

VIRGINIA:

At a regular meeting of the King George County Board of Supervisors, held on Tuesday, the 16th day of February, 2021 at 6:30 p.m. in the Revercomb Building Board Room at 10459 Courthouse Drive, King George, Virginia:

PRESENT:

Annie Cupka, Chairman
Jeff Stonehill, Vice-Chairman
Cathy Binder, Member
Jeff Bueche, Member
Richard Granger, Member
Larry Hughes, Interim County Administrator
Matt Britton, County Attorney

0:00:02.3 Madam Chair: I hereby call to order this meeting of the King George County Board of Supervisors. Mr. Hughes, do we have any amendments to the agenda, sir? Thank you, sir. Public comments. Comments will be limited to three minutes per person in order to afford everyone an opportunity to speak. If comments relate to a specific public hearing item, we ask that you offer those comments at the time of the public hearing. Is anyone present in the boardroom this evening that would like to provide public comment? Seeing none. Mr. Dines, do we have anyone online?

0:00:45.3 Chris Dines: Yes, we do, Madam.

0:00:45.7 Madam Chair: Go ahead, Mr. Dines.

0:00:50.4 C. Dines: Ms. Jordan, you're on mute. There she goes.

0:01:12.9 Madam Chair: Ms. Jordan, can you hear us from the boardroom?

0:01:16.0 Claudette Jordan: Yes, I can. Can you hear me?

0:01:17.4 Madam Chair: Yes, ma'am, we can. It's your opportunity now to provide your comment. Go ahead, ma'am.

0:01:24.0 C. Jordan: It's Claudette Jordan, President of the Ralph Bunche Alumni Association. And I reside 11773 Big Bear Lane in Lusby, Maryland. I saw on the agenda that the name Ralph Bunche was there, and just like when I hear someone say, "Thank God", I pay attention. So when I see Ralph Bunche, I pay attention, and I always wanted to put in a plug for the venue, the project, and all of that's happening with Ralph Bunche and all that isn't happening with Ralph Bunche. Earlier today, madam chair, I provided a letter. It kinda sums up where the officers and executive

planners and the membership are with regards to the Stonehill AHC beginning and completing the project. And so I don't want to really keep rehashing that, but the vote of no confidence remains, and we're looking for another opportunity to take this project forward with a firm and someone who knows what they're doing, who has the funds and not give two more years when nothing has happened. It's a very important thing that's going on. We appreciate the fact that the board and the county is trying to get the museum down on Roseland, but that's not the major project, so we're hoping... And if the letter says it all, then the letter says it all, but thank you for all you try to do. We just don't think that if you don't... How are you gonna go back and do it and fix it. And Ralph Bunche is sitting and nothing happened in terms of milestones with the group who had it even before COVID. So I just know that we need to take another perspective. If the opportunity avails itself, our association would certainly like to be involved in the process or conversation, discussion regarding what happens next. So thank you for your time. Respectfully.

0:03:41.9 Madam Chair: Thank you, Ms. Jordan. And I would like to note for the record, the board is in receipt of your written correspondence. I have forwarded it to the clerk of the board to be entered into the record of this meeting, as well, a printed copy has been provided to each member here this evening. Is there anyone else online, Mr. Dines?

0:04:05.1 C. Jordan: Thank you very much, Madam Chair.

0:04:07.1 Madam Chair: Thank you, Ms. Jordan. Alright. Let's close public comment and move on to reports of members of the board. Mr. Granger?

0:04:17.9 Richard Granger: Yes, ma'am, thank you. First of all, I'd just like to say thank you to Ms. Jordan for calling in and providing your comments. I don't really have too much to say about it. We do have a closed session item in regards to that, but obviously that means I'm not gonna speak on it. But I do appreciate you calling in and sharing your input, and I always appreciate hearing from you, Ms. Jordan. Other than that, I did speak to Travis this week, Quesenberry, our county engineer. We're all in receipt of an email from Mr. Allen Parker, who serves on the Service Authority board, and he had some recommendations about the RFP process for Engineering Services. And so I reached out to Travis 'cause I don't have engineering expertise, and I asked him his input on it. And so I think what it ended up coming down to was just maybe some confusion or miscommunication and just needed some clarification, 'cause Mr. Parker's concern was that the RFP was requiring that any firm that provides a proposal, meet all of the needs that were outlined in the RFP, and that was not the intention of the RFP. It was to say, if you meet any of them, you can apply and you might be selected or maybe not, it depends. It's competitively selected. And if you are, you can maybe be selected for just a piece if you have an expertise in a particular area or you do some particular piece. And so I think that answered the mail on that question that Mr. Parker was asking about, with his real concern saying, "Hey, we can save money if we maybe go to some smaller firms or local firms, if they can provide some of these services." May not be all of them. I'm not saying that we maybe want some of these other bigger firms that might cost more but can do everything as well for certain projects. So I think it's a good compromise in the middle, and I think it really just came down to maybe just a little bit of miscommunication, maybe we need to clean up the wording in those proposals in the future so that that doesn't happen. But I really appreciate Mr. Parker reaching out, and I really appreciate Mr. Quesenberry's input and clarification on that and just helping to get that result quickly. Other than that, for the Citizen Advisory Budget Committee, I'd like to make a motion to appoint Mr. Brian Saey as the James Madison representative.

0:06:36.3 Jeff Bueche: Second.

0:06:37.8 Madam Chair: Any further discussion? All those in favor say "Aye."

0:06:41.1 Cathy Binder: Aye.

0:06:41.2 J. Bueche: Aye.

0:06:41.4 R. Granger: Aye.

0:06:41.6 Jeff Stonehill: Aye.

0:06:42.7 Madam Chair: Any opposed? Chair votes, aye. Motion carries.

0:06:45.6 R. Granger: That's all I had. Thank you.

0:06:46.9 Madam Chair: Thank you, Mr. Granger. Mr. Stonehill?

0:06:54.2 J. Stonehill: Good evening. We talked about this at our other meeting about the cigarette stuff, but on the 17th of February, we had a meeting with our cigarette tax board and the Northern Neck Planning District and the possibility of forming a Northern Neck Regional Cigarette Task Group, which I told you all about in our last meeting, and we'll discuss a little bit further. After that, then on the 23rd, we were all here for the meeting with the Berkeley Group and reference the search for the county administrator. And thank you again for the Berkeley Group coming out. They did a great job. And the day after that Mrs. Cupka and I spoke to Brent Hunsinger from Friends of Rappahannock, talked about some upcoming things, and a letter of support, which I did for them for a grant that's coming up. And talked to a number of folks down in Richmond, more about the cigarette taxation stuff and some of the taxing stamp manufacturers. Besides that, that's all I have for tonight.

0:08:19.1 Madam Chair: Thank you, Mr. Stonehill. Mr. Bueche.

0:08:22.2 J. Bueche: Thank you, Madam Chair. Thank you, Ms. Jordan, for calling in. It's always great to hear from you and some things to take under advisement. So thank you very much. In the past, when I've made appointments to boards, I've tried to look at what we are going to be looking at, what's coming forward in trying to appoint someone that can bring subsistence to those appointments. So with our budget advisory coming up, the elephant in the room is going to be the school's budget this year, so I tried to get someone that would actually have some insight into that. So I have a resident who has volunteered. She is a teacher in Stafford County. She is a resident in Potomac landing and a customer of the Service Authority. I think she would bring a good perspective and really enhance our Citizen Advisory Committee. So with that, I'd like to appoint Ms. Cathy Thompson to the Citizen Budget Advisory Committee.

0:09:22.8 R. Granger: Second.

0:09:23.8 Madam Chair: Any further discussion? All those in favor say, "Aye."

0:09:26.7 C. Binder: Aye.

0:09:26.7 J. Bueche: Aye.

0:09:26.8 R. Granger: Aye.

0:09:26.8 J. Stonehill: Aye.

0:09:26.9 Madam Chair: Any opposed? Chair votes, aye. Motion carries.

0:09:31.0 J. Bueche: Thank you, Madam Chair. That's all I have.

0:09:32.5 Madam Chair: Thank you, Mr. Bueche. Ms. Binder?

0:09:34.9 C. Binder: Yes, I have... I want to thank Ms. Jordan for your passionate support of your former high school, and I thank you for calling in and expressing what your association, your feedback and what you feel about our closed session. With that being said, I have three topics that I would like to talk on my board report, and I couldn't get a picture quick enough to give to Mr. Dines for this one, but I'm gonna show two newspapers and then we're gonna go to over the courthouse. So I got to participate last... No, it's now two weeks ago in a world record for the Guinness World Book of records for Ben Katzman, and we gave him a commendation when we had our meeting earlier this week. And you might have seen the Freelance Star, Ms. Dyson did a really nice article. And it's nice to see one of our service members who check something off his bucket list and hopefully Guinness will approve it. And it's a world record for those that didn't hear before, is swimming, he swam over five miles for four hours with handcuffs on. That was pretty impressive to be able to train to do that and be successful, and that's a lot of laps in the pool, it's 350-something laps... No, 344 laps. So congratulations to Ben, and he is now in Chicago learning how to be an EOD. The other one I want to make, this is near to my heart, and a lot of people probably don't know this, but Cathy Dyson talked about it again this week, is the amount of our students that actually go to the military academies from King George. A lot of people don't realize how awesome our ROTC department is at the high school and our guidance counselors, 'cause not all of the kids that are in ROTC go. But I've actually had the privilege of coaching a lot of them. I did not get to coach Katherine Healey, who goes to the Naval Academy. These are really awesome kids that took the opportunities, and I want to shout out to Ms. Dallarosa and Briana Green and Jacob Williams and Ms. Healey and the three athletes... Well, three athletes that went to the army and to West Point, which are the two Watson brothers, Jared and Jacob, and was it Nathan Wilson. And hopefully I can get a hold of them. Maybe they can come to one of our board meetings in the future, because I think they're an inspiration to our students that are still at the high school, and that will be in the high school in the future, and I think it's really awesome what our school does to have those kids go to the service academy and then serve our country.

Now, last is the courthouse. I'm on the courthouse committee as we found out last week, and I really appreciate the opportunity to do so because I'm very passionate about it, going back to when we approved the Courthouse. It was a very productive meeting, and I really... I can't say enough about... Everybody was working and cooperating to try to break down what Moseley brought us, to bring it down to the 50,000 square feet that we approved in the bond, because it was a lot of give and take. They still got to get about... I think it was 500 square feet negotiate, but I wanted to show the public and the board some of the slides. Mr. Dines, can you go to a couple... I think it is slide eight. The next one. So that's what the courthouse will look at. That's the side, the property for those that don't know, it's across from the sheriff's department. There's the parking lot, the new Courts

building. The two... The little dotted areas are future expansion, so it would go on either side and then the parking lot. What's important about the dotted expansion on both sides instead of just one, there are some topography challenges and also you want to have the expansion go with the court that's next to it, so they did that on both sides, so that one court is on one side, one court is on the other side, so they can expand if that court needs it. So if say that the circuit court... And I'll show you some diagrams where everything is placed in the next slides, and then that back parking lot would be for the staff and for to bring in prisoners, and it would be accessed from that back road right there. And regular citizens would come in from the sides there on the government center boulevard, so it wouldn't be coming off of King's highway. Any questions on that?

Alright, can we go ahead? A couple of slides, right there. So that would be the first floor. Now where the give and take came in is Vic Mason and his staff and each court talked about, "Do we really need all that space and where can we cut out and maybe give to another department that needs the space?" And there was a lot of give and take and everyone... No one likes to give up their little bit of space, but they were all working together, because they know it's for a common goal to help the citizens of King George have a better experience for whatever they have to do at the courthouse and to make it equitable and safe for everybody involved. And so the front entrance is where you see queuing and we have security cameras, and then as you can see, you just... That's floor one. Can we have floor two? So this would be the next floor, and there was give and take there also. And then the third, that's the lower level, which would be where prisoners would come in, the mechanical and electrical, and then central holding in the bottom, and it is only a partial basement, and what do you call them? It's not the whole floor, because then that has to do with topography issues also. And then if you could go to the picture, Mr. Dines, and that's what the courthouse would look like, which does fit in with King George. I just thought it was a very productive meeting, and we should be having another meeting in the next couple of weeks where we bring it down to the 50,000, and Moseley will come back and give us some feedback on it. Did anybody else have any questions on it?

0:15:21.7 Madam Chair: Mr. Bueche, I understand, has a question.

0:15:24.4 J. Bueche: Thank you, Madam Chair. So I would just like to get some clarity, so this board appointed a committee to work on this courthouse, and if you look at the make-up of the committee, I'm sure everyone has the greatest of intentions, but it's a lot of people that have an interest in the courthouse. I just wanna make sure that we're in a position to where if there's any modifications or anything that would potentially exceed the bond that we pulled, or anything that it has to come before this board, that it's not a unilateral decision that could be made by that committee?

0:16:00.1 Madam Chair: No, that was not within the authority granted to that committee, it was for purposes of planning the project.

0:16:08.6 J. Bueche: And advising.

0:16:10.3 Madam Chair: The governing body has sole authority as far as allocating funds.

0:16:14.6 J. Bueche: Thank you very much. I just... I didn't wanna wind up in a position where we had dugouts built, and we approved it after the fact.

0:16:20.8 Madam Chair: And frankly, that's part of why we have a board of supervisor member

on the committee to keep us advised. So I appreciate Ms. Binder's report tonight. Thank you, ma'am.

0:16:31.2 C. Binder: Thank you. And I was just gonna tell Mr. Bueche that this was just... We approved the bond of 50,000 square feet, and they're trying to break it down to get everything... There's more complicated where they break down the square footage by court and by department, but this is everybody working together to get within that 50.

0:16:49.8 Madam Chair: I just wanna check with my other colleagues since I entertained Mr. Bueche, did anyone else have any questions for Ms. Binder? Thank you. Anything else, Ms. Binder?

0:16:58.9 C. Binder: No, that's the end of my report. Thank you.

0:17:01.4 Madam Chair: Thank you, Ms. Binder. Let's see here, first off, I would like to echo Ms. Binder's comments complementing the ROTC program at King George High School, my own son participates in that program, and they do a great job. I want to thank Ms. Jordan, if she is still online for her verbal and written comment. I would like to thank Rappahannock Area Health District and all of the staff and volunteers who supported the second-dose vaccination clinic at King George High School. I am grateful that we, the county, were able to provide the opportunity to county and King George County school staff who chose to do so as King George County Schools moves towards return to in-person schooling for more of our children, and we work to provide as safe and environment as possible for our staff and our citizens. I have some items I have forwarded to Mr. Dines regarding some clean-ups, tree giveaway, two clean-ups and a tree giveaway that he will post on the county website, so I won't elaborate on that any further, and that will be all for my comment. Do I have a motion for the consent agenda?

0:18:27.4 R. Granger: I move to accept the consent agenda as presented.

0:18:29.0 C. Binder: Second.

0:18:30.6 Madam Chair: Any further discussion? All those in favor say, "Aye."

0:18:33.6 C. Binder: Aye.

0:18:33.7 J. Bueche: Aye.

0:18:33.9 R. Granger: Aye.

0:18:34.6 J. Stonehill: Aye.

0:18:34.7 Madam Chair: Any opposed? Chair votes, "Aye." The motion carries. County officials' reports, I do not see any constitutional officers in attendance this evening. We'll move on to the report of the county attorney, Mr. Britton?

0:18:48.4 Matt Britton: No report, Madam Chair.

0:18:50.1 Madam Chair: Thank you, Mr. Britton. And public hearing, the King George County

Board of Supervisors will now hold a public hearing that has been properly advertised to receive public input regarding Case Number 21-01-S01 Subdivision Ordinance Text Amendment to update and amend Article 2 Administration and Enforcement and Article 3 Preparation and Approval of Plaques by-right subdivisions. I will first ask for the staff report, I will then open the floor for public comment. Public comment is limited to three minutes per speaker in order to afford everyone an opportunity to speak, please state your name and address before you comment. Upon completion of public comment, I will bring the matter back to the board for consideration, the board may or may not take action tonight depending on information received during public comment. Ms. Hall?

0:19:49.6 Heather Hall: Good evening. Tonight, we have a subdivision ordinance text amendment, much like what you heard last month regarding by-right subdivisions this time. King George County is one of the very few in the commonwealth that required by-right subdivisions to receive approval from the Planning Commission and/or board of supervisors in effort to become more consistent with neighboring jurisdictions. King George County has considered the following, this requirement is a hindrance upon developers, this adds one to two months of the approval process by waiting for placement of the agenda and provides false hope to citizen of the county that they can prevent by-right subdivision, developer notification certified letter signage are costly to the project, and staff is required to provide a full staff report and presentation. The proposed amendment does not remove any of the minimum standards from the subdivision regulations, any rezoning special exception, etcetera, will be required to go before the planning commission and/or board of supervisors. This proposed amendment removes the Planning Commission as the approval authority for by-right divisions, this proposal of approval authority is now the subdivision agent. As stated in an article two of the King George County subdivision ordinance.

It shall be the responsibility of the sub-division agent to review and process plats in accordance with the ordinance. Number 10 is the only change to the Section 2.1.2 duties, this is to add, to review, approve and/or forward to the planning commission by-right subdivision plats in compliance with this ordinance. Section 2.2, Planning Commission will be amended to remove the Planning Commission as the approval authority. This change also allows for the sub-division agent to refer approval of plats for the review of the Planning Commission, this would include divisions where the plat does not meet the minimum requirements, but the subdivision ordinance allows for the planning commission to review with the exception. This section also has not removed the requirement for preliminary plats subdivisions with more than 51 lots to be reviewed by the Planning Commission and Board of Supervisors. Section 2.3 governing body. Again, this section allows the subdivision agent to refer plats to the Planning Commission as required and shall decide any appeals or requests or exceptions. 3.1 review process, Article 3 preparation and approval of plats Section C inputs the subdivision agent as the approval authority for the ability to refer the plat to the Planning Commission. Section 3.5.3 has been amended to include all plats, be referred to it by the subdivision agent. Article six Section 6.1 of the subdivision ordinances discusses minor subdivisions and the requirement that if such minor division has more than three access drives to the existing or primary secondary road, also known as a VDOT road, then that plat shall be reviewed by either... Reviewed and either approved or disapproved by the Planning Commission, this requirement for the planning commission to review will not change, the amendment only allows the subdivision agent to refer these plats to the Planning Commission. 3.13 plats requiring Planning Commission and/or governing body approval. After review by the agent if determined that the plat requires planning commission and/or governing body approval or referred by the agents, applicant shall provide 12 copies of the final record plat for review. Additional copies may be requested by the agent and shall be provided by the applicant upon request, the Planning Commission shall review, approve, modify or disapprove 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 sub-division or zoning ordinance in which it does not comply. The King George County Planning Commission and staff recommends the Board of Supervisors adopt and approve case number 21-01-S01 by-right subdivisions.

0:24:10.1 Madam Chair: Members before Ms. Hall leaves the podium. Are there questions? Not discussion. Just questions for staff. Mr. Britton, do you have anything to answer?

0:24:23.5 M. Britton: We did put in a provision whereby they could refer if there was an unusual circumstance or an issue on these by-rights so if there was something that came up. So you see that in there, it says, Review or approving. The other thing was, is that I believe it was Mr. Bueche, but I may be mistaken that someone had brought up whether you wanted to add a provision that all by-right plats that are approved shall be... A list of those shall be forwarded to county administrator on the board or some other body, so that you knew that it had occurred, that would be something that you could amend and add without re-advertising it because it's a ministerial thing, not required by statute, it has nothing to do with the authority. So I just wanted to remind you that that was brought up, and I think Miss Hall said, "Yeah I would be happy to do that." Which I'm sure she will, but I didn't know whether you wanted to address adding that... Not less than quarterly or something like that, the Department of Community Development shall forward a list of all by-right approved plats to the county administrator and the board for review.

0:25:40.7 Madam Chair: Mr. Bueche, would you like to?

0:25:43.2 J. Bueche: Thank you, Madam Chair. So I did bring that up. Thank you, bud, I wouldn't request that it be put in the ordinance, I think that, like he pointed out, it's an administrative function, and we can facilitate that through the county administrator and the director. Thank you.

0:26:06.1 Madam Chair: Thank you, Mr. Britton, I will now open the floor for public comments. Comments will be limited to three minutes per person in order to afford everyone an opportunity to speak if comments relate to a specific... To this public hearing item... [chuckle] Sorry, I'm going too far. Is there anyone present in the boardroom who wishes to provide public comment for this public hearing? Mr. Dines, do you have anyone online? Thank you. And do we have any written statements, Ms. Hall, did staff receive any written statements, do we have any board members who received written statements Mr. Britton? Mr. Hughes? No written statements for the public hearing very good. I'll close the public hearing and bring it back to the board for consideration. Is there a motion?

0:27:01.9 R. Granger: I moved to approve and adopt case number 21-01-S01 subdivision ordinance tax amendment to update and amend article two and article three by right subdivisions as presented.

0:27:13.1 J. Bueche: Second.

0:27:15.0 Madam Chair: Any further discussion? I'll go down the line, Mr. Granger? Mr. Stonehill? Mr. Bueche?

0:27:22.4 J. Bueche: No, Madam Chair.

0:27:23.1 Madam Chair: Very good. Alright then we have our motions been properly seconded, all those in favor say, "Aye."

0:27:29.4 C. Binder: Aye.

0:27:30.1 J. Bueche: Aye.

0:27:30.2 R. Granger: Aye.

0:27:30.3 J. Stonehill: Aye.

0:27:30.5 Madam Chair: Any opposed? Chair votes aye, motion carries. Thank you, Ms. Hall. Alright, presentations and reports. Cigarette tax committee update by Mr. Stonehill. Mr. Stonehill?

0:27:48.6 J. Stonehill: I don't have a whole to report from our last gathering. I know that Mr. Britton has been working on some ordinances and he may have some more to add, I know we all got some information from Judy Hart today about... She spoke to another stamp supplier, I guess which is up in upstate New York, and I guess we'll be reaching out to them, just to get some more information, and I think they sent an estimate on the cost of the stamps, but outside of what I've reported the other day, I don't have a whole lot. I did speak to city of Richmond finally the other day and just for numbers purposes, they're getting about \$4,000,000 a year in return on their cigarette tax which I think they said was 50 cents a pack. But they're also doing no enforcement and no auditing at all, so they may be missing half or more, I don't... I'm not sure, they don't even know. So that that's the numbers that they came up with, so... Just for figures for you all. So unless Mr. Britton has anymore information?

0:29:05.8 M. Britton: Yes, Madam Chair, I know that there was a consensus... I... We have spoken with the Northern Neck, Mr. Hughes, myself... The team, the whole team actually and they have... They're waiting to hear whether the county has direction to do this on its own or as part of standing up a regional committee, it's the recommendation of the committee that we put together to do it as a King George County only. I know you heard, so I would wonder if the chair would direct the committee give consensus on that and direct the committee to do all things necessary going forward in order to implement the tax in the county, including directing me to... I'm on the committee, but to draft an ordinance to be brought back at the next meeting for a consideration, for advertisement. I just drafted up a list here, to develop a plan and process for the implementation of the cigarette tax including personnel necessary, vehicles necessary, stamps, wholesaler contracts, retailer notifications, financial reports, receipts, audits, inspections, seizures and sales, and a putative budget, so that we can do all things necessary to have this up and running on July 1st, so that there is no revenue loss.

0:30:34.8 Madam Chair: Do I have a motion?

0:30:38.7 R. Granger: I move to direct the committee to perform those actions as stated by Mr. Britton.

0:30:46.2 C. Binder: Second.

0:30:47.6 Madam Chair: Any further discussion?

0:30:49.5 J. Bueche: I have a question for Mr. Britton?

0:30:50.9 Madam Chair: Go ahead Mr. Bueche.

0:30:51.9 J. Bueche: Mr. Britton for clarity, are you suggesting that we would do this as a county or are you suggesting that we would do this in partnership with Northern Neck, I wasn't clear on that.

0:31:07.3 M. Britton: Oh, as a county that was already recommended... As a county alone, standing alone, just like Arlington or Fairfax or... I mean, they may have joined the northern cigarette, but as a county alone and not standup a regional board anywhere and not join the Northern Neck which hasn't gotten back to us, we just don't have time anymore. That has already been the recommendation of Mr. Stonehill at the last meeting and I believe there is a consensus but I'm... I wasn't crystal clear on that so that's why I was wondering whether you could do it as a motion and give us that direction... Yes, as a county alone, King George County, not as a regional tax commission.

0:31:40.8 J. Bueche: Okay, thank you for that clarity sir.

0:31:43.1 Madam Chair: And yes there was consensus at the work session regarding... There was discussion and consensus, however there was not a formal motion, so we wanted to make sure we had that done properly this evening. Alright, so... We're at all those in favor say, "Aye." right? [chuckle]

0:32:00.6 C. Binder: Aye.

0:32:01.8 J. Bueche: Aye.

0:32:02.9 R. Granger: Aye.

0:32:03.2 J. Stonehill: Aye

0:32:03.9 Madam Chair: Any opposed? Chair votes aye, motion carries. Thank you very much. Mr. Stonehill.

0:32:08.6 M. Britton: Madam Chair, we'll... I think Mr. Hughes will notify the folks in...

0:32:14.1 Larry Hughes: I already did.

0:32:14.2 M. Britton: Oh, done. Oh, we'll notify them, we'd let them know that there was a board... Being brought for the board tonight so that the Northern Neck can go on and do whatever it is that they're gonna do so they're not left in... Hanging...

0:32:27.5 Madam Chair: Sure. Yes, Mr. Stonehill.

0:32:29.0 J. Stonehill: Madam Chair, and Mr. Hughes, if you would just contact Mr. Davis and... 'Cause I guess we were supposed to get together for a meeting tomorrow morning and that email

kind of left it open-ended if we were gonna be there or not. So if you could get a hold of him first thing in the morning and cancel that. Thank you.

0:32:51.6 Madam Chair: Thank you all very much. Alright, Department of Finance, award of a construction services agreement for the Fairview Beach Riverbank Stabilization Project, Mr. Dines, do we have anyone online from finance?

0:33:04.2 C. Dines: Yeah, we have Donna Hahn this evening.

0:33:09.4 Madam Chair: Very good. Ms. Hahn can you hear us?

0:33:17.7 Donna Hahn: Yes, I'm here. Ms. Turner was gonna present...

0:33:22.6 Angela Turner: Yes. Good evening Madam chair and members of the board, I'm Angela Turner, procurement specialist on behalf of the Finance Department to recommend one action item regarding the award of a construction services agreement for the Fairview Beach Riverbank Stabilization Project. At its meeting in November and December 2020. The board of supervisors accepted the FEMA has a mitigation grant in the amount of \$2,328,770 for the Fairview Beach Riverbank Stabilization Project, authorized a county administrator to execute the grant agreement in appropriated funds for the project. This grant is a 75%, 20%, 5% reimbursement grant with FEMA providing \$1,746,578. (Inaudible) providing 400... 4,006, I'm sorry, \$465,754 and in a local match of \$116,438. On February 10th, 2021 bids were received and publicly opened for the Fairview Beach Riverbank Stabilization Project. A total of three bids were received, a bid tabulation is attached, the low base bid in the amount of \$1,627,918.99 was submitted by Finish Line Construction Inc. During the evaluation of the low bid, it was determined that the low bid had a mathematical error, which will result in an increase of the total base bid in the amount of \$5.63. This correction is in accordance with the contract documents which states discrepancies between the multiplication of units of work and unit prices will resolve in favor of the unit prices. Discrepancies between the indicated sum of any column or figures and the correct sum thereof will be resolved in favor of the correct sum. Therefore, in accordance with the contract documents, the amount of the low base bid will be corrected to \$1,627,924.62.

Mr. Jonathan Pittman, PE, engineer, Schnabel engineering has completed a review of Finish Line Environmental's bid and qualifications and has determined that Finish Line Environmental is a qualified, responsible and responsive contractor. That letter is attached. The project was bid with a base bid and two add alternate bid items, add alternate one was for stair replacement, the price submitted for this item was 265% higher than Schnabel's estimate. Schnabel recommends that add alternate one that be accepted. Staff concurs with Schnabel's recommendation. Also, stair replacement was not included in the original scope of work for the project, and funding for the stair replacement is not included in the funding provided by the grant. Add alternate two is to replace Class 1 riprap Revetment system with the larger Class 2 riprap revetment system.

The price increased submitted by finish line environmental to replace the Class 1 riprap with Class 2 riprap is \$31,806, which is 27% lower as Schnabel's estimate, although the larger riprap was not required for the project approval by the review agencies, it was suggested by them, given the reasonable price increased submitted for class 2 riprap, Schnabel recommends that the county considers accepting add alternate two. Staff recommended that add alternate two be accepted. Staff recommends that the Board of Supervisors authorize the county administrator to issue a notice of award to Finish Line Environmental for the Fairview Beach River Bank Stabilization Project and the amount of \$1,659,730.62 but the base bid plus add alternate two, and authorize county

administrator to execute the construction services agreement with Finish Line Environmental subject to approve of the construction services agreement as to form by the county attorney.

0:37:53.0 Madam Chair: Thank you, ma'am. I'm gonna entertain questions from members of the board, and I would like to start with Mr. Bueche, because this is his district. Mr. Bueche, go ahead.

0:38:03.2 J. Bueche: Thank you, Madam Chair. I really don't have any questions. I would like to petition the board to look favorably on the large riprap. We previously had meetings with the resident's association where this came up in conversations, and it would really enhance the project with the price that was presented, I think it's very reasonable, and it'll also add to the longevity of the project. I'd also like to thank Mr. Worley, Mr. Bennett, previous board for working so hard on this. This has been something that's been on the minds of Fairview Beach. This is the heart of my district, it's a very serious issue that's going down... Going on down there with the erosion and with utility lines running right there with the road, so I can't take any credit for bringing it this forward, but absolutely, Mr. Worley, Mr. Mike Bennett for everything that they have done. All the residents down in Fairview beach, their spaghetti dinners, bringing it to the awareness of this board to finally look at doing this and this FEMA grant came up, so it's great to see that we're potentially awarding this contract tonight. So thank you very much, Madam Chair.

0:39:23.4 Madam Chair: Thank you, Mr. Bueche. Ms. Binder, do you have any questions for staff?

0:39:26.2 C. Binder: No.

0:39:28.6 Madam Chair: Mr. Granger? Mr. Stonehill? I have no questions. Mr. Britton, do you have anything to add?

0:39:37.8 M. Britton: No, madam chair.

0:39:38.7 Madam Chair: Thank you very much, I'll entertain a motion.

0:39:45.4 J. Bueche: I move to adopt the award of a construction services agreement for the Fairview Beach River Bank Stabilization Project as presented.

0:39:53.7 C. Binder: Second.

0:39:54.8 Madam Chair: Any further discussion? Seeing none, all those in favor say, "Aye."

0:40:04.0 C. Binder: Aye.

0:40:04.6 J. Bueche: Aye.

0:40:04.8 R. Granger: Aye.

0:40:04.9 J. Stonehill: Aye.

0:40:05.0 Madam Chair: Any opposed? Chair votes, aye, motion carries. Congratulations, Mr. Bueche. Alrighty then, action item, Resolution and commendation to the Department of General

Properties. First, I wanna thank all of you for coming out this evening. I know for most of you it's beyond your normal work day, and many of you are here very early in the morning to get the buildings going, and we certainly appreciate that. We have a resolution that we will consider this evening and then make a presentation. We'll present the resolution and a challenge coin to each of you, and we'll have some for those who weren't able to make it as well. So, I'll read the resolution first.

Resolution of the King George County Board of Supervisors commending the Department of General Properties. Whereas the mission of the General Properties Department is to provide efficient, responsive and quality janitorial facility maintenance, grounds maintenance and snow removal services in support of all users of county grounds and buildings, both public and staff in a professional, proactive and effective manner, and in conformance with the highest standard set forth similar operations. And whereas, the Department's primary functions include daily cleaning and waste removal, floor care buffing, vacuuming, shampoo-ing, waxing and polishing, grounds maintenance services, including mowing and trimming grass, edging sidewalks and trimming around trees and shrubs, and maintenance and upkeep of facilities and systems, including HVAC, plumbing and electrical. And whereas, the general property staff endeavors to deliver quality services in a responsive and cost-effective manner. And whereas since the declaration of local emergency on March 16th, 2020, in response to the Covid-19 pandemic, the Department has increased the frequency of its cleaning and disinfecting services, provided installation and or retrofit of employee workspaces for personal protective equipment and endeavor daily to make the county grounds and buildings as safe as possible for all users. Now, therefore, be it resolved that the King George County Board of Supervisors hereby recognizes and commends the exceptional service of the Department of General Properties to the community and county staff by presentation of this resolution. Adopted by the King George County Board of Supervisors this 2nd day of March 2021.

0:42:46.6 J. Bueche: I move to adopt the resolution as presented.

0:42:49.6 R. Granger: Second.

0:42:50.9 Madam Chair: Any further discussion? So I just want to add, Mr. Mike Munchie, the Department Director, was not able to be here this evening, he does have a class that he is required to attend on Tuesdays, but he did speak with me today and he wanted me to thank the board for recognizing his department. Alright, we have a motion properly seconded. All those in favor say, "Aye."

0:43:18.6 C. Binder: Aye.

0:43:18.7 J. Bueche: Aye.

0:43:18.9 R. Granger: Aye.

0:43:19.4 J. Stonehill: Aye.

0:43:19.5 Madam Chair: Any opposed? Chair votes, aye, motion carries.

[applause]

So... If you all would please come up, we'd like to take a picture.

[Pause]

[Background conversation]

0:45:46.0 Madam Chair: Thank you all very much for coming out this evening and thank you for all you do for us. We appreciate it. Alright. Seeing no discussion items. Thank you, Mr. Stonehill. County administrators report, Mr. Hughes.

0:46:06.8 L. Hughes: Nothing to add tonight.

0:46:09.5 Madam Chair: Very good. Thank you then. All members, please note the information items. And I will entertain a motion for closed session.

0:46:17.3 M. Britton: Madam chair, before that motion, I noticed there were some board appointments on here, I just wanted to let you know I get contacted by a couple of boards, including the library board, and they need a resolution in their.. I think there has been Ms. Binder was on there about... Things have gotten a little out of whack on some of the boards and re-appointments, and they were supposed to be staggered and there used to be seven members, now there are ten and all that type stuff. So I think you might get it. We're also getting... Sort of trying to get them consolidated into a central place, so you might get hit with a bunch of motions or re-appointments or reorganizations of some of the terms to keep them staggered and what have you, coming up in the near future. I saw that this was on so I thought I'd throw it in there so it wasn't a surprise, but I'm working with the various boards to figure that out.

0:47:12.3 Madam Chair: Okay, thank you very much. Motion?

0:47:20.8 J. Stonehill: I move that the King George County Board of Supervisors convene an enclosed meeting pursuant to state code Section 2.2-3711A7 for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to the actual or probable litigation regarding Sedgewick Crossing, where such a consultation or a brief in an open meeting would adversely affect negotiating or litigating posture of the public body. And State Code Section 2.2-3711A8 for consultation with legal counsel employed or retained by a public body regarding the specific legal matters requiring the provision of legal advice by such counsel regarding Sedgewick Crossing and section 2.2-3711A8 or consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring to the provision of legal advice by such counsel and regarding the Ralph Bunche option agreement. I invite the county administrator and the county attorney because they are deemed necessary and/or their presence will reasonably aid in the board and in it's consideration on these topics to be discussed pursuant to VA Code Section 2.2-3712F.

0:48:41.6 R. Granger: Second.

0:48:44.0 Madam Chair: Any further discussion? All those in favor say, "Aye."

0:48:46.6 C. Binder: Aye.

0:48:46.7: J. Bueche: Aye.

0:48:46.9 R. Granger: Aye.

0:48:47.6 J. Stonehill: Aye.

0:48:48.2 Madam Chair: Any opposed? Chair votes, aye. Motion carries. We are in closed session.

[Pause]

Alright, do we have a motion, Mr. Stonehill?

0:49:03.2 J. Stonehill: I move that the King George County Board of Supervisors return to public meeting and certified by vote that only public business matters lawfully exempted from open meeting requirements by Virginia law and such, and only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered during the closed meeting.

0:49:25.5 R. Granger: Second.

0:49:28.7 Madam Chair: Do we need to so certify this one, Mr. Britton?

0:49:31.2 M. Britton: Yes.

0:49:31.7 Madam Chair: Yep. Alright, we'll go down the line.

0:49:34.9 R. Granger: I certify.

0:49:36.4 J. Stonehill: So certified.

0:49:37.9 J. Bueche: Certify.

0:49:38.7 C. Binder: So Certify.

0:49:39.9 Madam Chair: And I so Certify. We have returned to open session. Do we have another motion?

0:49:47.1 R. Granger: I move to adjourn until Wednesday, March 3rd, at 5:30 PM in the boardroom.

0:49:54.2 J. Bueche: Second.

0:49:55.5 Madam Chair: All those in favor say, "Aye."

0:49:57.6 C. Binder: Aye.

0:49:58.0 J. Bueche: Aye.

0:49:58.1 R. Granger: Aye.

0:49:58.2 J. Stonehill: Aye.

0:49:58.3 Madam Chair: Any further discussion? Chair votes, aye, motion carries. We are adjourned.