

VIRGINIA:

At a regular meeting of the King George County Board of Supervisors, held on Tuesday, the 1st day of June, 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

0:00:03.8 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?

0:00:11.3 Travis Quesenberry: No, ma'am. No amendments.

0:00:12.7 Madam Chair: Very good. Public comment. 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. So I want to let the public and the Board know, we are going to try something a little different tonight that I hope lends some transparency to our public comment. Mr. Dines will you share that screen for a moment just to show everyone what we are doing so the public is aware? So typically, I would sit here with my phone and I would time your public comment and that's not as transparent as I'd like it to be and I've seen another jurisdiction that has employed this method. So basically, staff will start the time after you have stated your name and your address. You will have three minutes. It's a countdown clock. When it gets to 30 seconds remaining... So he's not going to share this screen until 30 seconds. He'll put the screen up at 30 seconds, so you know you have 30 seconds remaining. So you have some warning before I say, "Your 3 minutes are up." That way you can try to summarize your thoughts, collect any last comments that you wanna make sure you make in that amount of time. So we are going to try it and see how it goes,. Maybe it will be great, maybe it won't... But I'd just like to try this in an effort to try to be a little more transparent. So, we have the timer. Mr. Dines, you have the timer. Alright, my first citizen wishing to speak is Mr. Wayne Bushrod.

0:02:04 Wayne Bushrod: Good evening Madam Chair and fellow Board members. My name is Wayne Bushrod, 10144 Deer Lane, King George. I come before you again, representing the King

George branch NAACP and requesting the removal and relocation of the confederate monument sitting in front of our courthouse. This monument represents a time when our ancestors were enslaved, treated and thought of as unequal. Why would you want to portray this mentality and promote such a message in front of our court of justice? Everyone entering this building passes by this display and worries if they will be fairly tried or receive equal justice. Is this the image we want to describe to our residents and visitors to our county? Granted, we cannot change history, but we can undoubtedly change the way it is represented. We do not need to be consistently reminded of these dark and oppressed periods. The residents of this county deserve better consideration and above all, respect. Let's relocate this monument and move forward. Thank you.

0:03:12.5 Madam Chair: Thank you, Mr. Bushrod. Mr. Robert Ashton.

0:03:22.6 Robert Ashton: Madam Chairman and Board Members, Robert Ashton, 14540 Ridge Road. Okay. I wish I could come before you and talk about unity within the borders of this county and talk about the progress toward seeing it happen from all walks of life. But I cannot at this time because I am focused on the confederate statue that reminds people of color of the oppression they went through and are still going through on seeking equal justice. The confederacy pandemic has been surging across Virginia for several years now. When it hit King George, we were not prepared for it and probably thought that it would just go away. But, it has been here for almost a year, and there appears to be no remedy in sight. Most recently, when a resident suggested putting the matter to the voters in the form of a referendum and suggested that groups from outside the county who are paid for their efforts are involved, a board member said he was bothered by that as well and said he did not like outside activist or interest in my community. We dictate what happens in this county, not the nation, not the state, not outside organizations. It's the board and the town's board does not abide by state or federal law. In reality, it is a microaggression against the marginalized groups in King George. In this case, the microaggression is in making assumptions that any vocal opponent is an outside activist who is only in it for the money. This statement made and accepted at face value allows the board to dismiss any opposition out of hand, disregarding the fact that there is indeed opposition from residents of King George. Since the makeup of the board, that itself does not reflect the diversity of the county, is there any hope that it can represent the wheel of diverse population? Another resident had a good play on words when he said he believed we need memorials to understand our history. My question is, how can he say we need memorials to understand our history? They know what this history is. I say, "Do not have blinds shutters on knowing that slavery was the real cause of the civil war." That statue's inscription says, "It is to the officers and soldiers of the confederate army from King George who gave their lives for the South." The south in that era was to keep slavery intact. Lastly, Attorney Britton gave you answers, but now close-door session has been scheduled with Attorney Britton, as he miraculously overturned a stone that will provide an answer to all the speculations of his ownership and alleged legal issues. I am waiting for the next creative way, that will be a response concerning the confederate monument. Thank you.

0:06:20.0 Madam Chair: Thank you, Mr. Ashton. Ms. Anna Maria Lovell.

0:06:28.2 Anna Maria Lovell: Hi. My name is Anna Maria Lovell. I live in 20263 Roosevelt Drive. Dear Mrs. Cupka and the County Supervisors, On the 25th of April, I read an article in the Free Lance-Star about the future of the monument. One where the members of the new working group formed to look at diversity issues in King George is asking county officials to remove the Confederate Monument on the courthouse lawn. I don't think the supervisors should be given his weight. What should be done is to have referendum or to let the people of the county make that

decision. I don't think there are very many people in this county that agree with what this monument stands for and removing it will not change history, but it might make it easy for them to forget that history. The people of the county should have some say about where or what monuments are removed. I have lived in this county for 46 years and have always found people friendly, courteous. My two children grew up here and always found it to be a friendly place to live and go to school. Mr. Wayne was right. He always had high regards for King George County and I agree with him. We should not let this issue divide us. I love this county, will not wanna live anywhere else. That's one. Also, I would like to ask the supervisors if they can do their budget early on next year, because the taxes came on the 25th of May and are due June 7. You're giving to the people only one week. Many people need time to save their money to pay these taxes. Thank you.

0:08:32.3 Madam Chair: Thank you, Ms. Lovell. Marsha Stonehill.

0:08:43.4 Marsha Stonehill: Good evening, Madam Chair and Supervisors of the Board, Mr. Quesenberry and Mr. Britton. Marsha Stonehill, 17094 Ferry Dock Road. Over the last several weeks, you have heard me make statements about the Confederate Monument and about the revitalization of the Ralph Bunche High School through the RBAHC strategy. It is difficult to address such important topics in three-minute increments. I hope we can have actual conversations that will generate the action we are looking for. Too often, we as white people, have a habit of tiptoeing around, dismissing, flat out denying, or believing events like I'm about to share, were not in the lifetime of those among us. However, this was most definitely in the lifetime of people we sit beside and interact with on a daily basis. Expounding upon our history in King George County, I'd like to acknowledge the following events that have been shared with me personally. The experience of Klan activity in this county included, witnessing people dressed in their Klan gear rallying together, cross burnings, enduring Klan members being in leadership positions, including Sheriff, preachers, teachers, civic groups, business owners, courthouse employees and supervisors. There were domestic calls that ended in tragedy without any record of such. Other heinous acts of violence without any record of such. There were rapes and molestations. The Ralph Bunche High School was broken into and band instruments destroyed with a "We'll look into it" at best in the early '60s. Threats from white grown men to teenagers of color who were simply participating in community events. That was around the '80s. Not in the lifetime of those among us, but connected to those among us, there was a lynching behind the courthouse. The year for this has not been determined, even though many black people from this community know that this has occurred. These are the reasons it is simply not accurate to generalize that it wasn't that bad in King George County. This is an acknowledgement of realities that at one time could not be acknowledged because it was not safe to do so. Some people still have reservations as to whether it is safe to acknowledge these things. On that note, please hear that no one asked me to say these things, no one I met is a victim about any of this, and no one is asking for therapy. As a matter of fact, the ability to carry on and accomplish personal goals despite these sometimes life-threatening barriers is remarkable. It is when we acknowledge reality that opportunities for an even deeper healing can occur for all of us. No doubt we have made progress. Everyone knows that. As we continue to forge ahead, still cleaning up from white supremacist attitudes, may we have the courageous conversations that validates all realities, and not just the ones that are comfortable to talk about. Again, this is about healing our community. Thank you.

0:11:48.0 Madam Chair: Thank you, Ms. Stonehill. Mr. Don Shelton.

0:11:57.0 Don Shelton: Good evening. Don Shelton, 9430 Aspen Court. I'll give you some brief

comments to think about. On that tombstone, there's only but less than 10 names that has tombstones and burial places elsewhere, so the rest of 'em is the only place that they memorialize, so does that make it a tombstone? Who has the right to move it? It's a... and it's a tombstone. Again, should the cost of this moving this monument be on the tax payers? I don't think so, so that's the thing, just briefly. A lot of things have been said but you know I'd like to see it stay where it's at, but it's up to you, guys. Hopefully good advice to you to make the right choice. Thank you for serving King George.

0:12:52.5 Madam Chair: Thank you, Mr. Shelton. That exhausts the list that I have. Would anyone else here in the audience wish to provide public comment? There being none, Mr. Dines, do we have anyone online who wishes to provide public comment? Board members, did anyone receive written correspondents to be entered into the records of the meeting? Alright, at this time, I will now close public comment and I will open it up to reports of the board. Mr. Granger, would you like to go first sir?

0:13:29.0 Richard Granger: Yes, ma'am, thank you. I like to say thank you to everyone that came out and spoke, as Mr. Ashton said there will be a closed session tonight, so we will have some discussion about that at that point, so I'm not sure what will come out of that, but thank you for all speaking, Ms. Lovell as well, for bringing up about the taxes, it was late for coming out, and I appreciate the challenges that that has and... Yes, I think that obviously would be something we'd like to avoid doing in the future, so thank you though for coming out to speak out on that. Other than that, on Thursday, 27th, we had our first in-person ... meeting since the first quarter of 2020? I can't remember what month that was even. So as you all know, Captain Coplan came here fairly recently as well, so some of the stuff is kind of rehash bases at HPCON Bravo as of May, the work force at both bases, which is Indian Head and Dahlgren, has increased from 20% to 50% active duty military may now patronize community businesses in person, and then Captain Plu was also there and he gave a brief and Captain Plu is the captain of NSWCBDB, which is a tenant of NSASP, which is where Captain Coplan is the captain of. So NSWCBDB is the largest tenant. He said that, looking to increase to 50% on-site starting in the June 21st timeframe, and that would be an increase from what is currently set at 35%, and then there's a phase three operations, which would obviously be greater than 50%, but that's to be determined yet, they don't know when that's gonna incur, hopefully that will be good for businesses though, to have an increase of based population there to patronize those businesses. So, it was nice as well just to be able to get out and meet in person, so it was great from that perspective too. Met the Colonial Beach Mayor for the first time in person. They have a new city manager, I met her as well. So it was nice just to be able to connect with some colleagues in other counties and localities. Then on Friday May 28th, Mr. Rollins from Community Development, and I went out to Sedgewick Court, they had asked that county come out to have a discussion with the citizens. There were some concern. Citizens are not satisfied with what is being done, and so this is all based off the fact that there was a punch list provided by VDOT, as we all know, and part of that punch list was, I think it's "Chip and Tar" what it was called, which is different than asphalt, and so they're asking...They would like to have it be asphalt. It was like a base asphalt, and then a new, another application of asphalt would have had to be put on top of over that. It comes with a higher cost, and so we went to VDOT obviously and found out what do we need do to get into the VDOT system and that's what we bid it out and we took on as responsibility, and so they asked though about it, and so I told him I'll have to at least come back to my colleagues and then see if they would be even willing to entertain. I did ask Mr. Quesenberry, and so he gave me some information just so I could come prepared to let you know what it would cost. It would be a delta, so if we were to want to move forward with trying to pave it of approximately, and Mr.

Quesenberry, please correct me if I'm mistaken, of about \$120,000 at this point. That's not exactly right. It's a minimum, 'cause there's also some questions about, as you put down a two-inch layer of asphalt, then you have the connections with the driveways, and you obviously don't want a lip there, so we would then need to be worked on there to slope it properly. So \$120,000 would be like low bar, and it obviously could go higher than that. I told him I would least ask my colleagues to see if you guys would be willing to entertain that, and so as their representative, I'm coming to you to see if anyone is willing to even entertain that. Yes, no, either way.

0:17:22.2 Madam Chair: So I'm gonna go ahead, and I hope my colleagues don't mind if I jump in first, but I am the at-large, so his constituents are also my constituents. I fully understand where they're coming from, and if I didn't have a conflict, I would have been there at that meeting on Friday with you as well. I feel like, by doing what we have done, it is what VDOT recommended to us to have it to allow it to enter into the state system, and that was the goal, so that VDOT could start maintaining the roads so that when it snows and trees come down, that VDOT comes out and clears that from the road, and that the citizens of Sedgwick aren't having to get out with their chain saws and clear the road themselves, it's part of the state system, it gets plowed by the snow plows. So if VDOT was okay with the recommendation that we funded, we did what they recommended to have it entered in the state system. I feel like, if we don't accept that, who knows what could happen? Not saying that VDOT would say this but, I feel like we should stay that course of action for now, and I'm hopeful that when it gets into the state system and VDOT starts maintaining it, they'll be responsible for the cost in the future, and maybe they'll come to a point where, "You know what? This surface really isn't working here, it's not meeting the needs five years or so down the road" and maybe they will see fit to make that specific improvement and upgrade it at that point in time. I hate to put it that bluntly, but that's sort of where I'm at on that, because we do have, as Mr. Bueche pointed out repeatedly during our discussions about this matter, we have lots of roads that could use the benefit of the funding, so that's where I'm at. Anyone else wanna add? Go ahead, Mr. Bueche.

0:19:26.7 Jeff Bueche: Thank you Madam Chair. So first off, I appreciate you bringing this to us on behalf of your constituents. From an overall perspective, I and my district have roads that need to be addressed, so we exercise our plan with VDOT and we select certain roads every year in the six-year plan. So I believe what was done in Sedgwick Crossing is what they put on our roads, on our secondary roads for our six-year plan, being that's the same, and we paid for it. I think they should be appreciative, especially when I have my own constituents looking at it saying, "You selected a certain neighborhood, well what about us?" And that was my concern when we first had these conversations about it. I think we did our part. I think what they have is sufficient, and they're now in the system, and as far as I'm concerned, this is a resolved matter.

0:20:34.0 R. Granger: I will just say, they're not in the system yet. VDOT has not come out to do an inspection, so if VDOT were to come out and say, "There is something that is deficient," my understanding is we would bring the contractor back out and then they would have to resolve any issues in order to have it meet VDOT specifications so.

0:20:49.6 J. Bueche: Okay. But what they used, the chip and tar that they used is what we use on our secondary roads to bring into the VDOT System. Is that correct, Travis?

0:21:00.8 R. Granger: Yeah. And I appreciate you guys speaking up on it, and I don't know if Mr. Stonehill or Ms. Binder wanna speak in. You don't have to. I don't mind either way.

0:21:13.6 Jeff Stonehill: I would agree, we just bring it up to VDOT standards, and if VDOT says, "That's good enough" it's going to be turned over to VDOT, like you said, they're going to be responsible for the upkeep. I live on a secondary road. It was tar and chipped. It has held up for 10 years now. If there's a pothole or deficiency in the road, I call VDOT and/or I send an email to VDOT and they come out and they take care of it. But I can't see going over that and re-paving somebody's roof.

0:21:45.2 R. Granger: I totally understand. I'd like to say thank you to my colleagues for at least entertaining the discussion and thank you for having it. I don't think we selected this road necessarily. This was an issue with the developer not completing their end of the bargain, and so it's making sure that that gets completed and that road gets put in to VDOT like it was originally proposed 'cause that's where the deficiency is. And so, we are making sure it's gonna happen, and we're taking our own actions on our end to resolve it, with that individual. I don't think it's necessarily that we're picking roads just randomly, that are part of... Like presidential lakes is privately maintained and I would never suggest that we should take that on because that's always the way it's been, and that's the way it was planned and that's fine. If you do have roads or situations like that in your district, and I'm not sure if there are, I would certainly be willing to entertain it though, because I think it was the right thing to do, and I still think it was a right thing to do. But I do agree with you guys. I told them I would bring it forth and at least entertain the idea. But I agree with you, I think we need to get into VDOT. I think, that's the right answer. But thank you guys for having this discussion. I really appreciate it. That's all I have.

0:22:57.6 Madam Chair: Thank you, Mr. Granger. Mr. Stonehill.

0:23:05.6 J. Stonehill: Thank you, Madam Chair. May 20th, I attended virtually again, the Friends of the Rappahannock Annual meeting. They're still... haven't gotten together yet. Maybe next time. And at this meeting, they elected new Board members and gave awards to all the volunteers and shared stories from all over the watershed about what goes on for Friends of the Rappahannock and what they have going on for next year for the river. Also, I think the next trash pick-up for the Friends of the Rappahannock is going to be June 26th. Location, I think is still to be determined. You can check on their website as it gets closer, or you can check on any of my media pages, and we'll also have that posted as well for anybody that wants to come out and help pick up trash, and that's all I have. And, I just wanted to say thank you for everybody coming out and speaking. We certainly need the public to come out and talk to us so we know what they want, so we can help move in that direction. So that's all I have.

0:24:21.2 Madam Chair: Thank you, Mr. Stonehill. Ms. Bender.

0:24:23.5 Cathy Binder: Yes. Thank you, Madam Chair. I wanna thank you Mr. Ashton, Mr. Bushrod, Mr. Lovell, Mr. Stonehill. Mr. Shelton, for giving their public comment. Thank you for coming out. I attended the Healthy Generations Board meeting virtually. One of the things I wanna note, they're the organization we give money to that helps our seniors. They're gonna be hopefully opening their cafes in July to help people get out and communicate and see friends and get a nice cooked lunch. We've had an issue up on Route 17 with their vans having their catalytic converter stolen. There seems to be a problem on that stretch of the road with a lot of the dealerships and that having their catalytic converters stolen. But one of the things I wanna bring up about it is, some of the business groups heard about it, and two of our own King George groups helped with their

fundraiser, the King George rotary and the King George... I think it was the Democratic Party, they gave money towards the fundraiser, and it helped them raise money to put security fencing in and to pay for the insurance portion of the amount for the catalytic converters on 12 vans, which surprisingly was over \$12,000, which is quite expensive for a non-profit that helps our seniors. So it was nice to see some of the King George... Our partners in the community help them out. I also attended the Dahlgren Heritage Museum meeting, where they talked about their aggressive move to a digital platform as opposed to their museum. It's very interesting what they've come up with with the University of Mary Washington to put a lot of their content online. I also attended the GWRC meeting, which we are still searching for a new Executive Director and we've started the process. I also was part of the VACo energy subcommittee meeting that is now gonna be a full committee as of July 1st, and I had passed a lot of important information onto our staff, including the fact that DEQ might be involved in regulating and being permit battery storage facilities that usually affiliate with data centers or with solar farms. And last but not least, Ms. Cupka and I also finished up our 102nd BCU Planning Commission class recently. And that is all I have. Thank you.

0:26:39.0 Madam Chair: Thank you, Ms. Binder. Mr. Bueche.

0:26:41.8 J. Bueche: Thank you, Madam Chair. I'd like to thank everybody who came out this evening and gave public comment. I really look forward to the closed session tonight to have a serious discussion, and at some point we have to take action, so whether this be action of the board, whether this be a referendum, something definitive, some kind of decision is going to have to be made. I really look forward to the conversations tonight. On the 25th, I did a trip to Fairview beach and rode around with Mr. Michael Bennett, looking at some of the shoreline restoration project that's going on. There were some concerns that were brought up, those have been brought to Mr. Quesenberry and Mr. Britton, to look at those, and I was very appreciative that they have so many active residents there that are constantly engaging, and then when it comes to our level, it's not like they're just looking for us to come in and fix something. They've done their homework, and that's been a trademark of that area of my district. They do a lot of work, a lot of fundraising, try to resolve things internally, so I'm very appreciative to have them on my district, and Madam Chair, that's all I have.

0:28:07.4 Madam Chair: Thank you, Mr. Bueche. I wanna start by thanking everyone who came out for public comment this evening, I appreciate hearing from you. With regard to specific matters, I would remind you, when the FOIA disclosure is read and we do enter into closed session, action may or may not be taken as a result of the closed session at the end of the meeting. I'll just let that speak for itself. Ms. Lovell, you made a comment about the personal property tax bills. I'm not sure if the public is aware, but I was in contact with the treasurer at the time, 'cause I was seeing some traffic on social media that the bills, a lot of frustration, the bills had not yet gone out, and he did extend the payment period without penalty from June 7th to June 21st. So though it is not printed on your bill, your bill still says it is due June 7th, he will accept the payment without enforcing a penalty through June 21st, and interest then will be assessed on July 1st. As far as when they were mailed, my understanding from him is that it was compliant with the statute, there is a certain number of days that he has to mail them out before they are due, and he indicated to me that he was in compliance with the statute. So I did endeavor to run that issue down and see if there was anything more we could do on our end. We certainly can try to approve the budget earlier, so as much sooner next year, so that if there is a software glitch, it gets resolved sooner rather than later. So last week, Civil War Trails installed wayfinding signage and interpretive panels at four locations in our community as part of the John Wilkes Booth Trail. This signage was supported by tourism

funding, which is generated by the occupancy or hotel tax. Our sites are now listed in the Maryland, Virginia brochure and the John Wilkes Booth Trail, and you can visit civilwartrails.org to view both of those brochures. I wanna congratulate all four of those sites. Today I spoke with the Executive Director of Civil War Trails about the possibility of including more King George County sites in the future to tell a fuller picture of our history, and he was receptive to having future conversations. On June 7th 2021 at 5 PM at LE Smoot library, meeting room A, our economic development and tourism staff will host a tourism strategic plan town hall. There's some more information on the County website, I encourage you to take a look at that and come on out and participate, and I think that is all I have that I will go ahead and read and I will, of course, as always, share this online. Thank you very much. Alright, consent agenda.

0:31:22.6 R. Granger: Move to accept the consent agenda as presented.

0:31:24 J. Bueche: Second.

0:31:26.1 Madam Chair: All those in favor say, aye.

0:31:27 C. Binder: Aye.

0:31:27.5 J. Bueche: Aye.

0:31:27.8 R. Granger: Aye.

0:31:28 J. Stonehill: Aye.

0:31:28.5 Madam Chair: Chair votes aye, motion carries. County officials reports, I do not see any constitutional officers in attendance this evening. Report of the county attorney, Mr. Britton.

0:31:43.8 Matt Britton: Yes, Madam Chair, two items. One is that we received notification that the trademark was successfully filed regarding the county seal and logo. I have those from the PTO, the Patent and Trademark Office, and I'll ask that... I forwarded them on to Travis and I believe the Chair, but I'll ask that those be put in the record so that we can find them later. We went through this about 15 years ago, and these do expire, so you go through the effort and we need to put it in a particular file to bring it back up, and so that happens two ways, one is we do that. The other is, if the lawyer is still practicing law, the lawyer will do it and if it's in their interest, because it costs money to do it, so hopefully one way or the other, we'll do it. The other thing is, I would note that in order to keep a trade name or trademark, you do have to protect it. I don't know whether you should do something about if somebody sees an inappropriate use say, slanderous use, and infringing use, slur or whatever of the trade name, or commercial use, that it be reported so that the county administrator or the community development can take some action.

0:33:13.2 Madam Chair: Any members have questions regarding that before we move on? No. Very good.

0:33:20.9 M.Britton: And the other issue, Madam Chair, I believe you mentioned earlier, was the declaration of local emergency, and the declaration of local emergency that was passed by this board, I believe on January 19th of this year, was a six-month order, which is the maximum, and it dies or ends of its own volition on meaning, you don't have to take any action either midnight on

June the 15th or if a certain, going by my memory, but like 5% positivity rate was reported for a 14-day period, and that was told to you by the Director of Emergency Management or Chief Moody. I'm not aware that that's been reported, I certainly haven't seen it, so unless the board can do one of two things, you can let the order die on June 15th, or you can kill it now, or you can renew it at any period of time, if you want to do that, but you don't need to take any action now, it doesn't expire until the end of your next meeting. If you have the positivity rate that should have been reported and it would go away, but by law, by your own action. If you don't have that 14-day, 5% positivity rate, then you can either get rid of it now, extend it now or just wait till next meeting.

0:34:47.8 Madam Chair: Thank you. Questions from members regarding that issue? No. Ms Binder. Mr. Bueche.

0:34:57.7 J. Bueche: Thank you, Madam Chair. So you said that some of the provisions for this thing to die on its own accord, one of them is that positivity ratio had to be below a certain threshold for a certain amount of consecutive days, that's for it to die of its own accord, correct? We could take independent action as a board, override that provision and kill off the emergency order if we see fit, correct?

0:35:28.3 M. Britton: Oh yeah, absolutely. You can do that no matter what, because it's your order, but this allowed for it to occur more nimbly without you meeting, calling a special meeting or anything, so if the Director of Emergency Management had reported that the positivity rate had declined to 5% or less for a period of no less than 14 consecutive days, whichever is sooner or June 15th. So to my knowledge, that report has not been made, so if the board takes no action, unless that report is now made within the next 15 days, if the board takes no action, then this will end at midnight on June 15th in two weeks, but you can do anything you want right now, you can end it, you can extend it, you can change the positivity rate, it's your order, ordinance, same thing.

0:36:23.0 J. Bueche: Thank you.

0:36:26.7 Madam Chair: Does anyone have anything further about that?

0:36:36.7 J. Bueche: Madam Chair, I'd like to just poll my colleagues and see if there's interest in killing the emergency ordinance this evening.

0:36:51.5 Madam Chair: What is the will of the board? Mr. Granger, comments.

0:36:55.3 R. Granger: I entertain that.

0:36:57.7 Madam Chair: Mr. Stonehill.

0:37:01.3 Stonehill: What does it do for us or what does it not do for us?

0:37:04.5 M. Britton: Madam Chair, the only thing that we... As Mr. Bueche asked for the amendment, which I made on the last two, I believe motions, was that it was an economic tool and it was be solely... You could obviously use it for whatever purpose it allowed as law, but this board passed it solely as an economic tool, which was to say that the County Administrator was able to waive the Administrative Procedures Act and then the Purchasing Act, purchasing ordinance and buy things on an emergency and we needed that PPE. Also, we were concerned about, if you recall,

the spending of the CARES Act, and that without the local emergency, there still is no guidance on that, but those CARES Act dates have passed, so that's not any longer in play in my opinion. Also, we felt as though without a declaration of local emergency, that the spending under the CARES Act perhaps would have been in jeopardy on a subsequent audit, not immediately. That's not really no longer in play. So Mr. Quesenberry or Ms Hahn might know when the last time that we made an emergency purchase was, but I have to sign off on them as well if they're above a certain amount, so I don't know of any recent ones.

0:38:21.6 J. Stonehill: Okay, I'm good either way.

0:38:26.0 Madam Chair: Ms Binder.

0:38:26.7 C. Binder: I'm fine too.

0:38:29.3 Madam Chair: I'll entertain a motion.

0:38:30.5 J. Bueche: I would like to move that the King George County Board of Supervisors rescind and kill our emergency order.

0:38:42.2 C. Binder: Second.

0:38:46.7 Madam Chair: Mr. Britton, does that language work?

0:38:50.1 Britton: Yes, rescind, to rescind the emergency order aided...

0:39:00.2 Madam Chair: The local emergency declaration.

0:39:02.1 M. Britton: Declaration of local emergency actually was affirmed by this board on January 19th, 2021.

0:39:10.5 Madam Chair: Alright, we have a motion properly seconded. Any further discussion? No. No? All those in favor say, "Aye."

0:39:20.2 C. Binder: Aye.

0:39:20.4 J. Bueche: Aye.

0:39:20.8 R. Granger: Aye.

0:39:21 J. Stonehill: Aye.

0:39:21.7 Madam Chair: Any opposed? Chair votes, "Aye," motion carries unanimously.

0:39:26.0 M. Britton: Nothing further, Madam Chair.

0:39:27.6 Madam Chair: Thank you, Mr. Britton. Alright, presentations and reports. King George County Courthouse project presentation by Moseley Architects. Mr. Quesenberry, would you like to provide us some background first?

0:39:42.0 T. Quesenberry: Yes, ma'am.

0:39:42.6 Madam Chair: Thank you.

0:39:42.9 Quesenberry: We have Mr. Tony Bell here tonight with Moseley Architects. Ms. Binder has been reporting at the board meetings regarding the progress of the project and the work by the courthouse oversight committee, and at the last presentation, Mr. Bell informed us of some cost escalations associated with the project, so I've asked Mr. Bell to come tonight and give the board an overview of the project and the cost escalation and to discuss some options with the board.

0:40:13.2 Madam Chair: Thank you, Mr. Quesenberry. Welcome sir.

0:40:19.3 Tony Bell: Madam Chair, members of the board of supervisors, Mr. Quesenberry and Mr. Britton, I come before you tonight to give you an update on where we stand with the courthouse project, and I'll follow this brief agenda, I'm trying to cover this rather quickly at Mr. Quesenberry's request, but obviously, I'm here for you, to answer any questions you may have about the project. So we can continue to progress. I'll give a very brief summary of the 2017 study. I'll review the setting of the budget and the scope, talk a little bit about the schematic design that we covered with your courthouse steering committee, we'll then review the cost and the path forward. Is that better Chris? And the path forward, and then we can answer any additional questions you might have. So as far as where we are with the project, we're basically right at the end of schematic design and the beginning of design development, and one question which I will put before the board tonight is the approval to issue an RFP for the CMAR. The CMAR is the Construction Manager at Risk, is the procurement method that has been selected by the county. I won't go into detail about pros and cons of that methodology, but the county has done some pretty good research to determine that delivery method. So that's basically where we are, and you see here, what the data will point out to you is the award of the construction contract and the initiation of construction is May 30th, 2022, and the substantial completion date is August 30th, 2023. Those were important dates that will relate to some other points I will make during the course of the presentation. To roll back the clock a little bit, for those of you not familiar with the process that we've encountered up till date. We went through a 2017 study in which we looked at four different sites, two of the sites were here on this campus, which we reside in this evening, one was at the former middle school, and then the other site was the government center boulevard site, which is there adjacent to the sheriff's office. Ultimately, that's the site that was chosen, the site, which sits immediately to the South of the Sheriff's office, and immediately to the West of the animal shelter. And during the course of that study, we developed a site plan which looks basically as you see here, which described a 63,000 square foot New Courts building, and then site improvements to the west for public parking, to the East for staff parking, and then future expansions to the North and South, for beyond the 20-year need. The 63,000 square feet was a 20-year need as identified by the Space Needs Assessment that we prepared in a concert with your court stakeholders. In concert with that study in 2017, for a 63,000 square foot building, the total project cost was \$29,551,000. Before you interrupt me, there's gonna be some methodology, so just follow with me for just a second, okay? That was a very large number, and Dr. Young, the county administrator at the time said, "Tony, we're not comfortable moving forward with that number, that 63,000 square feet at \$29 million dollars." I will also point out that this cost estimate was based on a construction midpoint of an assumed construction start date of fourth quarter, 2018, okay? Remember the previous slide, we talked about a start of construction of 2022, so we were looking at moving the

project a little further into the future. Dr. Young said, "Tony, let's look at a 50,000 square foot building." So you see here we've changed the square footage from 63,000 to 50,000 square feet that adjusted the total project cost to \$24.1 million. Dr. Young then said, "Let's take it a step further, Tony and let's set that total project cost \$23 million." okay? So we're gonna construct 50,000 square feet at \$23 million, RFP was sent out, we're appreciative that King George county selected Moseley Architects to then move the project forward into design.

So the very first step we had to take was dialing the project back to the 50,000 square foot threshold. So what you see here on the left is the Space Needs Assessment that we conducted back in 2017, this is your current occupied square footage of 24,000 square feet, the current need is 58. The 2022 need was 60; 2027, 63; 2037 need is about almost 67,000 to 70,000 square feet. But we agreed we were gonna build a 50,000 square foot courthouse, so with your courthouse steering committee, we then analyzed those numbers to get down to our magic 50,000, okay?

And off we went into design. We basically completed the schematic design phase, and you see here the detailed floor plans that we've developed with the steering committee, these have all been reviewed by the different court stakeholders, whether it be circuit courtroom clerk, general district courtroom clerk, J&DR courtroom clerk and the Commonwealth's attorney. It's a three-story building. The lower level would be like an English basement which opens to the East of the property. On the first floor, you'd walk out to the West at grade, and then you'd have one story above grade two. Two stories visible, but one story above that first floor grade so a total three story building.

First floor would be occupied by general district J&DR, second story would be occupied by circuit court, circuit court clerk and commonwealth's attorney, the basement level will be occupied by the Sheriff's office. This is the site plan. You see, there's a lot of resemblance to the site plan that was developed during the course of the 2017 study. Again, we have public parking to the west of the courthouse, staff parking to the east of the courthouse here in the middle, 50,000 verses 63, with expansions to the north and south planned for the future. We also developed elevations for this facility, and it bears a lot of resemblance to your existing facility, red brick, white trim, mansard gable roof and a cupola. We also prepared a cost test. So we are approximately for a 50,000 square foot facility, construction cost is estimated at approximately \$21 million, the total project cost is now at \$27.1 million. This is substantially above what we agreed to with Dr. Young and at the beginning of the study.

There's a couple of things I wanna point out on this slide before we advance any further. One of those things is at the very bottom, right above the 27.1 is a 10% project contingency. This is a contingency on the entire project amount. Okay? That includes the construction cost and all the soft costs. All the numbers you see here in bold with underline under them are fixed at this point. Those are the cost of our services. Okay? So just because the cost of the courthouse has gone up, the price of our services are locked in. We've signed an agreement with the county. Those costs are not changing. Another item I wanna point out to you is this item here, right above the estimated construction cost line of \$2.6 million. That's the what is referred to as the escalation and design contingency. That's being, produced by our cost consultant Downey & Scott. You see it itemized right here as well. They have a 10% contingency in their value as well as a 3.81 escalation factor. Tony, explain to us what the difference between design contingency and total project contingency is. We've done over a 150 projects with Downey and Scott. We can almost finish each other's sentences when we're looking at building construction and looking at different building materials and systems, but obviously, when you look at the level of completion of those schematic design documents, a lot of assumptions are made when they put this number together. Many of those assumptions are based on those 150-plus projects that they've done with Moseley Architects, but there still may be things that they make an assumption on that for whatever reason, King George,

they want something just a little different. That's what that 10% contingency covers, is that little bit of delta that may exist between what they've assumed and what may be in those final documents. As we go through the remaining phases of the project, that is design, development, and construction documents, you will see this number go to zero, so that when we're ready to go and give the final documents to the CM at risk for his final bidding to his subs, our estimate would be at zero and then you'll have a hard cost from the construction manager at risk.

What is this number represent then? Why do we have two? This is for unforeseen issues, issues which we may encounter at the site, issues which we had no idea were going to come. We do not feel comfortable advising you as your consultant to go into construction with zero in your pocket. Something's going to happen. The documents we prepare, though very well coordinated, would likely not be perfect. There may be some change orders that we encounter. Again, we think we ought to have something in our pocket as we go into construction to move the project forward. Perhaps that could be adjusted downward as we go a little further along, and certainly by the time we're 50% through construction, we could start eroding some of that, but we would not advise eroding that now. But as you can see, if your total, both this number of \$2.6 and this number of \$2.4, that's almost \$5 million, well actually it's more than \$5 million of just contingency. So if all the assumptions are correct and we encounter no surprises, we would say you could take \$5 million off of that, but today, as your consultant, I would not recommend doing that.

So we worked with the steering committee and said, What could we do to perhaps reduce the cost of the facility? We came up with some ideas, and these are what we would call the low-hanging fruit. These are things easily implemented without cutting square footage off the courthouse, so removing the mansard roof and going to a strictly low-slope roof, a membrane roof, removal of the cupola, removal of the portico and the associated columns, reduction in the sally port to half. That has an actual operational effect on the sheriff's office. They don't have a sally port now. We're talking about an enclosed sally port that they can pull a vehicle in, regional jail van, and move detainees out of. Removal of aluminum clad windows and putting in what we refer to as aluminum storefront, and then lastly, removal of 180 parking space. Excuse me, removal of 63 parking spaces down to a total of 180, so what was shown on the original plan was the number of parking spaces required by your zoning ordinance for a 63,000 square foot building. We can build it in accordance with the zoning ordinance with a 180 spaces, and that has a net cost of \$409, but when you go ahead and add on the markup, it's half a million dollars. So what would that look like? Basically, the parking spaces in pink would not be constructed under the original bill. Now, would we change anything else on the site plan? No, because in the future, the county may wanna implement those phases, and certainly they may wanna implement them if you would ever add one of these two expansions on the north or the south.

Now, in terms of those other reductions that we talked about, as you might imagine, they were not well received by the steering committee, they like what is shown on this image, they feel it is in keeping with the community here in King George, but for sake of discussion, we implemented what would happen if we did those things, so if we took off the slope roof, we took off the copula, we took off the portico, we revised as double-hung windows, it basically would look like that, which was not well received by the committee.

So what does that look like in total? What we have here on the far left is the budget that was established by Dr. Young back in January of 2020, what we have here in the middle is the cost estimate that was prepared at the end of this schematic design, and that total is \$27.1, and what we have here at the far right was the implementation of this reduction in parking to a 180 spaces, basically taking half a million dollars off that construction cost, and of course that has trickled down effect. So it's not only the half million dollars, but then we're taking some contingency off of that 10% off of that as well, and you're down at \$26,500,000 basically, still about \$3,500,000 over the

established budget.

As far as where we are, we kinda briefly talk about that, we're looking at trying to move in what we refer to as design development, that's where we're getting into more detailed documents. You see here, the total project schedule, this is the construction phase here, as far as where construction values might go in the future, historically, they've only gone up. So as we looked at that original document from 2017, compared to the document we're looking at today, not only are we fighting escalation due to time, but we're probably also fighting a little bit of escalation due to COVID. Any of you who have done any housing projects at your house in the past 15 months have seen escalated cost in materials, whether it be at Lowes, Home Depot, or any other housing improvement store here in the area.

So I'm before you tonight to ask for permission, and I'll ask Travis to chime in here to move forward with the CM at Risk solicitation, but also to move forward with design development, knowing that we have a project that is over budget, but with a CM at Risk, they can give us perhaps suggestions on value, they may see that we could be reduced, but certainly time is on our side to move things forward as quickly as possible to get out into the bid environment. So Travis, anything you might wanna add?

0:56:10.7 Madam Chair: Thank you, sir. Go ahead, Mr. Quesenberry.

0:56:14.1 T. Quesenberry: Madam Chair, I would recommend moving forward with the issuance of the RFP. We're not having to obligate any money to do that, I think by having that selected firm under contract, as Mr. Bell say, then we can then work with that firm to see if there are ways that we can reduce that cost down.

0:56:36.3 Madam Chair: Thank you, sir. So questions for either Mr. Bell or Mr. Quesenberry from members. Mr. Granger?

0:56:46.4 R. Granger: Thank you for coming and providing the presentation, and obviously this is challenging, and I appreciate you kinda coming with some solutions, we do appreciate that. I agree. I'm not a big fan of some of the proposed solutions, but we gotta find somewhere to save that money at the end of the day, 'cause we need the space, right? I think that that is something that is not gonna be something we can compromise, it's come down from 63,000 to 50,000. I don't think we can go any lower than 50,000, so we need to find the money somewhere to make sure we provide the space that is needed for the courts to run. I'm gonna ask in particular about the roof, so one of the suggestions was changing it from the slope roof to the low-slope membrane, is that my understanding?

0:57:29.1 T. Bell: Yes, sir.

0:57:29.3 R. Granger: I'll be honest, I'm not a fan of the flat or I guess that low slope, I feel, and please correct me if I'm wrong, there's always challenges with maintenance on those, and they seem to have leaking issues, and so to me that seems like it might be penny-wise and pound-foolish to do something along those lines, at least in my opinion. Am I mistaken about the quality or I guess maybe the life frame, life...

0:58:00.1 T. Bell: Life cycle quality?

0:58:00.2 R. Granger: Yeah, one of those kinds of roofs.

0:58:02.1 T. Bell: Truth be told, the entire roof will not be a slope metal that you see from the front, there'll be an area in the middle of the plan that is the membrane roof, that's where we're gonna put the mechanical equipment, by putting it up there, it makes it more easily accessed for maintenance, it also makes it much more efficient in terms of rich running capability. So there'll be...

0:58:29.4 R. Granger: A portion.

0:58:30.0 T. Bell: A portion of the roof in the middle that will still be the low slope, what we basically proposed is we'd get rid of all of the metal roof on top of the building, and obviously that has the biggest impact is the aesthetic, is you don't have that look of having a slope roof, so from basically all four sides, it'll look sloped. There'll be one area in the back that we're gonna leave open so that if you ever need to crane, a new piece of equipment, probably 20 years out, onto the roof, you'll have a good access point, but there still will be an area in the middle of the roof that will be membrane.

So to your question, Supervisor Granger, about life cycle cost and quality of roof, a lot of that has to do with installation. Certainly, membrane roofs have come a long way from the initial what we referred to as slat flat roofs that were installed back in the 50s and 60s. By no means is this roof flat. It's referred to as low slope so there will still be a quarter inch per foot across that low slope portion. It just won't be as steep as what you see here from the front elevation, and the materials are much thicker and much more easy to bind to other materials and flash and make sure that there are no leaks in that area. But again it all goes back to the quality installation and with a CM at risk bringing somebody on as a partner, I think you're gonna get a much better end product because you're not gonna be at the mercy of the low bid environment, does that make sense? So you can assist the CM at risk not only in selecting the cost but also selecting maybe who is providing those services as he accepts the bids for the different trades. It was just in negotiation capabilities.

1:00:19.0 R. Granger: Okay. I appreciate it. Thank you.

1:00:22.3 Madam Chair: Mr. Stonehill.

1:00:25.9 J. Stonehill: I'd like to say thanks for coming out and it was a very good presentation. You did answer well... My one question was the cost of building materials right now, they've doubled in the last 12 months. What's it gonna be like 2023, you said the start of project...

1:00:43.4 T. Bell: 2022.

1:00:45.1 J. Stonehill: '22. I think you were answering it before but they have a pretty good idea of what they think that's gonna be at that point.

1:00:54.2 T. Bell: Our construction cost estimator at this point is still anticipating a 3.8% escalation between now and the midpoint of construction. So the midpoint of construction for the project based on the schedule I just showed you is January 2023. It's a 15-month construction schedule beginning in May of '22 ending in August of '23 and they escalate to the midpoint of that because they're gonna be buying materials all through the course. Now, the best part is they lock in their cost as early as they can to avoid that escalation. Well they escalate to the midpoint because some of the materials will be procured over that whole 15-month period. Does that make sense? Okay.

1:01:41.1 J. Stonehill: Okay. Like Mr. Granger said, I think we just need to come up and find out where the money... I think we keep talking about this is gonna be a 30 or a 40-year building. In the future I don't think this is the place to be cutting back and we cut it back from 63 to 50 and I just think that we just needed come up with that extra money to keep it the way it is right now I don't think we should be cutting corners on it. Thank you.

1:02:12.3 T. Bell: Thank you.

1:02:13.6 Madam Chair: Thank you, Mr. Stonehill. Ms. Bender.

1:02:16.4 C. Binder: Mr. Stonehill, I'm glad you said that 'cause I wholeheartedly agree. This courthouse is correct functioning at 24,000 square feet right now and the needs analysis even has us below with the 50, so it's really important that we give everyone in the county because not only is it used for justice, it's also used for people coming to get their wedding license or searching land records or teenagers getting their first driver's license. So everyone in our community does use that building and I know you showed this in the committee other buildings that you took off all the fancy stuff and they didn't look very... I mean, one of them look like a warehouse so I think you really thought through and the committee was working really well together and then it was 'boom' here it is. And as you stated in the meeting, just the cost of material since January have risen dramatically and so this is a little bit unforeseen with COVID and all the labor costs and everything that's come on with that. The other thing in the committee they mentioned that one of easiest things, if it had to be was taking out the parking spaces that they could live without the parking spaces because that would be for a bigger building, so I know it's a hard pill to swallow but I feel like we need to do this to do it right instead of like we did in the past, doing it... all I can think now was not right, but always not spending what we needed to spend to do it correctly so that the building lasted 30 or 40, 50 years. This one lasted 100 but felt like at the end we're just kind of pulling it across the finish line so that's all I have to say. Thank you.

1:03:56.3 Madam Chair: Thank you, Ms. Bender. Mr. Bueche.

1:03:58.7 J. Bueche: Thank you, Madam Chair. I have quite a few things. First off, thank you very much for your presentation. You said something in your presentation earlier that the basement level would be occupied by the sheriff's office, which the sheriff's office is literally next door. What space do they need to occupy if we can eliminate a whole floor.

1:04:20.9 T. Bell: It's only the court security function, Mr. Bueche. So these will be holding cells for detainees. There is no office space to speak of. It's only the holding cells for the detainees and it's not a full floor.

1:04:33.4 J. Bueche: So it's not a full floor?

1:04:34.8 T. Bell: No sir.

1:04:35.1 J. Bueche: Okay.

1:04:35.5 T. Bell: Let me go back to that. I'm sorry if I misled you on that. The files are very large 'cause there's a lot of detail in them so that's why it's taking so long. So that's the first Floor, Mr.

Bueche. Come on! And that's the lower level. We're trying not to call it the basement, because there are certain connotations associated with basements, so this is the lower level or it would be walk out. There'll be doors on either side with a sally port in the middle. There'll be earth on the north, west and south sides, and it'll be open on the east side.

1:05:33.6 J. Bueche: Thank you. Ms. Binder brought up a good point. I don't find it a hard pill to swallow though. [chuckle] I think it's logical to remove the additional parking spaces, especially since we gave direction that this new courthouse be built with future expansion in mind. That way, we don't have to tear down things and re-route things when we add on an extension. I believe that's what's being done. So in the future, when capacity requires, then we could eventually add on that parking space. I think that's something that I would be open to, removing.

As well as, I know we were talking about to keep up with the integrity, and how things look in King George County, with the roof and the cupola. But if you look at the high school that was just built, it's a flat roof. Depending how much money that would save, I would be open to that. I'm looking at functionality and space. Just like if I am a home owner, and I am doing improvements to my house, do I want this imported Italian ceramic tile? Or can I afford that? Or do I need builder grade ceramic tile for my kitchen?

You get what you can afford, and ultimately we raised taxes this year to be able to carry our budget, and we have a bond on this for a certain amount of money, but I'm a little bit optimistic. So with the price that you gave us, one, we're doing a construction manager risk contract, which is totally different than what's normally done. General assembly gave us that as an option back in 2017. So when we're at 60%, we can bring in this manager who would then, I believe would lock-in the maximum cost that we would be looking at. But then, wouldn't that give us a negotiating position or some flexibility, let's say if materials do come down. I personally don't believe that the material costs that we're seeing now are sustainable. I think they're unrealistic, and I think COVID and transportation had a lot to play in that. I believe that it will be coming down, and that if we're budgeting for higher, well that's okay. I'd rather be cautious, but I wouldn't wanna lock in to a higher rate. So when we were talking about locking in earlier, If the prices do go down, would we get the benefit of being able to negotiate those down? Or are we at that point locked in to the higher cost of materials?

1:08:21.2 T. Bell: No, sir. You're not locked into the higher cost materials. The advantage of bringing in the CM at Risk now, is that we work together with the county. All three of us, to look at places where we may be able to save. I can assure you, Mr. Bueche, that there are no imported Italian tile, in this facility. This is gonna be a very...

1:08:44.2 J. Bueche: That was an example.

1:08:45.8 T. Bell: Understood. This is gonna be a very modest Court House. The selections that are made are for the long haul. We'll be looking at life cycle cost of materials, of fixtures, of systems, to make sure they were gonna provide you good value, for the long term. But when we have that construction manager at risk on board, they are looking at our cost estimate, we're looking at theirs, and we walk together through the design process. So they would be brought in now, which is about 35%, not necessarily the 60%. Where they would lock-in, they would lock-in initially at 60. They wouldn't sign on the dotted line at that point because the documents aren't 100% complete. But they would lock-in when we get to the end of that construction documents phase, and at that point, that's the number.

1:09:40.0 J. Bueche: That's the maximum number, correct?

1:09:42.1 T. Bell: That's correct.

1:09:42.8 J. Bueche: But there are incentives built in for that number to be lower.

1:09:46.4 T. Bell: Of course. So if they bid, for example, some systems out and they see value, which is lower than the GMP, the county would realize that benefit.

1:10:00.9 J. Bueche: Okay. Well so I don't drag this out, Madam Chair, I agree with my colleagues, we cannot cut the square footage. I believe that that is the most important thing to address the needs of the courts. I am willing, however, to cut aesthetically pleasing things, such as a cupola. Are the additional parking spots really necessary at this point? And what's the feasibility of going to a low grade slope roof as opposed to what's being presented? That's my two cents. Thank you, Madam Chair. That's all I have.

1:10:39.1 Madam Chair: Thank you, Mr. Bueche. Ms. Binder, you wanted to add something. I know you serve on the courthouse committee, go ahead.

1:10:46.9 C. Binder: Thank you, Madam Chair. I just wanted to point out and just confirm, Mr. Bell is, there are some parts in the building that seem... They're added on from what we have now, and that's because those are the regulations just in the current Court House, we're sort of grandfathered in for those, not having those spaces, and one of them was a special waiting room for families and things like that. So that also adds extra square footage that you don't have now.

1:11:12.4 T. Bell: Yeah.

1:11:13.4 C. Binder: Thank you.

1:11:15.8 Madam Chair: Thank you. Mr. Quesenberry, can you correct me if I'm wrong? I'm looking at the aerial, the satellite view on Google maps of King George High School. To me, it does have this mansard roof. It's sloped, and then in the center, it has a flat roof, where the HVAC units and things... I'm looking at it right here so I...

1:11:39.0 T. Quesenberry: It's a combination.

1:11:39.9 Madam Chair: It's a combination, not 100% flat roof?

1:11:42.6 T. Quesenberry: That's correct.

1:11:43.0 Madam Chair: It would be something of that sort of look. So it would look from the street view, like it has a sloped roof, but in the center it would have the membrane roof that you're talking about to house the units.

1:11:55.8 T. Bell: Yes ma'am.

1:11:56.6 Madam Chair: Okay. Yeah, so I think it's probably a little more of like that, like the look of the high school looks, like it has a real sloped roof. I happen to pay the bills for a

construction company, and every week I'm getting a new letter from a supplier, letting me know that, "Due to cost of materials, we will enact whatever, 20% across the board increase on all invoices effective June first or whatever." So I personally feel the pain here in my other everyday job. I just would say again, my comments that I made previously is, this is the place where our victims get made as whole as we can possibly make them again, this is the place where the accused either learn their judgment or they have the opportunity to clear their names, this is the place where we have our court and Commonwealth attorney employees, and I just can't see cutting anything. This courthouse has my full support, so that's where I'm at. So what do you need from us? Do you need a motion?

1:13:19.3 T. Quesenberry: No, we just need a consensus on direction for the county and Mosley Architects to proceed with the next phase of going to design development and also issuing the request for proposals.

1:13:35.4 Madam Chair: Alright. So will of the board. Mr. Granger?

1:13:41.1 R. Granger: I agree. Let's move forward.

1:13:42.1 Madam Chair: Mr. Stonehill? Ms. Binder? Mr. Bueche? Alright, then it is unanimous. You have consent. Thank you.

1:13:54.7 T. Bell: Thank you.

1:13:55.0 Madam Chair: Thank you Mr. Bell, thank you for your time. Alright, next item, rural broadband project phase two, presentation by All Points Broadband. Do we have someone online presenting? Mr. Dines, who is it that we have from All Points Broadband please. Okay, and Mr. Quesenberry, do you wanna provide anything by way of background before we begin?

1:14:25.2 T. Quesenberry: I think the board in prior months, had All Points Broadband come to the board meeting and present a plan for extending the network throughout the County, and we're in a process now of getting the easement signed, associated with that so we've asked All Points Broadband to come and provide an update, and also the board committed to phase one funding, which was a half million dollars and the next phase two funding would be \$150,000, so I think you'll hear more about that in this presentation.

1:15:02.5 Madam Chair: Thank you, Mr. Quesenberry. Mr. Carr, can you hear us, sir?

1:15:07.7 Jimmy Carr: Yes, I can. Can you hear me?

1:15:08.4 Madam Chair: Yes, we can. Welcome. The floor is yours.

1:15:11.6 J. Carr: Great. Thank you very much for the invitation to be back before you tonight. I'm Jimmy Carr with All Points Broadband, and I'm pleased to have the opportunity to share with you some really good news about the progress of our regional initiative to achieve universal fiber to home access for all of King George County and several adjacent counties. Quick reminder about our company, so we're a Virginia based rural focused broadband company. We operate in four states, and we're the largest company of our kind in the Mid-Atlantic. For each of the last three years, we've been named to Inc Magazine's list of America's 5000 fastest, growing privately held

companies. We are in the process of opening two regional offices on the Northern Neck, both of those will be opened in the third quarter of this year as this project moves from design into construction and then ongoing operations.

I'm joined tonight by Jim Woodard who was recently hired by All Points to be our Regional Operations Manager for the region, that will include King George, and as we move forward, he will become your primary point of contact within our company for issues with construction and operations. Our company is very proud that in the last six months alone, we have successfully obtained more than \$51 million in state and federal grant funds and also stakeholder co-investment to complete projects with our partner communities, and that includes a number of successes here in King George and our company is backed by another Virginia based company known as Akre Capital Management, who is also based in Virginia and very committed to the success of our project.

Next I have gotten a lot of questions about how the program that where leveraging works, and we have an extensive partnership between All Points Broadband and the Last Mile ISP and a number of electric utilities that's making universal fiber at home available, and next I'm gonna share with you a brief video that's been put together by Dominion and its other partners that really highlights The Northern Neck Project and gives folks a very good overview of how this process works.

1:17:30.4 VIDEO: Welcome to the overview of Dominion Energy's rural broadband program. At Dominion Energy, we know that actions speak louder. Across every part of our company, we're transforming the way we do business to build a more sustainable future for Virginia and support the communities we serve. But the harsh reality is many Virginians live without easy access to broadband internet. Dominion Energy can help. We're in a unique position to bridge the broadband gap in rural areas, as we move forward with efforts to transform our electric grid and connect renewable energy resources. We know that home internet access is vital for today's society, school coursework, remote education. Access to health care, telemedicine, job searching and working from home are just a few activities that are powered by access to broadband internet. Dominion Energy purposes to provide middle mile fiber optic cable infrastructure to bridge the gap to rural locations. Local internet service providers will connect customers interested in broadband internet by building the last mile infrastructure to serve these customers. Our partnerships are making it easier for local internet service providers to reach rural communities unserved by broadband. While Dominion Energy has the ability to install fiber optic cable to better serve our electric utility customers, we need to form additional partnerships with property owners to be able to use our infrastructure to help serve those without sufficient access to broadband internet. If a supplemental communication agreement is necessary for your property, a Dominion Energy representative will contact you. Dominion Energy is partnered with All Points Broadband and is planning to build over 200 miles of middle mile fiber optic cable in the northern neck. All Points Broadband plans to extend the last mile further into each county to ensure universal access for all unserved residents. We're working together to overcome the challenges that are too great for one entity to tackle alone. This project crosses Stafford, King George, Westmoreland, Richmond, Northumberland and Lancaster counties. Closing the digital divide to ensure more homes and businesses can access broadband internet is critical for economic growth. It's about social equity and public safety.

This is why King George, Westmoreland, Richmond and Northumberland counties has endorsed the northern neck project. Dominion Energy will work with property owners along the project route to ensure understanding of this important agreement. Property owners signing the supplemental Communications agreement are helping to move those projects forward for the entire community. We thank you for your support. Looking forward, Dominion Energy is actively working to create additional partnerships with internet service providers to reach localities without access to

broadband internet within our electric service territory. Thank you for taking the time to learn about this important project. To learn more about this initiative and how it affects your area, please visit our website at dominionenergy.com/ruralbroadband.

1:20:38.4 J. Carr: So next, I'll just give you an overview of kinda where we have been together on this journey and the next few steps. So as you may recall, in March of last year, All Points, Dominion Energy Virginia, the Northern Neck Electric Cooperative and the counties of King George, Northumberland, Richmond, Westmoreland, who we referred to as the four initial counties, we entered into a partnership agreement to conduct a multi-phase initiative to achieve a universal access to fiber in the home for all of the remaining unserved areas in these four initial counties, and while I've highlighted Dominion's role on this project a lot this evening, I think it's particularly important to point out to you all what a fantastic partner for All Points and for King George and your unserved residents that the Northern Electric Cooperative has been. The leadership there has been absolutely committed to this project and without their very strong support, we would not be on the verge of the significant success that we're achieving together.

Last May, the Northern Neck Planning District Commission and the four initial counties made an initial investment to help jump start the phase one development process. Jerry Davis and his team at the Northern Neck Planning District Commission have really been key players in organizing and advancing this initiative, and you all are very, very well served by that team. Last August, at the request of the project management team, each of the four initial counties committed to provide a 10% local match funding for what we thought at the time would be the first half of the first phase of the project and All Points at that time applied for some state-level grant funding to support the project. In September of last year, another county, King William joined the regional initiative as the first of who are now several around two participants. Last October, Dominion and All Points submitted a petition to the State Cooperation Commission to secure approval for Dominion's participation in the first phase of the project. Fast forward to this February, so in the span of a couple of weeks, All Points secured approximately \$20 million in state and federal funding that would enable us to complete the project in the four initial counties. In March of this year, the State Corporation Commission issued its order approving phase one of the project. In April of this year, we began accepting free registrations from customers at the fiber.allpointsbroadband.com website. This is a website that we've shared with the county before and hope you will help us continue to share. It's very important and very helpful to us that customers and potential customers who are in unserved areas go to this website and let us know where their location is so we can make sure to plan our construction to include drops and last mile service as soon as possible for customers who are interested.

Mainline construction of this network is on schedule to begin this July. In October of this year, we will begin scheduling installations for pre-registered customers. We plan to begin last mile installations in King George in November of this year, and the entire network throughout the northern neck region is on track for substantial completion in 25 months after customer installations begin. King George, because of its location will probably be a little ahead of the rest of the project, just because we've made a commitment based on the county's additional financial commitment in phase one that we would prioritize construction in King George and that's what we've done in the project plan we've laid out.

The next slide is a more detailed review of the project in King George, so we will be constructing approximately 180 miles of new fiber optic infrastructure. The project will result in fiber to home broadband availability to the approximately 1800 locations in the county that lack access to broadband today. Those are the locations or location clusters that are shown in blue on this map, and as I said, your county made an extra financial commitment to the first phase of this project in

order to secure construction priority, and that is consistent with the plan, we still plan to begin both main line, middle mile and last mile construction in King George.

Turning to the plan for completion. The last time we were before you, we were seeking the county match for a state level grant program, the baby program, but consistent with our commitments in the regional partnership to pursue all available funding, All Points participated in the most recent round of federal broadband support, and we provisionally secured an additional \$8,500,000 in Federal support that are an important part of our being able to complete not only the first phase, but the second phase of this project. All Points, our electric utility partners, Dominion and the Northern Neck electric cooperatives have now made arrangements on our side to proceed with construction and completion of the entire initiative with each of the participating counties' agreement to maintain a consistent 5% local match. We'll be in a position to complete the entire regional project, the counties are: Richmond, Northumberland and Westmoreland, have already provided their full commitment to the phase two of the project.

And I'm here tonight to request that King George commit to make its an additional \$150,000 commitment to maintain its overall 5% match, and as I mentioned earlier, in the first days of the project, King George made a larger commitment than the other counties in order to secure construction priority, we're asking now that King George maintain the same overall match level, which means that the financial requests for local match for phase two is substantially less than the amount that the other counties have provided, but the overall match provided by each of the four initial counties is consistent throughout the project. So with that overview, I'm happy to take any questions you may have.

1:27:16.8 Madam Chair: Thank you, Mr. Carr, questions from members? Okay.

1:27:27.6 C. Binder: No, my one question was answered in...

1:27:27.8 Madam Chair: Go ahead Ms. Binder.

1:27:29.2 C. Binder: Yeah, my one question was answered in the slide, so I don't have any.

1:27:34.4 Madam Chair: Okay. Mr. Granger.

1:27:37.2 R. Granger: Yes, Mr. Carr, I don't know if you'll know the answer to this, I'm just gonna ask since it's probably more of a Dominion question over the middle mile, everything I've seen makes it look like they're gonna be running on the pole infrastructure. What if the poles go into the ground for a distance, how does that work, do you know?

1:27:54.9 J. Carr: Yeah. Generally speaking, the design throughout the network, whether that's a Dominion infrastructure or All Points infrastructure, we're going to aerial and on the poles anywhere where we can, when there is no pole infrastructure or for clearance or safety or operational reasons, we need to go underground, we're looking to locate the fiber underground, but I believe this network is something like 92% aerial, 92% percent of the total mileage throughout the network is anticipated to be strong on poles.

1:28:29.1 R. Granger: Okay. That helps me understand. I appreciate it, thank you.

1:28:32.2 J. Carr: So delve over to the 92. It's overwhelmingly aerial.

1:28:37.5 R. Granger: Understood.

1:28:38.1 J. Carr: I see Jim frowning at me down there, so they're more than 90% aerial.

1:28:42.4 R. Granger: I won't hold you to that exact number, but I appreciate the rough idea of where it's at, thank you.

1:28:46.5 Madam Chair: Any other question?

1:28:47.0 J. Carr: One thing I should have mentioned, and I heard maybe it's on your agenda tonight, so the most important gating factor for keeping this project on schedule and for managing... We're seeing very significant escalation across our supply chain. The most important thing that county can help us do right now is to make sure that those property owners who have been contacted by Dominion Energy, Virginia, and asked to sign a supplemental communications agreement understand the benefit of this project, not only for their property, but for the entire community, understand that Dominion is not asking to expand the size or scope of its easement, it just wants to ensure that it has the ability to place fiber that it can lease to third parties within its easement, so anything that the board of supervisors of the county can do to help communicate the benefits of this project to land owners and to facilitate Dominion's efforts to obtain supplemental communications agreements would be very, very helpful.

1:29:56.1 Madam Chair: Thank you, Mr. Carr. Thanks for your presentation this evening. Both for you and Mr. Woodard. I like your video. I actually shared it on my social media pages a couple of weeks ago when I first saw it come out, and the big newspaper or half page newspaper ad that you all have been running almost every day in the Free Lance-Star. Thank you for that as well. I think it helps to get the word out, but perhaps... I know Mr. Quesenberry, I know that Mr. Minor, director of Economic Development and Tourism did a video a few weeks ago on one of the local radio stations explaining what the need is, as far as getting the word out for the easements, but perhaps we could have staff come up with...Because not everybody goes on Facebook and watches videos, perhaps we could have staff come up with something... Some kind of graphic or infographic that we can post on the County website to help get the word out. That might be helpful too. So I had a few questions, I'm fairly familiar with the grant application in the portal there, and I was aware that there was a phase two, so if I'm tracking this correctly, we're not paying any more than we would have been paying because we paid more in phase... I'm sorry, we didn't pay yet, we committed the \$500,000, so when you showed that table, everyone in the end is still gonna do the \$650,000, right?

1:31:30.3 J. Carr: That is correct.

1:31:31.6 Madam Chair: Okay. So in the grant application, it talks about phase one and phase two, and then each participating county will decide whether or not to continue to phase three, so that looks like it's negotiations for obligations to actually provide service. Is that what phase three looks like?

1:31:56.7 J. Carr: Yeah, so there is no phase three that is relevant to King George County. Your commitment tonight would be the last local match that is requested in order for us to proceed with construction of the fiber to home network that will serve all of the approximately 1800 locations in the county where we have identified through field verification, there is no wire line broadband

access available today. So this is it. King George and frankly, the other counties on the northern acre, about six to 12 months ahead of where many other jurisdictions that didn't start this process before COVID are, so tonight, this would be the final local match commitment requested. It would bring phase two to completion and phase two includes 100% of the unserved locations that we've identified in King George.

1:32:57.7 Madam Chair: Okay, thank you. And Mr. Quesenberry, can we also get this presentation posted to the county website so we can share it as well and make the public more aware?

1:33:06.3 T. Quesenberry: Yes, we can.

1:33:07.2 Madam Chair: Alright, so then my next questions are, I do know that we committed up to \$500,000 for this project. Have those funds been appropriated yet? 'Cause to my knowledge, they have not.

1:33:23.9 T. Quesenberry: They have not, yet.

1:33:29.5 Madam Chair: Where would we take that from?

1:33:31.2 T. Quesenberry: We would recommend that tonight the Board commits the additional \$150,000 for phase two, and at the next board meeting, we come back to the board with recommendation for where the funding for both phase one and phase two would come from.

1:33:46.0 Madam Chair: Okay, so really all we need to do or all you wish for us to consider tonight is approve the additional \$150,000 for phase two?

1:33:58.3 T. Quesenberry: Correct, and then in the next meeting you'll appropriate... We'll provide a recommendation for appropriation.

1:34:03.9 Madam Chair: Very good. Okay, any other questions before we move on? Do I have a motion?

1:34:12.6 R. Granger: I move to commit another \$150,000 to support the phase two plan of the All Points Broadband... I'm sorry. Rural Broadband Project. Thank you.

1:34:30.0 J. Bueche: Second.

1:34:31.5 Madam Chair: Any further discussion? All those in favor say, "Aye."...

1:34:35.0 C. Binder: Aye.

1:34:35.5 J. Bueche: Aye.

1:34:35.8 R. Granger: Aye.

1:34:36 J. Stonehill: Aye.

1:34:37.2 Madam Chair: Any opposed? Chair votes aye. Motion carries. Thank you, gentlemen, for your presentation and all your work on this.

1:34:44.1 J. Carr: Thank you. Thank you for your support.

1:34:50.3 Madam Chair: Alright, moving on to action items. Department of Finance, appropriation of King George County fiscal year 2021-2022 budget. Ms. Hahn, welcome.

1:35:02.1 Donna Hahn: Thank you. Good evening, Madam Chair, members of the board. I come before you tonight to ask that you adopt the resolution that was presented in your board packet for fiscal year 2021-2022 for the King George County Operating Budget.

1:35:23.2 Madam Chair: Thank you, Ms. Hahn. Mr. Quesenberry, do you have anything to add and/or recommendation?

1:35:29.7 T. Quesenberry: No, Ma'am. The board and the staff worked hard on this budget, and I think it was a quick turnaround on this, so I recommend that the board proceed with this appropriation.

1:35:42.5 Madam Chair: Questions from members? Do I have a motion?

1:35:48.0 R. Granger: Moved to adopt the resolution as presented.

1:35:50.2 J. Bueche: Second.

1:35:52.3 Madam Chair: Any further discussion? All those in favor say, "Aye."

1:35:56.6 C. Binder: Aye.

1:35:56.8 J. Bueche: Aye.

1:35:56.8 R. Granger: Aye.

1:35:56.9 J. Stonehill: Aye.

1:35:57.2 Madam Chair: Any opposed? Chair votes aye. Motion carries. Alright, Ms. Hahn, Department of Finance, appropriation of King George County Schools fiscal year 2021-2022 Operating Budget.

1:36:10.7 D. Hahn: Okay, but also in your board packet tonight was the breakdown of the operating budget for the King George County Schools. And so, coming before you tonight, I ask you to appropriate to the King George County Schools fiscal year 2021-2022 operating budget by major classification in the total amount of \$48,765,850.

1:36:36.1 Madam Chair: Thank you, Ms. Hahn. Mr. Quesenberry, do you have anything you wish to add?

1:36:39.1 T. Quesenberry: No, ma'am.

1:36:40.3 Madam Chair: Very good. Any questions? A motion.

1:36:48.2 R. Granger: Move to appropriate the King George County Schools fiscal year 2021-2022 Operating Budget by major classification in the total amount of \$48,765,850 as presented.

1:36:58.8 J. Bueche: Second.

1:37:00.2 Madam Chair: Discussion. All those in favor say, "Aye."

1:37:06.4 C. Binder: Aye.

1:37:06.5 J. Bueche: Aye.

1:37:06.8 R. Granger: Aye.

1:37:06 J. Stonehill: Aye.

1:37:07.1 Madam Chair: Any opposed? Chair votes aye. Motion carries. Thank you, Ms. Hahn. Alright, County Administration award of Annual Engineering Services agreements. Mr. Quesenberry.

1:37:18.2 T. Quesenberry: Thank, Madam Chair. Over the past couple of months, we have reevaluated proposals that we received for annual engineering service contracts. We've interviewed the firms. A selection committee of myself, Mr. Rollins, Ms. Hall, Mr. Clark and Mr. Weakly recommend that we award contracts to seven firms. These seven firms will bring a variety of services city county and includes local firms and national firms, and includes firms with expertise in certain areas, so there is no cost to execute these engineering contracts. The awards will be based on each task order that we issue for specific projects. So we recommend that the board authorize the county to enter into contracts with Draper Aden Associates, Wiley Wilson, Sullivan Donahoe & Ingalls, ECS Mid-Atlantic, Moseley Architects, SCS Engineers and Rummel, Klepper & Kahl.

1:38:21.4 Madam Chair: Thank you, sir. Questions from members. Do I have a motion?

1:38:28.6 R. Granger: Move to authorize the County Administrator to execute professional service agreements with these selected firms, subject to approval as to form by the County Attorney as presented.

1:38:37.2 J. Bueche: Second.

1:38:38.5 Madam Chair: Any further discussion? All those in favor say, "Aye."

1:38:42.7 C. Binder: Aye.

1:38:42.8 J. Bueche: Aye.

1:38:42.8 R. Granger: Aye.

1:38:43 J. Stonehill: Aye.

1:38:43.2 Madam Chair: Any opposed? Chair votes aye. Motion carries. County Administrators Report.

1:38:48.8 T. Quesenberry: Yes, ma'am. The only item I had today was I've sent the Board members a email I received from Mr. Kyle Laux. Mr. Weekly and I met with Kyle regarding several issues and we asked Kyle to send us some information regarding the American Rescue Plan. I provided that information to you. We recommend that at some point of time later this summer that the board schedule a work session with Davenport and perhaps the Service Authority. And once we get a little more information, so we can decide how these funds should be used.

1:39:25.6 Madam Chair: Thank you. Any questions for Mr. Quesenberry? Alright, I'll entertain a motion.

1:39:39.3 J. Stonehill: I move that the King George County Board of Supervisors convene in a closed meeting pursuant to VA Code Section 2.2-3711(A)8 for consultation with the legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel regarding third-party due diligence and the Confederate Memorial. I invite the County Administrator and the County Attorney because they are deemed necessary and/or their presence will be a reasonable aide the board in consideration of the topics to be discussed, pursuant to VA Code section 2.23712(F).

1:40:20.1 J. Bueche: Second.

1:40:21.0 Madam Chair: All those in favor, say "Aye."

1:40:24.2 C. Binder: Aye.

1:40:24.5 J. Bueche: Aye.

1:40:24.8 R. Granger: Aye.

1:40:24.8 J. Stonehill: Aye.

1:40:24.9 Madam Chair: Chair votes aye. Motion carries. We are in closed session.

[Pause]

Alright, do we have a motion?

1:40:33 J. Stonehill: I move that the King George County Board of Supervisors return to Public Meeting and certify by vote that only public business matters lawfully exempted from open meeting requirements by Virginia law, and only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered during the closed meeting.

1:40:53 R. Granger: Second.

1:40:54 Madam Chair: Members, please roll call certify.

1:41:00 R. Granger: So certify.

1:41:02 J. Stonehill: So certify.

1:41:04 C. Binder: So certify.

1:41:06 J. Bueche: Certify.

1:41:08 Madam Chair: So certify. We are in open session. With consensus of the Board to direct staff to communicate with History Land Memorial Park regarding relocation of the confederate memorial to determine the cost of the relocation and to work with community groups to raise the necessary funding. Do I have a motion to adjourn?

1:41:28 R. Granger: I move to adjourn until June 2nd at 11:30 in the Board room.

1:41:35 J. Stonehill: Second

1:41:37 Madam Chair: All those in favor, say "Aye."

1:41:40 C. Binder: Aye.

1:41:40.2 J. Bueche: Aye.

1:41:40.3 R. Granger: Aye.

1:41:40.4 J. Stonehill: Aye.

1:41:40.6 Madam Chair: Chair votes aye. Motion carries. We are adjourned.