

**MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
MEETING OF NOVEMBER 19, 2012**

At a regularly scheduled meeting of the Board of Supervisors of King William County, Virginia, held on the 19th day of November, 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 T. J. Moskalski, seconded by O. O. Williams, with the following roll call vote, the Board adopted the agenda for this meeting as presented by the County Administrator with one change. A closed meeting, in accordance with §2.2-3711(A)(7) of the Code of Virginia to consult with legal counsel on a specific legal matter requiring the provision of legal advice by counsel, was added under item 10 and now becomes 10b.

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. LaVerne Abrams, representing the Electoral Board, gave an update of the voter turnout during the 2012 Presidential Election. She congratulated the citizens of King William County for the excellent turnout. She stated there are 11,229 registered voters in the County and 80% went to the polls to cast a vote, King William exceeded the overall average for the State of Virginia which was 75%.

Continuing Ms. Abrams said for the first time there was an electronic system in place to alert the workers in the voting precincts that someone wishing to vote needed assistance getting out of their vehicle to enter the building to vote; in these cases a ballet was taken to the voter to cast. She said this was all made possible because the General Registrar, Susan Mickens, was able to secure a grant enhancing curbside voting in the amount of \$1,800. This grant permitted her to secure the equipment without any cost to the County.

Ms. Abrams praised the poll workers and thanked them all for their hard work and dedication. She also said she appreciates the outstanding, long suffering and misunderstood work performed by Ms. Mickens, and the staff in her office, and said their jobs are tremendously over looked and underfunded. She reviewed several items that caused additional work to this office. Ms. Abrams said King William can be proud of the General Registrar and all the individuals who made this most important privilege that we as Americans have to cast, a remarkable success.

b. Ray Scher, a retired nurse and a healthcare advocate for Virginia Organizing (VO), spoke about the Medicaid Expansion Section of the Affordable Care Act (ACA). He said the organization is grass roots, non-partisan, social justice organization with seventeen chapters throughout Virginia and has been active for over seventeen years. He explained the mission of the VO is to educate and empower the people of Virginia who are normally left out of the political decision-making process. Volunteers for the VO are making presentations to the county boards and city councils

around the state asking that they put Medicaid Expansion a priority on their legislative agenda and, if they are inclined, to pass a resolution in support of the expansion.

Mr. Scher said the Supreme Court decision protects a state from losing all its Medicaid federal matching dollars for its current Medicaid Program if the state fails to implement the ACA Medicaid expansion. He said this gives states the choice of whether or not to adopt the expansion, which would offer coverage to people with income below 133% of the Federal Poverty Level (FPL); the expansion is absolutely critical for Virginia. He said Virginia Medicaid, despite its cost, does not rank well when compared to other states. Virginia has some of the toughest Medicaid eligibility standards in the nation. The eligibility level for low-income working parents is among the worst in the country, covering only those parents whose income is under 30% of the poverty level; translating into an annual income of under \$10,000 for a family of four. Virginia also has no public insurance program for childless adults, this means that totally impoverished individuals cannot get Medicaid in Virginia.

Continuing he said the ACA Medicaid expansion changes all this by establishing a new national income eligibility level at 133% of FPL. He said the new eligibility level will be about \$15,000 for an individual and about \$31,000 for a family of four; approximately 425,000 uninsured Virginians are expected to qualify. This will have a huge impact offering coverage for almost half of Virginia's one million uninsured. He explained the ACA calls for 100% federal funding of Medicaid Expansion for the first three years. Thereafter, federal funding is reduced to no less than 90% of the cost. The projected cost to Virginia is dwarfed by the billions of federal dollars that will come into the state to support the healthcare industry, jobs and Virginia's overall economy. He stated a Kaiser Family Foundation report from 2012 estimates that \$9 to \$11 billion in federal dollars will come to Virginia over a five-year period; DMAS has estimated this amount to be over \$20 billion in a ten-year period. He said especially for states like Virginia that have had historically low eligibility levels, the expansion and its funding will provide enormous benefits to citizens and the economy.

In closing, he said this Medicaid Expansion is incredibly important to King William County because it is expected that the adult population eligible for Medicaid

health insurance may increase by up to 35%. He explained full-time workers making the minimum wage, people working two jobs at very low wages, wait staff at local eateries, self-employed seasonal workers, unemployed seniors, and adults between the ages of 19 and 64 are some of the citizens of King William County who may gain health insurance under the Medicaid Expansion. He asked that the Board consider making a resolution to support Medicaid Expansion, and making Medicaid Expansion a priority on their legislative agenda.

Ms. Stone asked for clarification that initially the funding will be covered 100% and over time it will progressively decrease.

Mr. Scher stated after the first three years the funding is 90% funded for the foreseeable future.

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. S. Stone, seconded by T. J. Moskalski, with the following roll call vote, the Board approved the following items on its Consent Agenda:

- a. Minutes of the Regular Meeting of October 22, 2012.
- b. Claims against the County for the month of November, 2012, in the amount of \$635,548.07 as follows:

- (1) General Fund Warrants #77033-77109 in the amount of \$139,784.94; ACH Direct Payments for #2910-3005 in the amount of \$115,168.21; Direct Deposits #17318-17463 in the amount of \$192,779.79; and Electronic Tax Payment in the amount of \$68,774.83 for November, 2012.

- (2) For informational purposes, Social Services expenditures for the month of October, 2012, Warrants #309446-309484 in the amount of \$33,692.56; ACH Direct Payments #735-756 in the amount of \$11,924.45; Direct Deposits #2890-2907 in the amount of \$30,473.74; and Electronic Tax Payment in the amount of \$11,229.65.

- (3) For informational purposes, Comprehensive Services Act Fund expenditures for the month of October, 2012, Warrants #77022-77032 in the amount

of \$25,593.00; and ACH Direct Payments in the amount of \$6,126.90 for the month of October, 2012.

(4) There were no Tax Refunds for the month of November, 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

a. Game and Inland Fisheries – Lieutenant Scott Naff – The County Administrator explained this is a follow up on some Board member questions several months ago. He said Lieutenant Naff and Sargent Paul Atkins, from the Department of Game and Inland Fisheries, are present to answer questions or comments the Board might have on certain hunting regulations that may or may not be unique to King William County; one in particular is the use of slugs.

Ms. Stone said she had a constituent contact her and indicated that potentially King William County is the only county in Virginia that does not allow the use of slugs. She asked for clarification on what slugs are, where they are used, for confirmation if King William County is the only county that does not allow the use of slugs, and the safety risks for the counties that do allow the use of slugs.

Lieutenant Naff stated Goochland and King William are the only counties in Virginia that do not allow the use of slugs. He explained a slug is a single projectile shot from a shot gun, very similar to a muzzle loader projectile; you are required to aim when using slugs, not just point and shoot. He said as far as whether a slug is less or more dangerous generally it falls upon the person pulling the trigger. He also said his office investigates hunting related incidents involving a person accidentally shooting another. He said more people hunt with buckshot than any other type of ammunition in this area, especially east of the Blue Ridge. He commented that some counties require rifles and muzzle loaders to be discharged from an elevated stand. He said this puts the hunter into a precarious situation in an instance where a deer is wounded, the hunter usually does not have a second weapon to complete the kill; the hunter is in violation once he is gets on the ground.

Ms. Stone asked why King William would not have addressed this issue long ago when other counties were changing.

Lieutenant Naff stated Section 29.1-528 of the Code of Virginia allows localities to make ordinances dealing with the types of guns that are used for hunting. The hunter regulation book has about 70 ordinances hunters have to go through to see what is in place for the county they are hunting in. He said he does not know why King William County disallowed slugs; at some point muzzle loaders were allowed, maybe because they were considered a more primitive style weapon, now they have evolved but the county code did not.

Ms. Stone asked if muzzle loaders are the equivalent to shooting a slug.

Lieutenant Naff said they are very similar.

Chairman Redd said in his 25 years of serving the Board the question of slugs has never come up; he feels it is a very good question.

Lieutenant Naff added hunting with slugs is very effective if the hunter is still hunting or stand hunting versus dog drive hunting. He said given the deer population in the county and complaints that may arise from farmers due to damage to crops, slugs may be an additional tool for a hunter's tool box when harvesting deer. He said his agency offers no opinion on what should be allowed, they are here to offer some facts and options. He also said his agency is there for the opportunity for people to hunt and to promote the opportunity for people to hunt.

Mr. Williams said from what has been presented it appears King William County missed the opportunity to restrict muzzle loaders as they became more like rifles.

Lieutenant Naff said it is all in how you look at it as to whether it was a missed opportunity. He said muzzle loader hunting has increased in popularity tremendously over the last 15 years. He added that the number of incidents with muzzle loaders is very low compared to buckshot incidents.

Mr. Williams spoke of his concern of the safety of people given the housing developments that have moved on to property that was used for hunting in the past.

Lieutenant Naff stated a lot of counties have ordinances in place that deal with distance, in relation to dwellings, where a firearm can be discharged and pointed out this is an option. He said it all comes down to individual responsibility, when the

person pulls the trigger on a gun if they follow the cardinal rules of safety, know what you are shooting at, know what is beyond what you are shooting at, if everyone followed these there would be no problems. He said the reckless firearm code is enforced regularly; explaining this is when someone pulls the trigger without all of the thought behind it.

Chairman Redd asked the difference of the distance of the projectile of buckshot versus a slug.

Lieutenant Naff said he did not have that information with him but he could research. He said the pellets of buckshot lose a lot more energy a lot quicker than slugs, an effective range of a slug for killing a deer, most of the time, is not much more than 150 yards and then the slug really starts falling.

Mr. Moskalski said as stated earlier there are more incidents with buckshot than with slugs or other types of weapons, which are traditionally associated with still hunting. So when dealing with a slug or a black powder rifle it tends to be someone who is alone and familiar with the situation, where some dog running hunts can be very frantic and fast moving and someone could end up pointing a gun in a direction where may not have intended before pulling the trigger, is this reasonable to say?

Lieutenant Naff said there are counties that allow rifles to be used when hunting with dogs, and there are people in stands with high powered rifles that shoot at deer running across fields; bottom line is personal responsibility. He said typically when a shotgun is used you are pointing and shooting versus aiming and then shooting.

Mr. Greenwood asked for clarification if King William County can adopt an ordinance to allow the use of slugs.

Lieutenant Naff said absolutely the Board has the authority to adopt an ordinance that follows the Code of Virginia.

Mr. Greenwood asked if hunting is illegal on Sunday throughout the State of Virginia; Mr. Naff answered in the affirmative.

Mr. Greenwood asked why hunters are mistaking road signs for deer and shooting them and if something can be done.

Lieutenant Naff said he would be cautious in saying that hunters are shooting the road signs. He said if this type of activity is reported his office investigates.

In closing Lieutenant Naff made the Board aware that the Game and Inland Fisheries Headquarters office, in Richmond, maintains a database on all hunting incidents that have occurred since the 1960's and is available for viewing.

RE: OLD BUSINESS

a. Proposal to Abandon a Section of State Route 633 (Powhatan Trail) – Update – The County Administrator gave an update to the Board on the proposed abandonment of a section of State Route 633 (Powhatan Trail). He said the County has been contacted by Mr. Walker's attorney, Peter Glubiak, and Mr. Glubiak has indicated he is working with Norfolk Southern to draft an access agreement that is acceptable to both parties. He said Mr. Glubiak has requested consideration of the abandonment be deferred for one month and considered at the December 17, 2012, regular business meeting of the Board of Supervisors.

b. **RE: CLOSED MEETING – LEGAL MATTERS, IN ACCORDANCE WITH SECTION 2.2-3711(A)(7) 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 O. O. Williams, seconded by T. J. Moskalski, and carried unanimously, the Board entered Closed Meeting pursuant to Section 2.2-3711(A)(7), 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 T. J. Moskalski, seconded by T. S. Stone and carried unanimously.

In accordance with Section 2.2-3717(D) of the Code of Virginia, 1950, as amended, T. J. Moskalski 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 19th day of November, 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:

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

RE: NEW BUSINESS

a. Appropriation of Proffer Funds – Schools – Resolution #12-70(R) - On motion by T. S. Stone, seconded by T. J. Moskalski, with the following roll call vote the Board approved Resolution #12-70(R) – Capital Improvements Budget Amendment, FY 12-13 and Appropriation of Proffer Funds, Schools:

RESOLUTION #12-70(R)
CAPITAL IMPROVEMENTS BUDGET AMENDMENT – FY 12-13 &
APPROPRIATION OF PROFFER FUNDS – SCHOOLS

WHEREAS, the Board of Supervisors wishes to amend the Capital Improvements portion of the FY 12-13 County Budget to provide funds to the King William County Public Schools for the purposes of acquiring school land at a cost of \$30,000 and to replace school HVAC equipment at a cost of \$46,000 by appropriating funds previously collected from cash proffers associated with rezoning applications,

NOW, THEREFORE BE IT RESOLVED, the Board of Supervisors hereby amends the Capital Improvements portion of the FY 12-13 County Budget to establish a School Capital Projects line item and \$76,000 is hereby appropriated to the School Capital Projects line item and is directed to be transferred to the School Fund for the above stated purposes.

Adopted this 19th day of November, 2012

Those members voting:

S. K. Greenwood	Aye
T. S. Stone	Aye
O. O. Williams	Nay

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

Authorization of the Advertisement of a Public Hearing - On motion by O. O. Williams, seconded by S. K. Greenwood, with the following roll call vote, the Board authorized the advertisement of a public hearing to occur during the regular business meeting of the Board of Supervisors on December 17, 2012, to consider a proposed FY 12-13 budget amendment request from the King William County Schools for the purchase of up to five (5) new buses at an approximate cost of \$400,000.

Those members voting:

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

b. Capital Projects Financing – Resolution #12-71 – The County Administrator explained that Resolution #12-71 is related to the primary project the County is undertaking which is the replacement of the public safety radio system. He said there are also funds proposed to be used to construct a pump house for part of the Central Garage water utility system. He further explained the resolution before the Board for consideration is a request for authorization for the County Administrator to pursue in accordance with the proposal, received to date, up to \$3,750,000 in financing and the source for the financing. Finally, he said it is his understanding the Board would like to pursue financing up to \$3,000,000 and the selection of US Bank Corp at a 13 year term.

On motion by T. J. Moskalski, seconded by S. K. Greenwood, with the following roll call vote, the Board approved Resolution #12-71 – A resolution of the Board of Supervisors of the County of King William, Virginia, authorizing the lease financing of certain County projects:

RESOLUTION #12-71
A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF KING WILLIAM, VIRGINIA
AUTHORIZING THE LEASE FINANCING OF CERTAIN COUNTY PROJECTS

WHEREAS, the Board of Supervisors (the "Board") of the County of King William, Virginia (the "County") has determined that it is necessary and advisable to finance (a) the acquisition and installation of certain emergency 911 communications equipment and facilities and (b) the construction and equipping of certain improvements to the County's water utility system, including but not limited to a water well pump house (collectively, the "Projects"), and to obtain financing for the Projects

through a financing lease providing financing, on a tax-exempt basis, for the Projects in an amount not to exceed \$3,750,000 (the "Lease"),

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of King William County, Virginia, that:

1. Proposals to Provide Financing. The County Administrator is authorized and directed to accept one of the proposals listed in Exhibit A attached hereto to provide financing, on a tax-exempt basis, for the Projects and to accept the proposal that the County Administrator determines to be in the best interest of the County, provided that (i) the principal amount of the financing does not exceed \$3,750,000, (ii) the interest rate used to calculate the interest component of rental payments under the Lease shall not exceed 3.00%, and (iii) the term of the Lease shall not be longer than 16 years.

2. Authorization and Execution of Documents. The Board authorizes and directs the County Administrator to execute on behalf of the County, the Lease, and, if required, the Clerk or any Deputy Clerk of the Board is authorized and directed to affix or to cause to be affixed the seal of the County to the Lease and to attest such seal. Such officers or their designees are authorized to execute and deliver on behalf of the County such instruments, documents or certificates, and to do and perform such things and acts, as they shall deem necessary or appropriate to carry out the transactions authorized by this Resolution or contemplated by the Lease; and all of the foregoing, previously done or performed by such officers or agents of the County, are in all respects approved, ratified and confirmed.

3. Nature of Obligations. The obligation of the County to make payments under the Lease is subject to appropriation each year by the Board. Nothing in this Resolution or the Lease shall constitute a debt or a pledge of the faith and credit of the County.

4. Designation for Bank Qualification. The Board authorizes the County Administrator to designate the Lease as a "qualified tax-exempt obligation" eligible for the exception from the disallowance of the deduction of interest by financial institutions allocable to the cost of carrying tax-exempt obligations in accordance with the provisions of Section 265(b)(3) of the Code. The County and any of its "subordinate entities" do not reasonably anticipate issuing more than \$10,000,000 in tax-exempt obligations during calendar year 2012, and during such calendar year the County will not designate more than \$10,000,000 of qualified tax-exempt obligations pursuant to such Section 265(b)(3).

5. Reimbursement. The Board adopts this declaration of official intent under Treasury Regulations Section 1.150-2. The Board reasonably expects to reimburse advances made or to be made by the County to pay the costs of the Projects from the proceeds of its debt or other financings. The maximum amount of debt or other financings expected to be issued for the Projects is \$3,750,000.

6. Ratification. All actions taken by the County Administrator and the other officers and agents of the County in connection with the solicitation of proposals for the Lease and in the furtherance of the actions contemplated herein are ratified and confirmed.

7. Effective Date. This Resolution shall take effect immediately upon adoption.

The undersigned Clerk of the Board of Supervisors of the County of King William, Virginia certifies that the foregoing resolution was duly adopted at a meeting of the Board duly called and held on November 19, 2012.

Adopted this 19th day of November, 2012

Those members voting:

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

c. Communications System Purchase Agreement – Resolution #12-72 –

The County Administrator said the Board has been supplied with a contract and a series of exhibits related to the replacement of the County’s public safety radio system. He said based on his understanding of how the Board would like to proceed, Resolution #12-72 authorizes the County Administrator to execute a contract with Motorola Solutions, Inc. He explained there are certain options that can be exercised as change orders. The Board is interested in spelling out some of those items to get a better understanding when it is time to execute the initial contract. He reviewed the specific changes to the contract that were discussed by the Board members. He stated Mr. Dipp referenced a \$100,000 incentive if the contract is closed before the end of November and said given the changes and the incentive the final calculation is \$2.6 to \$2.7 million.

Mr. Steve Garner, of Motorola Solutions, Inc., said to receive the \$100,000 incentive the contract is to be closed by next Wednesday, November 21st.

Mr. Funkhouser said this is his understanding in terms of changes the Board would like to make to the initial execution of the contract.

On motion by T. J. Moskalski, seconded by S. K. Greenwood, with the following roll call vote, the Board approved Resolution #12-72 – A resolution to declare a sole source purchase and to authorize execution of a communications system agreement with Motorola Solutions, Inc.:

**RESOLUTION #12-72
A RESOLUTION TO DECLARE A SOLE SOURCE PURCHASE AND TO
AUTHORIZE EXECUTION OF A COMMUNICATIONS SYSTEM AGREEMENT WITH
MOTOROLA SOLUTIONS, INC.**

WHEREAS, the King William County Board of Supervisors, on September 24, 2012, approved an Agreement entitled Hanover County-King William County Communications System Agreement and such agreement describes the nature of the shared services and reimbursement by King William County to Hanover County for the cost of services; and

WHEREAS, the County Administrator has conducted an assessment of resources and needs related to emergency and administrative communications equipment and has determined that the King William County government must utilize Motorola equipment to conform with the communications services specifications of Hanover County and to ensure compatibility between the Hanover County and King

William County Communications systems and Motorola Solutions, Inc. is the sole vendor available in this region to supply such equipment at prices that are the same or lower than those available from contract prices available through the Commonwealth of Virginia,

NOW THEREFORE BE IT RESOLVED, the King William County Board of Supervisors, in accordance with §2.2-4303 E. of the Code of Virginia, determines Motorola Solutions, Inc. to be the only source practicably available for the acquisition of compatible radio, dispatch and antenna equipment identified in Exhibit C-2 of the proposed Agreement to comply with Hanover County standards and specifications for communications operation and hereby directs the County Administrator to post notice of such determination in accordance with §2.2-4303 E. of the Code of Virginia; and

BE IT FURTHER RESOLVED, the King William County Board of Supervisors this 19th day of November, 2012, that the form of the Communications System Agreement presented to the Board this day is hereby approved and the County Administrator is authorized to execute said document on behalf of the County, to include any supporting documents ancillary thereto, in substantially the same form as provided to this Board on the date of this resolution, subject to minor modifications approved by the County Attorney that may be necessary to effect the intent of this resolution and implement the Agreement subject availability of funding and to take all actions necessary to implement the terms of this resolution and the associated Agreement and to deploy resources, including personnel and expend funds accordingly.

Adopted this 19th day of November, 2012

Those members voting:

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

RE: ADMINISTRATIVE MATTERS – TRENTON L. FUNKHOUSER,

COUNTY ADMINISTRATOR

a. BOS Regular Monthly Meeting Schedule for 2013 – Resolution #12-73 and Budget Calendar for FY 13-14 – Resolution #12-67(R) -

The County Administrator explained that the Board does not have to take action on the BOS Regular Monthly Schedule for 2013 tonight. He further said staff would like to set these dates in order to publish as soon as practical; typically this is handled at the organizational meeting. In future year's staff would like to handle this item, at the latest, during the month of December; should an election bring any significant changes the dates can be changed at that time.

Continuing the County Administrator stated the Board would like to add the following two dates to the FY 13-14 Budget Calendar at this time: February 20, 2013 and March 13, 2013; both meetings to begin at 7:00 p.m. in the Board Meeting Room of the County Administration Building.

On motion by T. S. Stone, seconded by T. J. Moskalski, with the following roll call vote, the Board approved Resolution #12-67(R) – Adoption of the FY 13-14 Budget Calendar, as amended:

RESOLUTION #12-67(R)
Adoption of the
FY 13-14 Budget Calendar

WHEREAS, it is necessary for the Board of Supervisors to adopt a FY 13-14 Budget Calendar; and

WHEREAS, the proposed dates and times for the FY 13-14 Budget Calendar are as follows:

<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
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 School (6:30 p.m.)	Joint Dinner Meeting with School Board to Review 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.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of King William County, Virginia, does hereby adopt the above listed dates and times, as the FY 13-14 Calendar, for budget preparation and adoption.

Adopted this 19th day of November, 2012

Those members voting:

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

On motion by T. J. Moskalski, seconded by T. S. Stone, with the following roll call vote, the Board approved Resolution #12-73 – Adoption of the King William County Board of Supervisors Regular Monthly Meeting Schedule for 2013, with no changes:

RESOLUTION #12-73

Adoption of the
King William County Board of Supervisors
Regular Monthly Meeting Schedule for 2013

WHEREAS, it is necessary for the Board of Supervisors to adopt a Regular Monthly Meeting Schedule for 2013; and

WHEREAS, the proposed dates and times for the 2013 Regular Monthly Meeting Schedule are as follows:

<u>Month</u>	<u>Time</u>	<u>Date</u>
January	7:00 P.M.	Monday, January 28
February	7:00 P.M.	Monday, February 25
March	7:00 P.M.	Monday, March 25
April	7:00 P.M.	Monday, April 22
May	7:00 P.M.	Monday, May 20
June	7:00 P.M.	Monday, June 24
July	7:00 P.M.	Monday, July 22
August	7:00 P.M.	Monday, August 26
September	7:00 P.M.	Monday, September 23
October	7:00 P.M.	Monday, October 28
November	7:00 P.M.	Monday, November 25
December	7:00 P.M.	Monday, December 16

The regular monthly meetings shall be held on the 4th Monday of each month, except for May and December, when the regular monthly meeting shall be held on the 3rd Monday in May because of the Memorial Day holiday, and the 3rd Monday in December because of the Christmas holiday.

The Board of Supervisors meets at 7:00 p.m., in the County Administrator's Office Conference Room in the King William County Administration Building to consider modifications to the monthly meeting agendas and such portion of the regular monthly meeting typically concludes at 7:30 p.m., at which time the meeting is continued in the Board Room in the King William County Administration Building. Regular monthly meetings and any scheduled work sessions, except those portions lawfully closed under the Virginia Freedom of Information Act, shall be open to the public.

The County Administrator's Office Conference Room and the Board Room are located in the King William County Administration Building, 180 Horse Landing Road (State Route 619), King William Court House, Virginia 23086.

All requests to place a matter on a regular monthly meeting agenda should be submitted in writing and should be received by the County Administrator's Office at least ten (10) calendar days prior to said regular monthly meeting.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of King William County, Virginia, does hereby adopt the above listed dates and times, as the King William County Regular Monthly Meeting Schedule for 2013.

Adopted this 19th day of November, 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

b. Unpaved Roads – The County Administrator briefed the Board on the previous request from VDOT on the sense of the Board’s priority listing of the unpaved roads for King William County, he also pointed out that there is no funding available. He said he processed this listing with the Planning Commission and they have agreed upon some priorities that Staff had recommended and essentially made no changes. No action is required by the Board at this time. The Board has the option to endorse the rankings that Staff arrived at with the Planning Commission, with a split vote of 4 to 2 after several months of conversations, the Planning Commission moved to forward to the Board of Supervisors for approval. He also pointed out the Board can make changes to the rankings during the annual adoption of the Six Year Secondary Road Plan.

Chairman Redd asked for clarification in the difference of the right-of-way distance when comparing West St. John’s Church Road and Prospect Road in the Town of West Point.

The County Administrator stated the County can only set priorities for roads in King William. He said he followed up with VDOT and the Town Manager, as VDOT pointed out the Town of West Point has to request priorities for the roads in the Town; however the County can support. West Point should use their funds for those roads and they have previously agreed to pursue that project. He said he does not have the status on this project but can follow up; adding that Mr. Edwards indicated he was following up with VDOT and it is their intent to have that road paved.

It was the consensus of the Board to take action on this item during the regular business meeting in December.

c. County Attorney Retainer Agreement Amendment – Resolution #12-68 – On motion by T. S. Stone, seconded by T. J. Moskalski, with the following roll call vote, the Board approved Resolution #12-68 – A resolution amending the retainer agreement with Daniel M. Stuck, County Attorney.

Discussion: Mr. Williams asked for clarification of what is creating the extra workload of the County Attorney.

The County Attorney said some of the items that have increased his workload are as follows: The Board's desire to have a new subdivision ordinance; rewriting the personnel policy, which is complete but in the process with administration; a request to update the purchasing policy, which goes back to 1991, to bring into compliance with State Law; there has also been quite a bit of work on revisions to the zoning ordinance; there have been some unusual litigation matters involving the County cluster zoning ordinance which took a lot of time to resolve; and a more than normal involved personnel issue recently. He said the major increase has come about in the past 7 or 8 months and saying that the Board has an agenda of things they want to accomplish and they take additional time to do them.

Chairman Redd added time restraints placed on some requests.

Ms. Stone stated the Board has established goals for this fiscal year and most that have been established for the County Administrator also has an impact on the County Attorney's time.

RESOLUTION # 12-68
A RESOLUTION AMENDING THE RETAINER AGREEMENT
WITH DANIEL M. STUCK, COUNTY ATTORNEY

WHEREAS, the Board of Supervisors approved a letter of engagement with Daniel M. Stuck for legal services as County Attorney on November 22, 2010; and

WHEREAS, no changes have been made to the letter agreement since that time and Mr. Stuck has asked the Board to consider certain minor changes to the letter agreement to include a \$500 increase in the monthly retainer; and

WHEREAS, the Board has reviewed his requested changes and finds them reasonable and appropriate,

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of King William County this 19th day of November, 2012, that the letter agreement this day presented to the Board revising the terms of Mr. Stuck's engagement as County Attorney is approved and the Chairman is authorized to sign said agreement on behalf of the Board of Supervisors.

Adopted this 19th day of November, 2012

Those members voting:

O. O. Williams	Aye
T. J. Moskalski	Aye
S. K. Greenwood	Aye
T. S. Stone	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 Second Public Comment Period.

a. Jeanette Wagner, of the Mangohick district, suggested that during the updating of the zoning ordinance the residual policy be done away with. She also asked that the Board consider prohibiting through truck traffic on Route 604 until the Route 600 Bridge entering into King William County from Carolina is complete; she said this creates a public safety issue as the pavement is so irregular on Route 604.

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 and wished everyone a Happy Thanksgiving.

Mr. Greenwood said the Board had a lot to discuss tonight and resolved many items.

Mr. Williams said it has been a tough night making decisions on of all the money going out and he spoke of the increase in taxes that is bound to come. He said the Board tries very hard to look out for the money taken in but sometimes it is a struggle.

Mr. Moskalski said the Board managed to accomplish one of the stated goals when they started the year. He recognized Mr. Funkhouser and Mr. Lindsey for the hard work they put into getting this goal accomplished on the radio system project.

Ms. Stone said she concurs with Mr. Moskalski with the accomplishment achieved tonight. Saying that coming on the Board and finding out a project was behind schedule by about 9 years was a little overwhelming. She also said if this project was not accomplished by January 1, 2013, there were potential FCC fines. She said she thinks Staff has done a wonderful job with this project and the Board has reached a good conclusion. The County is going to have an excellent emergency communication system and has partnered with one of the neighboring localities, we are collaborating which is what you need to do today in these tough economic times

and we are going to share costs. She said she feels it is a positive move and a great accomplishment. She sent a thank you out to all the Veterans.

Chairman Redd also thanked county Staff for the hard work done on the radio system project. He said this has been a long ongoing project but a lot of work has been done in the last couple of months and he said he appreciates that. He also requested the County Attorney to look into changing the ordinance on the use of slugs in King William and possibly bring something to the Board in next month's meeting so a public hearing could possibly be set for January 2013.

RE: APPOINTMENTS

a. Middle Peninsula Northern Neck Community Services Board – One Member, Term Expires on December 31, 2012 – Resolution #12-69 - On motion by O. Williams, seconded by T. J. Moskalski, with the following roll call vote, the Board reappointed Anne M. Mitchell, Director of King William County Department of Social Services, to serve the Middle Peninsula Northern Neck Community Services Board for a term of three years; term to expire December 31, 2015.

RESOLUTION #12-69
Appointment to the King William County
Middle Peninsula Northern Neck
Community Services Board

WHEREAS, the term of Anne M. Mitchell, Director King William County Social Services, serving on the Middle Peninsula Northern Neck Community Services Board will expire December 31, 2012; and

WHEREAS, the membership of the Middle Peninsula Northern Neck Community Services Board shall consist of not less than five nor more than ten persons; and

WHEREAS, one member shall be approved and appointed by each of the Board of Supervisors of Essex, Gloucester, King & Queen, King William, Lancaster, Mathews, Middlesex, Northumberland, Richmond and Westmoreland Counties; and

WHEREAS, the membership shall be as representative as possible of all lay and professional elements of the community, but shall specifically exclude any employee of the Department of Mental Health, Mental Retardation and Substance Abuse Services; and

WHEREAS, members shall be appointed in accordance with Chapter 10 of Title 37.1-195 of the Code of Virginia as amended; and

WHEREAS, the bylaws limit Middle Peninsula Northern Neck Community Services Board members to no more than three successive three year terms and reappointment of Anne M. Mitchell would represent her second consecutive term,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of King William County, Virginia, that Anne M. Mitchell, is hereby appointed to serve as a

member of the Middle Peninsula Northern Neck Community Services Board, for a term of three years, with said term expiring December 31, 2015.

Adopted this 19th day of November, 2012

Those members voting:

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

RE: ADJOURNMENT OF MEETING

There being no further business to come before this Board, the meeting was adjourned at 9:45 p.m. on motion by O. O. Williams, seconded by T. J. Moskalski, and carried unanimously.

Those members voting:

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