

**MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
MEETING OF AUGUST 27, 2012**

At a regularly scheduled meeting of the Board of Supervisors of King William County, Virginia, held on the 27th day of August, 2012, beginning at 7:00 p.m. in the Conference Room of the County Administration Building, order was called with the following present:

C. T. Redd III, Chairman
T. J. Moskalski, Vice-Chairman
S. K. Greenwood
T. S. Stone
O. O. Williams

T. L. Funkhouser, County Administrator
D. M. Stuck, County Attorney

RE: REVIEW OF MEETING AGENDA

Chairman, C. T. Redd III called the meeting to order at 7:00 p.m. and agenda changes were discussed.

There was general discussion of the meeting agenda items.

The Board recessed and moved to the Board Meeting Room of the County Administration Building to continue the meeting.

Chairman, C. T. Redd III called the Board of Supervisors meeting to order at 7:30 p.m.

RE: APPROVAL OF MEETING AGENDA

a. On motion by S. K. Greenwood, seconded by T. J. Moskalski, with the following roll call vote, the Board adopted the agenda for this meeting as presented by the County Administrator with the following changes: under the Consent Agenda, Item 8d, Resolution #12-56 – Proposal to abandon a portion of Route 633 (Powhatan Trail) was removed and now becomes item 11b under New Business. A closed meeting was added under item 15a in accordance with § 2.2-3711(A)(1) of the Code of Virginia to consider a personnel matter involving the discipline of a specific public employee.

Those members voting:

S. K. Greenwood	Aye
T. S. Stone	Aye
O. O. Williams	Aye
T. J. Moskalski	Aye
C. T. Redd III	Aye

**RE: PUBLIC COMMENT PERIOD – SPEAKERS: ONE OPPORTUNITY OF 3
MINUTES PER INDIVIDUAL OR 5 MINUTES PER GROUP ON NON-PUBLIC
HEARING MATTERS**

The Chairman opened the First Public Comment Period.

a. Don Wagner, of the 5th district, spoke in favor of denying the application to eliminate the sidewalk for Site Plan SP-02-11 TCO exception, before the Board tonight for consideration, unless there are some extremely extenuating circumstances. He questioned if the applicant has dedicated a right of way along state road Horse Alley for future widening.

b. Kathy Morrison, of the 2nd district, announced that Bridging Communities and Technical Center in New Kent will open on Tuesday, August 28th. She thanked the Board, and the previous Board, for their support in this effort since 2003. Ms. Morrison stated the technical center covers five localities and includes King William, King & Queen, Charles City, New Kent and Middlesex. The center is opening with 104 new students; of which 30 are from King William County, and is being funded through their operating budget; funds are being transferred from Richmond Technical Center. She said the opening of the technical center is very exciting and she thanked the Board once again and for their continued support in the future. She said invitations will be sent to the Board members for the open house scheduled for Sunday, October 14th at 3:00 p.m. She stated the Governor will possibly be attending the open house and the Deputy Secretary of Education will be the guest speaker.

There being no other persons to appear before the Board the Chairman closed the First Public Comment Period.

RE: CONSENT AGENDA

On motion by T. J. Moskalski, seconded by O. O. Williams, with the following roll call vote, the Board approved the following items on its Consent Agenda:

a. Minutes of the Regular Meeting of July 23, 2012.

b. Claims against the County for the month of August, 2012, in the amount of \$812,898.07 as follows:

(1) General Fund Warrants #76694-76781 in the amount of \$226,115.37; ACH Direct Payments for #2589-2695 in the amount of \$243,284.44;

Direct Deposits #15755-15876 in the amount of \$181,388.67; and Electronic Tax Payment in the amount of \$54,473.28 for August, 2012.

(2) For informational purposes, Social Services expenditures for the month of July, 2012, Warrants #309340-309370 in the amount of \$25,165.16; ACH Direct Payments #672-691 in the amount of \$11,153.47; Direct Deposits #2827-2845 in the amount of \$30,997.04; and Electronic Tax Payment in the amount of \$11,249.62.

(3) For informational purposes, Comprehensive Services Act Fund expenditures for the month of July, 2012, Warrants #76684-76693 in the amount of \$21,990.12; and ACH Direct Payments #2586-2588 in the amount of \$6,926.00.

(4) There were no Tax Refunds for the month of August, 2012.

Those members voting:

T. S. Stone	Aye
O. O. Williams	Aye
T. J. Moskalski	Aye
S. K. Greenwood	Aye
C. T. Redd III	Aye

c. Approved the following Resolution #12-55 – Virginia Peninsula Public Service Authority – Middle Peninsula Solid Waste System; Operating Agreement Renewal between the Authority and the County:

RESOLUTION #12-55
VIRGINIA PENINSULAS PUBLIC SERVICE AUTHORITY
MIDDLE PENINSULA SOLID WASTE SYSTEM

WHEREAS, the Board of Supervisors of King William County, Virginia (the "County") hereby finds that the operation by the Virginia Peninsulas Public Service Authority (the "Authority") of the Middle Peninsula Solid Waste System, constituting a refuse collection and disposal system as defined in Va. Code §15.2-5101, pursuant to Operating Agreements with each of the Counties of Essex, King and Queen, King William, Mathews and Middlesex, in spite of any potential anti-competitive effect, is important in order to provide for the development and/or operation of a regional system of refuse collection and disposal for two or more units,

NOW THEREFORE, BE IT RESOLVED, that the Middle Peninsula Solid Waste System Operating Agreement between the Authority and the County in the form presented to the Board of Supervisors is hereby approved, with such minor changes thereto as are approved by the County Attorney and County Administrator, and the County Administrator, the Chair and Vice-Chair of the Board of Supervisors are each authorized to execute and deliver such Agreements on behalf of the County.

Adopted this 27th day of August, 2012

Those members voting:

T. S. Stone	Aye
O. O. Williams	Aye
T. J. Moskalski	Aye

S. K. Greenwood Aye
C. T. Redd III Aye

RE: PRESENTATIONS TO THE BOARD

There were no presentations to the Board.

RE: OLD BUSINESS

No old business was brought before the Board.

RE: NEW BUSINESS

a. SP-02-11 – Transportation Corridor Overlay Exception – Applicant is requesting an exception to the T.C.O. development standards to relocate the sidewalk outside the streetscape buffer as required by Section 86-374(4)(a) of the King William County Code; Applicant Walt Bailey – The County Administrator stated the applicant is proposing to delete the sidewalk requirement and is not proposing, at least as part of the application, any mitigating or alternative improvements. He said there are several possible options before the Board for consideration and briefly explained those options. He noted relocating sidewalks comes out of the County’s construction money and VDOT is supposed to relocate sidewalks; VDOT has a general policy on relocating sidewalks. He pointed out that over the last several years VDOT has strongly encouraged local governments to plan and develop their own sidewalk and bikeway routes as alternatives to transportation, in addition to the transportation network. He also stated the requirement in the subdivision ordinance is standard in dedicating additional right of way; this is not a subdivision and there is no reason for the applicant to dedicate additional right of way.

Further Mr. Funkhouser explained that the Board reconsidered the relocation of the sidewalk at the applicant’s request last year; he believes the Board did strike a balance in terms of relocating the sidewalk. There is an existing sidewalk with the Bailey development at the corner of Rt. 30 and Sharon Road and it is very easy to envision that entire area developing in a commercial way; if the Board maintains the sidewalk requirement those sidewalks will eventually connect.

Chairman Redd called for any questions for the County Administrator from Board members.

Ms. Stone referred to the site plan and asked if there is a site on either side of this site; it appears the applicant takes up the entire area.

Mr. Funkhouser stated the applicant takes up the entire area and this sidewalk would provide the connection between Rt. 360 and Sharon Road and make it complete; it actually makes that connection from street to street. He pointed out that this site plan was approved in error and it was brought to the applicant's attention several months ago when a routine site inspection was performed for erosion and sediment control. He does not think it was any intention on the applicant's part or the engineer, for whatever reason someone didn't clearly read the resolution that was approved which was the sidewalk along the frontage and connecting Sharon Road and Rt. 360; there are two little gaps at each end that would need to be resolved.

Ms. Stone asked if it is possible to have a sidewalk along Rt. 360 at that location.

Mr. Funkhouser stated it was possible but it was going to be extremely cost prohibitive due to the topography and VDOT did not support putting it in the shoulder in terms of relocating the guardrail.

Ms. Stone asked if it had been possible to put a sidewalk along Rt. 360 would this sidewalk on Horse Alley still be required. Mr. Funkhouser said no. She asked if this was a substitute. Mr. Funkhouser said correct. She asked if a sidewalk would have been possible on Rt. 360 would the County not have required the sidewalk on Horse Alley. Mr. Funkhouser said correct. She said but it is not possible on Rt. 360. Mr. Funkhouser said it is not practical.

Chairman Redd stated the required sidewalk on Horse Alley was part of the agreement made in July 2011.

Mr. Funkhouser said it was a reasonable alternative.

Ms. Stone said she feels this is flip flopping. If there is a need for a sidewalk on Rt. 360, and that is why the Board established the requirement, then the need is on Rt. 360; to say you can't do it there so do it over here doesn't seem very equitable.

The County Administrator stated he thinks it was deemed to be an alternative rather than eliminate the standard entirely.

Chairman Redd said it was agreed to by both parties.

Ms. Stone asked if someone built across the street from this site on Horse Alley would they be required to build a sidewalk.

The County Administrator said no and gave specific details of the TCO. He said the TCO requirements specifically address putting sidewalks on Rt. 360 and Rt. 30. He doesn't think it was envisioned some sites would be built on multiple frontages.

Mr. Moskalski asked for clarification when this was considered was there reasonable expectation that there would later be sidewalks connecting on this road.

The County Administrator said yes it was considered. Further he said every locality that requires sidewalks tends to have several isolated segments and then over time either the locality will come back and install sidewalks, after the fact, or there will be some cooperative program to develop sidewalks.

Mr. Greenwood said his understanding is one of things the Planning Commission was working on was eliminating the sidewalk requirement.

Mr. Funkhouser stated the Board referred this item to the Planning Commission and he has tried to accelerate the review of this, there have been some good discussions in the last couple of months. He thinks over the next two months the Commission will refer something back to the Board for consideration. He said he wanted to be careful that the Board referred the TCO to the Commission and while there might be concerns of sidewalks this is a comprehensive review.

Mr. Greenwood pointed out that he drives from Mechanicsville to King William every day and mentioned Hanover is growing all the time and he does not see sidewalks at properties throughout Mechanicsville. He questioned why King William has this sidewalk ordinance and all the people that are grandfathered in are never going to be able to put sidewalks in. He mentioned the sidewalk at Dollar General going nowhere and said this one will probably go nowhere as well. We are trying to promote businesses in King William and we are making it hard for businesses to be built.

The County Administrator suggested the Board stick to a standard or modify consistent with that standard.

Mr. Williams said he would like to hear from the applicant.

Chairman Redd asked the applicant to come forward.

Mr. Bailey addressed the Board and asked for any questions of him.

Mr. Williams asked for an explanation of what has changed since the sidewalk agreement was made in July 2011 between the Board and Mr. Bailey.

Mr. Bailey stated he was not aware this was negotiable and he was intimidated when discussions occurred last year. He stated the discussion he had with Scott Lucchesi, prior to the public hearing last July, was that the sidewalk could be built on the VDOT right of way and came to the meeting thinking that was the alternative. When it was mentioned the sidewalk could be put on Horse Alley he thought that was the only alternative, he did not know that he could say that wasn't a good idea. He said all he knew was putting the sidewalk on Rt. 360 was not a good idea, or even possible.

Mr. Williams stated it is possible but maybe not financially.

Mr. Bailey said it was impractical. He said the initial landscaping plan has been done, the sidewalk would be close to the entrance from Rt. 360 and very close to the ditch and he is not sure if this would be a safety factor. He said he feels anyone would ask the question why the sidewalk is located there; it appears to him that a sidewalk has to be put there only because the ordinance was written that way years ago. He feels it doesn't make sense for this location and he thought he would ask one more time before the final site plan is completed. Further he said he would rather not have it installed even if it was for free; saying it would be peculiar looking. He said of course it is not going to be free and he will have to pay for it; he prefers not to have to put it there, it seems unnecessary.

Ms. Stone asked if the applicant has an estimate for the cost of the sidewalk.

Mr. Bailey stated he does not have an estimate.

Ms. Stone asked the applicant how he feels about offering a sidewalk easement along Rt. 360 and Horse Alley.

Mr. Bailey said if there came a time when the County felt it was necessary he would be willing to do that.

Ms. Stone said she doesn't foresee this sidewalk being used for 30 plus years. She feels these sidewalks will crumble and have to be replaced before they are ever used. She said she understands the concept and she is not against sidewalks, but she thinks the Board should start thinking about sidewalks and start planning for them,

obtaining easements. Requiring someone to put in a sidewalk that will likely crumble before it is ever used is not logical.

Chairman Redd stated he was on the Board during this negotiation last year and the agreement was made and both parties were happy with the outcome. He said he does not like to set a precedent with this exception because other businesses that build on Rt. 360 could request an exception. He said he feels the exception should be denied. Further he said easements do not build sidewalks, if we get an easement and down the road we decide to build a sidewalk who is going to pay for them, the County will have to pay for them.

Mr. Moskalski stated he agreed with Ms. Stone for the applicant to grant easements on Rt. 360 and Horse Alley and to set aside funds for building sidewalks in the future.

Mr. Redd said the applicant is not gaining anything by granting easements and setting funds aside.

Mr. Moskalski asked for clarification if the applicant is prepared to pay for the sidewalk, he said he understands the applicant would rather not have to pay for the sidewalk. Continuing he said he understands Mr. Bailey's argument of a safety concern and that it does not esthetically fit with the property; he doesn't consider the request unreasonable. Again, this is something the applicant agreed to in the past and a reasonable person would expect that the applicant is prepared to pay for the sidewalk to be installed.

Ms. Stone said if the County starts collecting dollars in lieu of sidewalks then we need to be prepared to account for and track those dollars; we may not need a sidewalk for 30 or 40 years but we have to track those dollars because they become designated funds. She said she doesn't agree, if we say it is impossible to put the sidewalk on Rt. 360 and that is the requirement she doesn't feel it is equitable to flip flop, the applicant would not have put a sidewalk on Horse Alley so we have already made an exception in regards to the Chairman's point. We made an exception because we said we are not going to require it on Rt. 360 and that is where it is required. For that purpose she said she sees value in getting an easement along Rt.

360 and Horse Alley, we have doubled the easement and doubled the property and she sees value in that.

Chairman Redd said this obligates the County to put a sidewalk in if the TCO requires.

Ms. Stone stated if the County ever decides to put a sidewalk in at this location.

Chairman Redd said going back to Ms. Stone's statement that the Board has already made an exception, both parties agreed to the exception last year and for the applicant to come back a year later and request another exception there is something wrong with that. It would have been different if both parties had not agreed to the original exception.

Ms. Stone said that she feels there is some momentum with the Planning Commission to take a look at the sidewalk requirement and she said she is not sure that in a year from now we won't have the requirement. She feels this project is in flux, falling in between that process or during that process. She said she would be disappointed if the Board requires the applicant to build this sidewalk and six months or a year from now the requirement is eliminated. She feels the applicant was caught in a difficult position.

Mr. Greenwood said he agrees with Ms. Stone.

Chairman Redd called for any other questions for the applicant; there were none and he thanked the applicant.

Chairman Redd called for any questions for the County Administrator.

Mr. Williams said if the code calls for the sidewalk to be on Rt. 360 and an exception was granted to take it off of Rt. 360 and we are trying to be fair to other applicants we should have left the requirement for Rt. 360. It is hard to eliminate a sidewalk when we make everyone else put them in.

C. T. Redd III motioned to approve Resolution #12-57(A) a resolution Denying the Exception Request of Walt Bailey on behalf of King William Auto Center to delete the sidewalk requirement along Horse Alley; motion was seconded by O. O. Williams.

The Chairman called for any discussion.

Mr. Moskalski said he feels the Board has already set a precedent by allowing the sidewalk to be moved and essentially eliminating a requirement from one side to

another and thereby altering the applicant's cost of the project. The consideration to other businesses has already been taken out of the equation. An exception at a more favorable opportunity has already been given to the applicant. He feels by simply leaving it to have the applicant build the sidewalk on Horse Alley and not having a plan to do something with the area along Rt. 360, we might be selling ourselves a little short.

Those members voting:

T. J. Moskalski	Nay
S. K. Greenwood	Nay
T. S. Stone	Nay
O. O. Williams	Aye
C. T. Redd III	Aye

Chairman Redd announced the motion failed.

T. S. Stone motioned to approve Resolution #12-57(C) which eliminates the requirement for a sidewalk along Horse Alley but requires an easement along Horse Alley and to modify the resolution to show the requirement of an easement along Horse Alley and Rt. 360 on this particular site; motion was seconded by S. K. Greenwood.

There was a lengthy discussion between Board members regarding the specified required easements in the modified Resolution #12-57(C) and whether funds should be required to be set aside for the cost of the sidewalk for building in the future.

Those members voting:

S. K. Greenwood	Aye
T. S. Stone	Aye
O. O. Williams	Nay
T. J. Moskalski	Nay
C. T. Redd	Nay

Chairman Redd announced the motion failed.

T. J. Moskalski motioned to approve the exception request with the condition of allowing for easements on Rt. 360, Horse Alley and Sharon Road and to include a payment to the County equal to the estimate of the relocated sidewalk that the developer agreed to in the exception that was granted in July 2011; motion was seconded by C. T. Redd III.

There was a lengthy discussion between the Board members, the County Administrator and the County Attorney regarding the motion to approve the exception with modifications.

Those members voting:

T. S. Stone	Nay
O. O. Williams	Nay
T. J. Moskalski	Aye
S. K. Greenwood	Nay
C. T. Redd III	Aye

Chairman Redd announced the motion failed.

C. T. Redd III motioned to table agenda item 11a until next month to gather more information; motion was seconded by T. J. Moskalski. Mr. Redd withdrew his motion to table this item for further discussions.

After discussions with the Board members and the applicant it was decided that the applicant would contact each of the Board members during the next month to discuss the exception request further.

Upon the conclusion of discussions C. T. Redd III motioned a second time to table agenda item 11a until month; motion was seconded by O. O. Williams, with the following roll call vote.

Those members voting:

O. O. Williams	Aye
T. J. Moskalski	Aye
S. K. Greenwood	Nay
T. S. Stone	Aye
C. T. Redd III	Aye

The County Attorney asked the Chairman for clarification that the applicant can move forward with the current agreement if he so chooses.

Chairman Redd confirmed that the applicant can move forward with the current agreement at any time.

b. Resolution #12-56 – Proposal to Abandon a Portion of Route 633 (Powhatan Trail) – Authorization to Advertise a Public Hearing – The County Administrator explained that the County is required to advertise a public hearing before abandoning any road and it is also required that VDOT approves any proposed abandonment by the Board of Supervisors. He said a request has been submitted by agents, on behalf of Carroll Lee Walker, requesting that this portion of Rt. 633 be

abandoned; adjacent owners have not been contacted. He stated anyone with any concerns may contact his office or VDOT directly. He is interested in any comments or concerns that Board members may have received from constituents. He said from a Staff perspective this appears to be a relatively innocuous request. To his knowledge he is not aware of this request impeding any access as all of the adjacent properties are owned by the applicant. He said he is not aware of any others with rights of access except for Norfolk Southern.

Chairman Redd clarified that the applicant has agreed to provide an easement to the Lester Manor club.

Mr. Williams asked for clarification that access to the railroad will be on a private easement.

The County Administrator said there are multiple points of access for the railroad and Norfolk Southern will officially be contacted on this matter. Access will not be prohibited for the railroad at this location except at night.

Ms. Stone asked for clarification if the County abandons this road and the property owner comes back and wants to subdivide this particular property what happens then.

The County Administrator explained this is prescriptive right of way so there is no sale in terms of disposition of the property, the easement would go away and it reverts back to the original property owners.

Mr. Williams asked for clarification that the property owner does not want to do away with the road; he wants to install a gate to stop vandalism during the night.

The County Administrator said this abandonment would be doing away with a public road so access can be controlled because it would become a private road.

Ms. Stone asked who paid for the road.

The County Administrator said once again it was prescriptive easement, to the best of his knowledge, and the State took over the road.

On motion by T. J. Moskalski, seconded by T. S. Stone, with the following roll call vote, the Board approved Resolution #12-56 authorizing the advertisement of a public hearing for the proposed intention of the County to abandon a portion of State Route 633 (Powhatan Trail) -

RESOLUTION #12-56
EXPRESSING THE INTENTION OF THE COUNTY TO ABANDON A PORTION OF
STATE ROUTE 633 (POWHATAN TRAIL)

WHEREAS, it appears to this Board that Secondary Route 633 ("Powhatan Trail") from its intersection with Rt. 673 ("Pocahontas Trail") to the Right of Way of the Norfolk Southern Railroad, a distance of 190.88 feet (0.036 mile) serves no public necessity and is no longer necessary as a part of the Secondary System of State Highways; and

WHEREAS, the Clerk of the Board is directed to post at the Circuit Court and publish notice of the Board's intent to abandon the aforesaid section of Route 633, pursuant to §33.1-151 of the Code of Virginia of 1950, as amended,

NOW, THEREFORE, BE IT RESOLVED that a public hearing to consider this matter is to be held on Monday, September 24, 2012 at 7:30 p.m. in the King William County Administration Building Board Room at 180 Horse Landing Road, King William, VA;

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Commissioner of the Virginia Department of Transportation.

Adopted this 27th day of August, 2012

Those members voting:

T. J. Moskalski	Aye
S. K. Greenwood	Nay
T. S. Stone	Aye
O. O. Williams	Aye
C. T. Redd III	Aye

RE: ADMINISTRATIVE MATTERS – TRENTON L. FUNKHOUSER,

COUNTY ADMINISTRATOR

The County Administrator had no additional information.

**RE: PUBLIC COMMENT PERIOD – SPEAKERS: ONE OPPORTUNITY OF 3
MINUTES PER INDIVIDUAL OR 5 MINUTES PER GROUP ON NON-PUBLIC
HEARING MATTERS**

The Chairman opened the Second Public Comment Period.

a. Jeanette Wagner, of the 5th district, commented on the sidewalk exception and suggested the applicant consider using catch basins and storm water piping to cover the deep ditch, along the side of Rt. 360 of the property, to divert the water and then build a sidewalk on top of that; this would give a finished look to the project.

b. Don Wagner, of the 5th district, said in his opinion the sidewalk could have been built on Rt. 360. He said it would have been more costly to build on Rt. 360 versus building on Sharon Road. He feels the developer knew that going in; he was developing a marginal piece of property and was trying to get an advantage from the previous Board not to have to install the required sidewalk. He feels the applicant was

given a huge break. Mr. Wagner also pointed out the comprehensive plan encourages interconnectivity for roads and sidewalks.

c. Herbert White, of the 2nd district, said in his opinion the building of sidewalks could be a liability to the County; he used the sidewalk at the Dollar General as an example. He also feels properties and signs throughout the County are not being tended to as they should be.

d. Jeff Frazier, of the 5th district, said as a citizen he does not agree that he should have to help pay for building sidewalks for businesses. He does not feel his tax dollars should be increased to pay for such items.

There being no other persons to appear before the Board the Chairman closed the Second Public Comment Period.

RE: BOARD OF SUPERVISORS COMMENTS

All Board members thanked citizens for their participation at the monthly Board meetings.

Ms. Stone thanked everyone for coming out and reminded everyone to be careful with the possibility of the forecasted storm.

Mr. Moskalski recognized Ms. Morrison and the exciting news she shared tonight with regards to the opening of the technical center in New Kent. He said this has been an interest to him and his family for a long time and he is happy this came to fruition. Secondly with regards to the discussion that occurred tonight he said he can appreciate wanting to review the sidewalk requirements and whatever opinions we may have on that can be expressed at that time, however in the absence of that the Board has to look at this on a case by case basis and he would hate to think they would have to review every exception that would follow on a case by case basis. He thanked everyone for attending the meetings and for their comments.

Mr. Greenwood said he is with the Chamber of Commerce and they are trying to get businesses to come to King William County. He said he has been on the Board for seven months and it does not appear they are doing anything to promote business, this upsets him. He said bringing businesses to the County is the only way to bring the tax base down and now he feels two businesses probably will not be coming because of the restrictions; local businesses cannot afford this.

Mr. Williams thanked everyone for coming out and said he looks forward to seeing everyone next month.

Chairman Redd thanked everyone for coming out and for citizen participation during the meetings.

RE: CLOSED MEETING – PERSONNEL, IN ACCORDANCE WITH §2.2-3711(A)(1) OF THE CODE OF VIRGINIA, TO CONSIDER A PERSONNEL MATTER INVOLVING THE DISCIPLINE OF A SPECIFIC PUBLIC EMPLOYEE –

On motion by T. J. Moskalski, seconded by T. S. Stone, and carried unanimously, the Board entered Closed Meeting pursuant to §2.2-3711(A)(1), Code of Virginia, to consider a personnel matter involving the discipline of a specific employee.

Having completed the Closed Meeting, the Board reconvened in open meeting, on motion by S. K. Greenwood, seconded by T. J. Moskalski and carried unanimously.

In accordance with Section 2.2-3717(D) of the Code of Virginia, 1950, as amended, T. S. Stone moved that the King William County Board of Supervisors adopt the following resolution certifying that this closed meeting's procedures comply with the requirements of the Virginia Freedom of Information Act. This motion was seconded by S. K. Greenwood and carried with a unanimous roll call vote.

RESOLUTION

WHEREAS, the King William County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and,

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the King William County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law,

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors on this 27th day of August, 2012, hereby certifies that, to the best of each member's knowledge:

1. Only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were heard, discussed, or considered in the closed meeting to which this certification resolution applies, by the King William County Board of Supervisors.
2. Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the King William County Board of Supervisors.

Those members voting:

S. K. Greenwood	Aye
T. S. Stone	Aye
O. O. Williams	Aye
T. J. Moskalski	Aye
C. T. Redd III	Aye

RE: APPOINTMENTS

No appointments

RE: ADJOURNMENT OF MEETING

There being no further business to come before this Board, the meeting was adjourned at 9:00 p.m. on motion by O. O. Williams, seconded by S. K. Greenwood, and carried unanimously.

Those members voting:

T. J. Moskalski	Aye
S. K. Greenwood	Aye
T. S. Stone	Aye
O. O. Williams	Aye
C. T. Redd III	Aye

COPY TESTE:

C. T. Redd III, Chairman
Board of Supervisors

T. L. Funkhouser,
County Administrator
Clerk to the Board