

**MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
MEETING OF JANUARY 28, 2013**

At a regularly scheduled meeting of the Board of Supervisors of King William County, Virginia, held on the 28th day of January, 2013, 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 continued meeting to order at 7:15 p.m.

**RE: 2013 ORGANIZATIONAL MEETING OF BOARD OF SUPERVISORS –
OUTGOING CHAIRMAN C. THOMAS REDD III PRESIDING**

a. Election of Chairman for 2013 – Outgoing Chairman C. Thomas Redd III opened the meeting and stated that this is an organizational meeting. He then called for nominations for Chairman of the Board for the year, 2013.

Stephen K. Greenwood nominated Travis J. Moskalski for Chairman; nomination was seconded by Terry S. Stone.

There being no other nominations forthcoming, nominations were declared closed.

Travis J. Moskalski was duly elected Chairman of the Board for the year, 2013, with the following roll call vote:

S. K. Greenwood Aye
T. S. Stone Aye

O. O. Williams Aye
T. J. Moskalski Aye
C. T. Redd III Aye

Mr. Moskalski thanked his fellow Board members for nominating him Chairman and then assumed the Chair.

b. Election of Vice-Chairman for 2013 – Chairman, Travis J. Moskalski declared the floor open for nominations for Vice-Chairman of the Board for, 2013.

C. Thomas Redd III nominated Otto O. Williams for Vice-Chairman; nomination was seconded by Terry S. Stone.

There being no other nominations forthcoming, Chairman Moskalski declared the nominations closed.

Otto O. Williams was duly elected Vice-Chairman of the Board for the year, 2013, with the following roll call vote:

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

c. Adoption of By-Laws and Rules of Procedures of the Board of Supervisors – On motion by O. O. Williams, seconded by S. K. Greenwood, with the following roll call vote, the Board adopted the By-laws and Rules of Procedure of the Board of Supervisors of King William County, for 2013, as presented.

Those members voting:

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

RE: APPROVAL OF MEETING AGENDA

a. On motion by S. K. Greenwood, seconded by C. T. Redd III, with the following roll call vote, the Board adopted the agenda for this meeting as presented by the County Administrator.

Those members voting:

C. T. Redd III Aye
S. K. Greenwood Aye
T. S. Stone Aye
O. O. Williams Aye
T. J. Moskalski 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. Eugene Rivara of the 3rd District, and representative serving the 3rd District on the Recreation Commission, spoke in support of the Parks and Recreation programs and urged the Board not to cut the budget for this department. He mentioned that the budget that is advertised for Parks & Recreation is set at \$800,000 and explained this budget includes cultural. He stated the actual budget for Parks and Recreation, after salaries are removed, is approximately \$74,000. In his opinion he feels citizens are getting a lot of service for a little bit of dollars. He commended the staff of the Parks and Recreation Department on the wonderful jobs they perform.

b. Eugene Campbell of the 2nd District also spoke in support of Parks and Recreation. He stated his wife brought a flyer home last week that stated the Board of Supervisors was thinking about eliminating the department. He said he knows in these difficult times we have to cut expenses but he feels it would be a great disservice to the citizens of this county, especially the youth, if the department is eliminated or if the budget is cut drastically. He mentioned that his son participates in the basketball league and the after school program and stated they are two great programs. He said the programs offered benefit the citizens of this county from ages 8 to 80. He asked the Board to do the right thing and keep the Parks and Recreation Department and not to drastically cut their budget.

c. Doris Duke, of the 5th District, thanked the Board for providing the Parks and Recreation services to the citizens of King William. She said she is representing the seniors of the county and hopes the Board will keep in mind when preparing the budget for FY 13-14 that this department is needed in this county. She said there are no other programs offered in the county and she would hate to see the citizens of King William go to surrounding localities and spend their money when the money is needed in the county. She mentioned several programs offered by Parks and Recreation to seniors and said participants look forward to participating in the many activities. She urged to Board not to cut the department or the budget for the department.

d. James Jewel, of the 3rd District, spoke about rumors that generate an eventual proposal of request for financial assistance for an individual fire and rescue department within the county. He urged the Board to give a lot of thought to any request of this kind. Continuing he said if the Board makes up for the misspending, or mismanagement of money, and supplement their funds then the door is left open for any department in the county to over spend with the thought that the Board will cover the extra cost. He said he feels that is not what the Board is about, he feels they are about what is good for the community; mismanagement of funds and going into debt is not what the Board is here to cover. He said as citizens we demand the federal and local government to be fiscally and economically responsible; we have to do this within our homes and it all comes down to wants and needs. He also expressed he does not feel the county should get involved with a forthcoming request for the purchase of two ambulances for an individual fire and rescue department.

e. Anne Todd, property owner in the 2nd District, asked the Board to take financial responsibility and said taxes are too high in King William County. She feels spending should be cut 3% to 5% across the board so some don't get more cuts than others and it makes it fair. She suggested that King William County could be more aggressive in encouraging new businesses to come to the county rather than applying rules to them such as curbs and sidewalks.

f. Robert Sparks, President of King William Volunteer Fire and Rescue, said KWVFR supports the Parks and Recreation Department by hosting the bingo sessions and the annual Thanksgiving dinner that the senior citizens have each year. He announced KWVFR will hold their 50th Anniversary celebration on October 13, 2013, at the fire station. He said approximately 16 new members were taken on in 2012, two of which are ALS providers; they are now able to provide 24/7 coverage. He said the station has bridged the gap as far as the missed call ratio; this includes the response time going from 8 to 10 minutes to 1.5 to 2 minutes.

Continuing he commented that King William Volunteer Fire and Rescue is not asking for a bailout and said it has been noted the county fire and rescue departments have been severely underfunded for years. He explained where funding comes from to support KWVFR and gave some background on some of the purchases and repairs

they have endured in the recent past. He state the department is having some financial problems and once again said they are not coming to the Board for a bailout, any assistance from the Board would be very helpful. He said the needed community support is just not there for KWVFR. He said he is very proud of the organization and to be the president. He said their books are open, the business meetings are open to the public and he invited anyone interested to attend; there are no secrets. He said he feels there have been some misinterpretations over the last several weeks and rumors have been spread. He said if anyone has any questions they can contact him or one his chief officers. He stated his organization has been working very closely with county administration and the emergency services manager.

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

RE: CONSENT AGENDA

On motion by C. T. Redd III, seconded by T. S. Stone, with the following roll call vote, the Board approved the following items on its Consent Agenda:

- a. Minutes of the Regular Meeting of December 17, 2012.
- b. Claims against the County for the month of January, 2013, in the amount of \$1,705,109.71 as follows:

(1) General Fund Warrants #77226-77239 in the amount of \$219,822.64; and ACH Direct Payments #3093-3130 in the amount of \$139,754.38 for December, 2012. General Fund Warrants #77240-77322 in the amount of \$371,257.01; ACH Direct Payments #3131-3243 in the amount of \$576,684.93; Direct Deposits #17568-17677 in the amount of \$190,897.69; and Electronic Tax Payment in the amount of \$76,427.10 for January, 2013.

(2) For informational purposes, Social Services expenditures for the month of December, 2012, Warrants #309516-309545 in the amount of \$27,498.69; ACH Direct Payments #778-799 in the amount of \$16,313.16; Direct Deposits #2927-2949 in the amount of \$31,310.82; and Electronic Tax Payment in the amount of \$11,505.63.

(3) For informational purposes, Comprehensive Services Act Fund expenditures for the month of December, 2012, Warrants #77218-77225 in the amount of \$33,780.00; and ACH Direct Payments #3090-3092 in the amount of \$8,684.80.

(4) Tax Refunds for the month of January, 2013, in the amount of \$1,172.86.

Those members voting:

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

RE: PRESENTATIONS TO THE BOARD

a. VDOT Update – Residency Administrator, Joyce McGowan – Ms. McGowan addressed the Board and gave a brief overview of the activity performed on area roads in King William County over the past 60 days. She said most recently VDOT activated their emergency operations and staff has been out for four storms since January 17th. Last weekend they were out in the county repairing pot holes and trying to catch up from issues due to the wet weather. She mentioned they have a contractor onboard and hopefully they can get caught up on some of the issues they have gotten behind on due to the recent storms.

Maintenance – Crews are currently working on low shoulders at various locations throughout the county; a more permanent fix is being looked at for fixing low shoulders. She said two reported washouts on Route 615 and Route 601 were repaired. Signs and sign posts are being repaired throughout the county due to damage from people hitting them and other reasons. Contractors have been utilized in West Point to clean out the debris in the storm drain system.

Speed Studies - There are three active speed studies currently for King William. Under review is a citizen request for a reduction in speed study on Old New Castle Road. Also a site distance request at Rt. 30 and Rt. 600 at the traffic signal is being reviewed; recently changes were made with signs in the median island at this location. They are also working on a citizen request to study the speed on a couple of routes in the area near the Pamunkey Reservation.

Construction – Route 604, the bridge over Herring Creek, is awaiting the contract to be executed; the contractor has given the final approval to start the work. A pre-construction meeting will be held with the contractor to go over their plan. Currently the bridge is scheduled to be built in a new location; which means the old bridge will remain in place and will be used until the new bridge is open. The Dabney's Mill Road project was pushed out some; this could go forward a little sooner than projected.

Paving – Paving will be done on Route 600 between Rt. 607 and Rt. 628, the 3.6 mile section that was intermittently patched will be paved in the spring or summer depending on who gets the contract.

Questions – Mr. Williams pointed out the potholes on Old Foot Path and Horse Alley need to be fixed. He mentioned the issue of having a dead end road sign installed at Cummings Road and Venter; there is an issue with log trucks using this road and not aware it is a dead end.

Ms. McGowan said Smokey Road, Locust Hill, Globe and Old Foot Path are on the list for pothole repairs. She was not aware that Horse Alley needed attention but will look into. She also said she would check on the dead end sign for Cummings Road and Venter.

Mr. Greenwood asked about the study for Indian Church Road. He pointed out the traffic light at Route 30 and River Road is slow and it appears the sensors seem to be malfunctioning. He also mentioned that drivers are not aware the concrete slab on Rt. 30 and Rt. 600 is still in place, in the area where the signs were removed, and asked if the slab could be removed.

Ms. McGowan said she does not have the study for Indian Church Road back yet; she expects to have in the next couple of weeks. She said VDOT will check on the traffic light issue at Rt. 30 and River Road. She said the removal of the slab at the intersection of Rt. 30 and Rt. 600 has been requested.

Ms. Stone asked if Ms. McGowan would pass on a thank you to Mr. Trapani for the quick response received when she contacted him about the potholes on Rt. 30. She said she appreciates the pothole repairs but the pavement on Rt. 30, coming from

Doswell towards Central Garage where the speed limit changes to 45 mph, is rippled and asked if there is a long term plan.

Ms. McGowan stated this area has been identified that needs something more in depth such as a reclamation or restorative type repair. She also mentioned they have identified that in the Town of West Point the same repairs are needed from 17th Street to the Industrial Park. She said as soon as funding is available work will begin in both of these areas.

Mr. Redd asked about the bush removal at Euclid and Rt. 30 and said this is an issue.

Ms. McGowan said it appears the bush is behind the power poles and may not be on the right of way. VDOT is researching and if it is a site distance issue they will try and make contact to see what they can do.

Mr. Moskalski thanked VDOT for getting to the potholes on Rt. 30 repaired as quickly as they did. He asked for an update on a couple of requests he discussed with Mr. Trapani. He asked for a site study at the intersection of East Rose Garden Road, Wakema and Custis Mill Pond; a sign in this area is hidden and hard to see. Secondly, he understands Marl Hill Road is on the six year plan; he and Mr. Trapani have met with some of the citizens on this road and discussed some improvements that could be done in the interim; understanding that the actual blacktopping is quite some time off. However some of the equipment seems to be there but there has been no progression and he would like to see that move forward to get the citizens some relief while waiting the funding for the blacktopping. He also mentioned Green Level Road needs some paving attention to stabilize the road surface for rain. He said a citizen inquired about West Spring Forest Road and having it included in the six year secondary plan; the process for getting a road on the plan was explained. He asked that VDOT take a look at this road to see what needs to be done to get some relief with the understanding of the process of getting on the six year plan.

Ms. McGowan said she would look in to these requests.

RE: OLD BUSINESS

- a. Proposal to Abandon a Section of State Route 633 (Powhatan Trail) – Resolution #12-65(R) – The County Administrator gave a brief background on this

proposal and stated this has been discussed on several occasions. He said there was interest in ensuring that both adjacent parcels that surround this road for proposed vacation, as well as Norfolk Southern having some sort of right of way so they are not landlocked. Staff has attempted to work with Mr. Glubiak, legal counsel for Carroll Lee Walker and others involved. Mr. Glubiak has communicated to Norfolk Southern and they responded they do not object to the abandonment and can essentially work out any details with the property owner. County staff makes no representation about the deed of easement that is associated, although staff will ensure as best we can that the easement is recorded.

Tim Davidson, with Davidson Land Surveying, explained the prepared deed of easement typically states under no circumstance does the easement affect the rights or obligations of Norfolk Southern in consideration of the abandoned right of way.

On motion by T. S. Stone, seconded by C. T. Redd III, with the following roll call vote, the Board adopted Resolution #12-65(R) approving the abandonment of a portion of State Route 633 – Powhatan Trail Road:

RESOLUTION #12-65(R)
ABANDONING A PORTION OF STATE ROUTE 633 – POWHATAN TRAIL ROAD

WHEREAS, no public necessity exists for the continuance of the portion of State Route 633 (Powhatan Trail) extending south from the intersection with State Route 673 (Pocahontas Trail) and the Norfolk Southern Railroad right of way, a total distance of 197.50 feet as a public secondary road; and

WHEREAS, maintenance of the aforementioned portion of State Route 633 (Powhatan Trail) by the Commonwealth of Virginia is no longer necessary or appropriate; and

WHEREAS, a public notice was given as prescribed under Section 33.1-151, Code of Virginia, announcing a public hearing to receive comments concerning discontinuance of the portion of road described herein from the Secondary System of State Highways, and

WHEREAS, the Commissioner of the Virginia Department of Transportation was provided the prescribed notice of this Board's intent to abandon the subject road, and

WHEREAS, upon such public hearing and consideration of all evidence presented, this Board is satisfied that no public necessity exists for the continuance of the aforementioned section of State Route 633 (Powhatan Trail) and hereby deems that section of road, being the portion extending 197.50 feet south of its intersection with State Route 673 to the right of way of the Norfolk Southern Railroad, no longer necessary as a part of the Secondary System of State Highways,

NOW, THEREFORE, BE IT RESOLVED, this Board abandons the above described road and removes it from the Secondary System of State Highways, pursuant to Section 33.1-151, Code of Virginia.

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

Adopted this 28th day of January, 2013

Those members voting:

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

b. FY 2013-2014 Budget Calendar Proposed Revision – Chairman Moskalski explained the proposed revision to the adopted FY 2013-2014 Budget Calendar is for a scheduled work session of the Board, one Board member has a conflict on that date. He stated it is the consensus of the Board the date for the work session be moved from February 20th to February 28th. The location of the meeting does not change; meeting will be held in the County Administration Building in the Board Meeting room at 7:00 p.m.

On motion by S. K. Greenwood, seconded by C. T. Redd III, with the following roll call vote, the Board adopted a Revised Fiscal Year 2013-2014 Budget Preparation and Adoption Schedule canceling a previously scheduled work session meeting for the Board of Supervisors on Wednesday, February 20, 2013, at 7:00 p.m. and rescheduled the meeting to occur on Thursday, February 28, 2013, at 7:00 p.m.:

BOARD OF SUPERVISORS OF
KING WILLIAM COUNTY, VIRGINIA
FISCAL YEAR 2013-2014 BUDGET
PREPARATION AND ADOPTION SCHEDULE
REVISED

<u>Date (Time):</u>	<u>Purpose:</u>
Friday, January 4, 2013	Budget Request Submittal Deadline
Wednesday, February 20, 2013 (7:00 p.m.)	Work Session – Board of Supervisors
Thursday, February 28, 2013 (7:00 p.m.)	Work Session – Board of Supervisors
Friday, March 8, 2013	Draft Budget Delivered to Board of Supervisors
Wednesday, March 13, 2013 (7:00 p.m.)	Work Session – Board of Supervisors
Thursday, March 14, 2013 Draft (6:30 p.m.)	Joint Dinner Meeting with School Board to Review School Budget – Hamilton Holmes Middle School

Friday, March 22, 2013 (8:30 a.m.)	Work Session – Draft Budget
Wednesday, April 3, 2013	Publication of Public Hearing Notice – Proposed Budget and Tax Levies
Monday, April 15, 2013 (7:00 p.m.)	Public Hearing – Proposed Budget and Tax Levies
Monday, April 22, 2013 *	Adoption of Budget and Tax Levies and Appropriation of Funds

* Regular April meeting of the Board of Supervisors

Those members voting:

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

RE: NEW BUSINESS

a. Public Hearing – Zoning Case Z-01-12 – Owner: Stone Family Trust, Applicant: John A. Stone, Jr.; Request to rezone, with voluntary proffers, from R-1 (Suburban Residential) to B-2 (General Business) – Ordinance #13-02 – The County Administrator introduced and welcomed Bret Schardein, newly hired Community Development Director for King William County.

Mr. Funkhouser stated Mr. John Stone has applied on behalf of the Stone Family Trust to rezone approximately one acre of land; situated on the hill to the left of the car wash on Rt. 360. The site is designated commercial in the county's comprehensive plan; the adjacent property is zoned B-1 or B-2. He said there is some terrain differences, some adjacent residential development and the site is a logical break or ending point for this section of development along this part of Route 360. He said this is a small site, the applicant has no immediate plans to redevelop the property and would like to either sell or rent to perhaps some office users; subject to approval and review by VDOT.

Continuing Mr. Funkhouser said there are proffers associated with the parcel limited essentially to a traffic impact analysis and some related items. He stated there are no cash proffers associated with the property consistent with the Board's policy regarding cash proffers. He said the Planning Commission, at its regularly scheduled meeting of December 11, 2012, voted unanimously to recommend approval of this

case. Staff continues to recommend approval and acceptance of the voluntary proffers. Ordinance #13-02 is before the Board for consideration.

Chairman T. J. Moskalski opened the public hearing.

There being no persons to speak for or against the matter before the Board the Chairman closed the public hearing.

T. S. Stone clarified she is not directly related to the applicant, Mr. John Stone, he is her father-in-law's first cousin and further explained she does not have any interest in the Stone Family Trust. She stated she discussed this with the County Attorney prior to the start of the meeting and she is cleared to vote on this matter.

b. Consideration of Ordinance #13-02 – Chairman Moskalski called for discussion of the Board members. There was no discussion.

On motion by C. T. Redd III, seconded by O. O. Williams, with the following roll call vote, the Board approved Ordinance #13-02 – Zoning Case No. Z-01-12 Stone Family Trust Rezoning from R-1 Suburban Residential to B-2 General Business:

ORDINANCE
ZONING CASE NO. Z-01-12
STONE FAMILY TRUST
REZONING FROM R-1, SUBURBAN RESIDENTIAL
TO B-2, GENERAL BUSINESS

WHEREAS, the Board of Supervisors of King William County, Virginia, has received a request (Case No. Z-01-12) by Mr. John A. Stone on behalf of the Stone Family Trust to rezone approximately one acre of land from R-1, Suburban Residential to B-2, General Business, and voluntary proffers accompany such request; and

WHEREAS, the subject property is identified as Parcel 28-51B and located at 4749 Richmond-Tappahannock Highway and is within a Commercial designation of the County's Land Use Plan Map; and

WHEREAS, the King William County Planning Commission conducted a public hearing on December 11, 2012, and voted unanimously to recommend the Board of Supervisors approve the request,

NOW THEREFORE, BE IT ORDAINED AND ENACTED, that the Board of Supervisors of King William County does hereby rezone Parcel 28-51B from R-1, Suburban Residential to B-2, General Business, and accepts all of the voluntary proffers made by the applicant as memorialized by the proffer statement, dated January 16, 2013, attached hereto.

Adopted this 28th day of January, 2013

Those members voting:

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

c. Public Hearing – An Ordinance to Amend Section 42-82 of the King William County Code, “Use of Rifles” to allow shotguns loaded with slugs during deer season – Ordinance #13-01 – The County Administrator explained Ordinance #13-01 is to specifically amend Section 42-82 of the King William County Code to allow shotguns loaded with slugs during deer season. Further he stated proposed Section 42-82(b) deletes express prohibition about shotguns loaded with slugs.

C. T. Redd III stated the discussion tonight on proposed Ordinance #13-01 is not about the ownership of assault weapons or about gun control. He explained this is about changing the code of King William County to allow citizens of the County to be able to hunt with slugs. He said he wanted to bring this to light because he doesn't want this public hearing to get into the discussion of assault rifles because that is not what this is all about.

O. O. Williams asked for clarification that the proposed ordinance is to only allow slugs and not the use of rifles.

The County Administrator read the current Section 42-82(a) of the King William County Code for clarification. He further explained the proposed ordinance removes the language prohibiting the use of shotguns loaded with slugs.

Chairman T. J. Moskalski opened the public hearing.

1. David Hastedt, of 2850 Kemp Lane in Gloucester County, said he is the vice president of the West Point Hunt Club, located on Churchill Road in King William County, in the 2nd district, and has been in continuous operation since 1940. He spoke on behalf of the hunt club and said the club encourages the Board to approve Ordinance #13-01 to allow slugs to be used during deer season. He said it is the consensus of the West Point Hunt Club members that the use of slugs is inconsistent with safe hunting of deer with dogs; the club currently does not allow the use of muzzle loaders while hunting with dogs. He proposed the Board add the language that would preclude the use of slugs while hunting with dogs. Continuing he said even if the Board approves the ordinance without restrictions the club will likely adopt its own policy to preclude the use of slugs while hunting with dogs.

2. Gary Baugh, of the 5th district, spoke in favor of the adoption of Ordinance #13-01.

3. Tom Coffin, of the 4th district, spoke in favor of the adoption of Ordinance #13-01. He said he feels the hunters in King William County are very responsible. He urged the Board to amend the ordinance in order to get in line with the rest of the commonwealth; King William is only one of two counties that do not allow hunting with slugs. He feels allowing the use of slugs King William hunters can stay in the county to hunt and spend money here rather than hunt elsewhere and spend their money in other counties.

4. Lee Richards, of the 3rd district, spoke in favor of the adoption of Ordinance #13-01 and urged the Board to amend the code to allow the use of slugs in King William County. He said he was issued a kill permit by the Department of Game and Inland Fisheries to kill 30 deer on his 187 acre family farm; he used this as an example of what the DGIF says about the deer population in King Willaim County. He also would like to see King William County come up to speed with the other counties within the commonwealth. He said a club he is a member of in Richmond County has a rule that they cannot use slugs when hunting with dogs and the members abide by the rule.

5. Tom Gresch, of the 4th district, spoke in favor of the adoption of Ordinance #13-01 and asked the Board to amend the code but not to impose restrictions; he feels restrictions should be left up to the various hunt clubs to regulate.

There being no persons to speak for or against the matter before the Board the Chairman closed the public hearing.

d. Consideration of Ordinance #13-01 – Chairman Moskalski called for a motion on Ordinance #13-01.

O. O. Williams motioned to table this item; motion died for the lack of a second.

T. S. Stone said over the last several months she has received quite a bit of feedback from members within the county, in her district, in general in support of the use slugs in King William County. She pointed out that several months ago the Department of Game and Inland Fisheries presented to the Board on this subject and their data was consistent with what has been heard tonight. DGIF explained that there is really not a lot of difference between a slug and shotgun versus what we have now, the modern muzzle loader.

T. S. Stone moved, seconded by C. T. Redd III, to approve Ordinance #13-01.

S. K. Greenwood stated he feels the Board should not make any revisions to the proposed ordinance and any restrictions on the use of slugs should be left up to the individual hunt clubs.

O. O. Williams said he has received many complaints about the proposed amendment from his constituents and the biggest thing he has heard about is safety. Most of the calls he has received indicated they do not have a problem with the shooting of slugs; hunters using slugs need to be using elevated stands so they shoot downward. They are worried about the distance slugs travel and shooting them into houses being built in the timberlands. He said hunters hunt right behind plenty of developed areas. Timberland is wide open so when they start shooting there are no trees to stop them when they miss a deer. He said when you wake up the Saturday after Thanksgiving and see three or four hunters shooting at a deer and aiming at your house and imagine they are shooting slugs. He said he knows Ms. Stone is a big complainer of motocross, just wait until they start hunting behind her and start shooting at her with slugs, she won't enjoy it.

C. T. Redd III said he has had a lot of people contact him as well, and very few were opposed to the proposed amendment. He said he did not hear anyone that spoke tonight that was opposed and that is why he seconded the motion. He called for the question.

Chairman Moskalski announced the question has been called and explained that calling the question requires two-thirds of approval by the members and called for a vote on the question.

Those members voting:

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

Chairman Moskalski confirmed the question has been called in the vote of affirmative or the negative. The Chairman called for a vote on the motion.

On motion by T. S. Stone, seconded by C. T. Redd III, with the following roll call vote, the Board approved Ordinance #13-01 – An Ordinance to Amend Section 42-82

of the King William County Code, "Use of Rifles", removing the language prohibiting the use of shotguns loaded with slugs:

O13-01
AN ORDINANCE TO
AMEND SECTION 42-82 OF THE KING WILLIAM COUNTY CODE,
"USE OF RIFLES"

WHEREAS, the Board of Supervisors of King William County, Virginia has received petitions from several citizens to consider amending Section 42-82 of County Code, removing language prohibiting the use of shotguns loaded with slugs; and

WHEREAS, after a duly advertised and held public hearing, the Board believes it appropriate to amend the King William County Code as requested;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, that the Board of Supervisors of King William County, Virginia, does this 28th day of January, 2013, amend and reenact Section 42-82, Use of Rifles, of the King William County Code to read as follows:

Sec. 42-82. - Use of rifles.

- (a) During the prescribed open season for the hunting and killing of deer, the use of muzzle-loading rifles and shotguns loaded with slugs is expressly permitted, provided that such use shall be subject to the same rules and regulations, whether state or local, which apply to the use of any other firearm.
- (b) Except as provided in subsection (a) of this section, it shall be unlawful to hunt any wild bird or animal during the prescribed open season for deer in the county with a rifle capable of firing ammunition larger than standard 0.22 long rifle.

Adopted this 28th day of January, 2013

Those members voting:

T. S. Stone	Aye
O. O. Williams	Nay
C. T. Redd III	Aye
S. K. Greenwood	Aye
T. J. Moskalski	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. Tom Gresch, of the 4th district, feels county information should be published in the Country Courier, as well as the Tidewater Review, so all the citizens in the county are informed.

Chairman Moskalski explained the paper of record for the county is the Tidewater Review and the only paper the county is legally required to advertise in. He asked the County Administrator to speak to what is legally required of the county with regards to the advertisement of budget matters.

The County Administrator stated the county has a history of advertising in the Country Courier. Typically not all public hearing notices are run in the Country Courier; we will occasionally run other notices such as surplus ads. He stated county news is posted on the county website; he recognizes not everyone has access to the internet or chooses to use it. Further he commented the Country Courier does not publish every week.

Mr. Gresch said maybe some of the \$94k Parks and Recreation is willing to give up in their budget can be used to publish information in the paper for the northern half of the county.

Ms. Stone pointed out that unfortunately the Country Courier does not deliver to 100% of the county; the Tidewater Review will, however you must pay for a subscription. She clarified that is the distinction; legally the county has to have a paper that will deliver to 100% of the geographic area of the county and to her knowledge the Country Courier does not cover the area.

Mr. Gresch added in his opinion the citizens of the county are demanding that the local government be held accountable for money spent. He also feels everyone in the room is sick and tired of the federal government wasting our money. He said he would like to see this county Board rise up as an example to the rest of the counties in the state as far as being thrifty with our money and know where it is going. Continuing he said when someone comes up and asks you for a half million dollars, or whatever, make them justify why they need that much. The days of the good ole boys are over with, we can't afford it, just because they got \$500k last year doesn't mean they can ask for \$510k this year and get it; they shouldn't get the \$500k you should make them qualify for that money. He said we can't afford to end up in debt and we can't afford

the taxes you are laying on us right now. He mentioned road usage and the way they are getting torn up and suggested putting some restrictions on logging trucks. He said in Minnesota you can't run a dump truck down the road until the spring thaw.

b. Joanne Dungee, of the 2nd district, spoke of her support of Parks and Recreation and said her family members benefit from the activities offered including the after school program.

c. Denise Bagnell, of the 5th district, supports Parks and Recreation and said her son has participated in the after school program for the past four years and she doesn't know what she would have done had it not been for the program. She feels the after school program is very beneficial from a health perspective and said when her son comes home he has had exercise, has completed his homework and is ready to settle in for the evening. She said she wants the program to continue.

d. Sherry Geffert, of the 2nd district, supports Parks and Recreation and suggested if Parks and Recreation can operate on a self-sufficient budget maybe other departments need to look at how they operate. Her family has taken advantage of many of the programs offered and she feels it is not only economically sound and affordable but everyone is familiar with the teachers and staff and they feel comfortable with them. She said she doesn't have to worry about after school care and the funds are kept in the county. She feels all of these things should be beneficial to all of us. She spoke of the facilities that are operated and commended staff on the good job they do. As for taxes she said King William citizens pay one of the highest tax rates around, she questioned where all of our money goes, why are we in debt and whether the money is being mishandled.

e. Roger Volk, of the 2nd district, said he is in favor of Parks and Recreation and has lived in the county for over 30 years and values the venues offered by Parks and Recreation. He remembers when nothing was offered in the way of activities. He said he enjoys living in King William. He asked that funds be left in the budget for Parks and Recreation for the health and well-being of the citizens who wish to participate and use the services offered.

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 attending the meeting tonight and said she appreciates everyone providing input prior to the budget. She said she received a copy of the yellow flyer that was circulated regarding Parks and Recreation and feels the flyer was a bit misleading. She explained the first budget work shop meeting is scheduled next month, the County Administrator will propose a balanced budget to the Board and then the Board will walk through that proposed budget line by line and look at every detail. The Board will then come up with a balanced budget that will be advertised in the newspaper and a public hearing will be held on April 15th. She said she is hopeful citizens will follow the Board through the entire process.

Continuing she said to suggest that County Administration has recommended the elimination of Parks and Recreation and the programs, to her knowledge she has never heard any Board member suggest that; the Board has not even started talking about specifics with regards to the budget. She stated her family of six has participated in most every Parks and Recreation program available, other than the elderly programs. She commented on the citizens that spoke tonight about taxes being too high and they want taxes cut but they want Parks and Recreation. She explained a budget must be balanced, if you want lower taxes then services received today must go away, they must be cut.

Ms. Stone mentioned another thing this Board inherited is a new emergency communication system had to be approved and in place by January 1, 2013, or the county was subject to fines up to \$10,000 a day; the FCC gave the county a ten year notice that a new system had to be in place. She said King William is collaborating with Hanover County on a new system; new equipment will need to be purchased because the existing equipment does not work with the new system and these things cost money. The other option was to incur a daily fine of \$10,000. She said she commits, as a Board member, she will make every effort to keep the budget as tight as possible but she cannot promise to cut taxes nor can she promise the Parks and Recreation budget won't be touched at all. The reality is it is probably going to be a

compromise and a little bit of all of those things; she doesn't know if there is any other choice. She encouraged citizens to participate in the budget meetings and said citizen input is welcome. In closing she said whatever is added something has to be cut, if taxes are cut we have to lower expenses; the budget has to stay in balance.

Mr. Redd said he is concerned about rumors. He said he saw the flyer regarding Parks and Recreation for the first time tonight. He stated he received an email today, from Ms. Juanita McIntyre, that read she received notice today from the kind folks who work the Parks and Recreation after school program at Cool Springs that our Board of Supervisors is planning on doing away with the whole Parks and Recreation Department. He said this concerns him as a Board member that we have people that are working for Parks and Recreation who are saying we are getting ready to do away with it when it has never been discussed, publically or privately. He said as far as he can say Parks and Recreation is not going away. He urged citizens to use the energy to bring ideas to the Board where we can take our budget and make it work with the income and expenses we have. He commented on the question of why we are in debt and said the county is in pretty good fiscal shape considering what the real estate values are, the county did not borrow any money this year; we are waiting on the collection of taxes. He said don't pay any attention to these rumors because he doesn't think you will see Parks and Recreation go away unless something bad happens between now and February or March.

Mr. Williams also thanked everyone for coming out and said he received more calls on the slug issue, other than on Parks and Recreation, of anything that has gone on in a long time. He said he is surprised no one came and spoke out opposing the use of slugs because he received so many calls. He said he is not against hunting or the safety of hunting; he was expressing the issue he heard from the most people. He stated he was put in office to represent his district and he tries to look out for everyone, if he can; he feels everybody has a right to be heard. He stated that emails are not his strong point, people that want to talk to him call him. He explained he is not trying to cause any enemies, he is not against hunters, and he said he has many friends that are hunters.

Mr. Greenwood said it is nice to see a large turnout to the Board meeting but he feels this only happens when there is a topic such as motocross, reservoir or flyers such as the one mentioned tonight; he said it is a shame that has to happen. He stated he is not a member of the T.E.A. Party; it seems they have picked him to be their local sponsor boy. He clarified that he said that he would like to see maybe a 3% to 5% across the board cut and said he mentioned that because he felt that was fair. He feels rumors have started because of him making this statement. He said last year the Board spent all day reviewing the budget line by line and didn't cut enough to make one penny of a difference. He confirmed what Ms. Stone stated earlier that budget cuts have not been discussed by the Board members. The only thing that has been done on the budget thus far is the departments have turned in their budget requests. He also encouraged citizens to attend the budget meetings and reminded everyone all meetings of the Board are open to the public. He also reminded everyone they can submit ideas beforehand and they are welcome.

Chairman Moskalski thanked everyone for coming and for showing interest in the matters before the Board this evening. He said he appreciates all comments made and he looks forward to continued participation. He explained a budget is a policy that is a list of priorities for the county for the fiscal year to which it pertains. Priorities by at large come from the citizens telling the Board what is important to them, what they think we need, what they think are useful services and also what they think we do not need. While he appreciates all the comments tonight he encourages everyone to come to the budget meetings with ideas and concise recommendations for savings, if they see any that can be made, or things they think we do well and we need to continue. He wished everyone a safe trip home.

RE: CLOSED MEETING – IN ACCORDANCE WITH § 2.2-3711(A)(7)(1) OF THE CODE OF VIRGINIA TO CONSULT WITH LEGAL COUNSEL, CONSULTANTS, AND/OR STAFF ON A MATTER OF ACTUAL LITIGATION IN WHICH THE COUNTY IS INVOLVED AND IN ACCORDANCE WITH § 2.2-3711(A)(7)(3) OF THE CODE OF VIRGINIA TO CONSULT WITH LEGAL COUNSEL ON A SPECIFIC LEGAL MATTER REQUIRING THE PROVISION OF LEGAL ADVICE BY COUNSEL –

On motion by C. T. Redd III, seconded by T. S. Stone, and carried unanimously, the Board entered Closed Meeting pursuant to § 2.2-3711(A)(7)(1), Code of Virginia, to consult with legal counsel, consultants, and/or staff on a matter of actual litigation in which the County is involved and pursuant to § 2.2-3711(A)(7)(3), Code of Virginia, to consult with legal counsel on a specific legal matter requiring the provision of legal advice by counsel.

Having completed the Closed Meeting, the Board reconvened in open meeting, on motion by C. T. Redd III, seconded by T. S. Stone and carried unanimously.

In accordance with Section 2.2-3717(D) of the Code of Virginia, 1950, as amended, C. T. Redd III 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 T. S. Stone 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 28th day of January, 2013, 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:

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

**RE: KING WILLIAM VOLUNTEER FIRE – RESOLUTION #13-01(R) –
BUDGET AMENDMENT – FY 2012-2013 AND APPROPRIATION OF FUND 740**

EMS BILLING - On motion by C. T. Redd III, seconded by T. S. Stone, with the following roll call vote, the Board approved Resolution #13-01(R) – Budget Amendment – FY 2012-2013 and Appropriation of Fund 740 EMS Billing:

RESOLUTION #13-01(R)
BUDGET AMENDMENT – FY 2012-2013 AND
APPROPRIATION OF FUND 740 EMS BILLING

WHEREAS, the Board of Supervisors wishes to amend the General Fund portion of the FY 12-13 Budget to provide funds to the King William Volunteer Fire Department and the County Emergency Services Department for the purposes of compliance with Medicare billing contractor requirements as directed by the Centers for Medicare/Medicaid Services and to ensure continued Emergency Medical Services by appropriating a total of \$10,000 from Fund 740 EMS Billing with said funds representing a portion of the 25% of all EMS service revenues held by the County to be used for EMS/Rescue services in accordance with a Resolution adopted by the Board of Supervisors on June 28, 2010,

NOW, THEREFORE BE IT RESOLVED, the Board of Supervisors hereby agrees to forward the 4th quarter payment due King William Volunteer Fire Department to EVB Bank upon receipt of letter from KWVFD requesting such payment and to appropriate \$10,000 from Fund 740 EMS Billing to purchase two (2) reserve ambulances from Prince William County, with titles to remain with King William County.

Adopted this 28th day of January, 2013

Those members voting:

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

RE: ADJOURNMENT OF MEETING

There being no further business to come before this Board, the meeting was adjourned at 10:30 p.m. on motion by C. T. Redd III, seconded by O. O. Williams, and carried unanimously.

Those members voting:

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

COPY TESTE:

T. J. Moskalski, Chairman
Board of Supervisors

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