

**VIRGINIA:**

At a regular meeting of the King George County Board of Supervisors, held on Tuesday, the 4<sup>th</sup> day of May, 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  
Travis Quesenberry, Interim County Administrator  
Matt Britton, County Attorney

**0:00:01.1 Madam Chair:** I hereby call to order this meeting of the King George County Board of Supervisors. Mr. Quesenberry, are there any amendments to the agenda?

**0:00:09.3 Travis Quesenberry:** No ma'am, there are no amendments tonight.

**0:00:11.0 Madam Chair:** Very good. Thank you sir. We'll move on to 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. And I would like to call first, Zack Dove.

**0:00:43.0 Zachary Dove:** Do you need my name and address?

**0:00:46.0 Madam Chair:** Yes, sir, if you could please state your name and address, and if you wish to do so, you may remove your mask while speaking, it's entirely up to you.

**0:00:55.6 Z. Dove:** Name is Zachary Dove, live at 4305 Chesapeake Place. Good evening board, Madam Chair, County Administrator. I'd like to take a quick second to thank you all on the behalf of King George Professional Firefighters and Paramedics Local 4438. We'd like to thank you for taking the steps that you have to bring us into a competitive market, as well as adding positions to help us further grow and protect the community. Many members listening tonight, and those that I've spoken to on these topics are very excited for the future. Thank you.

**0:01:37.4 Madam Chair:** Thank you sir very much for coming out. I'd like to now call Chief David Moody, King George County Department of Fire, Emergency Rescue Services.

**0:01:52.3 David Moody:** Good evening Madam Chair and members of the board, I just want to take a moment. Thank you for your support in this budget, I believe this budget addresses many of our recruitment and retention challenges. I think it brings our... Brings King George County and our Fire Rescue Department back into the marketplace. I'm very optimistic. I think we've been about three years, that we've been struggling to maintain a competitive market, and this is going to... This is gonna turn the tides for us. Zach, I couldn't say it much better than what he just mentioned but thank you for the support and a well-staffed Fire and Rescue Department means a safer County. And so thank you again and God bless. Thanks.

**0:02:42.6 Madam Chair:** Thank you, sir. Mr. Don Shelton?

**0:02:45.3 Don Shelton:** I live at 9430 Ashman Court, King George, my name is Don Shelton. Of course, most of you know that I do not believe the monument on the courthouse lawn that is a memorial to the people who died. I don't want it moved but there's a team of people and lawyers working on that, but I have something else I want to speak to you about. I think it's time and due consideration that the courthouse is moving, we're gonna have that building to be used by a cultural center, to honor all our history, the Indian history, the black history. It's all very important, those who served in war, it has some great possibilities. So in your... In deciding what to do with the Courthouse after it's moved, please take that into consideration, the Ralph Bunche, we just had a thing recently where the Veterans of Foreign War, they need a place to be, there it is, right there. Please keep that in mind and see if we make that work. I'm trying to get a group with people together, I'm gonna talk to a lot of people, the group that is opposing the... The monument to move, I'm getting with them and see what they want to do to honor our history. I've met with them several time and understand why they had... But again, this monument is dated, it is a memorial to those who died, therefore, under the laws of this land, it is a tombstone. Thank you.

**0:04:20.9 Madam Chair:** Thank you, Mr. Shelton. Mr. Robert Ashton.

**0:04:32.5 Robert Ashton:** Yes. Robert Ashton, 14540 Ridge Road. Madam Supervisor and the Board of supervising numbers. Once again, I'm Robert Ashton coming before you regarding the Confederate Monument. The last time I was here, I read a statement of why I feel the Confederate Monument should be moved from its present location in front of a Court of Justice. I was very attentive to the responses of what the board members would say after members of the NAACP made their comments, those responses, to me sound like sound bites, which may be good for the public to hear, but clearly saying we are not going to take any action on. This is kind of like newsworthy, really it's note worthy that we continue to have inaction from the board. If I understand it right, it was stated by a couple of your members that there are legal issues that prevent the board from acting to remove the monument. I would... We would like to know, the NAACP would like to know what are those legal issues. What I have read is that Mr. Britton said the monument had been on private property before it was transferred to the Courthouse in 1976, and it was lawfully placed there, if it was lawfully placed there on public property, why can't the board lawfully have it moved since there's no deed or title associated with it per Mr. Britton. It appears once again that the elected leadership of this county are being stagnant in responding to our request in removal. We continue to hear the Board skipping around a valid issue that people of color have concerns for. On another note, I know what the history of slavery is, and I can see what it does to people. I do not need a lesson on it, what I need is action on a issue that is important to the minority community of this community... Minority of this community. If it is a memorial, remove it and

relocate it to its proper place. Thank you.

**0:07:11.7 Madam Chair:** Thank you, Mr. Ashton. Ms. Marsha Stonehill.

**0:07:24.7 Marsha Stonehill:** Good evening Madam Chair and supervisors of the Board. Marsha Stonehill, 17094 Ferry Dock Road. Regarding the Confederate monument, have you asked your constituents their opinion on simply having the monument moved? The request from the NAACP is respectful and does not seek to dehumanize the people who are being memorialized. It is a request to relocate the structure from government-owned property to private property while sustaining and expounding upon the history. I remain in support of the NAACP request and know there are hundreds of others who also do not object even if they don't fully understand why.

Number two, RBAHC. In follow up to the four points made in public comment on April 20th, the barriers encountered with the county during negotiations. In early negotiation, the county initially requested \$10,000 per year to keep the building off the market during the fundraising stage. Though this may be a typical and even a generous business transaction, when working with a developer, RBAHC is not a typical strategy. The signed LOI reflects one dollar per year lease during the stage of fundraising, why did requests for thousands of dollars keep re-appearing? The next appearance was for \$4000 per year, which did get negotiated down to \$2000 per year during fundraising. Additionally, the previous county attorney required consultation with a real estate attorney, and this expense was imposed on RBAHC. RBAHC eventually agreed to pay up to \$3000 toward that expense even though the RBAHC pro bono attorney was already absorbing much of the workload. The new county attorney seems to have eliminated that need for a real estate attorney, we thank you. Next, RBAHC also actively sought to put a sign on the property of the... Ralph Bunche High School property similar to a 4 by 8-foot bi-directional V sign as part of our marketing strategy. We were informed by community development that we could not do this based on current ordinances, period. No effort put forth to help us with this in any fashion. Keep in mind that we are volunteers providing professional services pro bono to raise six million dollars toward a county-owned building. Granted that even though the negotiations include transferring the deed to RBAHC, when the milestones are met, the building and property will always be in the control of the county, by the way the option agreement is written. It is very difficult to convince a donor that support is present from the county based on these experiences. Prospective donors are waiting to see what the county is going to do, how is the county going to help the process? Hence the addendum was submitted to each of you with the LOI revisions for your consideration. We are seeking a cooperative effort as this will serve to motivate large donors to support such a worthy cause. I have many questions as to why it is so difficult to accomplish a cooperative effort to optimize the success of the RBAHC strategy. Thank you.

**0:10:33.5 Madam Chair:** Thank you, Ms. Stonehill. I do not have anyone else on the public comment sign-up sheet. Is there anyone else who joined us after I pulled the sheet that wishes to provide in-person public comment here this evening? Alright, then we will move on to citizens online, Mr. Dines, who wish to provide public comment, you've just provided me a name, Melanie Oaks. Ms. Oaks, can you hear us. Ma'am?

**0:11:08.5 Melanie Ox:** I sure can. Can you hear me?

**0:11:10.2 Madam Chair:** Yes, we can hear you ma'am. You have three minutes, and if you could again state your name and your address.

**0:11:16.7 M. Ox:** Absolutely. Hi and evening. My name is Melanie Ox at 2295 River Drive. And thank you Board of Supervisors for the opportunity to meet with you in this manner, I appreciate it during this storm that's outside. So just to... I just have three quick comments. My first comment is actually in the support of NAACP. I do recommend that we try to find a new place for the Confederate monument that's a more of appropriate location other than in front of a courthouse where my children can see it and other children can see it and seeing what's... What we as our county is representing then as justice for all. And so I hope you do that for consideration. The second thing that I want to mention is actually in regards to the Fire and Rescue. I'm going to applaud Chief Moody in his efforts in reviewing the budget and in seeing that consideration for the budget. I agree with that statement as well, so just thank you all very much for working on that budget together.

And then my third comment quickly is in regards to RBAHC. So I do agree with the comment presented by Marsha Stonehill. I know with my efforts in providing services along the way, I know I personally and we at RBAHC personally seek a cooperative effort with the Board of Supervisors and with the county to review and provide a decent review of the letter of intent that was provided along with that option agreement as well. So we look forward to that review. Thank you again for your time and thank you all again for listening. I appreciate you.

**0:13:08.2 Madam Chair:** Thank you, Ms. Ox. Mr. Zachary Filtz?

**0:13:10 Zachary Filtz:** I Zachary Filtz request the Confederate monument to be taken away from in front of the courthouse.

**0:13:15 Madam Chair:** Thank you Mr. Filtz. Anyone else join in, Mr. Dines? Alright then I will go ahead and close public comment and we will move on to reports of members of the board. Mr. Granger, would you like to start us off?

**0:13:23.2 Richard Granger:** Yes ma'am, thank you. Just would like to say thank you to everyone for coming out with your comments, I appreciate you giving those and stating how you feel about all the states of everything going on in the county. Other than that, on Thursday, April 29th had the RIFA discussion with the FRA and the city of Fredericksburg. I know that the biggest concerns, I think from the board was make sure that there were no costs like that they could incur for the county, and they couldn't execute business that would obligate the county in some way, and so that is an accurate statement. They cannot... If they were to ever try to move into an agreement where they would be in kinda revenue sharing even, that would have to come to the county as well, there are no upfront costs, there is a go Virginia grant that helps to do with the setup, but like any committee, there are just maintenance costs, which they had just quickly gone over along the lines of insurance and auditing and things like that, which were fairly minimal. I didn't get an exact figure from them though, so like any committee though, there is at least a little bit of cost just to help make sure that it's run. So just to give that to you...

Forwarded on the draft ordinance to Mr. Britton again for him, I know he reviewed it back in 2020, but for him to take the opportunity to review it again and so that before we bring it to the board again to make a decision if we wanna move forward with trying to move into this RIFA. Other than that... On May 3rd, yesterday, attended an FRA meeting, probably biggest thing, they're getting more and more traction for a couple of years trying to work, trying to get the text transfer initiative going, which is the idea about bringing possible ideas on the base that could be turned into businesses like patents that they could use off the base and in upmarket commercially, and so it's been a lot of very difficult to get traction, finally getting some really good coordination with the

base, their office, they've had some turnover in that office, and so I think that... Now, there's some stability there. And thus the FRA is getting a little bit more traction there also, the FRA has made the decision to offer to Captain Plue, an ex officio non-voting member position on the FRA board, just for everyone's edification as well. So that's all I have though. Thank you.

**0:15:45.9 Madam Chair:** Thank you, Mr. Granger, Mr. Stonehill?

**0:15:51.5 Jeff Stonehill:** Thank you Madam Chair, and thank you for everybody coming out, it's a monument is definitely something that we're going to look at and see, it's not something that's, we are not gonna put it off in the back burner, we're definitely gonna address it in just a matter of time, getting through this budget cycle and getting everything calmed down... We're certainly gonna look at it, I'm sure. Mr. Dove, Chief Moody, that was a long time coming. I'm glad that we could be able to do that and Sheriff Giles as well, and I think it was a very good package for everybody on both sides of the house over there, so... Thanks for all you guys do all the time. I was contacted last week, and this week by the folks that are who are building their bridge and their media folks, they had come to me in reference, sending out some media stuff in reference boats slowing down on the Potomac, since it is now getting into boating season, and they had said that they are now enforcing the no-wake zone, which is a half a mile on either side of the bridge, so Maryland DNR. Coastguard and MTA police are enforcing that, and they had asked to pass that along and put it out on social media, to slow down and the no wake zone means the slowest possible speed to maintain steerage, so they had passed that along, I also did stop off down their bridge in our side to check and see what was going on. It's a fascinating process. I mean just what they're doing down there is great. And so... And then I was also contacted by a couple of folks in reference to lack of broadband or slow broadband. So been looking at that, I'm talking to some of the folks at Atlantic Broadband about seeing what they can do. And then actually today, I was contacted, there's a grant or a batch of money, I think it's over a million dollars that a company has now and they're looking to bring it to Virginia for rural broadband. So that's some information I'll share with you guys and also Mr. Quesenberry. And go from there. But that's all I have to report. Thank you.

**0:18:19.5 Madam Chair:** Thank you, Mr. Stonehill, Miss Bender?

**0:18:22.0 Cathy Binder:** Thank you very much, Madam Chair. I wanna thank everyone who came out and Miss Ox who spoke online, and I know everything you said was heartfelt, thank you very much for coming out and speaking. I was honored to attend the VFW Post-12202 Sergeant Nicholas C Mason Memorial. It was an institution ceremony, they honored 33 members, that they inducted, including a gentleman who served in the Korean war, all the way up to the current conflict, and it was very honored to be a part of. It was two of my colleagues, and I wanna congratulate everyone who was inducted into the VFW Foreign Legion post... I think I got that right. Mr. Bueche, being a non-military. That's alright. Just was making sure I was saying it correctly. I met as a member of GWRC and their Chairman this year, we adopted the Rural Transportation Plan, and that helps us decide in King George and Caroline different projects, we can do, it just doesn't have to be roads, it could be bypassed, access over 301 to be able to get to the gateway shopping center, different things, but it's centered just for King George and Caroline, the rural parts of GWRC, which is the George Washington Regional Commission. We also went over updated the new census data, and the concern there is there's possible changes in the way they tell what's an urban district, and the problem with the definitions is that it could cut down on funding, especially in the Fredericksburg area for Smart Scale and other transportation projects, but right now it's just in discussion 'cause all the data hasn't come out yet... I'm happy that we were able to help our first responders to be

competitive, to be able to have the best possible employees for our citizens when they need their help, no matter what it is, from a heart attack to... Like myself, getting a cat out of a tree. I wanna thank everyone though for working together to get that happen, 'cause it's really important that we take care of those that take care of all of our citizens. And I think that's all I got. That's all I got, thank you.

**0:20:29.7 Madam Chair:** Thank you, Ms. Binder. Mr. Bueche?

**0:20:31.8 Mr. Bueche:** Thank you, Madam Chair. So first off, thank you to everyone who took the time to come out tonight and address this body. I know it's not easy getting up in public on the record, so I greatly appreciate that. With that, governance is not easy. A governing body shouldn't... It happens, but a governing body should not make decisions based on feelings or emotions. There's a lot of legal concerns, impacts that take place from the decision that five people at a dais make. There are legal issues, there's also reviews to make sure that there is a well-informed, thorough decision that eventually would be made. So regarding the monument, regarding the Arts and Humanity Center, I will defer to legal counsel and the county administrator to provide us with the most up-to-date information we have to move forward on both of those issues. This past Saturday, I had the honor to speak at the Veterans of Foreign Wars. Sergeant Nicholas Mason, Memorial post 12202. I wanna commend their commander, Alex McKenna, who stood up a VFW and brought it back to King George in record time. There are 33 Plank Owners that took their oath to join the VFW on that Saturday. It was very, very impressive, and they couldn't have picked a better legacy to honor than Nick Mason. I was honored to be able to sit on the field along with the Mason family, and I'm just truly honored to have had that opportunity. The VFW coming back to King George is very critical. We have a unique population where we have many retired veterans, we have many who have served and they choose to live in King George. And having just experienced what it's like to transition from 20 years of active duty into the private sector, just a year ago, it's difficult. I'd rather go to boot camp all over again, then have to retire again. Paperwork is tremendous. The process with the VA is horrible. It took a year for me to get a determination on my disability rating. But it's organizations like the VFW, like the American Legion that are there to liaison for our fellow servicemen and women. So I'm really happy to see the VFW back active in King George County, and hopefully, between them and the American Legion, our veterans can find a larger support network here in King George County. Madam. Chair, that concludes my comments. Thank you.

**0:23:34.5 Madam Chair:** Thank you, Mr. Bueche. I wanna start by thanking everyone who came out to provide public comment this evening. I wanna first acknowledge Mr. Dove and Chief Moody. Thank you very much for your comments, expressing your appreciation. I, as you know Chief, got to see firsthand the very excellent response by your department as well as Sheriff Giles department, when I called in a motor vehicle accident, head-on into a tree last week and waited for you all to respond to take care of our citizens. So I greatly appreciate everything you do to keep our community safe. Mr. Shelton, thank you very much for... Mr. Shelton, I see is not here, I believe he has left, but I will acknowledge and thank him for coming out and providing his comments. Mr. Ashton, Ms. Stonehill and Ms. Ox, online, thank you very much for providing your comments regarding the confederate monument. And Ms. Stonehill and Ms. Ox again, for additional comments regarding RBAHC.

I would like to report that on Wednesday, April 21st, myself and Mr. Quesenberry attended a follow-up meeting with the members of the King George branch NAACP regarding a number of issues, particularly the formation of the working group for the Diversity Advisory Committee. And I just wanna remind the public, just as was seen this evening, public comment is... An opportunity

for public comment is provided at the beginning of every Board of Supervisor meeting. Monday, April 26th, I participated in representative Rob Whitman's Broadband Fireside Chat with FCC Commissioner, Symington, regarding rural broadband issues. And a key take away was to pair American rescue plan stimulus funding as the local match for any state broadband grant opportunities you may have. So we may have an opportunity since it appears that much of that stimulus funding is now retroactive all the way back to March 13th, 2020. If the board chose to do so we could, just a suggestion. Skip down to Saturday, May 1st, with Mr. Bueche and Ms. Binder attended the formal installation of King George VFW. Sergeant Nicholas C. Mason Memorial post 12202 at King George High School. I wish to commend them and just another great way to honor one of our native sons. Upcoming Friends of the Rappahannock will host another litter clean up day with us in conjunction with landfill staff on Saturday, May 8th, focusing on Comorn road and there is a link on their website to sign up if you would like to volunteer. I believe that is everything I had for my board report. Thank you very much. Move on to consent agenda.

**0:26:53.5 R. Granger:** Move to adopt the consent agenda as presented.

**0:26:55.7 J. Bueche:** Second.

**0:26:56.3 Madam Chair:** All those in favor, say aye.

**0:27:00.1 C. Binder:** Aye.

**0:27:00.2 J. Bueche:** Aye.

**0:27:00.3 R. Granger:** Aye.

**0:27:00.4 J. Stonehill:** Aye.

**0:27:00.5 Madam Chair:** Any opposed? Chair votes I, motion carries. Constitutional officers report. We have Sheriff Chris Giles here with us this evening. Welcome Sheriff Giles.

**0:27:12.4 Sheriff Chris Giles:** Thank you, madam Chair. Good evening madam chair, members of the board. For my Constitutional Officers report, I'd like to take this opportunity to say just how much I appreciate you as a board, and your unwavering support for our public safety employees. Without your support, we could not do the job that we were hired to do. Your attention to the hiring and retention issues have not gone unnoticed. Currently, I have five deputies that are attending the academy. In my career here at the King George County Sheriff's Office, I've never seen five deputies in the academy at one time, and this is a testament to the effort that you all put forward in combination with the Fire Department and the Sheriff's Office to make that happen. So, tonight I just wanna say thank you from myself and the rest of the Sheriff's Office for the effort that you put forth, and again, it doesn't go unnoticed, so thank you, and that's all have for my report.

**0:28:15.1 Madam Chair:** Thank you Sir, very much. Moving on to report of the county attorney, Mr. Britton.

**0:28:20.4 Matt Britton:** Just one thing. Mr. Granger did forward me that and I just wanted to tell and in response to his comment, I did give comments in October, I think it was of 2020. I don't think... I don't know if they were forwarded 'cause I... We didn't go forward with it, and I did look at

it again and make those comments and forwarded it on as well, for the Rappahannock RIFA.

**0:28:44.4 Madam Chair:** Thank you, Mr. Britton. Any questions from members of Mr. Britton? No. Mr. Bueche, did you have something?

**0:28:52.7 J. Bueche:** That's the shortest report I could recall you giving.

**0:28:56.6 M. Britton:** Thank you.

**0:28:58.8 Madam Chair:** Not a question, but thank you, Mr. Bueche. Alright then, thank you, Mr. Britton. We will move on to public hearings. Proposed second amendment to the tower lease between the county and SBC tower Holdings LLC. The King George County Board of Supervisors will now hold a public hearing that has been properly advertised to receive public input regarding a proposed second amendment to the tower lease between the county and SBC tower Holdings LLC. 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. On completion... 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, and I believe Mr. Britton, you're providing the staff report for us on this matter?

**0:30:00.4 M. Britton:** Yes, madam chair...

**0:30:00.7 Madam Chair:** Very good, sir.

**0:30:02.0 M. Britton:** About an hour and a half. This tower lease goes back as... And I also did a memo on it that's included in the packet. This goes back to a series of leases to 1997, and there have been as with communications companies, sub-leases, buyouts. I'm sure that if you have a cell phone, you know that one day somebody owns it, another day, it's another company's offering you a better deal on it, and you name it, that happened here. We were notified sometime last year that they wanted to re-negotiate their lease, and I noticed that the lease was for a bit larger piece of land with a bit less money, so I spoke with Dr. Young at the time, and we're trying to get to the bottom of it. And the bottom line is, is that the only tenant on this tower is us, and we don't pay them, so they have not been able to, for whatever reason, get other tenants so that they were... As the lease ran up, they were just gonna get out of it, and there's a tower on it that was built and we get free use of it, so they asked for a bit of a smaller rent payment to us and a bit more space because they need to expand their footprint a little bit in order to attract more people. I did get on the counsel and negotiated, I think with Dr. Young as well, and their counsel, as well as their representative a five-year rate guarantee... A payment guarantee on the lease. So we reviewed it and I went over it again as recently as last week or two weeks ago with their... A lawyer handling it as well, and basically, if we don't do this, they're gonna be having to get out of the lease and shut it down and pull the tower. Which is...our equipment's on it, so I can't recall re-reviewing it with Travis, but certainly Dr. Young was in favor of it when this came up, and this has been in the works for a while. Last thing is obviously there needs to be a public hearing because this is an adjustment to a disposition of real property, which includes both sale and leasing, so we could buy real property, acquire, without a public hearing, but you can't dispose of it, including leases, as you all know, and that's why we're holding a public hearing. Thank you, madam chair.

**0:32:36.9 Madam Chair:** Alright then. I'll now open the floor...

**0:32:39.1 M. Britton:** I apologize. There's one other thing, I'm sure Mr. Bush expected that. Should just take about 15 minutes. I did put in the documents, all of... I took a while to go back and find all this stuff, so I went ahead and put in the packet... I know it made it longer but all of the documents going back to each of the iterations of all the leases, so if this comes up again and you all need to discover, you can just look right in the motion's book.

**0:33:06.3 Madam Chair:** Thank you, Mr. Britton. So I'll now open the floor for public comment. As a reminder, public comment is limited to three minutes per speaker. Do we have anyone here in the boardroom who wishes to provide public comment on this matter? Mr. Dines, do we have anyone online? Do we have any written statements? My colleagues, anyone receive any written statements? Mr. Quesenberry, did we receive any written statements in administration? Very good. So I will now close the public hearing, and we will go ahead and bring the matter back to the board for consideration. Do we have any questions? Or would anyone like to go ahead and entertain a motion?

**0:33:50.8 R. Granger:** I moved to execute the Lease Amendment as presented.

**0:33:53.4 J. Bueche:** Second.

**0:33:53.5 M. Britton:** Madam Chair, thank you. You caught a typo that I've corrected. King George County, VA, was King Gorge County, CA. So it was California instead of Virginia, and that's the level you're reading these documents at. [chuckle] I appreciate it, I apologize, but I guess it was sent to us that way and I didn't catch it. So I have amended that. So if Mr. Granger would be amenable to amending his motion as amended to correct the King George County address.

**0:34:30.2 R. Granger:** I move to amend my motion to correct the King George County address as presented by County Attorney Matt Britton.

**0:34:36.7 J. Bueche:** Second.

**0:34:39.1 Madam Chair:** Any further discussion? So I didn't call for them separately... No questions for Mr. Britton regarding the matter? Alright, then we have a motion properly seconded, no further discussion. All those in favor say, "Aye."

**0:34:51.8 C. Binder:** Aye.

**0:34:52.2 J. Bueche:** Aye.

**0:34:52.5 R. Granger:** Aye.

**0:34:52.6 J. Stonehill:** Aye.

**0:34:52.7 Madam Chair:** Any opposed? Chair votes "Aye," motion carries. Thank you, Mr. Britton. Alright, presentations and reports. We don't have any of those, so let's move on to Action Items. Department of Emergency Services, Four-for-Life Grant Funding through the Virginia Office of Emergency Medical Services. Chief Moody, welcome back.

**0:35:18.6 D. Moody:** Yes, ma'am. Madam Chair, members of the board, this action item is for the Four-for-Life Grant through the Virginia Office of EMS. Back in February, our department was informed we'll be receiving \$29,364. This action would be to accept the grant, appropriate, and amend the FY-21 budget in the amount of that, \$29,364, and authorize expenditures. I'm happy to answer any questions if you have any.

**0:35:48.8 Madam Chair:** Any questions? No? Is there a motion?

**0:36:00.1 R. Granger:** I move to accept the Office of EMS For-Life Grant in the amount of \$29,364.40 sent to appropriate and amend for the fiscal year, '21 budget in the amount of \$29,364.40 and authorize expenditures as presented.

**0:36:15.3 J. Bueche:** Second.

**0:36:16.5 Madam Chair:** Any further discussion? Mr. Stonehill, did you... Okay. All those in favor say, "Aye."

**0:36:25.5 C. Binder:** Aye.

**0:36:25.5 J. Bueche:** Aye.

**0:36:25.5 R. Granger:** Aye.

**0:36:25.5 J. Stonehill:** Aye.

**0:36:25.6 Madam Chair:** Any opposed? Chair votes, "Aye." Motion carries. Thanks, Chief.

**0:36:28.8 D. Moody:** Thank you.

**0:36:30.4 Madam Chair:** Alright, county administration adoption of proposed fiscal year, 2021/2022 operating budget, Mr. Quesenberry.

**0:36:39.2 T. Quesenberry:** Thank you Madam Chair. This option... This item is to adopt the FY-21/22 operating budget in the total amount of \$97,401,473, and the Board of Supervisors got a public hearing on April the 20th, and following that public hearing, the consensus of the board was to reduce the local funding for the school division, from \$18,229,917 to \$18 million. So the amended budget before you tonight is gonna show the total school operating fund being reduced from \$49,258,191 to \$49,028,274, and the contingency, which is the un-obligated expenditures being increased from \$60,000 to \$160,000, and the Capital Improvement Fund being increased from \$1,998,141 to \$2,128,058. I'll be happy to answer any questions the board may have.

**0:37:56.1 Madam Chair:** Questions? Any questions? So I just wanted to take a minute and recognize your efforts as well as the efforts of our department of finance. Ms. Hahn, Ms. Cobb, we had to scramble, it seemed, at the beginning there, but what you all sure got us to the finish line promptly, and we very much appreciate all the hard work you put into this budget. So thank you very much for that. Alright, then I'll entertain a motion.

**0:38:37.4 R. Granger:** Move to adopt the Fiscal Year 2021/2022 operating budget in the total amount of \$97,401,473 as presented.

**0:38:48.3 J. Stonehill/C. Binder:** Second.

**0:38:49.6 Madam Chair:** Any further discussion? So I do have one thing I do want to offer just to put out there, because when we had our public hearing last meeting, I did, myself, personally make mention of the possibility of American Rescue Plan Funding that the schools might have at their disposal, and at that point in time, we were not aware of the dollar amount, however, I do want to let the public know that on this past Friday, April 30th, Superintendent's Memo 110-21. I had a table with the American Rescue Plan Act, Elementary and Secondary School emergency relief, SR3 fund allocations from the Virginia Department of Education. And King George County's Public Schools, as of that date, April 30th, new stimulus funding was made available in the amount of \$2,053,326.76. That's available immediately for our schools to take advantage of, and the total anticipated funding there will be a second tranche subject to a grant process, it sounds like later this summer. So the total anticipated funding that could be available to our schools is \$3,079,990.14. So I just wanna make the public aware of that, that we do have... We had a feeling it was going to be large, but we do have a solid grasp on the number at this point in time. We have a motion properly seconded. Any further discussion? All those in favor say "aye".

**0:41:00.7 C. Binder:** Aye.

**0:41:01.4 J. Bueche:** Aye.

**0:41:01.7 R. Granger:** Aye.

**0:41:01.8 J. Stonehill:** Aye.

**0:41:01.9 Madam Chair:** Any opposed? Chair votes aye, motion carries. Thank you, Mr. Quesenberry. Next item, adoption of proposed tax rates for calendar year 2021.

**0:41:12.7 T. Quesenberry:** Thank you, Madam Chair. Also, on April the 20th, the board held a public hearing regarding the proposed tax rates for calendar year 2021. Following the public hearing, the majority of the board... Consensus of the board was to keep the tax rate for the county in 2021, as proposed at \$0.73 cents per \$100 of assessed value for real estate, and \$0.73 cents per \$100 of assessed value for mobile home tax. The personal property tax and the machinery and tool tax did not change over the current fiscal year. I'll be happy to answer any questions the board may have.

**0:41:51.6 Madam Chair:** Questions? I'll entertain a motion.

**0:42:00.9 J. Stonehill:** I move that the King George County Board of Supervisors adopt the following tax rates for the calendar year 2021. Real estate tax, \$0.73 cents per \$100 assessed value. Mobile home tax, \$0.73 cents per \$100 assessed value. Personal property tax, \$3.50 per \$100 assessed value, and machinery and tools tax at \$2.50 per 100 assessed value.

**0:42:29.8 R. Granger:** Second.

**0:42:30.9 Madam Chair:** Any further discussion? Go ahead, Mr. Bueche.

**0:42:33.7 J. Bueche:** Thank you, Madam Chair. So, last time we approached this after the public hearing, I was trying to convey the thoughts of lowering our advertised tax increase from three cents to two cents. I believe, we still have the capacity to do that. We would still have to find another \$41,000 in the county's now adopted budget. But I believe that the comments and the discussion was valid, we don't know what we're expecting on the cigarette tax, and we have some of our budget levied against that. However, looking at it. I believe it was a very conservative value placed on what we were anticipating to get. Just going to Sheetz this morning, to get my pack of cigarettes, there was a line, a fleet of people buying five cartons at a time. I believe we're gonna exceed that 4 million and change estimate of what we're gonna receive. But the concern is valid, you don't base a budget on unknowns. But I believe that if we wound up in a position where we would have to have a buffer or if there was a shortfall, I would rather look internally into the county's budget and some of the things we have identified and make cuts on our side instead of placing that additional cent on the taxpayers. For most taxpayers, that's what they have to deal with. They have to deal with our real estate tax, mobile home tax, whatever. But there are also residents who are customers of the Service Authority. They're also gonna be realizing a rate increase this year along with the tax increase in a very difficult year for some of our King George families that have lost their jobs based on the last economy. So again, I would like to make one more proposal to my colleagues before we take a vote. I know the motion is on the table, it's seconded, but I wanted to wait till the appropriate time to have the discussion. I would like your consideration to lower our tax rate from a \$0.03 increase to a \$0.02 increase, bringing the real estate tax and mobile home tax to \$0.72 cents as opposed to \$0.73. Thank you very much, Madam Chair.

**0:45:04.8 Madam Chair:** Thank you, Mr. Bueche. Mr. Quesenberry, I have a question, your board report for this previous action, it does state an increase in contingency from \$60,000 to \$160,000 and an increase in the Capital Improvement fund from \$1,998,141 to \$2,128,058. So we just took that action in our that was our prior action, so that funding, my understanding has already been re-allocated, so we've missed the window to send that somewhere else, is my understanding, but please correct me if I am wrong.

**0:45:52.0 T. Quesenberry:** That's correct. The board did vote on the budget that had those adjustments.

**0:45:57.9 Madam Chair:** Okay, so we have a motion properly seconded, any further discussion? Go ahead, Mr. Bueche.

**0:46:07.1 J. Bueche:** This will be a question for Mr. Quesenberry so we took action and we move those funds, but we can always lower our budget, we can't increase it so the board could take further action to decrease that amount. Correct.

**0:46:23.8 T. Quesenberry:** I believe that is correct, that you can reduce the budget.

**0:46:27.5 J. Bueche:** Thank you.

**0:46:30.3 Madam Chair:** Any further discussion? We have a motion properly seconded. All those in favor say aye.

**0:46:44.1 R. Granger:** Aye.

**0:46:44.1 J. Stonehill:** Aye.

**0:46:44.2 Madam Chair:** Any opposed?

**0:46:44.9 C. Binder:** Nay.

**0:46:45.4 J. Bueche:** Nay.

**0:46:45.9 Madam Chair:** Chair votes "Aye", motion carries. Mr. Quesenberry, please let the record show. Record the vote as 3-2 with Mr. Bueche and Ms. Binder nay.

**0:46:58.4 T. Quesenberry:** Will do.

**0:47:00.4 Madam Chair:** Thank you, sir. Alright, one more item for you, sir. Adoption of personal property tax relief rate for calendar year, 2021.

**0:47:08.4 T. Quesenberry:** Yes, ma'am, this is what you do every year, the county receives the same amount of money for personal property tax this year that they receive since 1998 it's a little over \$2 million, that's distributed among all the qualifying vehicle owners and one correction in my board report I noted that the law changed in 2016 that increased the gross weight of vehicles from 7,501 pounds to 10,000 pounds, but it has to be owned by an individual, so the tax relief percentage for calendar year, 2021 will be 28%.

**0:47:51.9 Madam Chair:** Any questions from members? Do we have a motion?

**0:48:00.1 C. Binder:** I'll make the Motion. Go ahead, go ahead. You've the paper.

**0:48:05.8 J. Stonehill:** I move that the King George county Board of Supervisors establish 28% as the rate of personal property tax relief for the calendar year, 2021.

**0:48:15.7 J. Bueche:** Second.

**0:48:18.0 Madam Chair:** Any further discussion? All those in favor, say aye.

**0:48:21.3 C. Binder:** Aye.

**0:48:21.6 J. Bueche:** Aye.

**0:48:21.9 R. Granger:** Aye.

**0:48:22.1 J. Stonehill:** Aye.

**0:48:22.5 Madam Chair:** Any opposed? Chair Their votes Aye. Motion carries. Thank you, Mr. Quesenberry, we have no discussion items, so we'll move on to County Administrator's report.

**0:48:32.5 T. Quesenberry:** Thank you, Madam Chair. The first item I included in the board packet

a letter I received from Gregory Slater he is the chairman of the MDTA authority regarding retaining a portion of the existing Nice bridge for water-related recreational purposes. And in this letter, he set forth some parameters that would have to be discussed, regarding retaining a portion of that bridge.

**0:49:02.4 Madam Chair:** Any questions from members? Go ahead, Ms. Binder.

**0:49:07.6 C. Binder:** I just have one question and it relates to it, but doesn't... Was there still further discussion with, if we didn't do a fishing pier, having little pieces of it to put at the Smoot library and since.

**0:49:19.7 T. Quesenberry:** I didn't... I wasn't aware that that was.

**0:49:20.9 C. Binder:** Gotcha. That was Mr. Britton I had to communicate with last year, and for the public, what I had asked since Mr. Smoot had his, I guess it was his mine, helped mine the materials that made the bridge... To have a little piece to put in the library and maybe at the Historical Society in the county building, because he is a part of King George.

**0:49:45.9 M. Britton:** I believe that Dr. Young had the discussion about when it was just a fishing pier discussions and that was going on, but it was... No one knew that the fishing pier resolution that was in the very back burner, I don't recall seeing anything from MDTA, it was not forwarded to me by Dr. Young or otherwise, regarding whether we'd be able to keep or obtain in some way for historic and or whatever purposes that the county wanted to do within the County. So if it was, it would be in Dr. Young's correspondence it wasn't forwarded to me.

**0:50:27.9 C. Binder:** Thank you. I was just wondering how the board will feel about that, it would be just a little piece that could, was that something... How we would go about doing that.

**0:50:38.2 Madam Chair:** So consensus of the board, Mr. Bueche?

**0:50:44.3 J. Bueche:** Sure.

**0:50:45.3 Madam Chair:** Alright, and Ms. Bender, we know how you feel. Thank you for suggesting it. Mr. Stonehill?

**0:50:52.7 J. Stonehill:** Absolutely.

**0:50:54.1 Madam Chair:** Mr. Granger.

**0:50:55.3 R. Granger:** If they're amenable to letting us have a piece... Sure why not, but if it's a lot of money or time or something along those lines, that's, let's not worry about it, but I don't wanna imagine it would be.

**0:51:05.3 Madam Chair:** Thank you. Alright, so there's your direction, sir, thank you.

**0:51:08.7 T. Quesenberry:** Good.

**0:51:10.7 Madam Chair:** Any other questions or comments? Gentlemen? No. Okay, I didn't

particularly have much to say about this, this I know Mr. Stonehill and I tried to champion this idea of retaining a section of the bridge to be used as a fishing pier, and this, I believe this fairly closes out the consideration of that, so we have an answer. So thank you for that, Mr. Quesenberry.

**0:51:40.6 T. Quesenberry:** Alright.

**0:51:41.3 Madam Chair:** And then if you'd like to go ahead and move on with your capital projects, update.

**0:51:45.0 T. Quesenberry:** Yes just a couple of updates, Sedgewick Crossing, that project was scheduled for, the asphalt material to be applied on Friday and Monday, so hopefully the weather still cooperates. We can finish that project by next week. The King George Elementary School roof, I got the bid package ready, we'll be working with purchasing to get that project advertised and Mr. Weakley reported on the annual engineering service contracts, we are going through that process of interviewing firms and probably the first meeting in June, we will have a recommended list of engineering firms, for the board to consider offering contracts to. And the last item is the courthouse. I know Ms. Binder has been keeping the board updated on the status of the Courthouse Oversight Committee, based on a phone call I received from the architect last week, they were ready to move forward with requests and proposals for hiring a contractor for the project, so we're getting that project that process started, however, the cost estimate is over budget, so what the architect has done is to go back and reduce the square footage from a little over 50,000 square feet by 4,000 square feet and we will include that in our Solicitation Package and after we hire the contractor, based on the interviews and the selection process, we will work with that contractor to bring this project in within budget.

**0:53:22.9 Madam Chair:** Any questions? Go ahead, Mr. Bueche.

**0:53:27.8 J. Bueche:** Thank you, Madam Chair. So Travis, when they were proposing this and it's coming in over budget, is that based on material costs that are increasing.

**0:53:37.2 T. Quesenberry:** That's exactly what's doing it. Yeah.

**0:53:39.0 J. Bueche:** Okay, so if we were looking at a contract and getting this done, are we locked into a certain rate for materials or would that be flexible, let's say, from what they are estimating now for material cost versus what the market is gonna be for materials down the road when they actually start construction because I believe it's hopefully, it's gonna go down with COVID coming to standstill or not a standstill, wrong words, please don't quote me, with COVID tapering downward and hopefully things getting back to normal then hopefully those prices will get back to reality. Is there flexibility in that to where... Are we in a position right now, basically where we have to cut 4000 square feet, or can we ride this out for a little bit.

**0:54:42.2 T. Quesenberry:** No, you do not have to make that decision yet. In fact, that's the advantage of the process we are using, this "construction manager at risk" process because we bring the contractor in at the 30% design phase versus traditional contracting where you have a bid package and you hire the low bidder so during... From the 30% phase to the 100% phase, we'll be working with that contractor to hopefully find ways we can maybe use different materials and reduce the cost so that we can get a 50,000 square foot courthouse. One thing that we will have once we finish this process, we will have a maximum price, basically a not-to-exceed price from the

contractor.

**0:55:31.3 Madam Chair:** Alright, we have a motion and we'll stand by a moment here before we move for closed session.

**0:55:45.3 J. Stonehill:** I move that the King George County Board of Supervisors convene enclosed meeting pursuant to code, pursuant to Virginia Code Section 2.2-3711A, 5, 6 and 8 for discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business or the industry's interest in locating or expanding its facility in the community, discussion or consideration of the investment of the public funds where competition or bargaining is involved, where if made public initially, the financial interests of the government unit would be adversely affected and pursuant to VA code section 2.2-3711A 7 and 8. For the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to the actual probable litigation regarding Sedgewick Crossing where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body in consultation with legal counsel. Employed or retained by a public body regarding specific legal matters requiring professional and legal advice by such counsel, I invite the county administrator, director of community development, Mr. Minor and county attorney because they are deemed necessary and where their presence, will reasonably aid the board in this consideration of the topics to be discussed pursuant to be VA Code Section 2.2-3712F.

**0:57:32.5 R. Granger:** Second.

**0:57:34.1 Madam Chair:** All those in favor say aye.

**0:57:35.9 C. Binder:** Aye.

**0:57:36.2 J. Bueche:** Aye.

**0:57:36.4 R. Granger:** Aye.

**0:57:36.5 J. Stonehill:** Aye.

**0:57:36.7 Madam Chair:** Chair votes aye motion carries. We are in closed session.

**0:57:43.7 J. Stonehill:** I move that the King 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 only such public business matters were identified in the motion convening the closed meeting were heard, discussed or considered during the closed meeting.

**0:58:04.2 R. Granger:** Second.

**0:58:04.5 Madam Chair:** All so certify please.

**0:58:08.6 R. Granger:** So certify.

**0:58:10.3 J. Stonehill:** So certify.

**0:58:11.3 C. Binder:** So certify.

**0:58:12.4 J. Bueche:** Certify.

**0:58:13.2 Madam Chair:** Chair so certifies, we are in open meeting. Do we have another motion? Or I'm sorry, a recommendation. Mr. Quesenberry.

**0:58:26.2 T. Quesenberry:** Yes, Madam Chair, I recommend that the board of supervisors authorize the County Administrator to issue a purchase order for professional services associated with tax map 33 parcel 92 in an amount not to exceed \$18,000. And to be funded from county contingency.

**0:58:46.2 J. Stonehill:** So moved.

**0:58:47.5 C. Binder:** Second.

**0:58:48.8 Madam Chair:** Any further discussion? All those in favor say aye.

**0:58:51.8 C. Binder:** Aye.

**0:58:52.3 J. Bueche:** Aye.

**0:58:52.7 R. Granger:** Aye.

**0:58:52.8 J. Stonehill:** Aye.

**0:58:53.0 Madam Chair:** Any opposed? Chair votes aye, motion carries. Do we have another motion?

**0:59:01.5 R. Granger:** Move to adjourn until May 18th at 6:30 PM in the boardroom.

**0:59:05.7 C. Binder:** Second.

**0:59:06.2 Madam Chair:** All those in favor say aye.

**0:59:08.0 C. Binder:** Aye.

**0:59:08.3 J. Bueche:** Aye.

**0:59:08.6 R. Granger:** Aye.

**0:59:08.7 J. Stonehill:** Aye.

**0:59:08.9 Madam Chair:** Chair votes aye, motion carries. We are adjourned.