

**MINUTES  
KING WILLIAM COUNTY  
BOARD OF SUPERVISORS  
SPECIAL CALLED MEETING OF APRIL 19, 2013**

At a special called meeting of the Board of Supervisors of King William County, Virginia, held on the 19<sup>th</sup> day of April, 2013, scheduled to begin at 4:00 p.m. in the Board Meeting Room of the County Administration Building, with the following present:

T. J. Moskalski, Chairman  
C. T. Redd III  
S. K. Greenwood  
T. S. Stone

T. L. Funkhouser, County Administrator  
D. M. Stuck, County Attorney  
T. Bingham, Financial Services Manager

Chairman Moskalski announced the Board cannot proceed with the meeting until all Board members are present. He stated Mr. Williams is on his way and should be here shortly at which time the meeting will begin.

**RE: CALL TO ORDER**

O. O. Williams, Vice-Chairman, arrived and Chairman, T. J. Moskalski, called the special called meeting to order at 4:15 p.m.

**RE: ROLL CALL**

Roll was called with all Board members present.

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: APPROVAL OF MEETING AGENDA**

On motion by C. T. Redd III, 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 the following changes: item 4 – Consideration of FY14 Budget and Associated Tax Rates now becomes item 5; and item 5 – Closed Meeting now becomes item 4.

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: CLOSED MEETING**

On motion by C. T. Redd III, seconded by T. S. Stone, with the following roll call vote, the Board entered Closed Meeting pursuant to § 2.2-3711(A)(7), Code of Virginia, to consult with legal counsel, consultants, and/or staff on a matter of probable litigation in which the County may become involved; and pursuant to § 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.

Those members voting:

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

Having completed the Closed Meeting, Chairman Moskalski called the special called meeting back to order.

Chairman Moskalski called for a motion to approve Standing Resolution – 1 (SR-1).

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; motion was seconded by T. S. Stone.

Chairman Moskalski announced the motion was properly moved and properly seconded; he called for any discussion. There being no discussion among Board members the Chairman asked the Deputy Clerk to call the roll adopting Standing Resolution – 1 (SR-1).

**STANDING RESOLUTION – 1 (SR-1) ADOPTED BY THE KING WILLIAM COUNTY BOARD OF SUPERVISORS:**

**A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT REGARDING MEETING IN CLOSED MEETING**

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 19<sup>th</sup> day of April, 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:

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

**RE: CONSIDERATION OF FY14 BUDGET AND ASSOCIATED TAX RATES**

The County Administrator and the Financial Services Manager presented the Board with several tax rate model scenarios. There was general discussion between Board members and staff resulting from information provided.

C. T. Redd III noted the short notice given to the Town of the proposed changes with the tax rate. He feels the tax rate proposal should be scrapped this year, stick with the split levy and give the Town time to digest; let the General Assembly do what they did with Westmoreland. He said he has spoken to Delegate Hodges and said he knows Delegate Peace is on board to help get something done. He said he does not see what waiting one year is going to affect anybody. He feels any way it goes the upper end of the County wins. He said he is not blaming anybody with regards to communication; we need to sit back and say we are all adults here, we all have the same focus, and that is to make it work. He suggested making the rate more equitable for the Town and the need for more/better communication with the Town.

T. S. Stone stated she agrees, over the next year or so, to work with our delegates to propose a fair and equitable split rate, but she feels we can't just have the

Town working with Delegate Hodges and taking forward legislation that this Board is not agreeable with.

C. T. Redd III stated Delegate Hodges cannot take legislation forward without this Board.

T. S. Stone stated since the discovery of the error she does not feel comfortable continuing to approve a split tax levy. She further stated, we have heard of lawsuits from all sides, she feels the Board needs to take action consistent with state code and recognizes timing is not good due to no one's fault. She commented on a question raised on Monday night and said she is curious what a tax bill would look like for a resident in the 1<sup>st</sup> District. She thinks the speaker said a tax bill would go to \$1,600 on an average priced home; they keep using the assumption the Town is receiving a payment of \$3 million but will not reduce their tax rate. She suggested lowering the machinery and tools tax rate; some scenarios and discussion of that suggestion occurred.

O. O. Williams suggested the Board needs to agree on something that works for the best of the whole county. He said there are other issues that are just as dear to some other people; whether it is schools, fire and rescue, parks and recreation, the radio system. He said if the County could sit down with the Town, at least get them to butt heads with us for a little while, to get them to understand that the Board is not just trying to pass the County budget on to the Town; that looks like the biggest deception to him. He said we need to understand the stuff passed down to us; we are just trying to make it more fair and equitable.

S. K. Greenwood wonders what a \$0.11 increase factored into the equation would look like without everything else.

C. T. Redd III said he appreciates where Ms. Stone's suggestion is going, and feels it is admirable. This scares him, if it is decided on 25% on the split levy down the road; it will make it hard to hold at \$3 million next year. He said we are assuming a lot of things and again he said he feels there should be more time to consider; he said he will keep saying one year.

Mr. Bingham stated a way to affect how much is given to the Town of West Point is to increase the amount we give to King William schools; which would also increase the amount you give West Point schools.

T. S. Stone said there are a few in the audience that would like that also. She said she feels going forward that is what we will find if we want the allocation to West Point to be higher we have to raise the allocations to King William schools; the dynamics will be interesting. She feels going forward we will see the Town and County schools partnering together to lobby the Board to support education; what one gets in regards to revenue helps the other.

Chairman Moskalski stated the Board fixed the problem with the PPTRA allocation. He spoke of the timing of this and he feels the Board does not have a good grasp on the long term impacts. He feels working with model numbers about the Town is a little bit out of the Board's realm and further it sends a bad message to the Town in terms of working with them in the long term; the Town leadership here tonight probably does not appreciate. Again he said he has been approached by Delegate Hodges saying if we can wait to get a legislative fix and work it out so this is beneficial to the County and the Town. He also spoke of autonomy for schools. He said the Board does not have to sit here and worry about whether or not allocating money to our schools is going to increase some kind of rebate burden to the Town as well; worry in the realm of economic incentives might make this Board reconsider increasing funding to education in years ahead.

T. S. Stone is concerned three members of the Board have not been consulted as to what Delegate Hodges would take forward to the General Assembly. She said all Board members should be in agreement with whatever is taken forward. She further noted, if the Board had fixed the PPTRA error for the 2012 tax year, the citizens of the Town would have paid an additional \$200,000 in the current year, how many years did that occur; simply fixing that one thing is not sufficient. She said she will not vote for a split tax rate.

Chairman Moskalski stated what we are doing up here is playing with numbers to get to the same place.

T. S. Stone stated again she will not vote for a split tax rate.

Chairman Moskalski asked for comments from Mr. Williams or Mr. Greenwood.

O. O. Williams asked if the Board could move on to some other issues needing attention and that are important to other citizens in the County. He noted it appears to him the Board is not ready to pass a whole budget as it stands and asked if they could discuss King William Volunteer Fire Department and Rescue.

C. T. Redd III stated currently no funds have been earmarked in the budget for KWVFD; funds have been placed in a separate line item in case they are needed. He stated discussions can be had if the Board wishes and can be voted on tonight to put funds back in the budget as a line item.

Chairman Moskalski feels we are getting ahead of ourselves.

T. S. Stone asked staff if they have concerns of the ability of KWVFD getting organized and if there are any ongoing concerns.

The County Administrator stated yes ma'am.

Chairman Moskalski noted, that is a fair enough answer at this time and said there are no other items on the agenda. He further noted the Board met expressly to talk about budgetary and tax rate items.

C. T. Redd III stated the Bay Transit budget was cut in half and new information has been presented. He said it bothers him to cut off transportation to people that want to work and transportation for citizens to medical appointments. He said for every \$35 the county gives the organization they receive a \$65 match from state and federal.

Chairman Moskalski stated he feels more discussion could be had at the meeting on Monday night.

T. S. Stone asked if Board foresees keeping the Parks and Recreation budget as proposed.

O. O. Williams noted it looks like the Board is going to wait until Monday to discuss further. He feels the Parks and Recreation program fees should not be allocated to the general fund; funds should be going back to intended services.

The County Administrator stated funds are allocated to the general fund but can be appropriated for different things; that is a policy decision.

T. S. Stone said while the program fees may pay the direct costs associated with the particular program they do not necessarily pay the indirect costs; such as the general fund covers the staff and personnel to administer those programs. She used her exercise class as an example; she pays for the class, the trainer is paid from those funds, funds do not necessarily pay for the cost for advertisement or staff that manages the programs. She said that small piece goes to paying for overhead and direct costs associated with those programs.

O. O. Williams said the line item in the budget makes it look like Parks and Recreation has to generate an additional \$10,000 of program money to go back to the general fund.

T. S. Stone explained those are excess revenues, they wouldn't have to increase their rate, it is basically dollars left over; funds come back to help pay the overall cost of Parks and Recreation. She said it is not a significant amount so she is open to a compromise.

Chairman Moskalski called for any additional information from staff.

The County Administrator noted nothing further.

**RE: ADJOURNMENT OF MEETING**

There being no further business to come before this Board, the special called meeting was adjourned at 6:10 p.m. on motion by O. O. Williams, seconded by C. T. Redd III, and carried unanimously.

COPY TESTE:

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T. J. Moskalski, Chairman  
Board of Supervisors

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