

VIRGINIA:

At a regular meeting of the King George County Board of Supervisors, held on Tuesday, the 3rd day of October 2006, at 6:30 p.m. in the Board Room of the Revercomb Building at 10459 Courthouse Drive, King George, Virginia:

- PRESENT:** C. Stephen Wolfe II, Chairman
Dale W. Sisson, Jr., Vice-Chairman
Cedell Brooks, Jr., Member
Joseph W. Grzeika, Member
James B. Howard, Member
R. Bryan David, County Administrator
- ABSENT:** Matthew J. Britton, County Attorney

The meeting was called to order by the Chairman, Mr. Wolfe.

Public Comment:

The Chairman opened the floor for public comment. There being none, the Chairman closed that portion of the meeting.

Reports of Members of the Board:

Mr. Grzeika

Mr. Grzeika reminded County residents that the Hazardous Waste Collection will take place at the County's main landfill site on Saturday, October 24, 2006 from 9:00 a.m. to 1:00p.m.

Mr. Sisson

Mr. Sisson reported on a recently attended Rappahannock Regional YMCA, Inc. Board meeting and that the King George YMCA project is progressing well, with construction scheduled to begin in early November. A site visit is scheduled for October 11, 2006, with Mr. Reiley and Mr. David.

Mr. Howard

Appointment

On a motion by Mr. Howard, seconded by Mr. Brooks, and carried unanimously, each member voting as follows: Mr. Wolfe Aye; Mr. Sisson Aye; Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors re-appointed Mr. Michael S. Gallier for a four year term as the James Monroe District representative's on the Smoot Memorial Library Board of Trustees.

Mr. Howard referred to the upcoming Combined Federal Campaign underway at the Dahlgren Base and Fort A.P. Hill and inquired as to why King George Fire & Rescue, Inc. and other groups

in King George are not included in the listing of organizations which can receive these CFC donations. Mr. Howard provided the booklet to the County Administrator to further investigate how these agencies could be entered into this publication.

Mr. Brooks

Mr. Brooks volunteered to serve as the Board's representative on the Community Health Needs Assessment Team and was nominated to do so on a motion by Mr. Grzeika, seconded by Mr. Sisson, and carried unanimously.

10-01—Consent Agenda:

On a motion by Mr. Sisson, seconded by Mr. Grzeika, and carried unanimously, each member voting as follows: Mr. Wolfe Aye; Mr. Sisson Aye; Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors approved the Consent Agenda, as presented, which included the following:

Authorized the issuance of warrants against the FY06-07 Debt Service Fund in the total amount of \$43,385.00.

Authorized the issuance of warrants against the FY06-07 E911 in the total amount of \$15,099.73.

Authorized the issuance of warrants against the FY06-07 General Fund in the total amount of \$233,099.49.

Authorized the issuance of warrants against the FY06-07 Library Fund in the total amount of \$5,023.73.

Authorized the issuance of warrants against the FY06-07 Recreation Activity Fund in the total amount of \$8,648.75.

Verified warrants issued for services to avoid late fees or disruption of service.

Action Items:

10-04—New High School Financing

The County Administrator, along with Mr. David Rose, Financial Advisory from Davenport and Company, and Mr. Dan Siegel, Bond Counsel, from Sands, Anderson Marks and Miller, provided an overview of the proposed bond financing for the new high school.

Mr. Rose explained that at its meeting on September 5th, the Board of Supervisors adopted a Resolution formally accepting the SunTrust Leasing proposal for the Government Center buildings, and the remaining portion of the funding for the new high school project, and Service Authority system capital maintenance items. Subsequent to the Board's action, the Economic Development Authority took the necessary actions at its meeting on September 14th to close the transaction which was funded on September 18th.

Bond Counsel previously advised the Board of Supervisors and County staff that the Board's and Economic Development Authority's actions needed to complete the financing of the remaining costs to complete the new high school project would be acted upon separately. This is because

consents from the bond trustee and bond insurer holding the 2004 new high school financing need to be secured prior to the King George County Economic Development Authority issuing this supplemental financing. Also, SunTrust Leasing provided as part of its proposal an interest hold date until October 15th to allow time to process and obtain the foregoing consents.

Accordingly, the County's Bond Counsel prepared and presented a Resolution to be adopted by the Board approving the financing and to initiate the Economic Development Authority's issuance of the bonds. Mr. David informed the Board that the County Attorney has conducted an initial review of the Resolution and the other documents and has communicated to the Bond Counsel his requested revisions.

Mr. Rose stated it was important to note that during the intervening period between the Board of Supervisors' adoption of the Resolution for the first installment of this financing on September 5th and the Economic Development Authority's action on September 14th, an issue arose with SunTrust Leasing concerning charges against the proceeds of the financing for fees incurred by the company for its legal review of the transaction. Inclusion of these legal fees in the first installment as well as in the second installment before the Board of Supervisors at this time are not customary and are inappropriate. However, the County's Financial Advisor stated that these charges do not "...alter the economic advantage of the SunTrust's proposal relative to the next lowest bidder..."

On a motion by Mr. Grzeika, seconded by Mr. Sisson, and carried unanimously, each member voting as follows: Mr. Wolfe Aye; Mr. Sisson Aye; Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors adopted the resolution to obtain financing plans for the issuance of revenue bonds for the costs to complete the new high school for the County, as presented.

Timed Items:

10-02—Status Report on the Division of Motor Vehicles Stop Program

Mr. Alice Moore, King George County Treasurer, provided detailed information to the Board regarding the County's implementation of the Division of Motor Vehicles Stop Program. This method is being used to collect delinquent personal property taxes for vehicles and Ms. Moore reported that \$65,000 in delinquent taxes has been collected since April 2006.

Ms. Moore also informed the Board that, as of October 2, taxes, as well as water and sewer bills can be paid on line by credit card through the County's website.

Action Items (Continued):

10-09—Approval of Warrant to the Journal Press, Inc.

On a motion by Mr. Sisson, seconded by Mr. Grzeika, and carried by 4-0-1 vote, each member voting as follows: Mr. Sisson Aye; Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors authorized the issuance of warrant number 1107773 to the Journal Press, Inc., against the FY06-07 General Fund in the total amount of \$1,774.60. Prior to the vote, Mr. Wolfe disqualified himself on the basis of family interest.

10-05—Request to Consider Change in Funding Formula for new FCS Extension Agent Position

Mr. David explained that during the FY06-07 budget process, the Extension Office requested funding for a new FCS Extension Agent position to serve both King George and Caroline Counties. This position would be housed in the King George Extension office. The funding formula at that time was 1/3 funding from the two localities (each locality paying 50% of the 1/3 funding) and 2/3 funding from the State. Mr. David further explained the State has reduced its funding level. Therefore, the Virginia Cooperative Extension Service is requesting that the localities split the funding of 50% of the salary, thus increasing the County's funding level from 16.65% to 25% of the salary for this new position.

On a motion by Mr. Howard, seconded by Mr. Brooks, and carried unanimously, each member voting as follows: Mr. Wolfe Aye; Mr. Sisson Aye; Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors approved the change to the funding formula for the new Family and Consumer Services (FCS) Extension Agent from 16.65% to 25%.

Timed Items (Continued):

10-03—Public Hearing – Consideration of Adoption of Ordinance Permitting Use of Golf Carts in the Fairview Beach Community

The Chairman opened the public hearing and the County Administrator provided a brief overview of the proposed ordinance which was prepared by the County Attorney at the Board's request at its August 1, 2006 meeting.

The Chairman opened the floor for public comment.

Mr. Tom Hudson, President of Fairview Beach Residents Association, stated that the Association has agreed to sponsor this ordinance, is in the process of developing the appropriate decals, has been in contact with the State regarding the cost of required signage, and has made arrangements with Superior Car Care to do the required golf cart inspections. Mr. Hudson further stated that, based on a recently distributed survey, 97% of the Fairview Beach residents support this proposed ordinance and expressed his hope that the Board would act favorably on this request.

Mr. John Heffernan, 13301 Ormond Way, spoke against the proposed ordinance, citing problems with enforcement, underage operators of the golf carts, etc., and the fact that this ordinance is not strictly confined to the Fairview Beach community. Mr. Heffernan asked the Board to give careful consideration to the consequences of such an ordinance and cast their votes against the ordinance.

Mr. Jimmy Franklin, Fredericksburg resident with a home in Fairview Beach, spoke in favor of the proposed ordinance, and felt the Fairview Beach is an ideal place for golf cart use, citing the size of the community and the already imposed 25mph speed limit. Mr. Franklin encouraged the Board to vote in favor of this ordinance.

There being no further public comment, the Chairman closed that portion of the public hearing.

Mr. Howard, although in support of the ordinance, suggested several changes and recommend no action be taken at this meeting in lieu of the fact that the County Attorney was not present and would need to review the proposed changes.

Mr. Grzeika reiterated his position against the proposed ordinance and felt that Mr. Howard's proposed changes will change the intent of the ordinance and deferred any additional comments until such time as the ordinance is brought back for further view by the Board.

Mr. Wolfe also stated that such an ordinance sets a bad precedent and that, under the law, Fairview Beach is no more or no less special than any other subdivision in the County and he would not want to see the use of golf carts proliferate throughout the County.

The Chairman directed the County Administrator to bring this issue back as an action item at the Board's October 17, 2006 meeting and closed the public hearing.

Action Items (Continued):

10-06—Appropriation of Funds for Construction Change Directive for Fire and Rescue Headquarters Capital Project

Mr. David explained that on July 11, 2006, he and Gillum Architects signed Construction Change Directive Number 1 for repairs associated with the Fire and Rescue Headquarters Project. The amount of the Construction Change Directive Number 1 is \$259,914 and includes repairs to the existing fire station walls, roof, foundations and subsurface areas. At its September 19th meeting, the Board was requested to appropriate funding for these repairs. However, since the change directive had not been reviewed by the County Attorney, the Board deferred action until that legal review had been completed, which has been done and the County Attorney has approved as to form the referenced costs. Mr. David reported that the repair work associated with Construction Change Directive Number 1 is approximately 76% complete and that the Contractor has requested payment for this portion of the work (less the retainage) on his two most recent Applications and Certifications for Payment.

On a motion by Mr. Grzeika, seconded by Mr. Brooks, and carried unanimously, each member voting as follows: Mr. Wolfe Aye; Mr. Sisson Aye; Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors appropriated \$259,914 from Unrestricted General Fund Balance for repairs authorized by Construction Change Directive #1 associated with the Fire and Rescue Headquarters Project.

10-07—Final Appointments to King George County Health Care Needs Assessment Project Steering Group

At the Board's September 19, 2006 meeting, the Board provided final input on the names of individuals recommended to serve on the Community Health Care Needs Assessment Steering Group. Mr. David provided, for the Board's review and concurrence, a current listing of those members who have agreed to serve on this Steering Group. Mr. Wolfe did clarify that Dr. Rosier Dedwylder has agreed to serve on this Steering Group as well.

On a motion by Mr. Grzeika, seconded by Mr. Howard, and carried unanimously, each member voting as follows: Mr. Wolfe Aye; Mr. Sisson Aye; Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors appointed the following people to the Community Health Care Needs Assessment Project Steering Group: Dr. Rosier Dedwylder; Dr. Chris Harrington; Dr. Richard Cottrell; Ms. Jill Cousins; Mr. Dave Coman; Dr. Donald Stern; Rev. Ted James; Mr. Ira West; Ms. Belinda Cameron; Ms. Connie Ashton; Mr. Bryan David; and Mr. David Moody. Mr. Cedell Brooks will represent the Board on this Steering Group.

Mr. Wolfe recommended that an Executive Committee be established from this Steering Group membership with the Board's representative serving as chair of that Executive Committee.

10-08—Appropriate Remaining Funds for Moseley Contract for Construction Administration and Value Engineering Modifications

The County Administrator explained that at its meeting of Tuesday, September 19, 2006, the Board considered the above listed action to appropriate the remaining funds on the Moseley Architects contract. The amounts to be appropriated are \$454,000 for Construction Administration and \$47,244 for Value Engineering Study Modifications. At that time questions were raised by Mr. Grzeika inquiring whether the School Board requested the appropriation of funds and an explanation as to the Construction Administration services to be performed by Moseley Architects versus services to be provided by URS. Those questions were addressed in the Board report as part of the Board meeting packet.

On a motion by Mr. Sisson, seconded by Mr. Howard, and carried unanimously, each member voting as follows: Mr. Wolfe Aye; Mr. Sisson Aye; Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors appropriated funds in the total amount of \$501,244 representing the remaining balance on the Moseley Architects contract for the new high school, and authorized the issuance of a warrant to Moseley Architects in the amount of \$47,244.00 for the Value Engineering Study Modifications.

10-10—Authorize Expenditures from the FY06-07 Capital Improvements Fund

On a motion by Mr. Sisson, seconded by Mr. Howard, and carried unanimously, each member voting as follows: Mr. Wolfe Aye; Mr. Sisson Aye; Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors authorized warrants against the FY06-07 Capital Improvements Fund budget in the total amount of \$61,477.37, as specified.

Discussion Items:

10-11—Proposed Work Session Dates

In follow up to its September 19, 2006 meeting, the Board requested that a discussion item be placed on the October 3rd agenda to discuss possible work session topics and proposed dates. Mr. Grzeika recommended a future work session regarding the wireless authority, as well as one regarding Parks and Recreation and its relationship with the YCMA. The Chairman recommended the Board members submit a list of proposed work session topics to the County Administrator and prioritize the listing and set work session dates during the October 17th Board meeting.

10-12—Sealston Park Conceptual Plan Phase 1

The County Administrator explained that the Sealston Park project was included in the FY07 Capital Budget adopted by the Board of Supervisors on June 6th. The improvements for this park were initially identified in a draft Master Plan developed by the Recreation Advisory Committee in consultation with the County's consulting engineers Draper-Aden Associates. The Acting Director of Finance advised that \$225,000 has been received for the park improvements from Waste Management under the terms of the contract. The total contribution is \$375,000 in five (5) installments. There has been \$22,000 expended for this project to date which is attributable to the development of the master plan. It was noted that the engineering fees are not being charged for

this project. Funding for the project above what is being provided by Waste Management would be available from the unrestricted General Fund balance.

Mr. David further explained that staff has initiated a phased design of the proposed improvements with Draper-Aden Associates. These proposed improvements are only directed toward athletic fields and the needed supporting infrastructure, including parking requirements. He further discussed the three options under Phase 1, which include the rough grading of two soccer fields, one multi-purpose field, warm up area, gravel parking area, and entrance road under Option 1. Option 2 would include all those things mentioned under Option 1 and the completion of a third field. Option 3 would include everything from Option 2 but adds the entrance roundabout for drop off and pick up.

Mr. Sisson recommended an additional option which would be to provide one baseball, one soccer and one multi-use field, since field availability is such a pressing need in the County. Mr. Grzeika recommended a possible discussion with the YMCA, perhaps offering that organization a 50-year lease on the land and have the YMCA operate Sealston Park, and perhaps could be addressed at a future work session. After considerable discussion, the Board directed the County Administrator to work with the County Engineer to develop a plan to create at least two multi-purpose fields with adequate parking at the Sealston Park location to be available in spring of 2007 and bring back the information at the October 17th meeting of the Board and requested Mr. Sisson work with the YMCA to express the desire of the Board on a general basis regarding Sealston Park.

10-13—Status of King George Elementary School Roof

As a follow up to the Board's September 19th meeting, the County Administrator provided potential short-term and long-term options related to roof repairs at the Old King George Elementary School

The short term options included monitoring the roof and performing stop-gap repairs as needed or relocating the program to commercial leased space. However, staff researched the availability of a commercial building in the County, but was not able to find such a space having sufficient floor area and ceiling to accommodate the program.

The proposed long-term options included initiating discussions with the Rappahannock Area YMCA to determine availability of space in the King George facility to house the gymnastics program; determining feasibility of constructing an addition or new facility at the Citizens Center; or locating a new facility on property owned or acquired by the Board of Supervisors.

After considerable discussion, the Board directed the County Administrator to continue with the short term option of maintaining status quo, taking no long term action at this point, but doing those things necessary to keep the current programs on going at this facility.

County Administrator's Report:

10-14—Results of School Superintendent/County Administrator Meeting

As directed by the Board, Mr. David reported on a meeting he held with the School Superintendent to review and discuss the contents of her e-mail dated August 30, 2006 regarding a list of items which the School Board wished to discuss with the Board of Supervisors. Those items which were addressed included the following:

- Agreement with the Parks and Recreation Department regarding facility use
--This issue is to be addressed by the new Parks and Recreation Director, Mr. Tim Smith. Mr. Smith will be working with the County Attorney on this document and will provide a draft to the Board for their review and comment
- VDOT improvements in front of the high school
--This matter has been taken under advisement by the School Board; VDOT has indicated that there is no funding available for the project but is working with the School Board regarding other possible funding sources
- Old King George Elementary School roof
--Previous discussion in Board report shared with School Superintendent
- Additional classrooms at new high school
--Informed School Superintendent that the Board was made aware of this issue
- Plans for purchase of land for additional schools
--Board members made aware of plans
- Consolidation of services
--Currently working on consolidation of grass cutting services
- Costs associated with intermediate school
--Further information will be provided to County Administrator and Board members by the School Superintendent in the near future.

10-15—Aegis Ballistic Missile Defense (BMD) Program Office Town Hall Meeting

Mr. David reported on recently received communication from the Fredericksburg Regional Chamber of Commerce concerning a proposed “town hall” meeting in Crystal City in late October or early November regarding the relocation of the Aegis Ballistic Missile Defense (BMD) Program Office to the Naval Warfare Center Dahlgren. This meeting would give an opportunity for its employees to receive information about the community and plans to be held during the week of October 30-November 6.

The Board concurred that the County needs to be represented at such a meeting and requested the County Administrator attend and assemble a presentation packet with copies provided to the Board members. Mr. Sisson also agreed to attend this Town Hall meeting. Mr. Grzeika recommended that the County’s wireless initiative be addressed.

10-16—2006 Statement of Assessed Values for Public Service Corporations

The County Administrator provided information to the Board regarding the certified 2006 Statements of Assessed Value prepared by the State Corporation Commission (SCC) for public service corporations located in King George County. This assessment for real and business personal property is done annually by the SCC in lieu of the Commissioner of the Revenue performing the assessment.

Mr. David also noted that the assessed values for the 2006 tax year as certified by the SCC will result in real and business personal property revenue of \$1,124,491 as computed by the Commissioner of the Revenue. The County’s tax rates are levied on the real and personal property of these public service corporations based on the SCC assessment. The revenue amount budgeted for FY07 is \$1,205,300, thereby resulting in a deficiency of approximately \$80,000.

The SCC does note in its information that fluctuations in assessed values can be attributed to adjustments in depreciation schedules and local assessment ration.

10-17—Harry W. Nice Memorial Bridge Improvement Study Scoping Meeting

Mr. David provided copies of correspondence from the Maryland Transportation Authority (MTA) announcing an upcoming Nice Memorial Bridge Improvement Study Scoping meeting to be held on October 12, 2006. Mr. Jack Green and Mr. Christopher Thomas will be attending as County representatives.

10-18—Status Report on Potomac Gateway Welcome Center

Mr. David reported that, effective Sunday, October 1st, the State Tourism Corporation took over the operation of the Welcome Center and the staff that operates the Fredericksburg Welcome Center has physically relocated to the site, while that Welcome Center is being renovated. A written agreement is in process, under review by the County Attorney, and will be brought to the Board at its October 17th meeting. With regard to employees, the County's full time employee has been offered and accepted a position to work there 30-hours per week. The State does not operate its facilities with part time or volunteer personnel; therefore, a lay-off process has been initiated for the part time employees of the Welcome Center.

Mr. Wolfe wished it to be clarified that the Park and Ride lot stays with the County and the amount of land to be conveyed with the Center remains at a minimum.

10-19—King George County YMCA Status Report

The County Engineer reported that the site plan was approved September 12th, architectural plans will be presented this week and the Invitation to Bid goes out early next week. The advertisement will be for 30 days, and anticipates starting construction in mid-November.

Other Business:

Mr. David presented a memorandum to the Board from the Registrar concerning a request by the Electoral Board to notify voters of a change in voting location within the Shiloh and Passapatanzy Precincts. The voters will now vote in the gymnasium at Sealston Elementary instead of the cafeteria. The cost of postage required to notify those voters is approximately \$1,350 and the Registrar's budget does not have sufficient funds to cover this expenditure. The Board discussed this issue and determined that a directional sign would be sufficient to inform voters of the relocation once they enter the building and was of the opinion that this would not be a valid expense and requested the Electoral Board reconsider this request.

Mr. David received a request from Delegate Wittman asking for support on legislation to mandate health insurance coverage for IMRT treatment. The Board reviewed this issue and declined to take action.

The Residency Administrator, Ms. Huckabee-Mayfield has submitted possible available dates for the VDOT tour of County roads, those dates being October 18, 19, and 20 or October 25 or 27. The Board requested this tour be scheduled in November and directed the County Administrator to bring back some additional dates at the October 17th meeting.

Closed Session:

On a motion by Mr. Sisson, seconded by Mr. Howard, and carried unanimously, each member voting as follows: Mr. Wolfe Aye; Mr. Sisson Aye; Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors went into closed session pursuant to State Code Section 2.2-3711(A) 1 for the purpose of discussing personnel issues regarding applicants for the position of Director of Finance, and the performance evaluation of the County Administrator, and State Code Section 2.2-3711(A) 30 for the purpose of discussing the award of a public contract involving the expenditure of public funds regarding the new high school and invited the County Administrator, Deputy County Administrator and County Engineer.

On a motion by Mr. Sisson, seconded by Mr. Howard, and carried unanimously, each member voting as follows: Mr. Wolfe Aye; Mr. Sisson Aye; Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors returned to public session and certified that only public business matters lawfully exempt from open meeting requirements by Virginia law, and only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered.

There being no further business to come before the Board, the Chairman adjourned the meeting on a motion by Mr. Howard, seconded by Mr. Sisson, and carried unanimously.