

The regular meeting of the King George County Board of Supervisors was called to order at 6:30 PM by Chairman Richard Granger, KGCBOS, in the Robert H. Combs Board Room of the Revercomb Building, located at 10459 Courthouse Drive, King George, VA, 22485.

BOS Members Present: Chairman, Richard Granger
Vice Chairman, T.C. Collins
Cathy Binder
Ann Cupka
Jeffery Stonehill

County Administrator: Christopher Miller

County Attorney: Kelly Lackey

CALL TO ORDER:

0:00:03.6 Chairman Richard Granger: I call to order this meeting of the King George County Board of Supervisors; we will open with an invocation from Mrs. Binder and the Pledge of Allegiance from Mr. Miller. Please rise.

0:00:16.6 Cathy Binder: Please Lord, guide us to make the best decisions for the citizens of King George County. Amen.

0:00:22.3 Chairman Richard Granger: Amen.

0:00:25.7 Christopher Miller: I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

AMENDMENTS TO THE AGENDA:

0:00:42.9 Chairman Richard Granger: Thank you. We will move on to amendments to the agenda. Mr. Miller, do we have any amendments?

0:00:48.0 Christopher Miller: I believe you had requested that we move the sheriff up.

0:00:53.3 Chairman Richard Granger: That is correct.

0:00:55.6 Christopher Miller: Earlier in the agenda.

0:00:57.0 Chairman Richard Granger: Asking to see if, my colleagues would entertain, moving action item 7-14 Sheriff's Office, ARPA Law Enforcement Equipment Grant to be the first action item. So, before action item 7-04 Department of Finance resolution to ratify the FY23-24 King George County budget.

0:01:10.3 Ann Cupka: So moved.

0:01:11.7 **Cathy Binder:** Second.

0:01:12.5 **Chairman Richard Granger:** Alright. We have a motion properly seconded. Do we have any discussion? All in favor, say "Aye."

0:01:17.1 **Cathy Binder:** Aye.

0:01:17.6 **Ann Cupka:** Aye.

0:01:17.9 **Jeffery Stonehill:** Aye.

0:01:17.9 **Vice Chairman T.C. Collins:** Aye.

0:01:19.1 **Chairman Richard Granger:** Any opposed? Chair votes aye, motion carries. Any other amendments, sir?

0:01:24.6 **Christopher Miller:** No, sir.

PUBLIC COMMENT:

0:01:25.6 **Chairman Richard Granger:** Alright. Thank you. In that case, we will move on to public comment. Comments will be limited to three minutes per person in order, 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. Please, when you come up, state your name and your address, and I will start with the list of names I had who had signed up, and then once we have gone through those names, the floor will be open for anyone who would also like to address the board. So, we will start with Anna Maria Lovell.

0:02:04.1 **Anna Maria Lovell:** Hi. My name is Anna Maria Lovell. I live in Presidential Lakes. I came tonight to thank Mr. Miller and the supervisors for your service to the community. Also, a special thanks to Chris Clarke, Vivian Shelton, and Lorenzo Smith. They and the staff did an amazing job with the Independence Day celebration. They all work very hard. I want to ask Annie Cupka, if the supervisors have been helping her with the elimination of the county decal, okay, to charge a one-time fee, but not every year. I also want to ask about the budget, which is very important to me and the rest of the community. The people of King George want to know how much their tax will be. I hope the taxes this year are not as high as they were last year. Also, you keep telling us we need to bring more people in business to the community. For what? Some people want to change King George to be more like Northern Virginia or Stafford, or Fredericksburg or Maryland. But that is not the reason people move here. They are moving here for safety reasons. We have a great sheriff's department; they keep us safe. We also have a great fire and rescue squad. But, by bringing more people, you put more stress on our sheriff and fire department as well as on our schools. There is the traffic on our roads. It used to take a short time to go to the Dahlgren and back, now we take one hour once in a while. Thank you.

0:03:50.7 Chairman Richard Granger: Thank you, Ms. Lovell. We have next Jim Lynch.

0:04:00.0 James Lynch: Yes, Mr. Chairman. I am James Lynch, 8263 Oak Wood Drive in the county of King George. I would like to talk a little bit about the eastern section of the Dahlgren railroad trail. The eastern part was acquired by the Monmouth partners in 1997. Even though they owned it all these years, did not have any particular use for it, until recently. Recently, land clearing started for the construction of a new Self-storage facility. The facility will extend into the old railroad right of way, and we will be on top of the existing rail bed. To help us out, the developers have rerouted the trail path to skirt around the storage facility. And so, this is obviously a great help for our trail users. I got a call from Peggy Mullen of Mullen Excavating, a couple of weeks ago informing me that a new path was open to the public. We would like to express our appreciation to Mullen Excavating and the King George Gateway Self Storage for their help in executing this reroute. Appreciate it, Mr. Chairman.

0:06:37.6 Chairman Richard Granger: Thank you, Mr. Lynch. The last one on my list up here is Mr. Bob Baird.

0:06:49.6 Bob Baird: Mr. Chairman, members of the board, I want to thank you for the fine community that we have and the hard work that you have on behalf of our county. You completed a rough job in going through our budget in this last year. It has been a tough year for everybody, the citizens, as we pay our taxes and you in funding the resources that we need. I want to express my thanks to King George Fire and Rescue for their fine service the other day. And I would like to point out their wonderful service too, here in King George. But the difficulty we've had in the eastern part of the county because of the lack of service down in the eastern part of the county, I know that is something we have to deal with ahead of time, deal with Eastern Fire and Rescue, something that we need to put on our plate as, as we proceed ahead. Thank you for your help.

0:07:55.8 Chairman Richard Granger: Thank you, Mr. Baird. that concludes the list of those who had signed up, but the floor is open for anyone else here who would like to provide comments. So please, approach the podium now, if you would like to.

(Remote Online Public Comment) 0:08:10.0 Cathy Phillips: I would like to comment.

0:08:15.5 Chairman Richard Granger: Okay. Mr. Dines, do you have who this is? Could you please provide your name and your address?

0:08:41.5 Cathy Phillips: I am Cathy Phillips. And I am at 7085 Steamboat Court, in Hopyard Farm. First, I would like to thank you all for the work that you do, and I do appreciate everything that you do. And thank our sheriff's department for the work that they do. I live near the river and even though there is lots of traffic, with boaters, etcetera, I do feel very safe. I see them patrolling regularly. So that is a wonderful thing. However, I did attend the meeting earlier where you approved, accepted the memorandum of understanding with Birchwood. I would like to ask that you include in the memorandum of understanding and

ultimately the contract with Birchwood, in some way, to mitigate or offset the fines that residents are paying, along with their regular water bills to address the debt. I closed on my house last August, and I went through the sales process and read the HOA for Hopyard and, at no point was I told that I would be paying a tax on debt or fines that were levied before I even thought of living in King George County. I believe that the average resident pays about \$100 extra on their water bill that does not include sewage and water bill usage. And I feel like that fact I feel like it, it was kind of like a bait-and-switch scheme. Also, I just don't understand why I have to pay an extra \$100 every month to address the debt that was accrued by them. Okay. So that, that, that is it. I cannot comment anymore. But I would like you to include it in that memorandum of understanding with Birchwood, perhaps.

0:12:20.1 Chairman Richard Granger: Ms. Phillips, We, we did capture that, so we have that information. The time is up, but, if you want to codify it in an email, you can also send it to us with, with that to rehash it as well, if you would like. Um, but we did capture your, your request for including in the MOU, those requests you had regarding the payments. We have captured that.

0:12:43.3 Cathy Phillips: Thank you.

0:12:45.6 Chairman Richard Granger: Thank you. Okay. Move on. I believe Ms. Fairfax.

0:12:53.1 Debbie Fairfax: Good evening. Debbie Fairfax, 623 Kings Highway. Good evening, Mr. Chairman and members of the board. Regarding the two zones tonight, the King George defense production zone ordinance, and the technology zone ordinance. I would like to make three comments. First, in Spotsylvania, they codify in their ordinance how long the incentive period is. It is a five-year incentive period, and a business can apply for up to one additional one. I think it would be a good idea to put some limitations on how long the incentive period is and require them to reapply because that gives us some measure of control a little bit over how things are going with that particular business. I would also like to say that Spotsylvania's ordinance spells out, "Zoning ordinance not affected. This article is an economic development incentive and is not a zoning change. Nothing herein shall be construed to affect any provision or requirement of any counting zoning ordinance." And given that we have invested a lot of time, a lot of energy, we've garnered a lot of public input and we've paid a lot of money to develop a zoning ordinance that is still in process. I think it would be great to spell out in our ordinance, as does a neighboring locality who is also considering some of these same types of things that the zoning ordinance is not affected. Additionally, in Spotsy's ordinance, they spell out, "The board reserves the right to remove qualified, either defense production status or technology zone status, from any business that is not compliant with any ordinance, regulation, policy, or other legal requirement." I think those would be great additions to this ordinance that would make it something that is good for the citizens of our county. Thanks a lot.

0:15:24.9 Chairman Richard Granger: Do we have anyone else for public comment?

0:15:39.1 Ken Stroud: Ken Stroud, 5405 Kings Highway, King George, Virginia. So, I'm going to make a few comments tonight regarding the county tax assessments that took place.

The property assessor, Steven Chastain, did the assessment, he did it for several other counties to include Pittsylvania County and King William County. Some of the counties tossed out as assessments because they found that the increases assessed the value unreasonable, and in some cases, the value of property increased by 150%, as did the property values in King George. Some of the properties in King George increased from 50% to 150%. And several different properties looked at before making the comment, some increased by 50%, 88%, 150%. Some of 'em were totally misnamed. So, where the property is clearly a wooded area, he classified it as pastureland. Okay? So, some of it may be tillable and it is a pastureland it is right next to pastureland. The same property is classified as either tillable or pastureland. But the assessed value increases by a couple of thousand dollars. Clearly an error. The assessments, to our understanding, were not conducted with eyesight, or they weren't done with a using, the means to actually view the property, but rather using Google Maps. In addition to the extreme increase assessed in the land value, there were large portions of the land that, as I said, were mislabeled. They were clearly densely wooded. So, I believe that the mislabeling of the land is a continuation of poor performance by the assessor in the previous counties, and other counties he assessed reported were never actually going out to see the properties. Instead, he was using Google Maps and not necessarily using a drone, or something that allowed you to get real-time visibility of that. I made some of these comments back in June at the supervisors' meeting. Those comments were edited out of the YouTube video. They were edited out in the minutes. So, I have had people say, "Wasn't that illegal?" I don't know if it is illegal or not, but it is clearly not ethical that you edit out the meeting, the meeting minutes, and my comments here in the meeting so that the population, your constituents can not see the comments that are made. And it definitely has the appearance that something is being hidden., clearly, it is being hidden because of comments are edited out. So, we will see if you edit this video as well. Thank you.

0:18:55.1 Chairman Richard Granger: Any other comments? Mr. Dines, do we have anyone else online?

0:19:04.4 Chris Dines: No, Mr. Chairman.

0:19:05.9 Chairman Richard Granger: Okay. In that case, I will close public comment and we will move on to reports from members of the board. Ms. Binder?

0:19:13.7 Cathy Binder: Hold on. Thank you very much. Thank you to everyone who came out and spoke. I want to address a couple. Mr. Baird, I am glad I came and spoke to you, I'm so happy you are here with us and able to come up and speak to the meeting and you are always very involved in the community. And I thank our Fire and Rescue also for their assistance with Mr. Baird but I am just so happy to see you here. Ms. Phillips, your representative on the Service Authority Board is Mr. Allen Parker, I am sure he would be willing to answer some questions. If not, you can contact me anytime and I will answer, try to answer your questions, being a new member of our community about the Service Authority and maybe its history and how the debt is assessed and everything else. So, please contact me or Mr. Parker who will be your representative and who lives in Hopyard. As always, I do appreciate everybody who comes and speaks, it, it is really good to have the

public come out and give us their opinion. I have heard from a lot of folks, recently, including people that have found me many different locations to talk to me about concerns, about taxes and a lot of different topics. So, I always appreciate talking with people. And I do want to give a shout-out to our Fire, our EMS, our Sheriff's Office, and our Parks and Rec and county general properties. Anybody that was involved in the firework celebration, I heard from numerous citizens about how enjoyable and how much they appreciate that the county puts on such a nice show to put a smile on a lot of people's faces in King George. So, I, just want to thank them, they do a great job, and it, it is a lot of work. Mr. Clarke was very exhausted and his staff when I saw him on Saturday, but they did, they did a great job, so I want to thank them for their work. After our Service Authority budget hearing, as I stated in the Service Authority meeting, we had some good conversations with some citizens and clarified some information. And one of the citizens, contacted me later thanking Mr. Miller and his staff for coming out and addressing a problem that ended up not being a problem, but they were able to explain why they might have thought, and they have a greater appreciation, and they really did thank us for coming out and addressing, their concerns. I attended the Virtually, Ms. Cupka was at the GWRC FAMPO meeting. And one of the things I want to bring up concerning that is to pay attention, all of us, to the push for affordable housing and whatever that exactly means. Especially regionally and statewide, there is a big push for high-density housing and density housing around transportation hubs, so it is something we need to be mindful and watch out for and maybe, just become better informed about that. I had a Zoom meeting with quite a few folks, concerning affordable housing and met with some realtors. And the reason why I did that is because I'm on the work group at the house with there is three house bills involved, this work group, at the state level, and it is about affordable housing, so I wanted to get an understand regionally to bring back information, and our meeting is, is next week on July 19th, so in the August meeting I'll bring back a report to my colleagues. There is supposed to be some new information they are going to give us during that meeting, so I'm looking forward to it. I want to have a shout-out to Pat Holland and her staff at Healthy Generations. I serve on that board. The county is one of the outside agencies we fund. I am very excited to hear that we are being given a grant to help set up a program to have some kind of mechanism to be able to contact our citizens that reach out to them, to have somebody check on them during an emergency. So, they are facilitating it in our region too, they have got a grant for it to go out and be the Point of contact, so if there is a problem, they could create a list. And I am sure they'll be reaching out to our staff on Fire and EMS to start maybe getting some information and I'm just excited that that is actually coming to fruition. All Points Broadband, I want to thank Mr. Minor for giving us some information yesterday. I have had quite a few constituents in the Shiloh area that want to know when we are going to get internet service. We have had a lot of promises but I'm going to give a little, a little timeline. June 2023, a substantial completion of the Richmond County network, kind of disappointing, that should have been us. July 2023, they are going to light up an event in Northumberland when they use the term "light," they mean turn on the service. September 2023, substantial completion of northern Northumberland network. October 2023 is when King George is supposed to have their lighting event, and phase 1 and 2 of the King George network should be substantial completion. And then it goes on. But it was good for the update, but I am still disappointed that King George wasn't first, and, we have a lot of citizens that really could use the internet service and hopefully it comes a little earlier than what they have stated to us. And that is

the end of my report. Thank you so much.

0:24:15.9 Chairman Richard Granger: Thank you, Ms. Binder. Mr. Collins?

0:24:19.6 Vice Chairman T.C. Collins: Thank you, and good evening, everyone, it is good to see you. Good to hear people online. If you all were paying attention to the Water Authority meeting, they entered an MOU of a minimum of 600,000 gallons for the Birchwood Project. From my understanding, there are six million gallons of water available, and we started out with 600,000. We should have started out a lot higher, and then maybe worked down from that. And we are also going to have to pay for that water. They are going to give us land for our water treatment plant, but I didn't see anything where there would be any opportunities for that to be taken care of since they are going to be the biggest user on that. Since I am on the Water Authority, Ms. Phillips, the Water Authority, no matter what other people's opinions are, is a disaster. The Water Authority is a business plan that does not work. It never has worked. You used to have all the members of the Board of Supervisors on there. Now you have a couple of members of the Board of Supervisors, and they are not customers of the authority. The debt was here when I got here, and it is a huge problem that we have to pay this debt. Ms. Phillips spoke of \$100; I paid \$200 in debt. That means my water bill is at least \$400. So, in the next year, we need to come up with some more solutions. And when the Water Authority entered into an MOU, without discussions with the Board of Supervisors in this proposed development, it seemed like I did not hear much from the Water Authority at all in regard to their plans. So, the Water Authority and the Board of Supervisors are not talking, so that creates problems. Mr. Baird, so, my pastor said to pray big, and you will see big. So, this entire community has been praying for you during your trying times, and I am so happy to see you today, you do not even know. We love you, and we are glad that everything's going well. Ms. Fish, I just want to make a comment to you. She is the administrative assistant to Mr. Miller, and she does the minutes for the meetings, and the minutes from the time that I started here a year ago and now are unbelievable. Thank you. I can see everything that is going on in the meeting. I hope that that problem with Mr. Stroud will be taken care of. I do not know what that issue is, but I just want to tell you that you do a good job on that, and I appreciate that. So, sometimes we do not tell you these things and I want to make sure that it is in public. Mr. Lynch, I'm glad that everything worked out with the trail, and that organization. Ms. Fairfax, I agree with all three of your suggestions, and we will have an opportunity to speak about that in a few minutes. And I hope everyone is enjoying their summer. School will be starting soon. School buses will be out, so I ask you to be careful. And Ms. Hall, I would be missing, and not saying that we will miss you. And we thank you for your service, and we wish you the best in the future. And you are still going to be a King George resident, right? Thank you. Thank you, everyone, for coming out. That ends my comments.

0:28:22.4 Chairman Richard Granger: Thank you, Mr. Collins. Ms. Cupka?

0:28:25.7 Ann Cupka: Thank you, Mr. Chair. Thank you, everyone, for joining us this evening. I want to first off thank everyone who made the Independence Day celebration on Saturday. Once again, a successful event. I want to thank Ms. Hall for her dedicated service to our community for 18 years. Thank you very much. You will be missed. Regarding some public

comments. Mr. Lynch, thank you for the update on the reroute. I am glad that they were able to make that work for you all. Mr. Baird, very glad to see you. Ms. Phillips, I have noted your request, regarding the Birchwood MOU, and the debt. Mrs. Fairfax, thank you very much for joining us. As usual, you continue to stay on top of issues as they evolve, and we will have more consideration of that matter later as Mr. Collins stated. Mr. Stroud, I am happy to meet with you about your concern. I had not heard about that until you brought it forward this evening, so I would be happy to meet with you regarding same. Ms. Lovell, these two motions you have kept up with this throughout, during the course of the budget cycle. And so, with that, I would move to direct the County Attorney to recirculate the draft proration ordinance to the board as it was previously circulated to us when we had the work session, with the Commissioner of the Revenue and the Treasurer. So, recirculate the draft proration ordinance to the board for review to bring the draft ordinance to the next available meeting for a consideration of direction to advertise a public hearing for adoption effective January 1, 2024.

0:30:26.0 Jeffery Stonehill: Second.

0:30:26.7 Ann Cupka: So just so everyone is clear, that would be two readings, so we'd have it, then we would have to have a second one at a public hearing.

0:30:37.7 Chairman Richard Granger: Alright. So, I have a motion properly seconded. Do we have any discussion? All in favor, say "Aye."

0:30:45.8 Ann Cupka: Aye.

0:30:46.4 Cathy Binder: Aye.

0:30:47.0 Jeffery Stonehill: Aye.

0:30:47.6 Chairman Richard Granger: Any opposed?

0:30:51.0 Vice Chairman T.C. Collins: Nay.

0:30:51.5 Chairman Richard Granger: Chair votes aye, motion carries.

0:30:52.9 Ann Cupka: And my second motion, I move to direct the County Attorney to review Chapter 9, Article 2, Vehicle License, and any other affected sections of the Code of Ordinances for any modification or revocation necessary to abolish the vehicle license fee effective January 1, 2024.

0:31:12.7 Jeffery Stonehill: Second.

0:31:13.9 Chairman Richard Granger: We have a motion properly seconded. Do we have any discussion? All in favor, say "Aye."

0:31:20.2 Cathy Binder: Aye.

0:31:21.1 Ann Cupka: Aye.

0:31:21.9 Jeffery Stonehill: Aye.

0:31:21.9 Vice Chairman T.C. Collins: Aye.

0:31:22.8 Chairman Richard Granger: Any opposed? Chair votes aye, motion carries.

0:31:26.3 Ann Cupka: Thank you very much, Mr. Chair.

0:31:28.0 Chairman Richard Granger: Thank you, Ms. Cupka. Mr. Stonehill?

0:31:33.6 Jeffery Stonehill: Thank you, Mr. Chair. Good evening. Thank you to everybody that came out tonight to speak. I appreciate it when you all come out and have all those comments. Ms. Lovell, thank you. Hopefully, we can get that tax -the old sticker finally done and off of. Mr. Lynch, thanks for the update on the rail's trails. I was wondering what they were doing back there with putting a new building across there. Ms. Fairfax, thanks for coming out, as usual. And like Mr. Collins, you brought up some very good points and I agree with most of them, and we will look into those. But thanks for staying on top of that. Mr. Stroud, I agree with you 100%. That was an awful assessment, and I hope any other counties never have to deal with this gentleman again. Lots of complaints about that company. And, I have no idea how your comments got cut out of a live YouTube. But we will look into it. Thanks to the staff for the fireworks. Unfortunately, I did not get to attend it, but I spoke to a lot of people who said, "Like usual, it was fantastic," and a number of people said it was the best they have ever seen. And in the last few years I have been to them, they are probably the best I have ever seen. But thanks to everybody that, that worked on staff and to get that accomplished. Mr. Baird, very happy to see you up and about and able to come speak to us. I agree, Fire, Rescue, and law enforcement are great in our King George County community. Ms. Hall, Heather, Congratulations on your move and I wish you the best in your new endeavor. You have been around here a very long time and the county is thankful for that. So good luck in your, on your next move. Today I had a conversation with the director of the Charles County Health Department. I was getting an update on the closure of the river that they had over the weekend for Rosier Creek across the Potomac and down through Colonial Beach. And they said that today at 6:30 they should have been getting some more reports and, to finally lift all those for swimming, the swimming they had lifted except on the Charles County side, but all the shell fishing and other uses of the river. And they said that should be taken care of today. So, I would be curious to see what they come up with. Well, it borders Rosier Creek, which is half of our county's.

0:34:34.2 Christopher Miller: Yes, it was on.

0:34:35.4 Jeffery Stonehill: Correct. Correct. Right. It did not have anything to do, but it borders King George County. And since the river comes, right through King George County, that is why I spoke to them and that is all I have. Thank you.

0:34:48.0 Chairman Richard Granger: Thank you, Mr. Stonehill. I would just like to say, first of all, thank you to the staff for the fireworks the past weekend, it was a great event. And so, we had a really great turnout. It was a lot of fun and it is a great opportunity to celebrate. So, thank you to the staff for all their hard work to make that happen and make that available to our citizens. It was awesome. So, moving on to comments. Ms. Lovell, obviously you heard what Ms. Cupka had to say, so hopefully that will work to address some of your, your concerns with the decal, as we look forward to that. And you also brought up asking about bringing more people in business to the county. I cannot speak for my colleagues; I will not put words in their mouth. I do not know if anyone in here is really saying, "Let's bring more people, more homes." At the end of the day, people have by-right usage of property, so if they build a home on a, a piece of agricultural land, they have that right. Business though does have an advantage because, while I agree with you, that does expand the need for services like Fire and Rescue, and the Sheriff's Department, depending on the type of business that can come in. It can also generate a, a fair amount of revenue, which can then provide for those services on top of meeting other people's services, such as citizens, so that it could address, the tax rate from the perspective of what's expected from the taxpayer to accept as a burden for, for providing those services. So, I do think there is a value in, in business, coming in. I am not opposed to people living in our county. I'm not really looking to increase density for high-density home districts in our community really particularly. I... But, at the end of the day, if someone has by-the right they obviously have that right to use that property how they want. Mr. Lynch, thank you for the information about self-storage, and I'm glad that it is worked out well and just thank you for recognizing that they have worked with your organization as well. It is always good to hear that. Mr. Baird, it is good to see you. Glad, glad that you are up and out and about and sharing your comments about King George County Fire and Rescue, I think it is really good as well. Ms. Phillips, as Ms. Binder said, I think Mr. Parker, he is the James Madison district member on the Service Authority. I'm the Board of Supervisor, representative of the James Madison District but Mr. Parker is a customer, and he does serve on that board, so, I would say that reaching out to him would probably be of a lot of value because it is definitely a Service Authority question that you are referring to here. Ms. Fairfax, again, thank you. I think everyone said it, but thank you for coming in and provide recommendations, we will be looking at that ordinance, and so I do appreciate having some recommendations on, on things that could possibly be addressed to maybe berm up those ordinances to make sure that we have good ordinances for our county. And Mr. Stroud, I will circle back with you. I am not sure what meeting it was, but I can circle back with you, and we can discuss, in particular, what it is, and we can see if something was removed and how, if it was, and, just not sure. So, I will circle back with you this week. So, we will look to address whatever's going on with that. So, just thank you, everyone, who came out and provided comments. And that will close reports from members of the board. So, we will move on to the consent agenda.

0:38:05.6 Ann Cupka: Mr. Chair, can I propose that we do a separate motion for the consent agenda items 07-01.1, and 07-01.2 as presented? Because then there will be another one regarding the minutes, in which I did ask that staff circulate an email to all of you, so you were aware of what the edits were.

0:38:31.6 Chairman Richard Granger: Yes, ma'am. Some, someone would like to make a

motion to approve 07-01.1 and 07-01.2 as presented, I would be willing to entertain that.

0:38:40.4 Cathy Binder: I will make a motion to approve the consent agenda, 07.01.1 and 07-01.2 as presented.

0:38:48.6 Ann Cupka: Second.

0:38:49.4 Chairman Richard Granger: Motion properly seconded. Do we have any discussion? All in favor, say "Aye."

0:38:54.1 Cathy Binder: Aye.

0:38:54.1 Vice Chairman T.C. Collins: Aye.

0:38:54.7 Ann Cupka: Aye.

0:38:55.2 Jeffery Stonehill: Aye.

0:38:55.3 Chairman Richard Granger: Any opposed? Chair votes aye, motion carries.

0:38:58.4 Ann Cupka: Mr. Chair, with that, I would move approval of the minutes item 07-01.3, with the edits that I asked staff to circulate to you all.

0:39:12.8 Chairman Richard Granger: Okay. I have a motion.

0:39:21.5 Jeffery Stonehill: Second.

0:39:21.7 Chairman Richard Granger: Properly seconded. Do we have any discussion?

0:39:23.8 Ann Cupka: Mr. Chair, can I add something regarding that?

0:39:26.9 Chairman Richard Granger: Yes.

0:39:28.6 Ann Cupka: Just for purposes of being fully transparent, the suggestions that I asked for in the minutes had to do with which individual statements were attributed to, not affecting the content of the minutes, just there were some names that were not the correct speaker. That is all. Thank you.

0:39:52.1 Chairman Richard Granger: Alright. So, we have a motion properly seconded. Do we have any other discussion? Alright. All in favor, say "Aye."

0:40:00.4 Cathy Binder: Aye.

0:40:00.5 Ann Cupka: Aye.

0:40:00.6 Jeffery Stonehill: Aye.

0:40:00.6 Vice Chairman T.C. Collins: Aye.

0:40:00.9 Chairman Richard Granger: Any opposed? Chair votes aye, motion carries. I would just ask that staff make sure that those minutes get resolved, and then posted as well so everyone can pull them down and see them. Yep. Thank you. Alright. We will move on to constitutional officers' reports. So, we will start with the Commissioner of Revenue.

0:40:23.2 Christopher Miller: She is calling in. Ms. Hart was going to call in.

0:40:26.0 Chairman Richard Granger: Okay.

0:40:27.4 Christopher Miller: Ms. Regina is also here as well.

0:40:34.9 Judy Hart: Well, can everyone hear me?

0:40:40.6 Chairman Richard Granger: Was that Mrs. Hart?

0:40:44.9 Judy Hart: Yes. I am, I'm on the line. Can you hear me? Can you hear me now?

0:41:00.9 Chairman Richard Granger: Hang on.

0:41:07.5 Judy Hart: Okay. Can you hear me now? I am ready to give my report.

0:41:11.4 Chairman Richard Granger: Okay. Go ahead.

0:41:13.8 Judy Hart: Okay. For the sale of our cigarette stamps, July 1 of '22 through June 30th of '23, \$1,800,040. [0:41:41.0] No Audio.

0:41:47.1 Chairman Richard Granger: we lost her again.

0:41:52.0 Judy Hart: 314,666. No Audio.

0:41:57.0 Mr. Dines: Can you repeat that, Ms. Hart?

0:42:00.6 Judy Hart: \$318,369. No Audio.

0:42:07.4 Chairman Richard Granger: Alright. So, this is a bit of a challenge trying to use a phone and with the microphone. So why don't we just ask Ms. Hart to come to the next meeting and provide this information?

0:42:16.9 Judy Hart: Okay. Well.

0:42:17.5 Chairman Richard Granger: Yeah. Okay.

0:42:20.4 Judy Hart: Alright. I can do that.

0:42:23.0 Chairman Richard Granger: Okay. Thank you. Alright. We will move on. Sheriff Giles?

0:42:32.9 Sheriff Giles: Good evening, Mr. Chair, and members of the board. For my constitutional officers' report, I am going to report on the tax cigarettes investigation. On June 26th, 2023, Deanna Price and Deputy Simon inspected cigarette retail stores. All stores except two were in compliance. The two non-compliant stores are the Tobacco Hut and the Vape located at 7975 Kings Highway in King George. The Tobacco Hut and Vape is located at 4863 James Madison Parkway in Dahlgren. The stores were not compliant under County Code 14-207, which is titled Report and Records. The report is due on the 20th of each month. Both stores are owned by Saleh and managed by, I am not even going to try to butcher this guy's name, but Alabadi. We will just say with that. On June 28th, 2023, Deputy Simon spoke to Deputy Commonwealth Attorney Charlie Clark and advised him that both stores were not compliant and have never turned in an inventory sheet. Chief Deputy Commonwealth Attorney Clark advised Deputy Simon to get warrants. On June 23rd, 2023, correction, June 29th, 2023, Deputy Simon went before the magistrate and swore out two class 1 misdemeanor warrants against Mr. Alabadi, under King George County Code 14-207, one for each store that he manages. On June 30th, 2023, at approximately 1400 hours, Mr. Alabadi reported to the King George Sheriff's Office and had the warrant served. So that concludes my report on the cigarette tax, and I can answer any questions you have.

0:44:19.5 Chairman Richard Granger: Does anyone have any questions for Sheriff?

0:44:21.4 Vice Chairman T.C. Collins: I have one that is not related to that report.

0:44:25.6 Chairman Richard Granger: Go ahead.

0:44:26.6 Vice Chairman T.C. Collins: So, we get the 911 calls for the Fire and Rescue department, or some of us do, I do, and one troubling one came in down at the Fast Mart in Dahlgren. Started out as a robbery, and then, I do not know what it turned into.

0:44:50.3 Sheriff Giles: An arrest.

0:44:52.0 Vice Chairman T.C. Collins: So, my question is, is the police officer safe, that was involved in that incident? Because it did not give the full details. It said that the suspect attempted suicide and was charging the deputy. So, I never got to fill out the rest of what the occurrence is. So, could you give us a summary?

0:45:11.3 Sheriff Giles: The deputy defended himself and was seen by the emergency room with, with no injuries, was just precautionary, along with the suspect.

0:45:19.7 Vice Chairman T.C. Collins: Okay. Thank you.

0:45:20.8 Sheriff Giles: Yes, sir.

0:45:23.3 Chairman Richard Granger: Do we have any other questions for the Sheriff? Okay. Thank you, sir.

0:45:27.8 Sheriff Giles: Thank you.

0:45:28.7 Chairman Richard Granger: Alright. We move on to the Treasurer's Office monthly report. Do we have one, anyone from the Treasurer's Office? Okay. Mr. Miller, would you be willing to reach out to Mr. Jones?

0:45:50.1 Christopher Miller: Yes, sir.

0:45:50.7 Chairman Richard Granger: If he comes to the next meeting. Thank you. Thank you. Alright. Move on to the County Attorney's report. Ms. Lackey?

0:45:58.8 Kelly Lackey: I just have one item for general information this evening. The Opioid Abatement Authority did approve the regional grant for the opioid abatement efforts of which King George is a participant. It was described in the April 4th and May 2nd Board of Supervisors meetings. The approved projects are one involving a local match, which is to reestablish a 12-bed crisis stabilization unit at the Sunshine Lady House to treat medical detox services associated with people having a co-occurring mental health crisis. And the state funds will be used to establish a mobile medication assisted treatment program for opioid abatement. That mobile service program is committed to visit the county at least once a week, once it is up and running.

0:46:46.2 Chairman Richard Granger: Anyone have any questions for Ms. Lackey? Okay. Thank you, Ms. Lackey. In that case, we will move on to presentations and reports. I believe we have Sheriff again.

0:47:05.7 Sheriff Giles: Good evening again, Mr. Chair, and members of the board. I would like to kind of give you an update on where we are at with our, with our new radio system, the upgrade. On June 25th through the 27th, myself, Chief Basham, Tiffany Brown from the Sheriff's Office, and Captain Lynd from the Fire Department flew out to Chicago, to the Motorola Solutions corporate office to see and test the new radio system. Several tests were done, as you can see from the packet provided in your board packet. And the radio system was found to be compliant with all the tests performed. After reviewing and testing Motorola disassembled the system that they tested and packaged it out for shipping, and we are expecting that delivery tomorrow. So, what I would like to do is kind of turn this over, the presentation over to Sean McKeown, who is with Motorola Solutions and the project manager for that. So, Sean McKeown.

0:47:57.4 Sean McKeown: Mr. Chairman and the board, thank you for your time. I just wanted to come and explain some of the things that we did when we were out there in Elgin out near Chicago. We called it an experience because this was not just Motorola giving you a demonstration of what a system could do, this was the customer interacting with their system. These are the exact radios that you will be getting here in the county. We were able to take everything that would go into the shelters and display it. And we do have some

pictures, here in the slideshow. I did put a couple of team members in there because I just wanted to embarrass them in public a little bit. But if you can go to the next slide. As the sheriff said, the team that came out and they were able to test the equipment, they were able to go through everything they would look at through dispatch and how it was going to appear, to them throughout the county. Next slide, please. So, this is a picture of the entire radio system. This is what got broken down into pieces and what will be going inside of each shelter. And this is King George's actual equipment. It was tested, not just by us, but we were able to have the county test and utilize it and see how it works. This helps mitigate any problems that come here. So, when it gets here, if there are any problems, we are able to deal with them much quicker. Next slide, please. I just took a couple of separate pictures just to give you an idea of the size. I know it was hard to kind of tell from everything being put together. But it is quite a bit of equipment, but we've already measured everything out to get into the shelters and everything will work out just fine. And I believe there is one more slide. And that was the entire team that was out there testing. I did bring someone with me to help answer any technical questions. I am the project manager and my, my technical ability is a little bit limited, but I brought a team with me to answer any questions, but what I can do is, is help give a timeline. So as the Sheriff said, we are expecting the equipment to come in tomorrow, and that is the equipment that you saw in the pictures. Here in the next two to three months, we expect to have the shelters in and get our work done. Still pushing to get everything done and tested. Around this time next year, we should be done. That is our goal. Any questions?

0:50:33.4 Chairman Richard Granger: Does anyone have any questions? I will start with Ms. Cupka.

0:50:41.1 Ann Cupka: Not really a question, just a comment. I want to thank you all, and everyone on our staff involved in the work on this project. It is a huge asset for both our Fire, Rescue, Emergency Services department, and our Sheriff's Office. The test packet that we received was fascinating. I could tell the test was run when the EA button gets pushed, does the air get cleared and reserved for the person who pushed the EA button on their portable. So, thank you so much for all your work on this.

0:51:18.3 Vice Chairman T.C. Collins: Good evening. Thank you.

0:51:19.5 Sean McKeown: Yes, sir.

0:51:20.2 Vice Chairman T.C. Collins: So, I read the acceptance test plan on page 83 to page 147, and I understood about 42% of it.

0:51:36.5 Sean McKeown: That is high numbers though.

0:51:38.3 Vice Chairman T.C. Collins: So, this test plan, what it says is that the system works without fail. Is that what that means?

0:51:46.3 Sean McKeown: Yes, sir.

0:51:47.0 Vice Chairman T.C. Collins: At the end, I was hoping that there would be, a summary, or at least in the beginning, but there was not. So, is there any summary that is available?

0:52:01.4 Sean McKeown: We can compile a list of all the tests that were done and, with all the tests passing there, there weren't any failures, but we can probably formulate a summary, based off all of the passing tests that they did, and have that prepared.

0:52:17.5 Vice Chairman T.C. Collins: Okay. Thank you.

0:52:18.4 Sean McKeown: Yes, sir.

0:52:20.9 Chairman Richard Granger: Go ahead, Ms. Binder.

0:52:22.6 Cathy Binder: I would love that summary for a layperson. I would appreciate it. I want to thank you too. My dad would have loved this because he used to do this stuff, it is cool to see and I'm glad, this really helps our community. Thank you.

0:52:38.6 Chairman Richard Granger: Alright. Any other questions? Alright. Sean McKeown, thank you so much for coming out and providing the brief. Thank you, Sheriff. Alright. We have our second presentation, Ms. Parker, the King George Historical Society.

0:53:20.2 Renee Parker: Thank you Mr. Chairman, members of the board. I want to start out just by thanking the board, and the county in general that Mr. Mason and everybody that had anything to do with helping our society reorganize and get back on our feet. I think you'll see from the presentation that we've accomplished a lot in about a nine-month period. and we are here tonight, kind of continued the conversation about space in the courthouse, which I think, most of you probably realize has been going on since 1994, beginning with James Mullen and then throughout the years with Ms. Lee. So, this is a continuation, but I want to thank you very much for the opportunity. So, we are going to talk about accomplishments and then the request for the new space in general, and then our vision for the future, which I think is very important. I also want to make the distinction between our society and the museum itself. So, we recognize the fact that this is a, a historical society made up of people who are dedicated to preserving the history of the county and educating people in the county and doing everything we can to share it. It is not to say that we own the contents of the museum. We want to be good stewards of the contents of the museum. The contents of the museum belong to the county, and we recognize that, and that helps I think with the request for space. I am joined tonight also, I want to mention, by several members of our membership. We have a very dedicated membership. You have already seen the vice president, the miracle man, Bob Baird. Our treasurer is here, Lynn Pardee. Our secretary tonight cannot make it, Carol Worley. We have Bobby King who has been part of the membership for 30,000 years. Harriet Gallahan. These are people that are routine go-tos for advice, especially for people like me who have not been involved in nearly the amount of time that some of these people have been involved. Mr. Earl Leach is here. Earl Leach is a regular staffer in the museum here. He just handed over almost 450 photographs of artifacts in our museum that we will use as a pool for data to upload to our new website. He

just handed that off tonight. We have also accomplished, well, let me just go through the list. And I do not want to read every one of these. I know you have a lot to do in your typical meetings. We are going to start with accomplishments. Since October last year, we did have an audit completed by our CPA, we have that CPA on retainer now for financial reviews and annual audits. Our 501c3 reactivation is ongoing, it is in the hands of the IRS. We have not a lot we can do with the speed with which the IRS is going to approve the reactivation. We have been assured by the CPA that all these things are going to happen. It is a matter of time. We have reorganized some administrative operations, mainly so that there is transparency between the executive committee and the members. So, it is typical for us to use email now to let the entire membership know, and the email goes out to about 157 members across the nation to let them know exactly what's going on, what's coming up. We also include Zoom in our meetings now, so we have people routinely Zooming in for our meetings that are once a month. We have recently continued an inventory, but the inventory and categorization of the book collection in the museum is complete to the point where we have just over a thousand listings in this collection. It might sound boring to some, but we are actually excited about the idea of having room to place these books in proper categories so that they can be shared efficiently with the public. That is a big thing for us, and we are really looking forward to that. So we staffed a table at the 2022 Fall Festival, but the big deal there was, not only that we were able to share the things that people are used to, our ornaments, our pottery, that we created Venmo and Square accounts to increase sales opportunities, in that particular fall festival day we made over a thousand dollars in sales, and that was probably because we did more than take checks and cash. We have partnered with the County and Parks and Rec for the annual tree lighting. We hosted the Annual Christmas Dinner at the Backporch Vineyard, very successful and we just want to go there every time we do anything, but we will not, but we want to. We supported the Historic Garden Week by staffing trolleys to deliver King George history to attendees. So that was when somebody actually asked me to come and blab, and blab and blab and blab and blab, and it was fun, and Koontz Campbell helped with that. We partnered with the King George High School History Club, and this is their inaugural year. I do not know if you are aware that King George High School has a history club for the first time this past year, so we got in touch with them. We invited them to a meeting. They were very excited to work with us in, ventures, and the first one that we thought of was one that was recommended to us by Sheriff Giles, which was to fill a time capsule. So, this meeting on July 20, this month will be a workshop to fill that capsule, and they will join us for that. We staffed a table at the Family Day event at Sealston, and that website there is our brand-new website. It launched about two months ago. We planned to publicize the launch at our picnic, which we had to postpone because of the weather, so we did not have the picnic. So, it has been a quiet launching of the website. We now have a brand-new computer with high-speed internet and Wi-Fi for the museum. We are calling that area that we have right there, right now, the Genealogy Research Center. So, the Family Tree Maker software will allow people to come in and upload their ancestry.com information to start over in building a genealogy database. as you remember, we don't have the database that we had, when Ms. Lee was, part of the membership before she passed away, so we are doing everything we can to build something as fast as we can so that people can come into our museum, sit down, type in a name, type in a location, and just get hits, and help them build something for themselves. We have updated the constitution and bylaws, and it is under final review right now by the

general membership. Our executive committee voted to include Ms. Lee by name in our scholarship application. That application has been updated and is under final review by the general membership also. We have adopted a new logo and our new letterhead, which you see in the upper left-hand corner there. And now regarding the request for a new space, we are concerned with having a storage and prep location. And when we talk about prep location, it is so that you are aware that Ryan Portner has been involved in, for years as an archivist in the muse, but he is also the person who does a lot of the cleaning of the artifacts, and determinations of the artifacts. But that equipment he uses is at his house, we do not have room for that and there is no place for that. So, a prep location is very necessary and not only for things like that, but to build what we hope will be mobile exhibits. So the museum space itself, which would have fixed displays, lockable display cabinets we would hope to have monthly observation type exhibits, mobile exhibits, things that we could take elsewhere, things that we could take in other areas of the courthouse if we wanted to and then a genealogy center, which would just basically be the same thing that I just described but something other than a little closet that we've got it in right now, it is just about enough for one person. And this is a diagram of the courthouse as it exists now. On the far right-hand side there in the red box, that is the old jail, if you will, which is the muse that we occupy now. And what we would like to request is the rectangular area that you see, the two offices that connect to this section that we are in right now. The idea is that the section that we are in right now would be used for storage and prep, and then the section that it is connected to would be used for museum space, and then possibly training or field trips, anything like that. It would all be museum space, but it would be nice to have that small little section connected to it to use for ventures like that. The vision for the future involves a lot of that, to populate and promote the website, we are not really rushing to just everything that we have on the website, we want to be meticulous about it. I have gotten a lot of advice, from Rob Gates from the Dahlgren Heritage Museum using their website, kind of as a model. We want to offer genealogy research workshops to the public. And as far as engaging with the county school system, Ryan Portner actually came up with a really good idea for a field trip, that it would be cool to have a busload of students come to the museum, get off the bus, see the museum, learn about the museum, get back on the bus, and then have maybe two reps from the museum continue on a journey on the bus throughout the county to some other historic locations, and speak about those locations. So, field trips like that I think would be a big benefit not only for the students, but for our members. We would like to continue to work with the King George High School History Club to boost memberships for both organizations. Then expanding our event participation, and we have already done that. So, we will be at the King George Farmers' Market. This year they voted; the membership voted for Ralph Bunche High School to be the ornament for 2023. I think that ornament will be ready for sale, I think by the end of this month, if not early in August. So, this will be the first time that I think it will be offered for sale before the Fall Festival, because both organizations, ours, Historical Society, and the Ralph Bunche Alumni Association, will have community days at the Farmers' Market, one in August and one in September. We also had a suggestion at the car show, we just had the Frank Coates Car Show recently, that would be an opportunity to take mobile displays that we talked about, where we talked about the histories of Morris Chevrolet, histories of Cliff Ford, things that have, were in the county for a long, long time, with, with names in the county that have been around and since the beginning, living history events. And I am, I'm referencing Historic Port

Royal. So, I am a member of Historic Port Royal's board, and I have learned a lot from Historic Port Royal in the way that they do things. They are very small, they look a lot like us, their museum is small, but it is amazing. I don't know if you've been there, but you should really pay a visit. But their events they have a partnership with Caroline County where they receive money every year to put on four events per year. July 4th was one, the one I attended before that has living history events as part of it. These are things we can do in the location we are in now, with the parking lot that we have behind us, these are things that can happen on our lawn, things that can happen in the parking lot. So those are things that we aspire to. And then I mentioned the Farmers Market that we are staffing a table in September. I am a fast talker. That is, it in a nutshell. And I just want to thank you again for everything that you have done to see that the museum was reopened and continues its path. It is important to a lot of people and there is a lot more to do. I feel like we have done a lot. I am very proud of our progress and proud of the people that have worked, the hours they have worked in the museum. The most organizations' there is a handful of five or six that are doing most of those hours. They enjoy it. There has also been a flood of teachers that have retired recently. I plan to call every one of them and ask if they would like to join our membership and help us out in our muse. So, I am open to any questions if you have any.

1:05:00.3 Chairman Richard Granger: So, Ms. Parker, I would like to say, thank you for coming out and for the rest of your board for coming out as well. It is really nice to have you all here to present to us. I will ask my colleagues; does anyone have any questions in particular for Ms. Parker?

1:05:12.9 Ann Cupka: Not a question, Mr. Chair, but I just want to compliment you all on everything you have done to get to ride the ship. I was at the museum, as, on Saturday and was very impressed with how orderly it was and the displays and, you can see that you all put in a lot of work. I love the new logo. I checked it out, love the new website, it is very crisp and clean. Looking forward to seeing you all develop it, much more. And the newsletter, shout-out to Mrs. Indseth back there, bang-up job on that.

1:05:49.8 Renee Parker: She's the only one I did not mention. I apologize. So, Tammy Indseth was a coup for me. She came on very quickly at the end of the fall last year and asked if I needed help with the newsletter. "I need all the help with the newsletter. You can have it. Here you go. Thank you so much." She is just an example of people who come to us asking if they can do anything for us because of their love for history and wanting to be a part of this. And she is invaluable, as most of you already know.

1:06:17.8 Ann Cupka: Good stuff. Keep up the good work.

1:06:19.9 Renee Parker: Thank you.

1:06:22.1 Cathy Binder: Thank you. As a lot of people know, I have been with the Historical Society for a while and I'm really excited to see the progress. And one of the things that I mentioned to Elizabeth and Jean several years ago is, and Bobby many times having lunch on Thursdays, is, "We need to make sure your legacy survives," and all the work that a lot of

people that some of, have passed away, have done for the museum. So, it is nice to see people and some young folks pick up the mantle. You have a young man, and I forgot his name, escapes me now.

1:06:50.6 Renee Parker: Sam Buckley.

1:06:51.4 Cathy Binder: Sam, he is there every Thursday. God bless him. He tried to move that piece of the bridge over there and we got it over. [chuckle] But, it is really nice to see the youth coming out to it and to see it continue and survive and hopefully have a space, locked in, in the renovated courthouse, will be great to see that that promise that was a handshake many years ago continue on. And it was a long time ago. So, it is just great. Thank you to all the members that have made it possible. Thank you.

1:07:20.9 Renee Parker: Thank you very much.

1:07:21.6 Chairman Richard Granger: Mr. Miller, did you have a question?

1:07:24.1 Christopher Miller: I just wanted to point out at your, at your desks, there is a memo from me and an attachment that is from Mr. Tony Bell with Moseley Architect. We met with Ms. Parker and the space she showed, if Mr. Dines could go back to that. Mr. Moseley was able to configure, and you will see on your, your information that that request can be met in terms of what they are looking at right now. And we wanted to make sure that that was available for you all so that we met your needs. But we had a very productive meeting, and we appreciate Ms. Parker's involvement in that.

1:08:09.7 Renee Parker: No, I appreciate the meeting and in fact, I cannot believe I forgot about this piece. One of the suggestions that came out of the meeting, was that the main entrance to the courthouse that it would be nice to have lockable display cases left and right as you enter the courthouse so that artifacts can be displayed in the main foyer of the courthouse. And then on weekends, like Fall Festival weekend or event weekends, that could be opened, we would man that and invite people to see the museum in addition to what could be mobile exhibits placed in the foyer in addition to the lockable displays. So, there is just, there is a lot of that, that came out of the blue for Mr. Kesian, Barry and I was very appreciative of, people are thinking about this stuff and it, it means a lot. I am very appreciative of the meeting, and for that. I am excited about the lockable display cases, and we are a long way out, so I appreciate it. Thank you very much.

1:09:02.6 Chairman Richard Granger: Mr. Stonehill, did you have something?

1:09:04.0 Jeffery Stonehill: Not a question, just thanks for coming out. You guys have done a, as Ms. Cupka said, said great job for getting this back in, up on its feet. I need to get over there, I have not been over there yet to go check it out, what, what you have all done. But King George has just oodles of history and if we had a place, a really nice place that people could come out and check it out. I'm sure we have a lot more artifacts and history than we have room for. So just say thanks to you and your staff.

1:09:36.9 Renee Parker: Thank you very much.

1:09:37.7 **Chairman Richard Granger:** Thank you, Ms. Parker. Okay. We will move on to action items, and we made a motion. First with Sheriff Giles's action item which is 07-14, amend the appropriate, FY23-24 operating budget for the acceptance of the DCJS.

1:09:55.3 **Sheriff Giles:** Sir, thank you. I appreciate you moving my agenda and, Jaci, I am sorry I messed your agenda up, but appreciate it. On May 11th, 2023, the King George County Sheriff's Office was awarded a grant in the amount of \$177,000 from the Department of Criminal Justice Services. These funds will be used to procure equipment to be used for law enforcement purposes. I am recommending that you authorize the County Attorney or Administrator to accept the DCJS ARPA Law Enforcement Equipment grant in the amount of \$177,000 and to appropriate the funds by establishing a revenue line for the grant and an expenditure line for the eligibility, eligible purchases under the grant.

1:10:40.8 **Chairman Richard Granger:** Alright. Do we have any questions for Sheriff? Okay.

1:10:48.0 **Sheriff Giles:** Thank you.

1:10:49.5 **Ann Cupka:** I move to authorize the County Administrator to accept the DCJS ARPA Law Enforcement Equipment grant in the amount of \$177,000.00, and to appropriate the funds by establishing a revenue line for the grant and an expenditure line for eligible purchases under the grant.

1:11:09.7 **Jeffery Stonehill:** Second.

1:11:09.7 **Chairman Richard Granger:** Alright. We have a motion properly seconded. Do we have any discussion? All in favor, say "Aye."

1:11:17.5 **Cathy Binder:** Aye.

1:11:17.6 **Ann Cupka:** Aye.

1:11:17.7 **Jeffery Stonehill:** Aye.

1:11:17.7 **Vice Chairman T. C. Collins:** Aye.

1:11:17.8 **Chairman Richard Granger:** Any opposed? Chair votes aye, motion carries. Okay. Thank you, Sheriff. We will move back to 7-04.

1:11:30.6 **Donna Hahn:** Good evening. Mr. Chair, members of the board. In your packet was included a resolution that we need to ratify the fiscal year 2023-2024 King George County operating budget, as there was not a separate action to approve the budget. The approval was included in the appropriation board action and Ms. Lackey felt that it was cleanest if we came back and just ratify that we did approve it as we adopted it as we approve the appropriation. So, with that, I ask that you adopt the resolution as presented.

1:12:10.0 Chairman Richard Granger: Any questions? Okay.

1:12:15.0 Ann Cupka: I move adoption of the resolution to ratify the fiscal year 2024 budget as appropriated June 20, 2023, as presented.

1:12:24.3 Cathy Binder: Second.

1:12:25.4 Chairman Richard Granger: We have a motion properly seconded. Do we have any discussion? All in favor, say "Aye."

1:12:30.4 Cathy Binder: Aye.

1:12:31.0 Ann Cupka: Aye.

1:12:31.6 Jeffery Stonehill: Aye.

1:12:32.1 Chairman Richard Granger: Any opposed?

1:12:33.1 Vice Chairman T.C. Collins: Nay.

1:12:33.6 Chairman Richard Granger: Chair votes aye, motion carries.

1:12:36.4 Donna Hahn: Thank you.

1:12:36.6 Chairman Richard Granger: Thank you. Moving on to 07-05, destruction of cigarettes. Which I believe is Ms. Puckett. Well, she was going to call, was she going to use the app or is she calling in?

1:13:17.6 Vice Chairman T.C. Collins: Can I ask a question of the Sheriff's?

1:13:21.7 Chairman Richard Granger: Sheriff, would you be willing to come up?

1:13:28.5 Vice Chairman T.C. Collins: Sheriff, is there a destruction order that has been signed by the Circuit Court judge on these cigarettes?

1:13:33.3 Sheriff Giles: I do not think we need one. Is that true, Ms. Lackey? The fact that we tried to. They already said that we could either, per the ordinance, destroy them, use them for training or sell them outright and they made three attempts on an auction. And because they are a year old, nobody had any interest in them at all. So, per the ordinance, under those three circumstances, we have those three. We do not need a circuit court judge.

1:14:00.6 Vice Chairman T.C. Collins: Ms. Lackey, are not they held as evidence?

1:14:04.2 Kelly Lackey: So, they are no longer evidence. They have been forfeited, so they are county property and so that is why the attempts were made to auction them unsuccessfully.

And so, the ordinance does provide that possible permissive uses of the forfeited items are under the control of the Commissioner of Revenue, however, if she recommends destruction, it has to be approved by the Board of Supervisors.

1:14:30.2 Vice Chairman T.C. Collins: So, who has the cigarettes?

1:14:32.0 Sheriff Giles: I do. They are in my evidence locker. Storage.

1:14:37.0 Vice Chairman T.C. Collins: That is why I would think that that would be a good idea then, to get a destruction order. That is okay, you are the Sheriff, so you decide what you want to do.

1:14:50.0 Chairman Richard Granger: Okay. So, we do not have anyone here to be present?

1:14:53.1 Sheriff Giles: I did speak to Ms. Hart and that was essentially what she was going to say, that they had made several attempts to auction it off, and those auctions failed. And since the cigarettes are well over a year old, nobody has any interest in them.

1:15:08.7 Chairman Richard Granger: Okay.

1:15:09.4 Sheriff Giles: Essentially.

1:15:09.5 Regina Puckett: Essentially.

1:15:10.8 Chairman Richard Granger: Okay. So, Ms. Puckett, do you have anything additional to add? Okay.

1:15:13.0 Sheriff Giles: And her recommendation is for destruction.

1:15:15.9 Chairman Richard Granger: Okay.

1:15:15.9 Regina Puckett: That is my request.

1:15:16.0 Chairman Richard Granger: Alright. Thank you. Does anyone have any questions? I know Mr. Collins, that is anything else though?

1:15:23.9 Ann Cupka: Mr. Chair, the ordinance does say, "Upon consent of a majority of the Board of Supervisors, forfeited cigarettes may be destroyed." So, at least the way I read that, it looks to me as though we do have the authority to grant the request.

1:15:41.9 Chairman Richard Granger: Okay. If there are no other questions, then I will entertain a motion if someone would like to make one. Otherwise, we can move on.

1:15:50.9 Jeffery Stonehill: I'll make a motion to destroy the cigarettes in question.

1:15:58.8 Ann Cupka: Second.

1:16:01.8 **Chairman Richard Granger:** Okay. We have a motion properly seconded. Do we have any discussion? All those in favor say "Aye."

1:16:08.1 **Ann Cupka:** Aye.

1:16:08.1 **Cathy Binder:** Aye.

1:16:08.3 **Jeffery Stonehill:** Aye.

1:16:08.8 **Chairman Richard Granger:** Any opposed?

1:16:09.8 **Vice Chairman T.C. Collins:** Nay.

1:16:10.1 **Chairman Richard Granger:** Chair votes aye, motion carries. Thank you, Sheriff. Thank you, Ms. Puckett. Okay. Move on to 07-06. Ms. Lackey?

1:16:24.8 **Kelly Lackey:** So, as I am sure you all recall the previous meeting, I gave some recommendations on an overhaul of the cost provisions of the existing FOIA policy. The FOIA policy has been in effect since 2018. The policy, I am calling it a FOIA cost policy and a plain English overview because prior to July 1, the Freedom of Information Act required governing bodies of greater than 250 to have "a Plain English statement" and include certain notices with regard to the rights of requesters and the responsibilities of custodians of records. So, the last meeting I represented, just the proposed, edits to the cost provisions, and I was directed to review the full policy for proposed amendments. So, in your agenda packet, you have a markup of the 2018 policy. The policy changes are shown in underlining for additional drafting and strikethroughs show edits. From the bottom of page five through seven is the content that was presented at the previous meeting. So, really the content that I'm presenting tonight is just that content on pages one through four, and page eight. Most of this is plain English language that is, largely parallels the model template that is presented by the Virginia Freedom of Information Act Council. So, the parts that are optional and likely of the most interest to this board have to do with the cost provisions, which I was directed to take a look at a concept of only charging non-residents for FOIA. And so, I do not feel that I can share the substance of those, of those edits with the public of, other to say that I do have significant legal reservations with that. I also have not found any other jurisdiction that has that kind of format. Most jurisdictions have a monetary or hourly threshold for what trips it into a, a cost proposition. I did add some language too, to hopefully clarify that, attempts will be made to process things as a customer service request. So that is on page three under the heading, 'Responding to a request for public records'. So, the workflow now provides as a proposed amendment, unless a FOIA request can be immediately processed as a matter of customer service by providing a website link or inspection or copying of records that is readily available without legal consultation asked of possible exemptions, FOIA request should be directed to the FOIA officer. So that kind of captures, I think, existing policy, which is when people are walking-in or they have a phone call, they are not charged for those encounters with staff. If they are just requesting something that is off the shelf, "I just want a copy of my neighbor's erosion and sediment

control permit," that is something that staff can easily process and do. So, the cost provisions, as previously proposed and consistent with the 2018 policy. They only apply if more than a half an hour of staff time is dedicated to the work of processing and responding to a FOIA request. The additional drafting from what you saw at the previous meeting mostly just has to do with updates to legal requirements, some minor clarification, some minor, and also just some changes with the times. So, the 2018 drafting mentioned you could get your results from your FOIA request out by a computer disk, and that is just not the way we process things these days. If we get a request to do so, we would, but most laptops don't even have a floppy disk or a CD-ROM component as a part of the unit. So, if that is been changed to a storage device, if someone requested something on a, on the drive or other format. In your agenda packet, I included some data, that was represented partially at the last meeting, but thanks to Jaci Fish, it was further, detailed that from January 1 of this year to the third week of June, the county received approximately 50 FOIA requests. Most of those requests concerned documents that are retained by the Department of Community Development, that is not unexpected. They are the ones putting out a lot of public notices and people are seeking that information. Only 8% of requesters received a bill. I am just ready for any questions that you may have about the proposed policy.

1:21:33.8 Chairman Richard Granger: Do we have any questions for Ms. Lackey? Go ahead, Mr. Collins.

1:21:40.6 Vice Chairman T.C. Collins: So why did only 8% of the people receive a bill?

1:21:47.3 Kelly Lackey: So, the typical processing for a FOIA request, if it is not the type that I described where it is like an off the shelf, exactly what file, what permit, what document someone is requesting, if you have to do a search, those requests are routed or either received directly through the FOIA online portal on the county's website. Those were received by Ms. Fish. Ms. Fish sends an email to the people who are likely to have responsive documents. And usually, the very first part of her request is, "Let me know if this is going to take significant time so that I can let the requester know." We do typically let people know if the estimate is going to exceed \$200, otherwise it is up to the requester. And there was a change in the law last year, we are obligated to tell requesters that they can request a cost estimate. So, some people do that, or if they will say a threshold, like, "If this is going to exceed \$50, let me know." So, the first step in the request is to ask staff if this is going to require significant time and effort. If so, we will prepare a cost estimate. If that cost estimate exceeds \$200, then by law we can request a deposit. Customarily, the county requires a deposit of half of the estimated costs and then the requests are processed. But the policy since 2018 has been that unless it takes more than a half an hour of staff time, then those, those costs are not billed. And when I say staff time, the hourly rate of compensation for people without benefits is what the charge that is billed. And then occasionally, there are some other costs that are detailed in the policy. If someone requests something by mail the actual postage costs, there is a nominal charge for hard copies of documents if there is copying involved.

1:23:38.7 Vice Chairman T.C. Collins: So, staff time, so, if I make a FOIA request and I ask for X, Y and Z document, and the person or the persons that have that document are the ones

that produce it to the FOIA officer, is that correct?

1:24:00.0 Kelly Lackey: In most cases if it involves email searches, then oftentimes Mr. Dines himself is personally involved in that process of, of retrieving the emails and then it has to be sorted through the emails to make sure that the emails are what they are because you are getting hits based on keywords or terms that might not actually be within the scope of what was requested.

1:24:22.8 Vice Chairman T.C. Collins: So, any staff other than Ms. Fish, is there any review process that goes through the County Administrator to release this information to Ms. Fish to be released to the person? So how many staff people need to be involved in that? So, I do not want to pay for a county administrator's fee when I could pay a less expensive fee for someone that has the record.

1:24:50.2 Kelly Lackey: Understood. One of the recent legal changes to the statute is that governing bodies are required to make reasonable efforts to produce things at the lowest cost. So, one of the changes you will see is I have taken out mentions of department head. There was formerly a chain of command where department heads had to sign off on release of information and certify that that is happening. Now, of course, department heads need to have trained staff who are capable of doing responses, but the effort is made so that the person who has the least salary but is capable of producing without exceptional time and effort of the document is the person who's typically tasked with the response.

1:25:31.7 Vice Chairman T.C. Collins: And does a department head or any other person review the information that is being ordered to the FOIA office?

1:25:39.9 Kelly Lackey: I would have to say it depends. So, in the Freedom of Information Act itself, there are numerous exemptions and exceptions. Some are mandatory, some are discretionary. Usually depending on the nature of the request and the level of training that the person is receiving the request, sometimes they know right away, "Hey, I cannot, I cannot release a Social Security number. I'm going to tell Jaci to redact that." And that is something that somebody can pretty much, I would say, 95% of county staff would probably know how to do that automatically. But if it is something more complicated, that rises to the level of needing my attention or the attention of Ms. Washington, we will take a look at it. But we do not charge the hourly rates of professional staff of the attorneys for reviewing those exemptions.

1:26:29.8 Vice Chairman T.C. Collins: So, if I request something from Ms. Hall's office, and I come to the window and ask for a 300-page document, does that staff member run it through Ms. Hall before it comes to me? Or does it go to her?

1:26:50.6 Kelly Lackey: It would, it would go directly from staff and Community Development to, Ms. Fish. And that is typical.

1:26:58.1 Vice Chairman T.C. Collins: Would it go through Ms. Hall first?

1:27:01.2 **Kelly Lackey:** Most of the time, no.

1:27:02.9 **Vice Chairman T.C. Collins:** So, I will not be paying for that?

1:27:04.5 **Kelly Lackey:** No.

1:27:04.8 **Vice Chairman T.C. Collins:** Okay. So, when you mentioned Freedom of Information to the public in regard to some of your legal research, I saw an email that you had sent to us. Is that the legal research you are talking about?

1:27:23.6 **Kelly Lackey:** Correct. There is a confidential legal memorandum summarizing the findings on that topic.

1:27:30.0 **Vice Chairman T.C. Collins:** So why would that be confidential? There is nothing in there that would subject the county to anything other than your legal opinion. I know that there is attorney confidentiality. That is your choice. But why would that not be shared with the public? Is the whole FOIA thing supposed to be transparent? And so, when you cannot share that information that has no bearing on anything that is business of the county, I don't know why that couldn't be shared.

1:28:03.3 **Kelly Lackey:** So, one of the exceptions is for legal advice and consultation. So that is a common exception. It is one that I'm professionally obligated to maintain unless a majority of this board authorizes me to release a confidential opinion.

1:28:22.7 **Vice Chairman T.C. Collins:** So, there is nothing in there that is confidential other than you sending it to us?

1:28:28.7 **Kelly Lackey:** It is a legal analysis. So, my risk analysis of what an action would be and what types of challenges it could encounter, are something that could subject you all to legal scrutiny. So that is why it is a protected document for your eyes to review, as you make the policy decisions that affect the county.

1:28:55.3 **Vice Chairman T.C. Collins:** So, again, I want to go back to there is nothing in that document that you sent us, other than you want the confidentiality that the public couldn't see. There is nothing on the FOIA exemptions, other than I understand the exemption that you are speaking of for yourself. I'm saying there is nothing in that document that would be confidential to the public. Is that correct?

1:29:26.5 **Chairman Richard Granger:** Any advice she provides to the board, she serves the Board of Supervisors. So, any advice she provides is between the Board of Supervisors and the County Attorney.

1:29:36.6 **Vice Chairman T.C. Collins:** Well, especially when you are dealing with FOIA, you would think that they would tell the public what she found when she did the research. I would think that the whole idea of FOIA is transparency. When I read that, I didn't see that. So, in the code section it speaks about, we may charge, we don't have to do that, but we've

decided to do it 8% of the time. So, I think that it all depends on who asks for it and what they ask for is whether you are going to charge them or not.

1:30:18.4 Chairman Richard Granger: It doesn't matter who asks for it. It does matter what they ask for and how long it takes. So, that is what it comes down to. It is not that we've decided 8%, it is that 8% has hit that threshold in order that it requires some amount of payment in order to compensate for the staff time that is being taken away from doing other activities in the county. So, it is the time of staff that is required. A large percentage of them can be fulfilled without requiring a fee and in my understanding, it sounds like Community Development is a hit with most of them. And I know we have a number of historical documents in Community Development, and people could reach out and ask for historical information about property back to the '50s. And who knows how far it could go back that may not be scanned in yet, because we are working through those processes. And, if that requires then staff to then say, "Okay, I'm going to take away time from serving the constituents in other ways that are the role of Community Development," so I can pull those files, like search through, find those physical documents, pull them, scan them, create the documents that need to be created in order to make it available to someone, that takes time. So, at that point, it does have a cost. And so that is just the situation it is.

1:31:30.9 Vice Chairman T.C. Collins: So, is a provision for low-income folks that cannot afford to pay these fees for information?

1:31:38.9 Chairman Richard Granger: No, it is my understanding.

1:31:40.3 Vice Chairman T.C. Collins: I'm asking her, sir.

1:31:42.2 Kelly Lackey: There is no income exception. There is in the policy, it provides that the Board of Supervisors can grant waiver. And so, the primary example that I have given is when the information is of such benefit to the public that it is something that you would like posted on the website or included in a future agenda packet. But you all would have the discretion if somebody had a particular case and a particular rationale for why they needed a document for free. But the cost estimate process would be the way for people to see if what they are requesting meets their expectations. Often times people are surprised when they get their cost estimate. And the cost estimate is kind of a good check because if somebody, as Mr. Granger used the example, somebody says, "I want all the records on this property from the beginning of time," that is a different request from, "records for this property for the past five years." That is something that would be much more manageable and likely, available at much lesser cost.

1:32:50.5 Vice Chairman T.C. Collins: Right. In the Freedom of Information Act, it says that you, the FOIA officer, can ask you if you want to close in your gap of what you are looking for.

1:33:04.4 Kelly Lackey: Correct. So, your FOIA request has to be made with reasonable specificity. So, if the FOIA officer cannot tell what you are asking, or sometimes they are just being helpful because they want you to know, "Whoa, what you are asking for is going to

involve multiple departments, multiple years of searching. Is there something you have in mind?" And some people don't want to say, they want to be private, and they don't want to say what they are looking for and they are not going to reduce their search. But oftentimes people will say, "Well, oh, what I really wanted was the presentation on the Sheriff's Office equipment that was made at the meeting." And when that is clear, then that is something that is very easy to process and would be under half an hour and at no cost.

1:33:50.9 Vice Chairman T.C. Collins: So, if someone requests information from, one of us up here, is there a fee that is attached to that?

1:34:00.7 Kelly Lackey: Ultimately, it is the custodian of record who's responsible for reporting their time. So, if Jaci has to ask you all for handwritten notes, text messages, social media content that is of a public nature, that would be something that we would require the participation of a supervisor. And the supervisor would be asked to provide their time, but if they choose not to, that is not something that there is any enforcement mechanism over a supervisor.

1:34:33.5 Vice Chairman T.C. Collins: Thank you.

1:34:38.0 Chairman Richard Granger: Do you have any other questions? Ms. Binder?

1:34:38.9 Cathy Binder: Yes. In that 8%, and I appreciate the graph Ms. Fish created for highlighting it. I know myself have been involved in a couple of them. This goes back several years, especially one that was very time-consuming and had a lot of information that had to be provided. But in that 8%, it is probably not average citizens that do that 8%, is that about right? Very rare. Probably these huge documents they want.

1:35:10.1 Vice Chairman T.C. Collins: What's an average?

1:35:11.0 Kelly Lackey: I would say it is a mix. So sometimes I think, as I mentioned at the last meeting, sometimes there are attorneys who want to do their discovery through FOIA because it is more cost-effective, and they also want to see if they have a case from the get-go. So, you have those kinds of things. And sometimes you just have citizens who in recent situations we've had citizens who believed a document existed that didn't exist. So, they reframed their question multiple times and asked for multiple searches only to be told that time was expended, and nothing turned up. And I'm sure that is very frustrating, but that is also part of the search process. There is not always a "hit" when you are searching for records. I also, I think it is pertinent to the question that was asked, when I asked Ms. Fish prior to the last meeting, I just asked her anecdotally, "Hey, how many FOIA requests do you think you had?" And she said, "Oh, I got five today." So, it ebbs and flows, but if you have one staff member who receives five requests in one day and there is a very tight timeline to respond, it is a significant amount of time. So, just an example of, of kind of how you cannot say there is a one-size-fit-all and why there is, there is a range of, of course, providing prompt customer service and honoring the letter of the law, but also there is, can be significant staff time involved.

1:36:36.4 Vice Chairman T.C. Collins: So, Mr. Chairman, so from my last comment last time that we talked about FOIA, we are paying employees to do their work, which includes giving the customers, citizens, information they will have to pay them twice. So, if I wanted 500 documents, I'm going to have to pay my taxes, it pays the salaries, and then I'm going to have to pay for the documents. Whereas someone from outside of the county doesn't pay for those, for staff. I'm already paying for it, is what I'm saying. I'm already paying for it.

1:37:25.5 Chairman Richard Granger: I wouldn't agree with that, because you don't know the number of FOIA requests you have coming in. If you were to have 10,000 in one year, 10,000 comes in, and then the next year you have zero. So, what you are saying is, find someone who's going to be, their sole purpose is just FOIA, and they are not going to be doing anything else. But you have to have enough staff then in a place that can meet surge. And that means then they still have to reply within the timeframe. And that means then if that we have to surge and provide other county people who might be doing other jobs, that then they have to pull back from doing those jobs, serving the citizens, whether it is in Community Development to provide, plan reviews, or, or whatever it may be, then that means that we have to meet those needs. And so there is an increased impact of the services that can be provided that we are paying. It is similar to how in Community Development, there is a fee for submitting plans and going through that process. The salaries are paid for, but part of those things is also covered by the fees because that is the service for that individual that is being, met as opposed to just as across the board saying it is available to everyone, anyone can use it, but if you don't use it, you pay for it. So, it is putting a little bit on the user as well. FOIA would be really challenging, especially if you did make it free. Then, at that point it is really just, anyone could come in at any time and you could get big corporations coming in and I'm sure they'd come in and just start asking for whatever they want, and you are required by law to provide that information. I think it would have an extremely negative impact on our community, because it would have a negative impact on the staff and their time in order to just be able to meet the needs of citizens. I just don't see that model would be a model that would provide success for this community.

1:39:13.5 Vice Chairman T.C. Collins: So, I see government, I see it differently than you. And I have been involved in government, in many capacities, and I see how government constantly tries to do things to not provide information. It is from the federal level, all the way down to the county level. And I see it all the time. I see more and more of this transparent FOIA, how FOIA has been, diluted over time. Not increased, but diluted. When you spoke about the Community Development fees, I don't think citizens should have to pay to get a permit for whatever they are building because they are already paying them now, dollars and all that other stuff. Yes. But so, when government becomes more aggressive in not allowing information out, it becomes more problematic for citizens who are trying to actually determine what is going on. So, my stance is pretty simple. We need to make it more available than less available. If it comes to a point where you have to have one person, like other counties and states, and they have FOIA officers, if that is what it comes to, then so be it. That would be spending their money wisely, I would think, to do that.

1:40:52.5 Ann Cupka: Mr. Chair.

1:40:53.0 **Chairman Richard Granger:** And they have those officers, and they still have those fees associated with it at threshold. Yes?

1:40:57.8 **Ann Cupka:** Mr. Chair, motion, I move adoption of the rights of requesters and the responsibilities of King George County under the Virginia Freedom of Information Act as amended.

1:41:06.6 **Jeffery Stonehill:** Second.

1:41:08.0 **Chairman Richard Granger:** We have a motion properly seconded. Do we have any further discussion? All in favor, say "Aye."

1:41:13.9 **Cathy Binder:** Aye.

1:41:14.4 **Ann Cupka:** Aye.

1:41:15.0 **Jeffery Stonehill:** Aye.

1:41:15.5 **Chairman Richard Granger:** Any opposed?

1:41:17.0 **Vice Chairman T.C. Collins:** Nay.

1:41:17.5 **Chairman Richard Granger:** Chair votes aye, motion carries. Okay. Move on to 07-07, County Attorney. Request to advertise public hearing for access easement requested for residential property fronting Potomac Drive.

1:41:33.6 **Kelly Lackey:** So, Mr. Miller and I received a request, it was on behalf of a property owner through a realtor. The property owner owns a residence at 5080 Potomac Drive, and they are trying to sell that residence. And they have encountered problems, because the existing driveway crosses through two adjoining properties, one of the properties has a property owner who passed away and has over 25 heirs. So, getting a confirmation that the existing driveway can exist at that location is cumbersome. So, they have looked at the surrounding land and noticed that there is a 20-foot roadway that is county-owned that provides access to an undeveloped parcel. And they have requested that they relocate their driveway as a non-exclusive easement to a portion of that 20-foot road. The Department of Community Development actually has no objection to this relocation because it would provide for access that is more conforming to a non-conforming situation of an access cutting through two properties and that this shared driveway is kind of overlapping with some other things. So, they actually said that they would have no objection to this proposed use of county property as an easement for a driveway for this location. It is possible that there is a handful of houses at this location, it is possible that other properties could also benefit from a similar easement. There is one challenge in that there is an overlapping boundary line on a portion of the 20-foot road, but it is on the opposite side of the road from where this house is located. So, I don't think it would provide an issue with providing an easement, should this board choose to benefit this particular property. In order to convey an easement, a notice of public hearing would need to be prepared and you all would have to

enact a deed of easement, which I could prepare if that is the will of the board.

1:43:50.4 Chairman Richard Granger: Alright. Do we have any questions for Ms. Lackey? Go ahead. I'll start with Ms. Binder.

1:43:52.8 Cathy Binder: I just have two quick questions. The undeveloped parcel that is the county-owned, where is that? I wasn't, looking even at the map, it is still a little small.

1:44:01.8 Kelly Lackey: In your agenda packet, probably the best way to explain it, there is a highlighted, I think it is highlighted in green, is the parcel where this property owner owns, and then there is a narrow little strip that is the 20-foot road, and then it goes past about two to three houses on both sides of this road. And then there is just an open vacant parcel. It was acquired by the county in 1986. There is a note in the deed that it was somehow intended to be for the Dahlgren Sanitary District, so I consulted Patty and Travis, and they didn't have any background. They suspect, but they don't know if that it might have been purchased as a possible expansion area for the Dahlgren wastewater treatment plant, but it hasn't been used for such purpose.

1:44:51.4 Cathy Binder: How big is a parcel?

1:44:52.4 Kelly Lackey: Let me see. I'm not sure. Let me see if I can answer that question quickly. It is approximately 13.15 acres. That was a survey performed at one time. So, plus or minus around 13 acres of county property.

1:45:43.7 Cathy Binder: Okay. Thank you.

1:45:47.4 Vice Chairman T.C. Collins: This document here, Ms. Lackey. That, right there in between there where the dotted line is, can you see that? You see the dotted line about midway up there?

1:46:04.1 Kelly Lackey: Yes. The easement is proposed where that dotted line is, that extends from Potomac Drive to 5080.

1:46:13.7 Vice Chairman T.C. Collins: So that dotted line, that lands between the yellow marks, is that owned by the county?

1:46:20.5 Kelly Lackey: That is.

1:46:24.0 Vice Chairman T.C. Collins: And then when it comes back to 988, is that county property you speak of?

1:46:33.3 Kelly Lackey: Yes. That is the tax parcel number of that county-owned property.

1:46:38.4 Vice Chairman T.C. Collins: So, it is county property, so wouldn't that open up some problems if we have an easement on that road?

1:46:48.5 **Kelly Lackey:** So, they have proposed a draft easement. I would certainly have some proposed revisions to it with regard to maintenance in particular.

1:47:00.1 **Vice Chairman T.C. Collins:** So, an easement that is a legal docent that allows someone to travel across that, for whatever reason, travel or have pipes or whatever, right? Correct?

1:47:14.1 **Kelly Lackey:** Right. So, the easement document would specify what rights they would have. What they have asked for is an access way to access their house, they'd like to relocate the driveway for non-exclusive use. So potentially, other property owners could use it, as well as if the county were to develop the property or sell the property it could be an accessway to multiple properties.

1:47:40.4 **Vice Chairman T.C. Collins:** So then how many houses would be on that easement that has access to it?

1:47:46.2 **Kelly Lackey:** Currently it is proposed as one. But looking at this GIS image, there are five, it looks like five residential properties that border that road.

1:48:00.1 **Vice Chairman T.C. Collins:** Go ahead.

1:48:05.5 **Cathy Binder:** I have a question on this exact location is, because there is a section of Potomac Drive that has some flooding issues because of the culvert there and other issues. Is this near that area? Do you know where I'm speaking of? No?

1:48:17.3 **Kelly Lackey:** I don't. I'm sorry.

1:48:19.4 **Christopher Miller:** Okay. Yeah, I'm not certain of that. We would have to check on that.

1:48:23.3 **Jeffery Stonehill:** That area with the flooding is further, if you are looking at that picture to the left, or the north.

1:48:26.7 **Cathy Binder:** You cannot see it from this map but thank you.

1:48:35.4 **Vice Chairman T.C. Collins:** Have you done legal research in regard to having a county-owned property as an easement or public traffic?

1:48:50.6 **Kelly Lackey:** I have not done exhaustive research, but I have handled easements on behalf of other public bodies in Virginia. In larger jurisdictions, there is often a policy and a process for divesting ownership or granting easements. And there is not a formula or a template for how this is accomplished in King George. I did find an easement that was granted through the administrative building parking lot to some of the adjoining properties. That is probably the closest precedent that I could find for this situation.

1:49:32.9 **Vice Chairman T.C. Collins:** I know that you have to have a public hearing, but

could we have some further research on public land is easement for the benefit of, basically it is a benefit for someone to sell a house?

1:49:47.1 Kelly Lackey: Right. That is definitely a consideration is that are you interested in facilitating this request? They have other legal recourse. They have an existing driveway. It is difficult, but not impossible for them to clear up the title issues with their existing driveway.

1:50:07.1 Vice Chairman T.C. Collins: When you mentioned the title issues, are you talking about the 25 folks that are in this estate?

1:50:17.3 Kelly Lackey: Right. So, they could go to the circuit court, they could file pleadings to establish ownership of the driveway if they have evidence of use for more than 20 years. But they would have to potentially notify all of those owners and it would be quite an exhaustive process, but not impossible.

1:50:39.8 Vice Chairman T.C. Collins: Thank you.

1:50:40.2 Jeffery Stonehill: Mr. Chair, just FYI did receive an email from some of the family members that own property there. They said they had the property there for decades. They have been using that drive under a gentleman's agreement for many, many years. They are concerned that if they change that, that the folks are going to have to get on and it is going to be costly. If something should change with the gentleman's agreement that has been in and they have been working with for decades, they are concerned that if it does change, they'll all have to have new driveways to be cut in cost for them. And basically, he had said that it is a gentleman's agreement that has been working for decades, just don't mess with it. So, they are very concerned about that, but he said he will come out if it does go to a public hearing, to speak more about that.

1:51:36.0 Ann Cupka: Mr. Chair, yeah, a question. I believe it was stated at the beginning of the presentation, Ms. Lackey, that Community Development staff did not see an issue with this and thought there might even be a benefit. Could we ask staff to come forward and explain that to us, please? Thank you.

1:52:03.9 Louis Pancotti: Just as far as it being in compliance with the zoning ordinance, we didn't see a huge issue with that. As Ms. Lackey said, it does appear that this property has a kind of a driveway that cuts in front of the house and even connects to that road. So, it is possible they are already using that road and an easement to connect with, in our opinion, makes it less non-conforming. But that is just in regard to the zoning ordinance, not necessarily a benefit to the public good or anything like that. That wouldn't be our place to say.

1:52:49.3 Ann Cupka: Thank you very much.

1:52:50.1 Vice Chairman T.C. Collins: Louis? Is this non-conforming now?

1:53:03.5 Louis Pancotti: Yes.

1:53:06.5 Vice Chairman T.C. Collins: Okay.

1:53:08.5 Louis Pancotti: In that, if they don't have an easement that provides them access under our current ordinance, if you were to try and gain access today, you would be required to have an easement. So, if there is no easement to that property now, it is non-conforming. But that doesn't mean it is not legal non-conforming and that it is allowed to continue in that use.

1:53:28.8 Vice Chairman T.C. Collins: It is non-conforming because when, whenever the ordinance was made, they were already doing it. Is that what you mean?

1:53:36.2 Louis Pancotti: Yes.

1:53:38.4 Vice Chairman T.C. Collins: Thank you.

1:53:39.8 Louis Pancotti: Are there any other questions for Community Development? Nothing? Okay.

1:53:48.0 Ann Cupka: Mr. Chair, I move to direct staff to advertise a public hearing for access easement requested for residential property fronting Potomac Drive as requested.

1:54:07.5 Cathy Binder: Second.

1:54:09.0 Chairman Richard Granger: We have a motion properly seconded. Do we have any further discussion? All in favor, say "Aye."

1:54:14.2 Cathy Binder: Aye.

1:54:14.9 Vice Chairman T.C. Collins: Aye.

1:54:15.8 Ann Cupka: Aye.

1:54:16 Jeffrey Stonehill: Aye

1:54:16.9 Chairman Richard Granger: Any opposed? Chair votes aye, motion carries. Thank you. Okay. County Attorney?

1:54:28.7 Kelly Lackey: So, I have an additional item this evening. Chief Moody was not available to present this item, but he did share his information with me. On June 27th, St. Mary's County, Maryland had a house fire incident in which there was a line of duty fatality. A small department, they were very devastated by this occurrence, and they were reaching out and looking for help because they just needed some help and some additional staff coverage while they were grieving staff members who were unable to answer calls. So, Chief Moody reached out to me and Mr. Miller. He wanted to help, but he wanted to make sure that we were doing it properly. And that the county's emergency operations plan does

provide that the County Administrator can provide some mutual aid. However, because this was across state lines and it was a special situation, we executed a temporary mutual aid agreement for a maximum duration of 72 hours. Five personnel from King George Fire and Rescue responded to assist with making service calls. Their active time was for one five-hour period, they responded to two potential incidents and two calls. So Chief Moody estimates that the internal cost that King George County probably could associate with the event was \$1500 or less. I mentioned that this was a temporary mutual aid agreement. There is interest by staff in developing and bringing forward to you all a more permanent mutual aid agreement. But the action for this evening would be that the temporary mutual aid agreement provided that the internal costs would only be waived subject to ratification by the Board of Supervisors.

1:56:20.7 Chairman Richard Granger: Do we have any questions? Okay.

1:56:32.6 Ann Cupka: Mr. Chair, I will move to ratify the waiver of costs associated with mutual aid provided to St. Mary's County as requested.

1:56:41.4 Jeffery Stonehill: Second.

1:56:42.2 Chairman Richard Granger: Motion properly seconded. Do we have any discussion? I'll just say, I really do think it is important to us to ratify a MOU with St. Mary's, so I'm glad to hear that Chief wants to move forward with that. I know we certainly make use of a number of mutual aids and our neighbors have been good neighbors. They have helped us out a number of times, and so having the opportunity to help other people is good as well. So, I look forward to seeing that MOU. Alright. Motion properly seconded. All in favor, say "Aye."

1:57:15.2 Cathy Binder: Aye.

1:57:15.3 Ann Cupka: Aye.

1:57:15.4 Jeffrey Stonehill: Aye.

1:57:15.4 Vice Chairman T.C. Collins: Aye

1:57:15.5 Chairman Richard Granger: Any opposed? Chair votes aye, motion carries. I believe we are up to Mr. Minor.

1:57:32.5 Nick Minor: Chris, what agenda item are we? Are we on the tourism application or?

1:57:36.2 Chairman Richard Granger: I apologize. The Department of Economic Development and Tourism Incentive Ordinance.

1:57:39.7 Nick Minor: Thank you, Mr. Chair, and thank you, members of the board. Tonight, I'm presenting on the technology zone ordinance as well as the defense production zone ordinance. I have a brief presentation, just to recap with the board. I believe in your board

packages; you should have had both completed ordinances. I'm happy to take questions after the presentation. Should also receive the board report that summarizes the reason for doing this, the reason for putting in incentives as well as the way that it coordinates with our economic development strategic plan. Thank you, Chris. So, for the agenda, we talk about why incentivize what the internal process will look like if adopted the eligibility for proposed technology and defense zones the proposed incentives. And then for this presentation I actually added the proposed areas, just to recap for the board again. So why incentivize? State incentives require it, BDP, when they attract businesses to, or companies to the state. There are incentives that require a local match, such as the Commonwealth Opportunity Fund and the Virginia Investment Performance Grant. Competition. I think in a perfect world, no locality would incentivize, but this is not a perfect world. There are localities that are distressed, that need to incentivize in order to create, create jobs and create economic activity. So as long as other localities are doing it, King George will have to figure out a way to compete against them, and incentives are our way to do that. So, it is also to target specific industry sectors, in this case, technology and defense production. Also, to create local industry specialization. We are lucky in King George where we are already sort of defense and technology-based, so I think this aligns perfectly with our economic development strategic plan, but also where we are heading in this community from an industry and economy standpoint. So, the internal process for this, the applications will be submitted online. I believe I provided a draft application of what that looks like. I'm happy to take any comments or questions on that. Staff will review that application for eligibility based on the information provided. Staff will then conduct an economic impact analysis. That impact analysis will actually be provided to me from a third party specifically Chmura Economics & Analytics. There are other analysis tools, but that is the one that we currently use here. It let us know what the direct impact is, but what the indirect and induced impact is on the county from the project. And then staff will provide a draft performance agreement with a recommendation to the County Administrator to review by the Board of Supervisors and the King George Economic Development Authority. Step five will be for the Economic Development Authority and the Board of Supervisors to have to vote on the approval of the incentives. Step six is that if they are approved, the performance agreement will then be executed before any incentives are awarded. So, business requirements, they submit a detailed application with verifiable information. They report annually on their performance for the term of the incentive. In this case, it will be up to 10 years, and then up to 20 for defense production zones. So, what we analyze is their job creation and investment. Jobs can be verified. The job creation that they do can be verified through VEC. It is a quarterly report that we can request from the state and then we can check in with the Commissioner of Revenue and the Treasury Department on their personal property activity and the taxes that they paid in the locality. Qualifications for incentives. We reviewed this at the last board meeting on June 20th, but existing and existing expanding businesses located within the zones, they have a minimum capital investment of \$500,000, a creation of at least five jobs within the first three years of expansion; for new or expanding businesses located within the zones, a minimum capital investment of one million, a creation of at least 10, full-time equivalents or full-time jobs within the three years. Defense production zone is actually the same. So proposed incentives, reductions in whole or part for, BPOL, machineries and tools tax, business personal property tax, permits and user fees. Same applies for defense production zones. So, the proposed areas, this just lays out the settlement areas, but the

areas that we are taking into consideration are the Route 3 West settlement area, the 3 and 301 settlement area. A portion of the Cleydale property. Thanks, Chris. A portion of the Cleydale property, this is Cleydale, this is ET, that was added. And then you have the Dahlgren settlement area as well. And then coming down here, I can just change the slide and show you what I'm talking about here. So, at the bottom, the last two parcels of this settlement area are where the business park is going. It is right outside of it. Here's what it looks like up close. So, it is just these two parcels, 3394 and 3395. Thanks, Chris. And then moving on to the Cleydale property, which I mentioned earlier. This is your Cleydale. This is actually in the settlement area. This is a mixed zone with industrial, residential, commercial ag. It has a lot going on with it. ET has just owned A1, I believe, or A2. And I'm happy to take any questions on the presentation.

2:03:21.6 Chairman Richard Granger: Have any questions for Mr. Minor?

2:03:28.0 Cathy Binder: I do.

2:03:29.8 Chairman Richard Granger: Okay. Go ahead, Ms. Binder.

2:03:30.6 Cathy Binder: Can we go back to the maps?

2:03:33.9 Nick Minor: Yes, ma'am.

2:03:36.1 Cathy Binder: Did you remove the one with Edgehill?

2:03:37.4 Nick Minor: Edgehill?

2:03:39.8 Cathy Binder: I think it is. There was one in our presentation. See, Edgehill office.

2:03:45.5 Nick Minor: Oh, right here?

2:03:46.6 Cathy Binder: Yes.

2:03:46.9 Nick Minor: So, ma'am, it follows a settlement area. It is whatever the Planning Commission and the Board of Supervisors votes on for that settlement area. So, if we ever move that settlement area, the production zone will just follow it, or the technology zone will just follow it.

2:04:00.7 Cathy Binder: Okay. Because I had concerns, especially in the Edgehill area because there are a lot of small businesses there that already exist. And I know there is, there is some commercial real estate there. So that was one of my concerns. Another concern I had was, how does this affect our current ordinance process? If we did this now, any business that came in, are they going to be under the current ordinances or future ordinance?

2:04:23.6 Nick Minor: So, ma'am, this does not affect our ordinances whatsoever. There was an internal discussion that took place, and it was found out that we cannot use this

ordinance, this economic development incentive ordinance to skew our own ordinance or to go against what we already have in place. So, we can add it to the ordinance, but it is kind of redundant.

2:04:46.4 Cathy Binder: So, what I'm getting at is any business before our current overhaul is done, that comes in under this, if we approve this today.

2:04:55.9 Nick Minor: Yep. Ma'am, this has nothing to do with land use. This is all tax based.

2:04:57.6 Cathy Binder: Okay.

2:04:57.6 Nick Minor: This is all, tax based.

2:05:00.2 Cathy Binder: This is all tax benefits? Okay.

2:05:01.9 Nick Minor: Tax and permits and fees. Yes, ma'am.

2:05:04.1 Cathy Binder: And then, I agree with them, the length of incentives maybe, looking at that a little better. And then, the one other question that is going out of my mind, I would like to circle back after everybody else does theirs because I forgot my last question.

2:05:22.9 Vice Chairman T.C. Collins: In regard to the Fairfax's comment in public comment, I don't know if you heard those. Did you hear those?

2:05:32.4 Nick Minor: I heard a few of them, yes, sir.

2:05:33.7 Vice Chairman T.C. Collins: Okay. So, I agree with all three of those, and two of them had to do with the incentives, incentive period and, removing the status. So, I would be a fan of those.

2:05:47.5 Nick Minor: Right.

2:05:49.3 Vice Chairman T.C. Collins: That mirror is kind of what Spotsylvania has. And I would also be a fan of spelling out the zoning ordinance, that the incentives don't affect the zoning ordinances.

2:06:04.1 Nick Minor: Yes, sir.

2:06:05.6 Ann Cupka: Thank you, Mr. Chair. Thank you, Mr. Minor, for your presentation. I have a question because the length of time has come up in public comment this evening. So, I note you said the recipient would have to enter into a performance agreement with the county, correct?

2:06:27.3 Nick Minor: Correct.

2:06:28.5 Ann Cupka: And so, the county would negotiate the terms of that performance

agreement, am I correct?

2:06:34.4 Nick Minor: Correct.

2:06:34.9 Ann Cupka: The county could say, "Well, just because our ordinance says we could do this for 20 years for one, or we could do this for 10 years for the other," doesn't mean we have to, am I correct?

2:06:49.2 Nick Minor: That is correct.

2:06:49.7 Ann Cupka: The county still maintains control and authority over what the terms of the performance agreement look like.

2:06:57.5 Nick Minor: Correct.

2:06:58.3 Ann Cupka: Okay. Then it also states in the draft ordinance, it would need to create at least five net new permanent full-time employment positions located within the county, filled within the first three years from the issuance of a certificate of occupancy. So, I read that as a claw back mechanism where if they don't do what they said they had to do under number one, the ordinance with that at least five jobs within three years.

2:07:40.7 Nick Minor: Correct.

2:07:41.2 Ann Cupka: And I'm sure whatever the job threshold is would be included in as part of the terms of the performance agreement. Am I correct?

2:07:49.5 Nick Minor: Correct.

2:07:50.1 Ann Cupka: So that would all be documented in the performance agreement?

2:07:52.6 Nick Minor: Correct.

2:07:53.1 Ann Cupka: Okay. So, with that I do understand why the concerns were brought up, but I feel like the county maintains the authority and control over this process. I'm okay with moving forward with it. Thank you.

2:08:10.5 Chairman Richard Granger: Ms. Binder?

2:08:11.5 Cathy Binder: Yes, I did remember. We have referenced Spotsylvania a couple of times and they had a public hearing tonight concerning some issue with tech center, data centers. But what they did, I was impressed looking over their information last night. They have spent three years developing their tech zones, their data center plans, everything. And they have had a lot of public input. So, one of my concerns is if we could have some public meetings, even if it is one public meeting, where we explain this because this is in the end going to possibly be in our new comp plan and we are identifying areas that we are targeting for these industries. And so, I think it is, if we are going to change the look and feel of that

part, and that is a lot in Shiloh, we need to have some public at least informational sessions or input, not just to public hearing. I think that is only fair to the residents, especially of Shiloh, that they have some input because I don't know if they know that some of these industries might be coming their way.

2:09:15.1 Chairman Richard Granger: Mr. Minor, one of the other comments I'd heard tonight was the board reserves the right to remove qualified status from business that is non-compliant with ordinance. So not necessarily the performance plan, but if they were to be outside of compliance with our zoning ordinance, whatever reason that they do something they shouldn't be doing. Is there any way for us to address a situation like that in this proposed ordinance?

2:09:43.0 Nick Minor: I would say right now, number one, I have no issue with any of the proposed amendments to the ordinance.

2:09:51.3 Chairman Richard Granger: Mm-hmm.

2:09:51.4 Nick Minor: But a lot of those details get hammered out in performance agreements. So, if there is something that we want to protect or control for, having it spelled out in the ordinance, I'm all for. The performance agreement, because each project is on a case-by-case basis, the project could be done in phases. There are economic, the environment may change. It may be a recession now, then when they come out of it, they went from saying "We are going to create five to 20 jobs." So, we may have to redraft or rework that performance agreement because that incentive may activate something else. Everything is done on a case-by-case basis. I would say those details could be handled in a performance agreement, but I'm open to whatever suggestions the board requires. Nothing that suggested it hurts our ability to attract, I think just having it in place and having a formal process that business can look at and says, "King George is proactively trying to bring me here," is what we are trying to achieve with this board.

2:10:56.1 Chairman Richard Granger: Okay. My personal feelings, I would like to move forward with codifying in there, if they fall out of compliance with the ordinance, that at that point the board would have an opportunity, or the county would have an opportunity to end that agreement because they are no longer just following the ordinance. I don't feel like there is ever a time where it'd be like, "Yeah, we, we want to continue this incentive agreement where you are not in compliance with our ordinances." So, for me I would like to see that codified in there, because I feel like that is an always in there. The other one I hear you are saying in regard to, that this zone and this ordinance will not impact the current zoning ordinance in place. State law can always change. I would just have it in in there so it is officially codified as well again, just to make sure that if anything were ever changing the future that could open things up, that it is tight I guess for us. I, I get what you are saying right now, it is kind of pulling double duty, but I don't think it hurts to have it in there personally.

2:11:58.6 Nick Minor: Agree.

2:12:00.3 Chairman Richard Granger: Okay. In regard to the years, I'm in favor. I heard what the Fairfax's said, or Mrs. Fairfax had to say. I'm content with leaving them as you have as the county does have the opportunity. That is the performance plan, and we don't have to go that high. I kind of like having the opportunity to say we have that opportunity because if you put it at five, then you cannot go above five. So, I'd rather not hit 20 and that is okay. As opposed to being like, "Wow, we want to go to seven" Or some, some situation. So, that is my feeling.

2:12:36.0 Nick Minor: Sorry, I have one comment on that.

2:12:37.6 Chairman Richard Granger: Sure.

2:12:37.9 Nick Minor: Again, every project is different. The 10-year or 20-year basis that could help us if one of the projects receives a state incentive and that incentive goes longer than that 10-year or goes longer than that five-year period. So, let's say we do put in five years, all that happens is that we just reapply. They would just have to reapply at that five-year mark. Right? So, it is just another administrative process. That is really what we are doing, that is really what we are talking about here, just more paperwork at that five-year mark.

2:13:08.0 Chairman Richard Granger: I understand. I don't mind addressing it at the beginning when we are developing a performance plan and say, "Hey, we cannot go up to this and that is okay." so that would be my feelings. So, I'll circle back to my colleagues though as well, because obviously we are asking for some changes here and I don't want to make a command decision. Obviously, everyone has their, their opportunity to speak. Mrs. Binder, and I'll come to you, Mr. Collins.

2:13:29.3 Cathy Binder: I appreciate this, and I understand doing research on this is important, especially in the climate we are in to attract businesses. Looking at the spot I just think that we at least need to have one where we explain it to the public so they can see and kind of tell us that they are on board with making some of these zones that we are going to attract these businesses. Not a surprise to them. Other localities have done it. It doesn't slow down the process, I don't think, because it is not waiting for the new comp plan, which could take 18 months starting next year, but just doing at least an informational session before we have a public hearing so that people can understand it better with map. Maybe no one shows up. Hopefully a lot of people will show up, but I think we need to have that opportunity.

2:14:15.1 Vice Chairman T.C. Collins: So, is there a consensus of the board to have that removal status that you spoke of, and you spoke of, and I spoke of?

2:14:26.4 Chairman Richard Granger: This would deal with the business we are out of compliance with our current zoning or with the zoning ordinance, that at that point the county could cancel the agreement because they are no longer a good player.

2:14:41.1 Chairman Richard Granger: Okay.

2:14:42.0 **Christopher Miller:** Ms. Lackey to look into the research. The legal aspect of that.

2:14:45.9 **Kelly Lackey:** We might have to provide some kind of appeal process or something, but I think I understand the consensus of the board to have some kind of additional requirements. You don't get money if you are breaking the rules.

2:15:00.1 **Chairman Richard Granger:** Yeah.

2:15:01.5 **Ann Cupka:** Mr. Chair, can I add to that? Would the board consider also adding to that if you are in arrears on your county taxes as it is? You should not get this incentive. I know Community Development in the past has had people come and file applications for permits and such and it turns out we have a policy already, that if they are in arrears on their obligation, their financial obligation to the county, they need to make good on that.

2:15:46.0 **Vice Chairman T.C. Collins:** So, you are speaking of the incentive zones, they are not. If they own the property and they are in arrears on their tax payment that none of this applies to them?

2:15:55.1 **Ann Cupka:** Yes. So, what if they are good, they get this incentive and then it comes out later that they are not paying their taxes. We should be able to yank it for that too.

2:16:07.9 **Vice Chairman T.C. Collins:** Right. That would be in the removal status part. I'm sorry. I have a bad habit. Ms. Lackey, are you going to look into all the different reasons that could be removed as this sentence can be removed, like in arrears of property tax on a list?

2:16:34.8 **Kelly Lackey:** So, I can come up with a list. As Mr. Minor said though, we can also always add to a particular performance agreement if there is something we feel is at risk for a particular situation. Most of these incentives would be a tax rebate, so they would have to actually pay their taxes before they could get any kind of rebate of taxes, but it doesn't hurt to specify that.

2:17:00.7 **Chairman Richard Granger:** Okay. I think there is consensus to ask to have that, that added as well then, in regard to, not being compliance with their own tax payment.

2:17:11.2 **Nick Minor:** Thank you, sir.

2:17:11.9 **Chairman Richard Granger:** Okay. Mr. Collins?

2:17:12.3 **Vice Chairman T.C. Collins:** The bottom line is we also have a provision in there, we can remove them. We have the power to remove them, and not just for the reasons there, might be another reason that hasn't come up yet. But we have the ability, we have an overreach and ability to remove them from that.

2:17:36.8 **Chairman Richard Granger:** I don't think there is anything in there to just remove it

without cause that is been identified. Is that what you are asking?

2:17:42.1 Vice Chairman T.C. Collins: No, I'm saying there might be a cause that is not identified yet.

2:17:44.9 Chairman Richard Granger: I think it would have to be identified. I'll ask Ms. Lackey.

2:17:48.4 Vice Chairman T.C. Collins: Well, like in a lot of laws and then it goes to, tells you cannot do this, this, and this and then you get to the end, and it just basically gives you another blanket of, this. You understand what I'm saying?

2:18:07.0 Kelly Lackey: So, I think if the objective is to kind of match or exceed other localities, we wouldn't want to have a way where we could automatically cancel, an incentive. But I can certainly try to find some more examples and see if there is anything that makes sense. I will say that, when Jessica Washington and I looked at this ordinance or these ordinances, we had some additional thoughts of things that we could add, but we also thought we would streamline it and keep it consistent with the abandoned school revitalization zone, so the provisions would be kind of similar. Although, as we say in the incentive packages, they could all be different, they could have different agreements and different requirements. That is not to say that something couldn't be included in this ordinance that is not already there.

2:19:02.3 Vice Chairman T.C. Collins: I just want to have the ultimate authority from the board to be able to revoke. So, I want to have the board have the ultimate authority of control.

2:19:21.6 Chairman Richard Granger: If it is not codified in the ordinance for why it could be revoked, I don't think we could legally revoke it.

2:19:31.6 Kelly Lackey: So, right now, the ordinance is drafted as such that any agreement would have to come before the board for approval. So, you would have the approval action and you would see certain things, and you would see certain metrics of progress that they would have to meet, but just an automatic revocation, we could specify it, but as I said, I think we would kind of be an outlier jurisdiction if we could cancel at will, an incentive package.

2:20:00.7 Jeffery Stonehill: Mr. Chair?

2:20:01.7 Chairman Richard Granger: Go ahead.

2:20:03.6 Jeffery Stonehill: I just want to make sure. Well, Nick, thank you, looks very good. I think it is very important that we have that here and I think it'll do a lot. The time of the tax is definitely just made sure that we have that case-by-case basis. And the other thing is, do we have the mechanism? company XYZ comes in and they are here for eight years, they have two contracts, they lose their contract and, do we have the mechanism to get the tax back,

so we are not in a, in like a, a situation? If they are 10 years out and they are not paying their taxes or, and do we have the mechanism to get that back?

2:20:52.0 Nick Minor: Mr. Stonehill, they will pay their taxes every year to us, and then they will come before the EDA in order to receive that money back. So, I will review that application or whoever received that incentive, I will review that application annually, take it before the EDA, I will make sure that their taxes are paid and then we will grant that money back to them. So, they will not receive an incentive unless they hit their performance agreement, and they also have to pay their taxes.

2:21:21.7 Christopher Miller: Yeah. I think the other thing is what you are asking though is like, it is a 10-year agreement.

2:21:27.4 Nick Minor: Mm-hmm.

2:21:27.7 Christopher Miller: In year eight, they go well up and they fail to fulfill the incentive. Is there a way to get whatever resources that the county has provided in incentives back? And I think that is something that we would want.

2:21:43.1 Nick Minor: Right. We are going to be incentivizing new tax dollars. It is not our existing money. That is why we are incentivizing an expansion to new businesses and existing businesses. They will only get an incentive on the new investment that they make if you are an existing business. So that tax revenue is already generated, that year when they make their investment. At the end of the tax year, after they have paid, we make sure that they hit their job numbers and that they put into capital investment that they said they did. After we evaluate that, we say "Yes, they hit the number. They hit the capital investment number, they hit the job number. "So, here's what we owe them based off of what we agreed upon." Let's say it was 50% back on personal property, they paid all 100% of it, so they are going to pay \$100, we are going to give them \$50 at the end of the year. It goes before the EDA, the EDA votes on it. The Board of Supervisors cut a check to the EDA, the EDA disperses those tax dollars out to that company. So, they have to hit that mark before they get it. If they are not paying their taxes, then they are already out of compliance. They are not getting the money, period.

2:22:53.0 Jeffery Stonehill: Okay. Then it is more of a refund on their performance.

2:22:57.5 Nick Minor: Right. Right.

2:23:00.3 Jeffery Stonehill: Okay.

2:23:00.4 Nick Minor: This is how the State of Virginia does it. Not every company likes this, but the State of Virginia has a performance-based incentive system, so they have to hit their job numbers every year. They have to hit their investment numbers every year in order for them to receive an incentive from the state. And then local governments almost always follow suit.

2:23:22.0 Jeffery Stonehill: Okay. Thank you.

2:23:23.2 Nick Minor: You are welcome.

2:23:23.7 Jeffery Stonehill: Thanks for your work on it.

2:23:25.0 Nick Minor: Thank you.

2:23:25.9 Vice Chairman T.C. Collins: So, who has the final authority to return the money? The EDA or the Board of Supervisors?

2:23:31.5 Nick Minor: The Board of Supervisors. So, we will go through the process. We agree upon the process. It will go before the Board of Supervisors in order for that money to be transferred. But this is already an agreed-upon process. So we already understand that this is going to happen. It flows from the county coffers. This is new tax dollars to the EDA, the EDA has to vote for the transfer of it as well. Then it gets dispersed to the company.

2:23:58.3 Vice Chairman T.C. Collins: So, shouldn't that be codified in the ordinance?

2:24:01.2 Nick Minor: I think that is in an ordinance, sir.

2:24:03.6 Vice Chairman T.C. Collins: I couldn't find it.

2:24:13.3 Cathy Binder: I have one more question. The maps that you showed, are they going to be part of this ordinance?

2:24:18.8 Nick Minor: That is how I'll advertise it. When I lay the ordinance up on the website, they'll see what areas that we've designated. Maybe that is something I can do with GIS as well.

2:24:29.1 Cathy Binder: Because that is where my concern comes in, just to have that informational session with the public so that they understand. I understand the incentive system, and what you are doing here to attract business, especially defense-related for the base, but I just wish we had some more public information, so they see what it is, and they understand. I'm looking at the way Orange County did it when it was a referendum. I'm not asking for a referendum, but so that the public knew, and the developers knew where they wanted the houses, where they wanted the business, and where the government area would be.

2:25:09.1 Nick Minor: Understood.

2:25:10.4 Christopher Miller: If I could ask a question to follow-up with Ms. Binder. I guess the board would have to weigh, the whole board would have to weigh in on this. You are requesting that some kind of a public hearing be held before the public hearing?

2:25:23.3 Cathy Binder: Not a public hearing. Like we did with the CAP?

2:25:26.7 Christopher Miller: Town hall.

2:25:27.2 Cathy Binder: The town hall, where you have maps like we did in, was it 2018, 2019? So that the public can see and weigh in before we rush to a public hearing. It is just like one step.

2:25:38.8 Christopher Miller: No, I just wanted to get clarification.

2:25:40.2 Cathy Binder: Yeah.

2:25:40.2 Christopher Miller: If the board would like that, then we will go ahead.

2:25:42.5 Cathy Binder: That has to be consensus. It is just something I'm throwing out there.

2:25:45.5 Chairman Richard Granger: Alright. I'll leave it to everyone else.

2:25:54.8 Vice Chairman T.C. Collins: I'm definitely not against the public having as much information as possible.

2:25:57.2 Chairman Richard Granger: Okay.

2:25:58.6 Vice Chairman T.C. Collins: I do agree with Ms. Binder, like we have tonight and then public hearing, and there always seems to be a quick push. I wouldn't mind having a town hall.

2:26:19.2 Ann Cupka: Mr. Chair, yes, I'm good with that. If you want to have a public workshop similar to when the whatever it is called, that Community Development had to do in 2019. Yeah. Every five years, the code requires us to. And I can remember there were workshops and there were maps and everything. With the understanding that that is not an opportunity for them to change those maps, it is the Planning Commission and the Board of Supervisors that do that during that planning process every five years, that is going to be informational only. And then that'll come up again in 2024, I guess, is the comprehensive plan, sorry. When the comprehensive plan gets updated again. So that would be the opportunity for the maps to be redrawn. This would not be an opportunity for that. This would just be an opportunity to show people where the locations are on the maps and the rationale behind adopting the ordinances.

2:27:25.7 Cathy Binder: That is what I think the citizens would appreciate without it is just a public hearing.

2:27:26.6 Ann Cupka: Yeah, I'm fine with that. And I don't, I don't think anyone was going to. Once we all started, everybody got going on the proposed changes, they were going to need to bring it back to us again anyway, because that was just too much.

2:27:40.6 Christopher Miller: I would like to also, just another point of clarification. You would like to see all of the proposed changes that have been discussed tonight that have been proposed, you want to see that document come back and then we would set up a town hall. Is that correct? Is that the will of the board?

2:27:58.9 Chairman Richard Granger: I think that is the will. I'll look for head shakes "Yes." Okay. I think that is the majority.

2:28:07.2 Nick Minor: So, sir, we are, we are talking about do the changes present to the board again, do a work session, bring it back to go for public hearing, not for public hearing, but to be, request to be advertised for public hearing, and then we move on to the public hearing for adoption.

2:28:22.3 Chairman Richard Granger: So, I'll ask my colleagues, because I know it is, it is a lengthy time. could we make a proposal to request a public hearing and then have it set at a time that is obviously after the planned town hall so that it could be just ready to move?

2:28:34.7 Ann Cupka: Yeah.

2:28:35.6 Chairman Richard Granger: Okay.

2:28:38.0 Nick Minor: So, change is drafted first, town hall, come back for a presentation to request an advertisement. And then if, if the board agrees, you would move to adopt then.

2:28:51.0 Chairman Richard Granger: Okay. What I was thinking was, maybe at the next meeting, we will come back with the changes we could propose to advertise for a public hearing. That would be after the date that we would plan for the town hall. And so, it is just kind of having them all ducks in a row to be like, "Alright, we have to plan town hall on this date" and to plan public hearing at the state after the town hall." Then we, we don't have to wait for another meeting to come back to make another motion to advertise wait for another meeting to have the public hearing.

2:29:17.0 Nick Minor: Understood, sir. Thank you.

2:29:17.9 Chairman Richard Granger: Okay. Thank you.

2:29:24.2 Nick Minor: Thank you.

2:29:25.5 Chairman Richard Granger: Alright. Then we will move on, I believe, Mr. Minor, that you have another one, the Music in the Vines?

2:29:31.2 Nick Minor: Yes, sir. Backporch Vineyard is requesting that the final third, \$7000 of their \$21,000 request in TAC funding for the Music in the Vines Concert Series. Backporch Vineyard's Music in the Vines Concert Series was the first of its kind in King George. This event showcased local artisans, nonprofit organizations, and local attractions within the county. The next event is scheduled for August 19th. Previous approval was an amount of

\$14,000 or \$7000 per event. The Tourism Advisory Committee requested that Backporch Vineyard provide a recap to the Tourism Advisory Committee before additional funding be approved. Approval for the last of the concert series to be held in August. TAC recommended \$4000 to award Backporch Vineyard \$4000 for this third event. Staff agrees with TAC's recommendation.

2:30:22.1 **Chairman Richard Granger:** Alright. Do we have any questions for Mr. Minor about this request? Okay.

2:30:40.8 **Cathy Binder:** Alright, I'll make a motion to go with the TAC's recommendation that we approve, the remaining application in the matter of \$4000.

2:30:51.0 **Jeffery Stonehill:** Second.

2:30:51.8 **Chairman Richard Granger:** We have a motion properly seconded. Do we have any discussion? All in favor, say "Aye."

2:30:56.4 **Cathy Binder:** Aye.

2:30:56.5 **Vice Chairman T.C. Collins:** Aye

2:30:56.8 **Ann Cupka:** Aye.

2:30:57.3 **Jeffery Stonehill:** Aye.

2:30:58.1 **Chairman Richard Granger:** Any opposed? Chair votes aye, motion carries. Thank you, Mr. Minor.

2:31:00.7 **Nick Minor:** Thank you. Have a good evening.

2:31:02.1 **Chairman Richard Granger:** You as well, sir.

2:31:03.4 **Vice Chairman T.C. Collins:** Mr. Minor? Sir? Mr. Chairman?

2:31:05.7 **Chairman Richard Granger:** Go ahead.

2:31:06.2 **Vice Chairman T.C. Collins:** So, this Music in the Vines that we have in our packet, who was that prepared by?

2:31:13.5 **Nick Minor:** I'm sorry, sir?

2:31:14.4 **Chairman Richard Granger:** Application?

2:31:15.5 **Vice Chairman T.C. Collins:** Yeah, all the information that they did.

2:31:19.9 **Nick Minor:** Backporch provided that after action report to the TAC. TAC reviewed it last, or the week before last.

2:31:26.7 Vice Chairman T.C. Collins: Yeah. Okay, thank you. They did a good job on that. Thank you for capturing all that information.

2:31:31.4 Nick Minor: Alright. Thank you. I'll let them know.

2:31:34.1 Chairman Richard Granger: Thank you, Mr. Minor. Ms. Hahn. Adoption and Appropriation of the FY22-24 capital budget.

2:31:42.9 Donna Hahn: Good evening, Mr. Chair, members of the board. At the work session that was held on June 8th, 2023, the King George County Board of Supervisors reviewed the capital project's budget for fiscal year 2023-2024 and advised staff of the projects to move forward. The purpose of this action item is to request adoption and appropriation by project as presented below and as per the attached funding solution that was in your board packet it is recommended at this time that funding be appropriated as follows: For Parks and Rec, Barnesfield Park playground, \$125,000; Sealston access road repaving, \$150,000; master plan initial phase of \$100,000. For the King George County schools, school bus replacement in the amount of \$583,856. The middle school scoreboard installation, \$52,000. The Potomac Elementary gym floor, \$110,825, and schools flooring at all three of the elementary schools in the amount of \$145,000. For information technology, computer replacement, \$70,000. Courthouse Meraki equipment, \$100,000. admin and Parks and Rec re-cabling for \$160,000. Solid waste and recycling, the Sealston concrete repair at \$75,000. Engineering, repurpose the old courthouse, \$550,000. Phase 2, middle school turn lane, \$500,000. And back to the repurpose of old courthouse, that is for the engineering piece. general properties, the funds for engineering their new facility that got funds appropriated in the previous fiscal year of \$125,000. The law enforcement patrol boat for \$280,311. And ambulance replacement for EMS at \$350,000. The recommended action is to adopt and appropriate the approved capital projects as presented.

2:33:49.6 Chairman Richard Granger: Thank you, Ms. Hahn. I'm going to start by asking, I know after this we will have a discussion about the preschool elementary school feasibility study. I believe there was a majority of the board that would like to move forward with this preschool as soon as possible. Right now, we are approving the CIP budget. The preschool was something that was identified as an option as part of the CIP process. So, after the feasibility study, could we come back, because it has gone through public hearings with the Planning Commission and obviously with the board, and make motions to try to move forward with the preschool this year at a later date, in order to entertain the feasibility study?

2:34:30.6 Donna Hahn: Yes, once we have identified the funding source and where we are going to come up with the funds for it, yes, we could do that.

2:34:38.1 Chairman Richard Granger: Okay.

2:34:38.9 Christopher Miller: If I may.

2:34:40.3 Chairman Richard Granger: Yes, sir.

2:34:40.9 **Christopher Miller:** Mr. Granger, I have just spoken with Mr. Laux, with Davenport, and they are willing to be here at the next meeting, August 1st.

2:34:48.8 **Chairman Richard Granger:** Okay.

2:34:49.4 **Christopher Miller:** It will be David Rose who is one of the partners and he will be here to talk about your options. I will tell you that we have already worked with Dr. Boyd on grant funding. King George is in a very good spot in a lot of ways, but when it comes to grant funding like this, we are not in a good spot. The work that Davenport did shows that we probably would score very low on what the needs are to get funding through the state for. I cannot remember exactly what the name of the grant is, but they looked at that.

2:35:29.2 **Donna Hahn:** I think it is the literary.

2:35:31.0 **Christopher Miller:** Literary fund, yes. So, we are still working with them, but they indicated that they could be here on the 1st, and we could start discussions on a public financing plan, if that is what the board wills.

2:35:44.4 **Chairman Richard Granger:** I appreciate that. Thank you so much for, for having him come to the next meeting and so that we can continue to entertain this and find the right way forward for this community. Does anyone else have any questions for Ms. Hahn about the proposed CIP?

2:36:02.4 **Jeffery Stonehill:** Mr. Chair, I, make a motion to adopt and appropriate the approved capital projects as presented.

2:36:10.5 **Ann Cupka:** Second.

2:36:11.4 **Chairman Richard Granger:** We have a motion properly seconded. Do we have any further discussion? Go ahead, Mr. Collins.

2:36:15.3 **Vice Chairman T.C. Collins:** So, when we were discussing this, the capital projects, there were some projects that I was not interested in and they are on the list. When I vote, I will vote nay because those projects are still included. And I'll be outvoted. Thank you.

2:36:34.7 **Chairman Richard Granger:** Alright. Any other discussion? All in favor, say "Aye."

2:36:38.6 **Cathy Binder:** Aye.

2:36:39.4 **Jeffery Stonehill:** Aye.

2:36:39.5 **Ann Cupka:** Aye.

2:36:40.8 **Chairman Richard Granger:** Any opposed?

2:36:41.8 Vice Chairman T.C. Collins: Nay.

2:36:42.1 Chairman Richard Granger: Chair votes aye, motion carries. Thank you, Ms. Hahn. Alright, Ms. Hahn again.

2:36:52.8 Donna Hahn: Yes. So, during the fiscal year 2021-2022 CIP process, \$75,000 in ARPA funds was set aside for renovations at the existing preschool. To date, there have not been any renovations, and it has been determined that it would not be advantageous to proceed with any renovations as we move forward with planning for a new preschool. Staff would like to increase the scope of the current preschool feasibility study to include the possibility of an addition of a new school board office and a fourth elementary school. Staff proposes to transfer funds as described below, to credit the project for the preschool ARPA and then to create a new GL line for the study in the amount of \$75,000. I recommend that you authorize the County Administrator to transfer \$75,000 from the ARPA preschool renovation line to a line to be created for the continuation of the preschool feasibility study as presented.

2:37:49.5 Vice Chairman T.C. Collins: So, this is the first reading? If we vote, people will not be able to comment to us before we vote. It is my first reading of this. Or, that money goes for the new school board office in elementary school.

2:38:13.3 Chairman Richard Granger: Okay.

2:38:14.6 Vice Chairman T.C. Collins: I think that this should be the first reading and not be a vote, to have this tabled until the next meeting.

2:38:20.4 Chairman Richard Granger: Alright. I'll ask my colleagues.

2:38:23.3 Cathy Binder: I'm willing to go for right now because that I know there is a push for the preschool to happen now.

2:38:30.4 Vice Chairman T.C. Collins: It is not the preschool in here though.

2:38:31.9 Cathy Binder: Correct. Let me finish my thought. I'm a big proponent of this, and that site is very specific, and it has a lot of challenges. And if we are going to do this right, we need to have a proper study of that site to make sure that we can accommodate everything on that site eventually. Maybe not putting it all there right now, but it has to be done now, not later. So just transferring the ARPA funds to move to be able to pay for the study to be completed in the proper manner to make sure our tax dollars are being used properly and to take care of our needs for our school children, why do we need to wait for that? It just makes sense.

2:39:09.9 Ann Cupka: Mr. Chair, motion.

2:39:11.9 Chairman Richard Granger: Okay.

2:39:12.6 **Ann Cupka:** I move to authorize the County Administrator just transfer \$75,000 from the ARPA preschool renovation line to a line to be created for continuation of the preschool feasibility study as recommended.

2:39:23.9 **Cathy Binder:** Second.

2:39:24.8 **Chairman Richard Granger:** We have a motion properly seconded. Do we have any further discussion? All in favor, say "Aye."

2:39:29.4 **Cathy Binder:** Aye.

2:39:29.8 **Ann Cupka:** Aye.

2:39:30.5 **Jeffery Stonehill:** Aye.

2:39:31.4 **Chairman Richard Granger:** Any opposed?

2:39:32.1 **Vice Chairman T.C. Collins:** Nay.

2:39:32.7 **Chairman Richard Granger:** Chair votes aye, motion carries.

2:39:34.6 **Donna Hahn:** Thank you.

2:39:34.7 **Chairman Richard Granger:** Thank you, Ms. Hahn. I believe we have Mr. Dines. Contract modification for GSA. I will not read the number. It is long.

2:39:53.2 **Chris Dines:** Good evening, Mr. Chairman, members of the board. You remember we brought this before, but it was before we got to the point, we are about to adopt our budget. So, the summary, you see in your board packet the attached quote from ProActive for additional services under contract GSA 03212022-1400, which entails the monthly fee increasing from \$21,315.68 to \$26,200 for an additional \$4,824.32. These additional services will include our Fire and Rescue employees, their computers and services provided by the contract to include the lab tech ConnectWise remote access antivirus software, which the Fire and Rescue did not have previously. The license for these services will increase from a county total of 300 to 350. Additionally, we will be receiving the Dagnet honeypot cybersecurity token, which has been installed on all county network servers, desktops, laptops, to enhance the ability to track any potential bad actors and to isolate their entry point into our network, to our location that can be identified. So, we will be able to tell who they are and where they are coming from for investigative purposes. So, this just adds an additional layer of cybersecurity. Finally, we will have the mobile device management, which will allow IT to control, secure and enforce security policies on a county-issued smartphones and tablets. This will be able to optimize our functionality and security with these devices and will further aid and protect the county, where these additional services have been included in the FY23-24 operating budget requests for information technology. So, our recommended action is to authorize the County Administrator to execute a contract modification for GSA 03122022 with ProActive Information Management LLC, to increase

the amount of the contract from \$255,788.16 to \$314,400 at the beginning of fiscal year 23-24. With that, I'll take any questions.

2:42:35.5 Chairman Richard Granger: Thank you, Mr. Dines. Does anyone have any questions?

2:42:38.5 Vice Chairman T.C. Collins: Mm-hmm.

2:42:38.6 Chairman Richard Granger: Go ahead, Mr. Collins.

2:42:39.7 Vice Chairman T.C. Collins: These funds were included in the 23-24 operating budget of what were the funds that were included? The 255 or the 314?

2:42:50.2 Chris Dines: With the quote, we had that extrapolated to the new account, the new amount of \$314,400.

2:42:58.9 Vice Chairman T.C. Collins: So, what was approved in the operating budget? 255 or 314?

2:43:06.6 Chris Dines: No. You haven't actually officially approved it.

2:43:08.8 Vice Chairman T.C. Collins: What was the number that we approved?

2:43:12.3 Chris Dines: \$314,400.

2:43:17.9 Vice Chairman T.C. Collins: So why is he coming, why is he coming forth, Mr. Miller?

2:43:22.5 Chairman Richard Granger: Contract modification.

2:43:26.4 Christopher Miller: It is contract modification. I think as Mr. Dines indicated at the time, you remember he wanted to transfer, not transfer. Let me use this. We redirected the way some of his purchases were being done. They were being done through capital when they really should have been operational. And then what happened is that there was a modification to this contract. It happened after we had presented it to you. And I think if the capital improvement budget had been approved probably a couple of months earlier, it might not have been something that we would of had that information, I guess is what I'm saying. Ms. Hahn, would you want to explain that too, further?

2:44:18.7 Donna Hahn: Also, we cannot approve the contract modification until the budget was approved. Whenever we do a contract and contract modifications, we have to have an approved funding source. And so, this funding was included in the operation budget, which was approved at our last meeting, and that is why he's coming tonight to do the contract modification for that amount.

2:44:44.7 Chris Dines: And moreover, Mr. Collins, they sent the contract to us, but I cannot

execute that contract. Ms. Hahn and her staff are the ones that do the official contract for any company that we deal with. So, in the packet, you will see where I'm supposed to sign. I have a new one because that date got pushed back since we had to wait for this meeting. So, that date that you see is not the actual contract execution date. The actual contract execution date, we want to put to July 1st, of course, for the new fiscal year. I have 30 days to sign that contract officially for them after it has been approved by Ms. Hahn and her staff to present to you.

2:45:39.3 Chairman Richard Granger: Do we have any other questions?

2:45:41.4 Jeffery Stonehill: Yes. Thank you, Mr. Dines. You are bad actors. I had a bad actor get a hold of my credit card the other day. I like that you can identify where they are coming from and who they are for investigative purposes. Who investigates that? Anyone?

2:46:04.8 Chris Dines: Our CISO monitors our network. Since we don't have the ability to have an information security officer on site, it is all part of the package with our antivirus and spam control.

2:46:22.3 Jeffery Stonehill: So, these guys, do it?

2:46:23.8 Chris Dines: Yes.

2:46:24.9 Jeffery Stonehill: Okay. Thank you.

2:46:26.5 Vice Chairman T.C. Collins: Quit buying stuff on your county computer.

2:46:33.5 Chris Dines: Was that on your county device, Mr. Stonehill?

2:46:36.5 Jeffery Stonehill: No, sir, but I was notified, I had a dead aunt die and left me \$47 million that came to my county email. They are just waiting for my wire information. I'll get it, I'll split it with you.

2:46:50.5 Chris Dines: There is our preschool and elementary school, Mr. Stonehill.

2:46:53.7 Vice Chairman T.C. Collins: Yeah, I got one more question.

2:46:55.0 Jeffery Stonehill: They are welcome to have it.

2:46:56.9 Chairman Richard Granger: Go ahead, Mr. Collins.

2:46:57.3 Vice Chairman T.C. Collins: You keep sending out this stuff to us and this has nothing to do with this. You keep sending us out all these tests, and it gets a little annoying, the stuff that Mr. Stonehill's got the dead aunt and all that stuff. But, when you are cheating on your spouse and all that stuff, can we minimize those things? I get them like five times a day.

2:47:22.0 Chairman Richard Granger: I don't get that many.

2:47:22.7 Chris Dines: Those ones are probably because of where you might be searching. Like, if you search on a store, or sometimes even one of the newspapers has bad actors through there. That kind of thing doesn't usually come from the tests that we do. That is not the kind of test we would do with our KnowBe4 software. But something like that is probably cashed from a website you've been to. So, they get you through that way.

2:47:54.7 Vice Chairman T.C. Collins: Yeah, I was sending all the stuff to you and then I stopped because it became so many of them.

2:47:58.4 Chris Dines: Mm-hmm. Some of them are legitimate tests. Some of them could be actual people trying to get through. The percentage of people that have fallen victim to even opening them has gone way down ever since we started doing the training. So that is why we want to do as much training as possible, so everybody's armed against those kinds of things.

2:48:20.0 Vice Chairman T.C. Collins: I don't open nothing.

2:48:21.5 Chris Dines: That is what I do. I deleted it all.

2:48:23.8 Jeffery Stonehill: Mr. Chair?

2:48:24.5 Chairman Richard Granger: Yes.

2:48:25.3 Jeffery Stonehill: If I may. I would like to authorize the County Administrator to execute a contract modification to GSA 03122022-1400 with ProActive Information Management LLC to increase the amount of the contract from \$255,788.16 to \$314,400 at the beginning of FY23-24.

2:48:56.2 Cathy Binder: Second.

2:48:56.8 Chairman Richard Granger: We have a motion properly seconded. Do we have any further discussion? All in favor, say "Aye."

2:49:01.4 Cathy Binder: Aye.

2:49:01.5 Ann Cupka: Aye.

2:49:01.8 Jeffery Stonehill: Aye.

2:49:01.8 Vice Chairman T.C. Collins: Aye

2:49:02.5 Chairman Richard Granger: Any opposed? Chair votes aye, motion carries. Thank you, Mr. Dines.

2:49:04.8 Chris Dines: Thank you.

2:49:07.4 Chairman Richard Granger: Alright. We did Sheriff's at the beginning, so I think that was our last action item. I'm correct. We will move on to the County Administrator's report.

2:49:17.0 Christopher Miller: Mr. Chair, I guess we are saving the worst for last and the best for last. So, I know that we certainly appreciate the comments that everybody had about Ms. Hall. And I will say that you have to stand up, and so does Mr. Pancotti, please. There are just a couple of things, one comment to thank Ms. Hall. I will tell you that we will have a, some kind of a ceremony the week of her last day. I have been here two years, so I don't quite have the history that some of you other folks have with Ms. Hall. I think I have always found her to be a very empathetic and compassionate individual working for the county and serving this board and serving other boards and also serving the community, but also most importantly, serving her staff. She's probably the biggest advocate for her staff. I know that she's done a good job in responsive. I know when I first came here, there were some concerns about the ability of the department to meet the needs of the community and addressing some of those concerns. And there was a survey done, and I think the survey was very useful in providing you all with assurances of the things that they were doing to try to address the needs of the community. It is a quite difficult, and challenging department when you think about, you are serving development interests, but you are also serving the average citizen who may have an issue with an easement that they need to get cleared up so that they can close on their house, and these folks, are there for them. It is also a job, and I know that, Mr. Stonehill and Ms. Cupka and Mr. Collins, having been in law enforcement, understand the difficulty sometimes that you are placed in to have to enforce codes and, the law and things like that. And so, the things that they have to do in terms of the building codes and the regulations dealing with the Chesapeake Bay Act, all the various aspects of that. And I think that Ms. Hall did a very good job of, of working with our community and addressing their needs. So, I just want to thank her for that. Her last day, obviously, as you received my memo, is the 28th of July. and our next board meeting is on the 1st of August. And so, it is necessary, and I have a memo that I just passed out, that we will appoint tonight a zoning official, and the subdivision agent. That is a board appointment. It is required that that position have the au... Authority of the board appointment. So, I would ask if, if somebody would entertain a motion to appoint Mr. Louis Pancotti as the interim zoning official and also the interim subdivision agent.

2:52:42.9 Cathy Binder: I'll make a motion as presented.

2:52:49.3 Jeffery Stonehill: Second again.

2:52:50.4 Chairman Richard Granger: I have a motion properly seconded. Do we have any discussion?

2:52:53.3 Vice Chairman T.C. Collins: Ready, Mr. Pancotti?

2:52:56.8 Louis Pancotti: Yes, sir.

2:52:58.3 Vice Chairman T.C. Collins: We've got some big stuff coming.

2:53:01.9 Chairman Richard Granger: Alright. Yes, sir. All in favor, say "Aye."

2:53:05.5 Cathy Binder: Aye.

2:53:05.9 Ann Cupka: Aye.

2:53:06.2 Jeffery Stonehill: Aye.

2:53:06.2 Vice Chairman T.C. Collins: Aye.

2:53:06.8 Chairman Richard Granger: Any opposed? Chair votes aye, motion carries. Thank you, Ms. Hall. Thank you, Mr. Pancotti.

2:53:10.0 Heather Hall: I do just want to say I appreciate all the opportunities that King George has afforded me over my career. I'm looking forward to a new challenge and being an average citizen and spending a little bit more time at home. But I assure you that Louis Pancotti is up to the position. I have all the faith in the world of him. So, thank you again.

2:53:28.9 Vice Chairman T.C. Collins: Ms. Hall? I know you are going to work for VDOT, but can you tell us what that job is?

2:53:35.9 Heather Hall: I would prefer not to say publicly, but I will be around.

2:53:41.1 Vice Chairman T.C. Collins: Okay.

2:53:42.2 Cathy Binder: Mr. Chair?

2:53:43.5 Chairman Richard Granger: Yes.

2:53:43.6 Cathy Binder: I want to publicly say something that, I was on that Zoom meeting where I was talking about affordable housing. I always told Ms. Hall this, but there were two developers in particular who mentioned how positive an experience they had with the staff of Community Development. And I know Community Development sometimes does not get the gold star by some folks because they think many different things, but they understand that you do your job and you are about regulation and protecting the citizens. But not everybody thinks that way. And I want the public to understand that there are out... That, that they really appreciate what Community Development is and how you've grown and matured, and the department is very professional and does try to do the best. So, I want to make that a public comment. Thank you.

2:54:26.7 Heather Hall: Thank you.

2:54:30.4 Christopher Miller: If I may, continue. Mr. Mestler has a memo, I believe that is at your desks as well, that is, kind of outlines our process. It also includes a bio of Mr. Pancotti.

So, I think that I have said in my memo to you announcing Ms. Hall's resignation that the, that the department is in good hands, I agree with Ms. Hall. You can see that Mr. Pancotti is very, very skilled. and I have the need to also just let that I'm, I'm going to have him serve as the interim, Community Development Director. We are going to start a search process that I believe, you can see the outline of that. If you have any questions about that, we are certainly going to move this process along. I would hope, if Mr. Pancotti is interested in the job, that he would put his name in it. but I do think that whenever internal candidates, sometimes the best situation is for them to compete. If there is a desire to, on his part, to pursue this, then, then he'll be definitely one of the ones that would have to be looked at. I also indicated in my memo that, and I seriously believe this is important, is that you all would be somehow involved in the process, as well as somebody from the Planning Commission and possibly someone, development or, real estate community somehow, that touches on all those aspects of things. So, we will start the process. We will have an update as we go along. If you have any questions, you can certainly ask Mr. Mestler or myself, and we will, we will, get you that information. I'm certainly happy to take any questions on that too.

2:56:36.4 Christopher Miller: Broadband, Ms., Binder had asked, or had talked about the plans that All Points has. I will let know and I have not done anything yet about it, but I have been asked by the Northern Neck Planning District Commission No. 17, if we will pay the \$150,000 remaining that we have on our obligations. My recommendation is, is that you direct me to inform All Points Broadband that they need to come here and have meeting with you all and a presentation about their plan before any further funds are paid. Obviously, there is an obligation on our part, and I defer to Ms. Cupka and Ms. Binder, as Ms. Cupka was the chair at the time. I don't know that there is any clock running on this, in terms of what they are asking for, but I'm not advocating until you've had your satisfaction that, that this process is moving along. list of non-capital projects. We can defer that.

2:57:48.1 Chairman Richard Granger: Mr. Miller? I think Ms. Binder might want to chime in on that.

2:57:51.4 Cathy Binder: Yeah. Do you need that right now, or before you complete your... Because I agree with you.

2:57:53.6 Christopher Miller: No. I need to, I need some, a good urging from y'all for me to outreach to the folks from Broadband... All Points Broadband to come and do another, in-person presentation.

2:58:08.0 Chairman Richard Granger: I'm in favor of having you reach out to them.

2:58:10.7 Christopher Miller: So, let me do that.

2:58:10.8 Chairman Richard Granger: I'm going to ask my colleagues, is everyone else amenable to Mr. Miller reaching out to All Points Broadband about encouraging them to come and, provide another brief out to this board on the status? Mr. Stonehill is a yes.

2:58:24.6 **Ann Cupka:** So, I'm a yes, but I want to point out the presentation that Mr. Minor sent us. I think it was yesterday.

2:58:30.9 **Chairman Richard Granger:** Mm-hmm.

2:58:31.7 **Ann Cupka:** One of the slides at the bottom says... So, I'm confused, Mr. Miller, at the timing of their request, maybe, when had they contacted you?

2:58:41.8 **Christopher Miller:** So, I received this invoice from the Northern Neck Planning.

2:58:45.8 **Ann Cupka:** What is it dated?

2:58:46.7 **Christopher Miller:** July 1 of 2023.

2:58:48.8 **Ann Cupka:** Really?

2:58:49.5 **Christopher Miller:** Yes.

2:58:49.6 **Ann Cupka:** So, their slide says, "Nearing completions of pre-construction milestone for phase 2, billing for phase 1 will pause until substantial completion achieved in county."

2:59:04.1 **Christopher Miller:** Oh.

2:59:04.9 **Ann Cupka:** Is what their slide says.

2:59:06.5 **Christopher Miller:** So the local, the local match of, for invoice number one was paid on August 6th of '21, the \$500,000 that you committed. But this one is, invoice number two is \$150,000, which has not been paid.

2:59:27.5 **Ann Cupka:** Yeah, I'm in favor of, making that request.

2:59:31.7 **Chairman Richard Granger:** Alright. Okay. Go ahead, Mr. Miller.

2:59:36.1 **Christopher Miller:** Yes, sir. I guess let me just jump down to these meetings that you have coming up. So, you have tomorrow night at 6:00 PM, here in the boardroom. You have the joint meeting with the Planning Commission, regarding the Dominion power, process, if you will, of dealing with data centers and large energy type industries. Again, as I mentioned to you at the last meeting in June, that this was a, this was initiated by Dominion. They want to have this kind of level of public interaction. And so, it will be an opportunity for you all to hear their process, what they go through, what their plans are. They are doing this in all these jurisdictions that are having these kinds of proposed projects coming forward. Ribbon cutting on the 13th at 6:00 PM at Cedell Brooks, Jr. Park, for the shelter or the pavilion.

3:00:40.2 **Christopher Miller:** I know Mr. Clarke has done a good job of putting this together.

And so, I think he'd be very excited for as much participation as possible. Zoning ordinance update, open house scheduled for the 27th, 6:00 PM, that is being Coordinated by Community Development, and it'll be here in the boardroom. The other items that I just had was, I will point out that it was reminded by Ms. Hahn that most likely the reason you did not get a treasurer's report is that it was too soon in the month for the treasurer to process some of the information that is regularly put in their report. Non-capital projects of the to-do list, if you would like, I can, in the lateness of the hour, just refer you to what the document says. If there are any questions on it, happy to answer it. We are, moving forward on a lot of projects. That is, it.

3:01:53.2 Chairman Richard Granger: Does anyone have any questions for Mr. Miller?

3:01:55.3 Christopher Miller: Sorry, there are anniversaries as well. The most important, I think for, for folks to see who's, who's got so many years of service.

3:02:08.9 Ann Cupka: Mr. Chair, may I ask a question?

3:02:10.5 Chairman Richard Granger: Sure.

3:02:10.9 Ann Cupka: Thank you. Mr. Miller, could we get an update. It doesn't need to be right this minute, but an email tomorrow at, with regards to; we've just adopted another CIP. And last year, we approved lights for some of the athletic fields, and I am just wondering what the status is on that, because it has been a whole other year now. Thank you.

3:02:36.9 Christopher Miller: Yes, ma'am.

ADJOURNMENT:

3:02:42.2 Chairman Richard Granger: Do we have any other questions? Okay. Do we have any other business to bring before the board? Then I'll entertain a motion to adjourn.

3:02:55.6 Jeffery Stonehill: Alright, Mr. Chair, I would make a motion to adjourn till Wednesday, July 12th at 6:00 PM here in the boardroom.

3:03:05.4 Ann Cupka: Second.

3:03:06.1 Chairman Richard Granger: We have a motion, motion properly seconded. Do we have any other discussion? All in favor, say "Aye."

3:03:11.3 Jeffery Stonehill: Aye.

3:03:11.4 Cathy Binder: Aye.

3:03:11.4 Ann Cupka: Aye.

3:03:11.9 Vice Chairman T.C. Collins: Aye.

3:03:11.9 Chairman Richard Granger: Any opposed? Chair votes aye, motion carries. We are adjourned.

AMENDED