

PRESENT: Greg Cebula, Berkeley District
Ann L. Heidig, Livingston District
Timothy J. McLaughlin, Chancellor District
David Ross, Courtland District
Gary F. Skinner, Lee Hill District
Paul D. Trampe, Salem District
Chris Yakabouski, Battlefield District

STAFF PRESENT: C. Douglas Barnes, County Administrator
Mark L. Cole, Deputy County Administrator
James R. Benkahla, County Attorney
Aimee R. Mann, Deputy Clerk

Mr. Yakabouski called the meeting to order at 3:00 p.m. Mr. Trampe gave the invocation and Mr. Cebula led the Pledge of Allegiance.

APPROVAL OF THE CONSENT AGENDA

The County Administrator read the synopsis as a brief preview of the agenda items for the public. Without objection, Mr. Barnes moved Employee of the Year Recognition after Public Presentations.

On a motion by Mr. Cebula and passed unanimously, the Board approved the amended Consent Agenda as follows:

1. Approval of the Minutes of the March 24, 2015 Board of Supervisors Meeting;
2. Acceptance of the 2015 Virginia State Police Internet Crimes Against Children Task Force Sub-Award for the Sheriff's Office as follows:

VOTE:

Ayes: 7 Mr. Cebula, Ms. Heidig, Mr. McLaughlin, Mr. Ross,
Mr. Skinner, Mr. Trampe and Mr. Yakabouski
Nays: 0
Absent: 0
Abstain: 0

RESOLUTION NO. 2015-41

BE IT RESOLVED by the Board of Supervisors of the County of Spotsylvania, Virginia, that the following appropriations be, and the same hereby are, made for the fiscal year beginning July 1, 2014, from the funds and for the functions or purposes indicated.

GENERAL FUND:

For overtime to assist with investigations involving Internet Crimes Against Children (ICAC) to be funded through a sub-grant from the Virginia State Police to the Spotsylvania County Sheriff's Office to be expended only by order of the Board of Supervisors as follows: \$15,000.

3. Amendments to the Street Repairs Project Budget as follows:

VOTE:

| | | |
|----------|---|---|
| Ayes: | 7 | Mr. Cebula, Ms. Heidig, Mr. McLaughlin, Mr. Ross, Mr. Skinner, Mr. Trampe and Mr. Yakabouski |
| Nays: | 0 | |
| Absent: | 0 | |
| Abstain: | 0 | |

RESOLUTION NO. 2015-42

BE IT RESOLVED by the Board of Supervisors of the County of Spotsylvania, Virginia, that the following appropriation be, and the same hereby are, made for the fiscal year beginning July 1, 2014, from the funds and for the functions or purposes indicated.

To increase the appropriations related to the Street Repairs project to allow the retainage to be paid, to be expended only by order of the Board of Supervisors as follows:

CAPITAL PROJECTS FUND: \$4,885

4. Approval of Contract Modification #1 to Anderson Oil Company for Delivered Heating Oil.
5. Appropriation of Reimbursement Funding From Sprint Related to the Chancellor Landfill Radio Tower Structural Reinforcement;
6. Approval of Purchase Order Contract to SHI International Corporation for MS Enterprise Agreement License Pricing;
7. Approval of Contract to Faust Environmental Services, Inc. to Provide Thornton Rolling Road Sanitary Sewer Extension;
8. Approval to Renew Contract with Stantec Consulting Services, Inc. for Professional Engineering Services;
9. Approval to Renew Contract with EEE Consulting, Inc., for Professional Engineering Services;
10. Approval of 2015 Towing Advisory Board;
11. Building Division Budget Amendment – Donations for Training as follows:

VOTE:

Ayes: 7 Mr. Cebula, Ms. Heidig, Mr. McLaughlin, Mr. Ross,
Mr. Skinner, Mr. Trampe and Mr. Yakabouski
Nays: 0
Absent: 0
Abstain: 0

RESOLUTION NO. 2015-43

BE IT RESOLVED by the Board of Supervisors of the County of Spotsylvania, Virginia, that the following appropriation be, and the same hereby are, made for the fiscal year beginning July 1, 2014, from the funds and for the functions or purposes indicated.

For the receipt of donations from several agencies for the Braced Wall Training, to be expended only by order of the Board of Supervisors as follows:

CODE COMPLIANCE FUND: \$500

12. Code Compliance Budget Adjustment – Insurance Reimbursement for Auto Repairs as follows:

VOTE:

Ayes: 7 Mr. Cebula, Ms. Heidig, Mr. McLaughlin, Mr. Ross,
Mr. Skinner, Mr. Trampe and Mr. Yakabouski
Nays: 0
Absent: 0
Abstain: 0

RESOLUTION NO. 2015-44

BE IT RESOLVED by the Board of Supervisors of the County of Spotsylvania, Virginia, that the following appropriation be, and the same hereby are, made for the fiscal year beginning July 1, 2014, from the funds and for the functions or purposes indicated.

For the receipt of insurance reimbursement revenue related to damages to a 2005 Chevrolet Colorado in the Building Division, to be expended only by order of the Board of Supervisors as follows:

CODE COMPLIANCE FUND: \$5,150

13. De-Appropriation of CY14 Virginia Sexual and Domestic Violence Victim Fund Grant Award as follows:

VOTE:

Ayes: 7 Mr. Cebula, Ms. Heidig, Mr. McLaughlin, Mr. Ross,
Mr. Skinner, Mr. Trampe and Mr. Yakabouski
Nays: 0
Absent: 0
Abstain: 0

RESOLUTION NO. 2015-45

BE IT RESOLVED by the Board of Supervisors of the County of Spotsylvania, Virginia, that the following de-appropriations be, and the same hereby are, made for the fiscal year beginning July 1, 2014, from the funds and for the functions or purposes indicated.

GENERAL FUND:

For state grant revenue received from the Virginia General Assembly for the Virginia Sexual and Domestic Violence Victim Fund for the Commonwealth Attorney's Office to be de-appropriated by order of the Board of Supervisors as follows: (\$2,432).

14. Grant Application for the FFY2014 Fire Prevention and Safety Grant Program;
15. Mid-Year Adjustments to FY 2015 Revenues;
16. Resolution – Put Kids First as follows:

VOTE:

Ayes: 7 Mr. Cebula, Ms. Heidig, Mr. McLaughlin, Mr. Ross,
Mr. Skinner, Mr. Trampe and Mr. Yakabouski
Nays: 0
Absent: 0
Abstain: 0

RESOLUTION NO. 2015-46

RESOLUTION RELATED TO “PUT KIDS FIRST” EVENT

WHEREAS, children are a precious resource in the Commonwealth; and

WHEREAS, through public schools there is a strong, proven opportunity to lift up this generation of Virginia students to achieve to their full potential and prepare to begin high-skill careers in Virginia's new economy; and

WHEREAS, Commonwealth funding of preK-12 public education has dropped 17 percent, in state aid per pupil, in the last five years; and

WHEREAS, public schools are required to and do proudly serve students from varied cultures, language skill levels, poverty levels, disabilities, or ethnic backgrounds; and

WHEREAS, meeting the needs of this diverse population of students requires increased Commonwealth resources; and

WHEREAS, even with these challenges, public schools have a proven track record of success, and continued success of public schools is important to the economic future of the Commonwealth;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Spotsylvania County alerts the community regarding an open invitation to the "Put Kids First" rally at the Capitol in Richmond on Saturday, April 18, 2015, at which event citizens will have the opportunity to ask State Legislators to maintain/increase public school funding and to limit unfunded mandates.

17. Reappointment of John Winkler to the Rappahannock Juvenile Detention Commission;
18. Reappointment of Joseph Sposa to the Rappahannock Emergency Medical Services Council;
19. Request for Emergency Funding for Thurman Brisben Center Capital Repairs;
20. School Budget Adjustments to Budgeted Proffers;
21. Software Upgrade for Permit Center to Communicate with Department of Professional and Occupational Regulations (DPOR) as follows:

VOTE:

| | | |
|----------|---|---|
| Ayes: | 7 | Mr. Cebula, Ms. Heidig, Mr. McLaughlin, Mr. Ross, Mr. Skinner, Mr. Trampe and Mr. Yakabouski |
| Nays: | 0 | |
| Absent: | 0 | |
| Abstain: | 0 | |

RESOLUTION NO. 2015-47

BE IT RESOLVED by the Board of Supervisors of the County of Spotsylvania, Virginia, that the following appropriations be, and the same hereby are, made for the fiscal year beginning July 1, 2014 from the funds and for the functions or purposes indicated.

CODE COMPLIANCE FUND:

For use of Code Compliance Fund balance for the purchase of software upgrade from CRW, to be expended only by order of the Board of Supervisors as follows:
\$7,500

22. VRS Contribution Resolution FY2016 as follows:

VOTE:

Ayes: 7 Mr. Cebula, Ms. Heidig, Mr. McLaughlin, Mr. Ross,
Mr. Skinner, Mr. Trampe and Mr. Yakabouski
Nays: 0
Absent: 0
Abstain: 0

RESOLUTION NO. 2015-48

WHEREAS, the Spotsylvania County 55188 employees who are Virginia Retirement System members who commence or recommence employment on or after July 1, 2012, shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code § 414(h) on a pre-tax basis upon commencing or recommencing employment; and

WHEREAS, the Spotsylvania County 55188 employees who are Virginia Retirement System members and in service on June 30, 2012, shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code § 414(h) on a pre-tax basis no later than July 1, 2016; and

WHEREAS, such employees in service on June 30, 2012, shall contribute a minimum of an additional one percent of their creditable compensation beginning on each July 1 of 2012, 2013, 2014, 2015, and 2016, or until the employees' contributions equal five percent of creditable compensation; and

WHEREAS, the Spotsylvania County 55188 may elect to require such employees in service on June 30, 2012, to contribute more than an additional one percent each year, in whole percentages, until the employees' contributions equal five percent of creditable compensation; and

WHEREAS, the second enactment clause of Chapter 822 of the 2012 Acts of Assembly (SB497) requires an increase in total creditable compensation, effective July 1, 2015, to each such employee in service on June 30, 2015, to offset the cost of the member contributions, such increase in total creditable compensation to be equal to the percentage increase of the member contribution paid by such pursuant to this resolution (For example, if the member contribution paid by the employee increases from two to three percent pursuant to this resolution, the employee must receive a one percent increase in creditable compensation.)

BE IT THEREFORE RESOLVED, that the Spotsylvania County 55188 does hereby certify to the Virginia Retirement System Board of Trustees that it shall effect the implementation of the member contribution requirements of Chapter 822 of the 2012 Acts of Assembly (SB497) according to the following schedule for the fiscal year beginning July 1, 2015:

| PLAN 1 | Percent | PLAN 2 | Percent |
|-----------------------------------|---------|-----------------------------------|---------|
| Employer Paid Member Contribution | 1% | Employer Paid Member Contribution | 1% |
| Employee Paid Member Contribution | 4% | Employee Paid Member Contribution | 4% |
| Total | 5% | Total | 5% |

(Note: Each column must add up to 5 percent.); and

BE IT FURTHER RESOLVED, that such contributions, although designated as member contributions, are to be made by the Spotsylvania County 55188 in lieu of member contributions; and

BE IT FURTHER RESOLVED, that pick up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees; and

BE IT FURTHER RESOLVED, that member contributions made by the Spotsylvania County 55188 under the pick up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as member contributions made prior to the pick up arrangement; and

BE IT FURTHER RESOLVED, that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the pick up contributions made by the Spotsylvania County 55188 directly instead of having them paid to VRS; and

BE IT FURTHER RESOLVED, that notwithstanding any contractual or other provisions, the wages of each member of VRS who is an employee of the Spotsylvania County 55188 shall be reduced by the amount of member contributions picked up by the Spotsylvania County 55188 on behalf of such employee pursuant to the foregoing resolutions; and

BE IT FURTHER RESOLVED, that no salary increases provided solely to offset the cost of required member contributions to the Virginia Retirement System under § 51.1-144 of the Code of Virginia will be used to certify that any salary increases required by the Appropriation Act have been provided.

NOW, THEREFORE, the officers are hereby authorized and directed in the name of the Spotsylvania County 55188 to carry out the provisions of this resolution, and said officers are authorized and directed to pay over to the

Treasurer of Virginia from time to time such sums as are due to be paid by the Spotsylvania County 55188 for this purpose.

PUBLIC PRESENTATIONS

Mary Lou Collier: She requested the Board expedite maintenance of the railroad tracks at Mine Road and Benchmark Road. She also thanked Ed Petrovitch and his staff for providing quality water.

PRESENTATIONS/REPORTS BY STAFF

Employee of the Year Recognition

The Board of Supervisors recognized Tina M. Buchanan, Samantha M. Dietz, Jonathan P. Mason, Susan Purks and Tammy M. Rickard for being selected as the 2014 General Government Employees of the Year, and Michael R. Papke and Christopher D. Smeal for being selected as the 2014 Public Safety Employees of the Year.

WORK SESSION

Adoption of the FY2016 Budget, Calendar Year (CY) 2015 Tax Rates, FY 2016 – FY 2020 Capital Improvement Plan (CIP) and Personal Property Tax Relief Act (PPTRA) Percentage

The County Administrator submitted his FY 2016 Recommended Budget on February 10th and the School Board presented its FY 2016 Budget on February 24th. Since that time there have been several budget work sessions and a public hearing was held to receive public comments concerning the FY 2016 Budget, the CY 2015 tax rates and the FY 2016 – FY 2020 CIP.

Discussion ensued including pay raises for County employees, additional funding for schools, use of one-time funds for bonuses, and the Massaponax Church Road project and corresponding funds.

Mr. Trampe made a motion to provide County staff with a 2% merit increase starting January 1, 2016, add an additional \$500,000 to the bonus pool for a total of \$1 million in bonuses for County staff available July 1, 2015, transfer \$605,584 above level funding to the schools, and provide \$328,000 from the Massaponax Church Road Project back to the schools. The motion failed 5 to 2 with Mr. Cebula, Ms. Heidig, Mr. McLaughlin, Mr. Skinner and Mr. Yakabouski opposed.

VOTE:

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| Ayes: | 2 | Mr. Ross, Mr. Trampe |
| Nays: | 5 | Mr. Cebula, Ms. Heidig, Mr. McLaughlin, Mr. Skinner, and Mr. Yakabouski |
| Absent: | 0 | |
| Abstain: | 0 | |

Mr. Yakabouski made a motion to approve the set aside of \$1 million of one-time money for potential future Economic Development incentives, 2% merit increase for County employees on July 1, 2015, \$500,000 in one-time funding for bonuses for County employees on July 1, 2015, increase Community Development fees to 100%, add \$5,000 to level fund CASA, add an additional \$13,081 in operating funding to Empowerhouse, \$51,000 from one-time fund balance for Empowerhouse capital request, add an additional \$2,000 each for the American Red Cross and John J. Wright Museum, and approve pay parity for FREM staff.

Mr. McLaughlin made a friendly amendment to give back \$328,000 to the schools from the Massaponax Church Road project.

Mr. Ross made a substitute motion to include Mr. Yakabouski's motion, Mr. McLaughlin's friendly amendment and to approve a 3 cent reduction in the personal property tax rate. The substitute motion passed 4 to 3 with Mr. Cebula, Mr. Skinner and Mr. Yakabouski opposed.

VOTE:

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| Ayes: | 4 | Ms. Heidig, Mr. McLaughlin, Mr. Ross, Mr. Trampe |
| Nays: | 3 | Mr. Cebula, Mr. Skinner and Mr. Yakabouski |
| Absent: | 0 | |
| Abstain: | 0 | |

VDOT REPORT

Sean Nelson from VDOT was present. He reviewed the April VDOT Report provided to the Board.

Mr. Cebula stated that Mount Olive Branch Road was being used by trucks exceeding the 6 ton limit, and is being repaired.

Ms. Heidig asked VDOT to look into designating the corner at Stubbs Bridge Road and Belmont Road as Wingfield's Corner.

Mr. Trampe discussed a parking issue in Jackson Meadows subdivision.

Mr. McLaughlin asked about how to expand Old Plank Road, saying it needed shoulders.

COUNTY ADMINISTRATOR/COUNTY ATTORNEY REPORTS

Proposed Revisions to the Board of Supervisors Bylaws

Following the discussion at the Board's March 24, 2015 meeting, staff presented the revisions to the Bylaws for consideration and adoption.

On a motion by Mr. Cebula and passed unanimously, the Board approved the revisions to the Board of Supervisors Bylaws as presented.

VOTE:

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|----------|---|---|
| Ayes: | 7 | Mr. Cebula, Ms. Heidig, Mr. McLaughlin, Mr. Ross, Mr. Skinner, Mr. Trampe and Mr. Yakabouski |
| Nays: | 0 | |
| Absent: | 0 | |
| Abstain: | 0 | |

BOARD OF SUPERVISORS REPORTS

Ms. Heidig asked for clarification on the dumping fees at the Livingston Land fill for smaller versus larger haulers.

The Board recessed at 4:46 p.m. and reconvened at 6:15 p.m.

PUBLIC PRESENTATIONS

None

WORK SESSION(cont'd)

Adoption of the FY2016 Budget, Calendar Year (CY) 2015 Tax Rates, FY 2016 – FY 2020 Capital Improvement Plan (CIP) and Personal Property Tax Relief Act (PPTRA) Percentage

On a motion by Mr. Cebula and passed 6 to 1 with Mr. Trampe opposed, the Board adopted the resolution as follows:

VOTE:

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| Ayes: | 6 | Mr. Cebula, Ms. Heidig, Mr. McLaughlin, Mr. Ross, Mr. Skinner, and Mr. Yakabouski |
| Nays: | 1 | Mr. Trampe |
| Absent: | 0 | |
| Abstain: | 0 | |

RESOLUTION NO. 2015-49

A RESOLUTION TO ADOPT THE FISCAL YEAR (FY) 2016 BUDGET

WHEREAS, it is the responsibility of the Spotsylvania County Board of Supervisors to approve and control the County's fiscal plan for FY 2016; and

WHEREAS, the Board of Supervisors has received and reviewed the County Administrator's Recommended Budget for FY 2016, including fiscal policies; and

WHEREAS, the Board of Supervisors has received comments on the recommended budget from citizens of Spotsylvania County at a duly advertised public hearing; and

WHEREAS, it is the intent of the Board of Supervisors that departments and agencies shall adhere to the budgeted funds in accordance with departmental budgets presented by the County Administrator and amended by the Board of Supervisors; and

RESOLVED by the Spotsylvania County Board of Supervisors this 14th day of April 2015, that the following budgets be, and are hereby, approved effective July 1, 2015, as set forth below; and, be it

RESOLVED FURTHER, that local tax supported expenditures of the School Division's overall budget of \$288,471,917 shall not exceed \$116,432,747 of local funds and, be it

RESOLVED FURTHER, that the Board does hereby approve the FY 2016 PRTC subsidy of \$139,400, and the FY 2016 VRE subsidy of \$1,303,888, and does hereby authorize the payment of these subsidies during FY 2016 from the County's motor fuels tax revenue account, and be it

RESOLVED FURTHER, that all financial activities, purchases, travel, personnel actions, etc., shall be in accordance with the fiscal policies and procedures established by the Board of Supervisors and administered by the County Administrator.

FISCAL YEAR 2016 COUNTY BUDGETS

1. *Total County Budget for Fiscal Year 2016 in the amount of \$467,926,119 to include the following funds:*

| | |
|----------------------------------|----------------------|
| <i>a. General Operating Fund</i> | <i>\$117,772,697</i> |
|----------------------------------|----------------------|

| | |
|--|---------------|
| b. Capital Projects Fund | \$11,672,978 |
| c. Economic Development Opportunities Fund | \$575,338 |
| d. Code Compliance Fund | \$3,609,108 |
| e. Transportation Fund | \$8,245,616 |
| f. School Operating Fund: | |
| Instruction | \$178,395,944 |
| Administration, Attendance and Health | \$9,850,859 |
| Pupil Transportation | \$17,320,304 |
| Operation and Maintenance | \$21,504,375 |
| Debt and Fund Transfers | \$23,216,302 |
| Technology | \$7,698,754 |
| Contingency Reserves | <u>\$0</u> |
| | \$257,986,538 |
| g. School Food Service Fund: | |
| School Food Services and Other Noninstructional Operations | \$9,271,699 |
| h. School Capital Projects Fund: | |
| Facilities | \$18,629,525 |
| i. Utilities Operating Fund | \$31,450,120 |
| j. Utilities Capital Projects Fund | \$8,712,500 |

2. Joint Fleet Maintenance Fund for Fiscal Year 2016 in the amount of \$2,584,155

RESOLVED FURTHER, that the County Administrator is authorized to take all necessary actions to give this resolution effect.

On a motion by Mr. Trampe and passed unanimously, the Board adopted the resolution as follows:

VOTE:

Ayes: 7 Mr. Cebula, Ms. Heidig, Mr. McLaughlin, Mr. Ross,
Mr. Skinner, Mr. Trampe and Mr. Yakabouski
Nays: 0
Absent: 0
Abstain: 0

RESOLUTION NO. 2015-50

A RESOLUTION TO ADOPT THE TAX RATES FOR CALENDAR YEAR 2015

WHEREAS, it is the responsibility of the Spotsylvania County Board of Supervisors to set the tax rates for Calendar Year 2015; and

WHEREAS, the Board of Supervisors has received comments on the recommended tax rates from citizens of Spotsylvania County at a duly advertised public hearing; and

RESOLVED by the Spotsylvania County Board of Supervisors this 14th day of April 2015, that the following tax rates for Calendar Year 2015 be, and are hereby, approved, as set forth below; and, be it

CALENDAR YEAR 2015 COUNTY TAX RATES

Real Estate.....\$0.86 per \$100 of assessed valuation

Personal Property

(Boats & Boat Trailers).....\$6.25 per \$100 of assessed valuation, assessed at 50% of fair market value

Personal Property

(other than Boats & Boat Trailers).....\$6.73 per \$100 of assessed valuation, assessed at 50% of fair market value

Aircraft\$0.000001 per \$100 of assessed valuation, assessed at 50% of fair market value

Business Furniture & Fixtures.....\$5.95 per \$100 of assessed valuation, assessed at no greater than 50% of fair market value

Mobile Homes.....\$0.86 per \$100 of assessed valuation

Machinery and Tools..... \$2.50 per \$100 of assessed valuation

Heavy Duty Equipment.....\$2.00 per \$100 of assessed valuation

Massaponax Special Service District

Special Tax.....\$0.12 per \$100 of assessed valuation

Harrison Crossing Special Service District

Special Tax.....\$0.25 per \$100 of assessed valuation

Lee Hill East Special Service District

Special Tax.....\$0.25 per \$100 of assessed valuation

Lee Hill West Special Service District

Special Tax.....\$0.75 per \$100 of assessed valuation

Special Tax Rates for Energy Efficient Buildings:

Sec 21-3.1(b).....\$0.00 per \$100 of assessed valuation

RESOLVED FURTHER, that the County Administrator is authorized to take all necessary actions to give this resolution effect.

On a motion by Mr. Cebula and passed unanimously, the Board adopted the resolution as follows:

VOTE:

| | | |
|----------|---|---|
| Ayes: | 7 | Mr. Cebula, Ms. Heidig, Mr. McLaughlin, Mr. Ross, Mr. Skinner, Mr. Trampe and Mr. Yakabouski |
| Nays: | 0 | |
| Absent: | 0 | |
| Abstain: | 0 | |

RESOLUTION NO. 2015-51

***A RESOLUTION TO ADOPT THE FISCAL YEAR (FY) 2016 – FY 2020
CAPITAL IMPROVEMENT PLAN***

WHEREAS, it is the responsibility of the Spotsylvania County Board of Supervisors to approve and control the County's fiscal plans; and

WHEREAS, the Board of Supervisors has received and reviewed the County Administrator's Recommended Capital Improvement Plan (CIP) for FY 2016 – FY 2020; and

WHEREAS, the Board of Supervisors has received comments on the recommended CIP from citizens of Spotsylvania County at a duly advertised public hearing; and

WHEREAS, it is the intent of the Board of Supervisors that project managers shall adhere to the budgeted funds in accordance with project budgets presented by the County Administrator and amended by the Board of Supervisors; and

RESOLVED, that the following five-year capital plan is, and is hereby, approved effective July 1, 2015, as set forth below.

FY 2016 – FY 2020 CAPITAL IMPROVEMENT PLAN

3. *Capital Improvement Plan for FY 2016 – FY 2020 in the following amounts:*

| | |
|---|----------------------|
| <i>a. General Capital Projects</i> | <i>\$59,687,286</i> |
| <i>b. Transportation Capital Projects</i> | <i>\$66,061,500</i> |
| <i>c. Utilities Capital Projects</i> | <i>\$75,727,500</i> |
| <i>d. School Capital Projects</i> | <i>\$111,870,545</i> |

RESOLVED FURTHER, that the County Administrator is authorized to take all necessary actions to give this resolution effect.

On a motion by Mr. Yakabouski and passed unanimously, the Board adopted the resolution as follows:

VOTE:

| | | |
|----------|---|---|
| Ayes: | 7 | Mr. Cebula, Ms. Heidig, Mr. McLaughlin, Mr. Ross, Mr. Skinner, Mr. Trampe and Mr. Yakabouski |
| Nays: | 0 | |
| Absent: | 0 | |
| Abstain: | 0 | |

RESOLUTION NO. 2015-52

A RESOLUTION PURSUANT TO SECTION 21-38 OF THE CODE OF SPOTSYLVANIA COUNTY, VIRGINIA TO SET THE PERCENTAGE OF PERSONAL PROPERTY TAX RELIEF AT THE LEVEL NECESSARY TO EXHAUST PERSONAL PROPERTY TAX RELIEF ACT FUNDS FOR 2015

WHEREAS, on December 13, 2005, and for tax years beginning in 2006, the Board adopted as Section 21-38 of the Code of Spotsylvania County, Virginia, the provisions of Item 503.E of Chapter 951 of the 2005 Appropriations Act of the General Assembly providing for computation of personal property tax relief as a specific dollar amount to be offset against the total taxes that would otherwise be due for personal property, and the reporting of such specific dollar relief amount on the tax bill; and

WHEREAS, the Board is required as part of its annual budget process, to adopt a resolution setting the percentage of tax relief at the level that is anticipated to exhaust Personal Property Tax Relief Act (PPTRA) funds provided to the County by the Commonwealth of Virginia for each tax year, and

WHEREAS, the ordinance requires that personal property tax bills set forth on their face the specific dollar amount of relief credited with respect to each qualifying vehicle, together with an explanation of the manner in which relief is allocated.

WHEREFORE, be it resolved by the Board of Supervisors of Spotsylvania County, Virginia, that pursuant to Section 21-38 of the Code of the County of Spotsylvania, that the percentage of tax relief that is anticipated to exhaust PPTRA relief funds provided to the County by the Commonwealth shall be set for tax year 2015 as follows:

- 1. For personal use vehicles valued at \$1,000.00 or less, the percentage of relief shall be set at one hundred percent (100%)*
- 2. For vehicles valued at more than \$1,000.00, the percentage of relief shall be set at thirty-nine percent (39%) for up to and including the first \$20,000.00 of value; and*

BE IT FURTHER RESOLVED, that the Treasurer shall insure that 2015 personal property tax bills set forth on their face the specific dollar amount of relief credited with respect to each qualifying vehicle, together with an explanation of the manner in which relief is allocated.

The Board recessed at 6:20 p.m. and reconvened at 6:30 p.m.

PUBLIC HEARINGS

Public Hearing to Consider Conveyance of a Gas Line Easement on County-Owned Property to Columbia Gas

Mr. Petrovich presented.

Mr. Yakabouski declared the public hearing opened and when no one indicated an intention to speak, closed the public hearing.

On a motion by Yakabouski and passed unanimously, the Board authorized the conveyance of an easement on County-owned property to Columbia Gas of Virginia for the purpose of constructing, maintaining, and operating gas pipeline facilities.

VOTE:

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|----------|---|---|
| Ayes: | 7 | Mr. Cebula, Ms. Heidig, Mr. McLaughlin, Mr. Ross, Mr. Skinner, Mr. Trampe and Mr. Yakabouski |
| Nays: | 0 | |
| Absent: | 0 | |
| Abstain: | 0 | |

Public Hearing: Revision of the Spotsylvania County Code of Ordinances Relating to Fireworks

Chief Willaford presented.

Mr. Yakabouski declared the public hearing opened and when no one indicated an intention to speak, closed the public hearing.

On a motion by Mr. Skinner and passed unanimously, the Board adopted the ordinance as follows:

VOTE:

| | | |
|----------|---|---|
| Ayes: | 7 | Mr. Cebula, Ms. Heidig, Mr. McLaughlin, Mr. Ross, Mr. Skinner, Mr. Trampe and Mr. Yakabouski |
| Nays: | 0 | |
| Absent: | 0 | |
| Abstain: | 0 | |

ORDINANCE NO. 9 – 22
AN ORDINANCE TO AMEND AND RE-ORDAIN CHAPTER 9, FIRE PREVENTION AND
PROTECTION OF THE CODE OF THE COUNTY OF SPOTSYLVANIA, VIRGINIA.

BE IT ORDAINED By the Board of the County of Spotsylvania, Virginia, that Chapter 9, Fire Prevention and Protection, is hereby amended and re-ordained by amending Article II, Fireworks, Division 2, Public Displays, as follows:

Sec. 9-45. - Definitions.

Fireworks: Any firecracker, torpedo, skyrocket, or other substance or object, of whatever form or construction, that contains any explosive or inflammable compound or substance, and is intended, or commonly known, as fireworks and that explodes, rises into the air or travels laterally, or fires projectiles into the air.

Fireworks, 1.3G (formerly Class B, Special Fireworks): Large fireworks devices, which are explosive materials, intended for the use in fireworks displays and designed to produce audible or visible effects by combustion, deflagration, or detonation. Such 1.3G fireworks include, but are not limited to, firecrackers containing more than 130 milligrams (2 grains) of explosive composition, aerial shells containing more than 40 grams of pyrotechnic composition, and other display pieces that exceed the limits for classification as 1.4G fireworks.

Permissible fireworks: Any sparklers, fountains, Pharaoh's serpents, caps for pistols, or pinwheels commonly known as whirligigs or spinning jennies.

Pyrotechnician (firework operator): Any person supervising or engaged in the design, setup, or conducting of any fireworks display, either inside a building or outdoors. A certified pyrotechnician can fulfill the role of a designated individual on an application for a permit for a fireworks display.

Sec. 9-46. – Purpose of Division.

The regulations contained in this division are adopted to provide for the issuance of permits for the display of fireworks to fair associations, amusement parks, and organizations and groups of individuals and to regulate the use and display of fireworks upon the granting of permits.

(Code 1980, § 9-4)

State law reference— General prohibition against sale, storage, use, etc., of fireworks, Code of Virginia, §§ 15.2-974, 27-97.

Sec. 9-47. Violations of division.

Unless otherwise specifically provided, a violation of any provision of this division shall constitute a Class 1 misdemeanor.

Cross reference— *Penalty for Class 1 misdemeanor, § 1-11.*

Sec. 9-48. Application for permit.

- (a) Written application for a permit to display fireworks shall be made in triplicate to the Fire Marshal, at least 30 days prior to the intended date of the display, stating the time, place, type of fireworks, and circumstances under which they are proposed to be displayed.
- (b) Each such application shall include the name and signature of one (1) designated individual to represent the applicant who shall be responsible for ensuring compliance

with all applicable state and local regulations. If the designated individual changes or becomes no longer qualified to represent the applicant, the applicant shall notify the Fire Marshal of the designated individual's change of status and provide the name of another designated individual. Such notice must be made prior to the conducting of the fireworks display and no later than 7 days after the change in status.

- (c) Each application shall name at least one (1) person who will be in responsible charge of the fireworks display, who possesses a valid pyrotechnician certification from the Virginia State Fire Marshal's Office (SFMO), and has experience designing, setting-up, and conducting the type of fireworks proposed to be displayed. Sufficient experience shall consist of conducting a fireworks display on six occasions within a 24 month period.
- (d) Prior to issuing a permit, plans for the fireworks display, inspections of the display site, and demonstrations of the display operations shall be approved. A plan establishing procedures to follow and actions to be taken in the event that a shell fails to ignite in, or discharge from a mortar or fails to function over the fallout area or other malfunctions shall be provided.
- (e) Permit applications for outdoor fireworks displays using Division 1.3G fireworks shall include a diagram of the location at which the fireworks display will be conducted, including the site from which the fireworks will be discharged; the location of buildings, highways, overhead obstructions and utilities; and the lines behind which the audience will be restrained.
- (f) The applicant shall furnish a certificate of insurance in the amount of one million dollars (\$1,000,000.00). This certificate of insurance shall further indemnify the County, named as an additional insured, its agents and employees from any and all actions which may result from the permitted display.
- (g) No permit or pyrotechnician certification is required for the use or display of permissible fireworks, when conducted on private property with the consent of the owner of such property.

(Code 1980, § 9-5; Ord. No. 9-15, 11-10-05; Ord. No. 9-21, 6-24-14)

Sec. 9-49. Approval of permit application; thirty-day period approved for storage of fireworks.

Upon review and approval of an application for a permit to display fireworks, the Fire Marshal shall write across such application the word "Approved," and the application shall be dated and signed by him, which date shall constitute the beginning of a thirty (30) day storage period permitted for such fireworks as provided in section 9-51, and all fireworks covered by such permit shall be displayed or discharged within such thirty (30) day period.

(Code 1980, § 9-6; Ord. No. 9-15, 11-10-05)

Sec. 9-50. Approved application constitutes permit; disposition of copies of application.

One (1) copy of each application for a permit to display fireworks shall be kept on file by the Fire Marshal until after the date the fireworks are displayed. After approval of the application, the application will then become a permit to display fireworks, and two (2) copies of the application shall be returned to the applicant who shall keep one (1) copy on file for sixty (60)

days after displaying such fireworks, and one (1) copy shall be in possession of the person in charge of displaying the fireworks at the time and place they are being displayed.

(Code 1980, § 9-7; Ord. No. 9-15, 11-10-05)

Sec. 9-51. Storage of fireworks.

The storage of fireworks shall comply with the requirements of the Virginia Statewide Fire Prevention Code and National Fire Protection Association (NFPA) 1123 or 1126. *(Code 1980, § 9-10)*

Sec. 9-52. Supervision of display by designated responsible party.

Permits issued pursuant to this division shall provide that fireworks shall be displayed under the supervision of a certified pyrotechnician who will be the designated responsible party, and who shall be present at the time such fireworks are displayed.

(Code 1980, § 9-8; Ord. No. 9-15, 11-10-05)

Sec. 9-53. Fireworks display supervision. When in opinion of the Fire Marshal or operator that a hazardous condition exists, the fireworks display shall be discontinued immediately until such time that the dangerous situation is corrected. *(Code 1980, § 9-9)*

Sec. 9-54. Proximity of spectators.

Spectators or members of the public other than those who are participating in displaying or discharging the fireworks shall not be closer than the minimum distance required by the Virginia Statewide Fire Protection Code Section 5608. *(Code 1980, § 9-11)*

Secs. 9-55—9-70. Reserved.

NEW BUSINESS

None

ADJOURNMENT

On a motion by Mr. Cebula and passed unanimously, the Board adjourned its meeting at 6:56 p.m.

VOTE:

| | | |
|----------|---|---|
| Ayes: | 7 | Mr. Cebula, Ms. Heidig, Mr. McLaughlin, Mr. Ross, Mr. Skinner, Mr. Trampe and Mr. Yakabouski |
| Nays: | 0 | |
| Absent: | 0 | |
| Abstain: | 0 | |

C. Douglas Barnes
Clerk to the Board of Supervisors