

**MINUTES**  
**KING WILLIAM COUNTY**  
**BOARD OF SUPERVISORS**  
**MEETING OF JANUARY 22, 2007**

**AT A REGULAR MEETING OF THE KING WILLIAM COUNTY BOARD OF SUPERVISORS HELD ON THE 22<sup>ND</sup> DAY OF JANUARY, 2007, BEGINNING AT 7:00 P.M. IN THE BOARD ROOM OF THE COUNTY ADMINISTRATION BUILDING AT KING WILLIAM COURT HOUSE, THE MEETING WAS CALLED TO ORDER WITH THE FOLLOWING PRESENT:**

**C. T. REDD III, CHAIRMAN**  
**W. F. ADAMS, VICE-CHAIRMAN**  
**E. J. RIVARA**  
**T. G. SMILEY**  
**O. O. WILLIAMS**

**L. M. CHENAULT, COUNTY ATTORNEY**  
**FRANK A. PLEVA, COUNTY ADMINISTRATOR**

**RE: ELECTION OF CHAIRMAN FOR 2007, COUNTY ADMINISTRATOR**

**PRESIDING**

Frank A. Pleva, County Administrator, opened the meeting and stated that this is an organizational meeting of the Board.

He then called for nominations for Chairman of the Board for 2007. Mr. E. J. Rivara nominated Mr. C. T. Redd III. This nomination was seconded by Mr. T. G. Smiley.

There being no other nominations coming forth, the County Administrator declared nominations closed.

Mr. C. T. Redd III was duly elected Chairman of the Board for the year, 2007, with the following vote.

C. T. Redd III	Aye
W. F. Adams	Aye
E. J. Rivara	Aye
T. G. Smiley	Aye
O. O. Williams	Nay

Mr. Redd then assumed the Chair.

**RE: ELECTION OF VICE-CHAIRMAN FOR 2006**

The Chairman declared the floor open for nominations for Vice-Chairman. Mr. T. G. Smiley nominated Mr. W. F. Adams. This nomination was seconded by Mr. E. J. Rivara.

There being no further nominations coming forth, the Chairman declared the floor for nominations closed.

Mr. W. F. Adams was duly elected Vice-Chairman of the Board for the year, 2007.

**RE: SETTING OF MEETING DATES, TIME AND PLACE FOR 2007**

A regular monthly meeting schedule for the year, 2007, was presented by the County Administrator. He indicated that this proposed schedule continues with the Board's current meeting date of the 4<sup>th</sup> Monday of each month, with the exception of the months of May, November, and December, due to the holidays. These meetings are proposed to be held on the 3<sup>rd</sup> Monday. All meetings shall begin at 7:00 p.m. and are to be held in the Board Meeting Room of the King William County Administration Building.

On motion by T. G. Smiley, seconded by W. F. Adams and carried unanimously, the Board adopted the proposed regular monthly meeting schedule for the year, 2007, as presented by the County Administrator.

**RE: APPROVAL OF MEETING AGENDA**

On motion by E. J. Rivara, seconded by W. F. Adams and carried unanimously, the Board adopted the agenda for this meeting as presented by the County Administrator with the addition of one item – Item 13b Request for Water Line Extension – Randy Cooke.

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

No persons appeared to speak.

**RE: CONSENT AGENDA**

On motion by W. F. Adams, seconded by E. J. Rivara and carried unanimously, the Board approved the following items on its consent agenda:

a. Minutes of the Regular Meeting of December 11, 2006, were approved as written

b. Claims against the County for January, 2007, in the amount of \$1,166,183.70 as follows:

(1) General Fund Warrants #63892-64113 in the amount of \$804,869.74; Manual Checks #14120-14126 in the amount of \$119,601.85; Direct Deposits #9365-9460 in the amount of \$181,221.23; and Electronic Tax Payment in the amount of \$60,490.88

(2) For informational purposes, Social Services expenditures for the month of December, 2006, Warrants #30574-305631 in the amount of \$33,396.96; Direct Deposits #1566-1587 in the amount of \$27,199.86; and Electronic Tax Payment in the amount of \$9,050.61

(3) For informational purposes, Circuit Court expenditures for the month of December, 2006, Warrants # 63867-63874 in the amount of \$5,105.55; Direct Deposits #220-223 in the amount of \$9,800.00; and Electronic Tax Payment in the amount of \$3,401.23

(4) For informational purposes, Comprehensive Services Act Fund expenditures for December, 2006, Warrants #63876-63890 in the amount of \$37,804.13

(5) Tax Refunds for December, 2006, in the amount of \$8,823.05

c. Adopted the FY 2007-08 Budget Adoption Schedule as presented by the County Administrator

d. Approved the FY-07 third quarter funding request for the School Operating Fund in the amount of \$3,563,974.00

e. Awarded the bid for the Mt. Olive Neighborhood Project, W. H. Gray Manor Road – Phase I, to the low bidder, Curtis Contracting, Inc. of West Point, Virginia, in the amount of \$204,979.57, contingent on negotiations within the Mt. Olive Community Improvement Project Budget.

f. Appointed Steve E. Puckett as Acting Fire Marshall for King William County

**RE: ADOPTION AND PRESENTATION OF RESOLUTION OF APPRECIATION – CAROL K. WRIGHT ON THE OCCASION OF HER RETIREMENT AS GENERAL REGISTRAR**

On motion by E. J. Rivara, seconded by O. O. Williams and carried unanimously, the Board adopted and presented the following resolution of appreciation for Mrs. Carol K. Wright on the occasion of her retirement as General Registrar of King William County. Mrs. Wright has served in this capacity for the past 21 years.

**RESOLUTION OF APPRECIATION**

**WHEREAS**, Carol Kelley Wright was appointed by the Electoral Board to serve as General Registrar for King William County in September, 1985; and,

**WHEREAS**, Mrs. Wright retired from public service on December 29, 2006, and,

**WHEREAS**, for 21 years, Mrs. Wright oversaw voter registration and the general elections for King William County; and,

**WHEREAS**, Mrs. Wright has seen numerous improvements to the voting process including more ways for citizens to register to vote and more user-friendly voting machines; and,

**WHEREAS**, Mrs. Wright is well known for her dedication and diligence, and for her service to the citizens of King William County; and,

**WHEREAS**, before coming to work for the County, Mrs. Wright stayed home for 23 years to raise her four children; and,

**WHEREAS**, a lifelong citizen of King William County, Mrs. Wright and her husband, Daniel L. Wright, have one son, Timothy W. Wright, three daughters, Cynthia L. Thompson, Kristen K. Beale, Leslie C. Ormond and 13 grandchildren.

**NOW, THEREFORE, BE IT RESOLVED**, that the King William County Board of Supervisors expresses its deepest appreciation to Mrs. Wright for her service to King William County and its citizens as General Registrar; and,

**BE IT FURTHER RESOLVED**, that the King William County Board of Supervisors wishes Mrs. Wright the best and congratulates her on the occasion of her retirement; and,

**BE IT FINALLY RESOLVED**, that a copy of this Resolution expressing the sense of this Board of Supervisors on this matter shall be conveyed to Mrs. Wright, and shall be spread upon the meeting minutes of said Board of Supervisors.

**RE: VDOT MATTERS – CHARLES E. STUNKLE, RESIDENCY ADMINISTRATOR**

a. Public Hearing – Proposed Six Year Plan – Secondary Road System - Residency Administrator, Charles Stunkle, reviewed the draft proposal of the Six Year Plan (2008-2013) for Secondary Roads in King William County indicating that it is

anticipated at this time to have just over \$3 million over the next 6 year period. Mr. Stunkle reported that two projects will be dropped from the Plan – two curve improvements on Route 604 (Dabneys Mill Road). These are State funded projects and there is not enough State money in the Six Year Plan to go forward with these projects. There is approximately \$245,000.00 that has already been allocated to these two projects that can be transferred to whatever the top project in the Plan is. In further review of this Plan, Mr. Stunkle reported that typically \$50,000.00 has been included each year for street improvements in the Town of West Point, but, in this Plan, the most proposed to be allocated in any one year is \$24,000.00.

Following Mr. Stunkle's review of the Plan, O. O. Williams questioned whether or not it is possible to add Route 656 (Oak Grove Lane) which has 100 VPD to the Six Year Plan as an unpaved road. He explained that this is the road in front of Oak Grove Church. Mr. Stunkle responded that there is enough unobligated unpaved road funds to add an additional road into the Plan.

O. O. Williams also expressed concern about Route 608 (Hazelgrove Road), which has 50 VPD, being added as an unpaved road, as this is a hard road to maintain.

Mr. Stunkle advised that they might not be able to finance all of it within the Plan as this particular road (Route 656) (Oak Grove Lane) is actually paired with Route 653 (Townique Farm Lane). Route 656 (Oak Grove Lane) is the loop road off of Route 615 which goes in front of Oak Grove Church, and Route 653 (Townique Farm Lane) is the dead end road that leads from that. Both of these roads are unsurfaced. The estimated cost to hard surface the pair of them is about \$200,000.00.

The Board asked Mr. Stunkle for suggestions as to how to allocate the \$245,000.00 from the two deleted curve improvements on Route 604 (Dabneys Mill Road). Mr. Stunkle indicated his suggestion would be to transfer this allocation to the other Route 604 project on (Dabneys Mill Road) as this is a project that has already received an initial allocation and this amount would allow this project to advance quicker.

W. F. Adams inquired as to whether a recent traffic study has been completed on Route 625 (Custis Mill Pond Road), as this is an unpaved road and is being heavily traveled. Mr. Stunkle responded that the last traffic count was performed 2005, and at that time it was 30 VPD. A new traffic count may be done in the summer of 2007.

C. T. Redd III inquired about the cost to complete the surface treatment on Route 659 (Vessels Lane). Mr. Stunkle indicated it is estimated to be \$60,000.00.

Thereupon, the public hearing to consider this proposed Six Year Plan was declared open for comments, and the following persons appeared to speak.

Herb White of 1186 Mill Road (Third Election District) inquired about the Commins Road to dead end reference made by Mr. Stunkle during his review of the proposed Plan. He asked if this is the short distance of Route 611 (Commins Road) leading from Venter Road into Mt. Sinai Church. He stated that it was his understanding that during the Six Year Plan update in 2006, this section of road was to be surfaced treated. Mr. Stunkle indicated to the Board that this is section of roadway he referenced.

Joseph Popiel of 608 Upshaw Road (Third Election District) voiced his support for the reconstruction of Route 608 which is stated in the Six Year Plan. He lives on the corner of Route 608 (Upshaw Road) and Parkwood Drive and travels this road daily, and can attest to the fact that this portion of Upshaw Road is in desperate need of reconstruction due to its narrow width, the fact that the berms drop off quite quickly, and the trees that are in close proximity to each side of the roadway. The current 45 MPH speed limit also contributes to the sometimes dangerous situations on this road. He would like to see this project maintain its high priority in the Six Year Plan.

There being no other persons appearing to speak, the public hearing was declared closed.

b. Consideration of Action on Proposed Six Year Plan – Secondary Road System - On motion by T. G. Smiley, seconded by O. O. Williams and carried unanimously, the Board added Route 653 (Townique Farm Road), Route 656 (Oak Grove Lane), and Route 659 (Vessels Lane) to the Six Year Plan as unpaved roads, thereby, transferring the \$245,000.00 previously committed to the two curve improvements on Route 604 (Dabneys' Mill Road) to the unpaved roads.

c. Update on Proposed Prohibited Through Truck Traffic on Herring Creek Road (Route 604) Between East River Road (Route 600) and Smokey Road (Route 609) - The County Administrator stated that a request was received from Mr. Don Wagner and other residents of Route 604 to prohibit through truck traffic on this route during the improvements on Route 600 in Caroline County, and that at a meeting held last week with the project construction contractor, representatives from Luck Stone, VDOT officials and County staff personnel, it was indicated at that meeting that Luck Stone would do their best to limit the use of Route 604 (Herring Creek Road) as a short cut during this construction project, but could not regulate what the independent drivers might do. The gentleman representing the contractor at this meeting indicated there would not be a complete restriction during the construction for vehicles of any kind, including trucks, etc. The name of another firm from King and Queen County was also given, and the County Administrator has attempted to contact him requesting limiting the use of this road as much as possible. The staff is trying to contact the individuals that will generate the traffic to request that they stay off of Herring Creek Road as much as possible, particularly, during this construction.

Mr. Stunkle advised that typically to do a “through truck restriction” takes about nine months to complete, and given that the mandatory completion date for the project on Route 600 in Caroline County is December 1<sup>st</sup>, by the time the process is gone through, the construction will be substantially complete.

d. Route 625 (Custis Mill Pond Road) - W. F. Adams requested that VDOT perform a traffic count on Route 625 (Custis Millpond Road).

**RE: REQUEST TO EXTEND WATER LINE ONLY TO PROPERTY LOCATED ON ROUTE 611 (VENTER ROAD), ZONING CASE #Z-07-06, APPLICANT/CONTRACT PURCHASER: R. P. JAMES RIVER INVESTMENT GROUP, LLC: OWNERS: EMMETT M. AND MARION F. UPSHAW – REPRESENTED BY RANDY COOK, ATTORNEY** - Mr. Randy Cook, attorney, representing R. P. James River Investment Group, LLC, of Zoning Case #Z-07-06, addressed the Board indicating that in August, 2006, the Board approved a rezoning on the Upshaw property, 225 acres, with 180 lots approved at the time. At the time of this approval, Mr. Cooke indicated that his clients would be investigating the

possibility of connecting the lots with County water and County sewer. Over the past six months, he and his clients have met multiple times with the County administrative staff and planning staff, HRSD representatives and with the County's engineers. The developer has spent \$60,000.00 or more on their own engineers to design the necessary facilities for running the water and sewer lines and for retrofitting the pump station at McCauley Park which would be required. The developer has also filed an application to amend the proffers which would allow the running of the water and sewer lines to the development. With this kind of expenditure, you have to increase the density for the development. Initially the developer was seeking 180 lots, and with the revised proffer amendment, he was going to seek up to 300 lots. Since that time a final decision has been made, and it was determined that it is not feasible to connect these lots to County sewer for two reasons: (1) the timing – It will take two years to engineer the project, to construct the project, to redo the pump station at McCauley Park; and (2) the cost - It will cost \$2 million dollars. Based upon this determination, the owner has withdrawn the application to amend the proffers that is currently pending in the Planning Department. The developer is ready to proceed to drill a well and develop the 180 lots with individual drainfields as was approved by the Board in August, 2006. It was take approximately one year to go through the permitting process at DEQ. The timing is critical in this because it will be one year earlier that they can start selling the lots.

Another alternative that is available to the County and to the developer is to connect to the County water only. This precedent was established by the County with allowing sections of a subdivision (McCauley Park) previously permitted to proceed with just a water line, and this proposed development is actually adjacent to McCauley Park. Mr. Cooke indicated that they have learned that there is sufficient water capacity in the water tower to do this, and that capacity is not really an issue at this time. However, there are some issues concerning sewer capacity and the allocation the County would have from Hampton Roads to expand the sewer facilities. By doing the water only, the County would avoid the issue of this additional sewer capacity, and would avoid the issue of the cost that may be associated in the future with expanding the sewer capacity.

Continuing, Mr. Cooke explained that the proposed water line would be run at no cost to the County. It would be completely engineered by the owner and the applicant. The County would avoid the increase in density that would be associated with amending the proffers if the applicant were to sewer the whole property. There is a financial benefit for the County, as well. The County would receive \$3,000.00 for each of the 180 hook-ups (\$540,000.00) plus \$4,050.00 annually in monthly user fees on the water system.

Mr. Cooke asked the Board to approve this proposal, in concept, to let this project proceed with just the water line, and to enter into a contract for this. Mr. Cooke indicated that the developer will still investigate the possibility of sewerage the rear half of the property, once the front portion is underway.

After some discussion by the Board, T. G. Smiley motioned that a contract be drafted for the Board's approval, between the County and R. P. James River Investment Group, LLC to allow the proposed development of property located on Route 611 (Venter Road) containing 180 lots to be connected to the County water system, with the understanding that all the connection expenses will be borne by the developer, and connection fees and service fees will be based on the rate schedule at the time of hookups. This motion was seconded by E. J. Rivara and carried with the following roll call vote:

C. T. Redd III	Aye
W. F. Adams	Aye
E. J. Rivara	Aye
T. G. Smiley	Aye
O. O. Williams	Nay

**RE: BAY TRANSIT PROGRAM – KEN POLLACK, TRANSIT DIRECTOR –  
CONSIDERATION OF SUPPLEMENTAL APPROPRIATION REQUEST FOR  
\$3,933.00 FOR FY-07 LOCAL FUNDING SHORTFALL**

Kathy Vesley Massey with the Bay Transit Program addressed the Board seeking approval of a supplemental appropriation in the amount of \$3,933.00. She explained that King William County budgeted \$20,000 for public transit services for Bay Transit for FY-07, which is \$3,933.00 or approximately 16% less than was requested to maintain the current level of service in King William County. This \$3,933.00 represents local match money that draws down state and federal transit

funds in the approximate amount of \$11,235.00. The combined total of local, state, and federal funds represents a significant shortfall of \$15,168.00, which will have a major impact on transit services in King William County. Ms. Massey explained that this shortfall will cut 375 hours of service which translates to cutting service for 1 day for each week for the remainder of this fiscal year.

Ms. Massey indicated that she is making the Board aware of the impact of this shortfall and is asking the Board for direction on how to proceed.

The Board discussed this matter, and T. G. Smiley motioned not to appropriate the supplemental \$3,933.00 to Bay Transit.

This motion died for the lack of a second.

Thereupon, a motion was made by W. F. Adams, seconded by E. J. Rivara and carried with the following vote, to appropriate supplemental funds in the amount of \$3,000.00 to Bay Transit for FY-07.

C. T. Redd III	Aye
W. F. Adams	Aye
E. J. Rivara	Aye
T. G. Smiley	Nay
O. O. Williams	Aye

**RE: ARTS ALIVE, INC. – ANDY CONKLIN, VICE PRESIDENT, UPDATE ON PROGRAM PLANS**

Mr. Andy Conklin, Vice President with Arts Alive, Inc. addressed the Board to thank the County for its past support for this organization, and to provide an update on future plans. He indicated that Arts Alive has been in existence for over three years and because of the past support of the County and others, it has been possible to conduct a variety of events, both performing and visual, which have been very successful and very popular with the citizens of King William County, New Kent County, and King and Queen County.

**RE: PUBLIC HEARING – MT. OLIVE, PART TWO, COMPREHENSIVE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT PROPOSAL SUBMISSION TO THE VIRGINIA DEPARTMENT OF COMMUNITY DEVELOPMENT**

The County Administrator indicated that Part One of the Mt. Olive Comprehensive Community Development Block Grant Project will soon be completed and this is a public hearing to consider a proposal to be submitted to the Virginia

Department of Housing and Community Development for the Part Two Comprehensive Project. Part Two will include housing rehabilitation, substantial reconstruction, water and sewer improvements, debris removal, roadway and drainage work, vacant structure removal, site development and relocation.

Sara Stamp of the MPPDC, the agency that will administer the grant, presented and reviewed the draft CDBG proposal. She explained that they are looking at utilizing a combination of funding sources for this project including the Community Development Block Grant, Indoor Plumbing Rehabilitation, Southeast Rural Community Assistance Project, Inc., and volunteer services in the way of community self help, and private contributions from other entities. This is in addition to local funds, which are required to make it a competitive project and to provide the full amount that will be required to do the project. Ms. Stamp explained that the local share will be \$64,500.00 over a 24 month period, as well as \$69,750.00 in in-kind services. She requested the Board to adopt a resolution stating the County's interest in applying for a Comprehensive Community Development Block Grant totaling \$700,000.00, and to submit the appropriate application documents seeking this funding. March 22, 2007, is the deadline for submitting this application.

Thereupon, the Chairman declared the public hearing open for comments and the following persons appeared to speak:

Leon Brooks, a resident of the Mt. Olive Community, expressed his deepest gratitude to King William County and to the Sheriff's Department for all of its past support in carrying out Part One of this project and asked for its continued support for Part Two.

Dan Wright, a resident of Election District Two, spoke in favor of the proposal for Part Two of the Mt. Olive project indicating that what has already been accomplished in this neighborhood in Part One, sets a benchmark for the work of this Board as well as the state and federal government. He asked the Board to consider approval of the resolution to be forwarded with the application documents for the Community Development Block Grant.

There being no other persons appearing to speak, the public hearing was declared closed by the Chairman.

On motion by W. F. Adams, seconded by T. G. Smiley and carried unanimously, the Board adopted the following resolution authorizing the County Administrator to sign and submit the appropriate application documents seeking funding through the Virginia Community Development Block Grant Program.

### **RESOLUTION**

**WHEREAS**, Community Development Block Grant Funds are made available by the Virginia Department of Housing and Community Development for certain competitive comprehensive housing and community development projects; and,

**WHEREAS**, King William County wishes to apply for said funds; and,

**WHEREAS**, a need has been identified in the Greater Mount Olive Community of King William County, in which these funds could be used; and,

**WHEREAS**, the members of the Greater Mount Olive Community have participated in an extensive planning process, and two public hearings have been held in the required manner; and,

**WHEREAS**, it is the intent of the King William County Board of Supervisors to address the needs in the upper or northern Mount Olive (also known as Palls) area through the Mount Olive Comprehensive Community Development Project, since the needs of the lower or southern Mount Olive area are currently being met through the first part of the project; and,

**WHEREAS**, through this Project, sanitary water and sewer and housing rehabilitation will be made available to households in approximately 15 houses; and,

**WHEREAS**, \$64,500 in local funds and other in-kind services is being dedicated to this project, and requests are being made for at least \$764,485 in Indoor Plumbing Rehabilitation funds, and for \$40,000 from the Southeast Rural Community Assistance Project, Inc.; and,

**WHEREAS**, additional funding will be necessary to make the project feasible.

**NOW, THEREFORE, BE IT RESOLVED**, by the King William County Board of Supervisors that King William County wishes to apply for a Comprehensive Community Development Block Grant totaling \$700,000; and,

**BE IT FURTHER RESOLVED**, that the County Administrator is hereby authorized to sign and submit the appropriate application documents seeking funding through the Virginia Community Development Block Grant Program.

**RE: UPDATE ON COUNTY PROJECTS – FRANK A. PLEVA, COUNTY**

### **ADMINISTRATOR**

a. Regional Animal Shelter - The County Administrator, Frank A. Pleva, provided an update on the construction status of the Regional Animal Shelter indicating that installation of the concrete slab on grade as well as the concrete raised floor slabs have been completed, light gauge steel wall framing has been started as well as the timbered rough-in framing, and perimeter kennel concrete masonry units have been installed. The target completion date is the end of April, 2007.

**RE: APPOINTMENTS**

a. Planning Commission - Two Members, One Member to Fill Vacated, Unexpired Term of Troy Linville Ending 12/31/07; and One Member to Fill Vacated, Unexpired Term of Bryan F. Johnson Ending 9/30/09 - On motion by T. G. Smiley, seconded by W. F. Adams and carried unanimously, the Board appointed Donald L. Hicks to fill the vacated, unexpired term ending December 31, 2007.

At the request of W. F. Adams, action on the appointment to fill the vacated, unexpired term ending September 30, 2009, was tabled until the Board's February meeting.

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

LaVerne Abrams, member of the King William County Electoral Board, congratulated Carol Wright on her retirement as General Registrar, and thanked her for her leadership and friendship. She announced that the Electoral Board will be honoring Mrs. Wright with a Retirement luncheon on Tuesday, January 30, 2007, at 12:00 Noon and invited the Board to attend.

Don Wagner thanked County staff and everyone involved for setting up the meeting concerning the Route 604 (Herring Creek Road) traffic issue and for working with Luck Stone.

Ronnie Helmick indicated that he has been dealing with some situations in the Building Department for nearly a year now and his plan is not to deal with them another year. Some great strides have been made, and there are some very good people within the Department, but some things need to be done.

**RE: BOARD OF SUPERVISORS'S COMMENTS**

Various members thanked the public for their attendance at this meeting.

**RE: ADJOURNMENT**

There being no other business to come before this Board, the meeting was adjourned.

COPY TESTE:

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Frank A. Pleva, County Administrator

