Chairman: Ms. Brabo.

Ms. Brabo: So certify.

Mr. Chairman: I so certify. We are back in open session. I'll entertain a motion to adjourn.

Male Speaker: Move to adjourn until February 13th at 6:30 in the board room.

Female Speaker: Second.

Mr. Chairman: All those in favor.

All:

Aye.

Mr. Chairman:

Chair votes, aye. We are adjourned.