

MINUTES

KING WILLIAM COUNTY BOARD OF SUPERVISORS RECONVENED ORGANIZATIONAL MEETING OF JANUARY 3, 2012

At a reconvened organizational meeting of the Board of Supervisors of King William County, Virginia, held on the 3rd day of January, 2012, beginning at 6:30 p.m. in the Conference Room of the County Administration Building, order was called with the following present:

Stephen K. Greenwood
Travis J. Moskalski
C. Thomas Redd III
Terry S. Stone
Otto O. Williams

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

RE: REVIEW OF MEETING AGENDA

County Administrator, Trenton L. Funkhouser, called the reconvened organizational meeting to order at 6:30 p.m. and agenda changes were discussed.

There was general discussion and clarification of procedures of boards and commissions appointments, closed sessions, and resolutions. The County Attorney explained that some localities treat community service applications as personnel issues and are handled accordingly.

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

County Administrator, Trenton L. Funkhouser, called the continued Board of Supervisors meeting to order at 7:00 p.m.

RE: ORGANIZATIONAL MEETING - 2012

a. Election of Chairman for 2012 – The County Administrator called for nominations for Chairman of the Board for the year, 2012.

Terry S. Stone nominated C. Thomas Redd III; nomination was seconded by Travis J. Moskalski.

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

C. Thomas Redd III was duly elected Chairman of the Board for the year, 2012, with the following roll call vote:

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

Mr. Redd thanked the Board for nominating him Chairman and then assumed the Chair.

b. Election of Vice-Chairman for 2012 – Chairman, C. T. Redd III, declared the floor open for nominations for Vice-Chairman.

Otto O. Williams nominated Terry S. Stone for Vice-Chairman for the year, 2012; this nomination failed for lack of a second.

Thereupon, Terry S. Stone nominated Travis J. Moskalski for Vice-Chairman, for the year, 2012; this nomination was seconded by C. T. Redd III.

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

Travis J. Moskalski was duly elected Vice-Chairman of the Board for the year, 2012, with the following roll call vote:

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

The Chairman congratulated Mr. Moskalski on his nomination. He also welcomed the new Board members and stated that to his knowledge this is first time in the history of King William County a lady has held a Board of Supervisors seat; he feels this is a very historical moment for King William County. Continuing he said he is honored to be a part of this historical event and feels this is a special year for King William County.

Approval of Meeting Agenda - On motion by T. S. Stone, seconded by T. J. Moskalski, with a unanimous vote, the Board approved the agenda for this meeting as presented with the following changes: item 7 - Appointments - now becomes item 9, item 8 - Urban Development Areas - now becomes item 7, and item 9 - Closed Meeting - now becomes item 8.

c. By-laws and Rules of Procedures for 2012 – The County Administrator stated a copy of the By-laws and Rules of Procedures of the Board of Supervisors of King William County, are included in the Board packet, with proposed amendments, as discussed by the previous Board and also based on comments at the current Board's orientation meeting held late last year. Continuing he said the two proposed changes are deletion of the invocation and deletion of the provision, on page 4 of 8, allowing any member of the Board to table an item assuming it is not following an election.

On motion by T. J. Moskalski, seconded by T. S. Stone, moved that the Board adopt the By-laws and Rules of Procedure of the Board of Supervisors of King William County, for 2012, as presented.

The Chairman called for discussion on this item.

Stephen K. Greenwood proposed the regular monthly meetings of the Board of Supervisors start time be changed to 7:00 p.m.; the meeting start time in the By-laws and Rules of Procedures is currently set at 6:30 p.m. Further he stated the earlier time conflicts with some Board members attending assigned Boards and Commissions meetings; he added the earlier start time will make it difficult for him to be on time for meetings.

T. J. Moskalski amended his motion, seconded by T. S. Stone, and moved that the Board adopt the By-laws and Rules of Procedures of the Board of Supervisors of King William County, for 2012, as written with the addition of changing the regular monthly meeting start time to 7:00 p.m.

Mr. Williams stated he is not in agreement of deleting the item which allows one member of the Board to table an item; he feels this has been a major asset in working with issues, he does not feel it should be taken out of the By-laws and Rules of Procedures.

T. S. Stone stated if an issue is important enough to table, which delays it at least 30 days, then the Board should be able to get a majority vote to do so. She added she is comfortable with removing the provision that allows one member to table a topic for an entire 30 days.

Mr. Greenwood asked for clarification if the provision is removed that the Board can still table an item with a majority vote.

There was some discussion among Board members of the provision, it was explained that the provision allows one Board member to table an item for 30 days; when the tabled item is presented to the Board it would require a majority vote of the Board to table the item a second time.

Mr. Redd agreed with Mr. Williams regarding the usefulness of this provision. Further stating he has found it has been useful on several occasions in the past.

Mr. Williams added a perfect example of the usefulness of this provision is on the agenda tonight. Applications for appointments are received at the last minute sometimes; the Board may need more time to review applications. It is not fair to citizens when things are pushed over and not taken care of from their district sometimes.

Chairman Redd stated that language was added to the Bylaws and Rules of Procedures, approximately 8 years ago, that no matter on the agenda shall be tabled until a meeting of a new Board of Supervisors takes office in January following an election, except by a majority vote of those members present, to prevent something like that from happening.

Following discussions the amended motion was approved by the Board to adopt the By-laws and Rules of Procedures of the Board of Supervisors of King William County, for 2012, as presented with one addition, to change the regular monthly meeting start time to 7:00 p.m.

Those members voting:

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

d. Setting of Meeting Dates, Times and Place for 2012 – the Chairman explained that the Board regular monthly meeting dates, as presented, are all to occur on the fourth Monday of each month with the exception of May, November and December, due to holidays that fall within each of these months. Also he stated the start time of the meetings should be changed from 6:30 p.m. to 7:00 p.m.

On motion by S. K. Greenwood, seconded by T. S. Stone, with a unanimous vote, the Board adopted the Board of Supervisors of King William County Regular

Monthly Meeting Schedule for 2012 as presented with the following changes: meeting start time changed from 6:30 p.m. to 7:00 p.m. and December meeting date changed from December 10th to December 17th.

**BOARD OF SUPERVISORS OF
KING WILLIAM COUNTY, VIRGINIA
REGULAR MONTHLY MEETING SCHEDULE FOR 2012**

<u>Month</u>	<u>Time</u>	<u>Date</u>
January	7:00 P.M.	Monday, January 23
February	7:00 P.M.	Monday, February 27
March	7:00 P.M.	Monday, March 26
April	7:00 P.M.	Monday, April 23
May	7:00 P.M.	Monday, May 21
June	7:00 P.M.	Monday, June 25
July	7:00 P.M.	Monday, July 23
August	7:00 P.M.	Monday, August 27
September	7:00 P.M.	Monday, September 24
October	7:00 P.M.	Monday, October 22
November	7:00 P.M.	Monday, November 19
December	7:00 P.M.	Monday, December 17

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

RE: BUDGET CALENDAR

Chairman Redd said the joint dinner meeting with the School Board needs to be moved to February if possible. The County Administrator stated he would discuss alternate dates with the Superintendent and come back to the Board with alternate dates in the January meeting.

Ms. Stone proposed more work sessions be added to schedule, adding with this being the first budget process for the new Board and with some communication with Mr. Funkhouser some evening sessions were discussed to occur during the month of February; or possibly taking March 23rd as a half day work session, add some evenings or a Saturday. Continuing she suggested the County Administrator come back to the Board's January 23rd meeting with additional proposed dates.

Chairman Redd said he would like to address additional dates at the next Board meeting on January 23rd, adding he would like to see the January 6th cut off date for budget requests locked in; the County Administrator confirmed this date has been set.

On motion by T. S. Stone, seconded by T. J. Moskalski, with the following vote, the Board voted to table this item.

Those members voting:

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

RE: URBAN DEVELOPMENT AREAS – Consideration of Referral to Planning Commission – Resolution #12-07 – the County Administrator explained the request for a formal referral to the Planning Commission to address the topic of urban development areas. The Planning Commission has performed some work in this matter; staff has been working with the Cox Company over the past year to develop some draft comprehensive language, some related reports, as well as some zoning amendment options. At this time the County is under a deadline in terms with compliance of an agreement with the Virginia Department of Transportation (VDOT) to provided funding for the consultant; they have agreed to extend that deadline to March. Resolution #12-07 is presented to the Board for consideration to refer this

matter to the Planning Commission for action. The County Administrator asked for any questions or comments.

Mr. Redd asked for clarification that this resolution allows the Planning Commission to take action. The County Administrator stated this is not approving the mandate it is approving the referral to the Planning Commission and the Board will have another opportunity to review.

Mr. Greenwood asked for clarification that this does not take power away from the Board. Chairman Redd answered no it does not take power from the Board.

Mr. Williams called for clarification that this is a mandate brought down to King William County because of growth. The County Administrator answered in the affirmative. Mr. Williams added that ever since this was put in place growth in King William has dropped; he feels it is not right for the State to impose this on the County given the economic times and the growth shown for King William County.

The County Administrator added it is a mandate, stating that between 1990 and 2000 if you grew over 25%, and King William County doubled its population. King William is at 16,000, not what is considered a high growth locality, but percentage wise the County falls under the mandate. He said it is his understanding another bill is being reintroduced to the General Assembly to waive this requirement, or at least make it optional, but since the General Assembly has not acted on those bills as of yet the County is left with the agreement with VDOT and existing code provisions as they stand.

Ms. Stone asked for clarification to the extent this is referred to the Planning Commission, if approved by the Planning Commission, this would then come back to the Board for final approval. Mr. Funkhouser answered in the affirmative. Ms. Stone said it appears this would be making modifications to the County's comprehensive plan, which is past due and basically out dated. She asked if the County has an updated expectation for a revised comprehensive plan, or any goals, asking if this can be discussed at the next meeting; Mr. Funkhouser answered yes this can be discussed at the January 23rd meeting. Ms. Stone said she would like to see a presentation educating this Board, even before the topic comes back to the Board, so it is not all dealt with in one meeting; the Board would have an opportunity to educate

themselves on the subject before it is referred back to them from the Planning Commission. She also said she would like to see the comprehensive plan updated as soon as practical, so modifications are not continually being made to a plan that is out of date.

On motion by T. S. Stone, seconded by T. J. Moskalski, with the following vote, moved the Board to approve Resolution #12-07 Urban Development Areas.

The Chairman called for any further discussion.

Mr. Williams stated he feels the Board should hold off on approving this item. The State has been pushing these mandates; he does not feel this is a fair mandate and feels the State could be more relaxed and we should pursue them on this one.

Mr. Redd asked for clarification that if the Board does not act on this that part of the grant money will be lost if not acted on by the end of March. The County Administrator said this is correct but more to the point the County would have to reimburse the Commonwealth of Virginia the money that has been expended thus far, and the consultant. Further, Mr. Redd said the General Assembly is not going to make a decision on this before February or March and he would not want to base a decision on the fact that they might do something, they have failed in the past to do anything.

Ms. Stone clarified this is not an approval, this is a referral to the Planning Commission, the Board will have another opportunity to review and potentially have better information by that time.

The Chairman called for a roll call for the motion before the Board.

Those members voting:

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

**RE: CLOSED MEETING PURSUANT TO SECTION 2.2-3711(A)(1) OF THE
CODE OF VIRGINIA, PERSONNEL – PERFORMANCE OF COUNTY
ADMINISTRATOR**

On motion by T. S. Stone, seconded by S. K. Greenwood, and carried unanimously, the Board entered Closed Meeting pursuant to Section 2.2-3711(A)(1) of the Code of Virginia, 1950, as amended, for the Consultation with Legal Counsel to

discuss appointments to Boards and Commissions and to discuss the personnel performance of the County Administrator.

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

In accordance with Section 2.2-3717(D) of the Code of Virginia, 1950, as amended, T. S. Stone moved that the King William County Board of Supervisors adopt the following resolution certifying that this closed meeting's procedures comply with the requirements of the Virginia Freedom of Information Act. This motion was seconded by T. J. Moskalski 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 3rd day of January, 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: APPOINTMENTS

On motion by T. S. Stone, seconded by S. K. Greenwood with the following roll call vote, the Board voted to combine agenda items 9a and 9b and to table agenda items 9d and 9e under Appointments:

Those members voting:

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

a. Planning Commission Staggered Terms – Resolution #12-01 – by a unanimous vote the Board voted to combine this item with the following item 9b.

b. Planning Commission, Two citizen members; One Board of Supervisors Representative – Resolution #12-02(R) – On motion by T. J. Moskalski, seconded by S. K. Greenwood, with the following vote, the Board approved the following resolution #12-02(R) Appointments to the King William County Planning Commission:

**RESOLUTION #12-02(R)
Appointments to the King William County
Planning Commission**

WHEREAS, the terms of two citizen members, serving on the King William County Planning Commission, expired December 31, 2011; and

WHEREAS, the term of the Board of Supervisor representative, serving on the King William County Planning Commission, expired December 31, 2011,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of King William County, Virginia, that it is necessary to create appropriate staggered terms. The Board hereby appoints Tara Temple-Roane to a term ending June 30, 2013 and John B. Breeden to a term ending June 30, 2014, as citizen members, and Otto O. Williams, with said term expiring December 31, 2012, as the Board of Supervisors representative, to serve the King William County Planning Commission.

Adopted this 3rd day of January, 2012

Those members voting:

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

c. Middle Peninsula Planning District Commission, Citizen Member Eugene J. Rivara; Correction of term date – Resolution #11-43 – On motion by O. O. Williams, seconded by T. S. Stone, with the following vote, the Board approved the following Resolution #11-43 Appointment to the Middle Peninsula Planning District Commission:

RESOLUTION #11-43
Appointment to the
Middle Peninsula Planning District Commission

WHEREAS, a corrected appointment term date is necessary for the appointment of Eugene J. Rivara, serving as a citizen member of the Middle Peninsula Planning District Commission; and

WHEREAS, Mr. Rivara was previously appointed in November, 2010 to serve as a citizen member of the Middle Peninsula Planning District Commission for the remainder of an unexpired term with a stated expiration of December 31, 2011; and

WHEREAS, Article III, Section I of the bylaws of the Middle Peninsula Planning District Commission provides for the term of office of the citizen member shall be one year or until their successors are appointed,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of King William County, Virginia, that Eugene J. Rivara, is hereby appointed to serve as a citizen member of the Middle Peninsula Planning District Commission, with said term expiring June 30, 2012.

Adopted this 3rd day of January, 2012

Those members voting:

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

d. Comprehensive Economic Development Strategy (CEDS) – Resolution

#12-04 – Action on this item was tabled by the Board.

e. Local Emergency Planning Committee – Resolution #12-06 – Action on this item was tabled by the Board.

f. Board of Supervisors Representatives – Boards and Commissions – Resolution #12-05 – On motion by T. S. Stone, seconded by S. K. Greenwood, with a unanimous roll call vote, the Board approved the following Resolution #12-05 Resolution of Appointments of Board of Supervisors Representatives to Boards and Commissions:

RESOLUTION #12-05
Resolution of Appointments of
Board of Supervisors Representatives to
Boards and Commissions

WHEREAS, 2011 election results dictate the reselection of representatives of the Board of Supervisor serving on the Middle Peninsula Planning District Commission (two representatives), the Middle Peninsula Regional Jail Authority (one representative), the Historical Preservation and Architectural Review Board (one representative), and the Recreation Commission (one representative),

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of King William County, Virginia, that the following persons are hereby appointed to serve as

representatives of the Board of Supervisors on the following Boards and Commissions:

Otto O. Williams - Middle Peninsula Planning District Commission, term coincides with term of office and expires December 31, 2015

Travis J. Moskalski - Middle Peninsula Planning District Commission, term coincides with term of office and term expires December 31, 2015

Otto O. Williams - Middle Peninsula Regional Jail Authority, term coincides with term of office and term expires December 31, 2015

Terry S. Stone - Historical Preservation and Architectural Review Board, unexpired term ending June 30, 2016

Travis J. Moskalski - Recreation Commission, unexpired term ending June 30, 2014

Adopted this 3rd day of January, 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

g. Deputy Clerk to the Board of Supervisors – Resolution #12-03 - Appointment of Deputy Clerk to the Board of Supervisors - On motion by T. S. Stone, seconded by T. J. Moskalski, with a unanimous roll call vote, The Board approved the following Resolution #12-03 Appointment of Deputy Clerk to the King William County Board of Supervisors:

RESOLUTION #12-03
Appointment of Deputy Clerk to the
King William County Board of Supervisors

WHEREAS, Section 2-3 of the By-Laws and Rules of Procedure for the King William County, Virginia, Board of Supervisors (2011) provides for the appointment of a Deputy Clerk; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of King William County, Virginia, that Bobbi L. Langston, is hereby appointed to serve as Deputy Clerk to the Board of Supervisors.

Adopted this 3rd day of January, 2012

Those members voting:

T. J. Moskalski	Aye
S. K. Greenwood	Aye
T. S. Stone	Aye
O. O. Williams	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 9:05 p.m. on motion by T. S. Stone, seconded by S. K. Greenwood, 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