

MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
MEETING OF JANUARY 24, 2011

AT A MEETING OF THE BOARD OF SUPERVISORS OF KING WILLIAM COUNTY, VIRGINIA, HELD ON THE 24TH DAY OF JANUARY, 2011, BEGINNING AT 7:00 P.M. IN THE BOARD ROOM OF THE COUNTY ADMINISTRATION BUILDING, ORDER WAS CALLED WITH THE FOLLOWING PRESENT:

C. L. SCHOOLS, CHAIRMAN
D. L. WRIGHT, VICE-CHAIRMAN
C. T. REDD III
T. G. SMILEY
O. O. WILLIAMS

TRENTON L. FUNKHOUSER, COUNTY ADMINISTRATOR
DANIEL M. STUCK, COUNTY ATTORNEY

RE: INVOCATION

The opening invocation was delivered by Rev. J. Lytle Buckingham, Pastor of Sharon Baptist Church, in King William.

RE: ELECTION OF CHAIRMAN FOR 2011 –OUTGOING CHAIRMAN, T. G.

SMILEY PRESIDING

T. G. Smiley opened the meeting and stated that this is an organizational meeting of the Board.

He then called for nominations for Chairman of the Board of 2011.

T. G. Smiley nominated C. L. Schools. This nomination was seconded by C. T. Redd III.

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

Mr. C. L. Schools was duly elected Chairman of the Board for the year, 2011, with the following roll call vote:

C. L. Schools	Aye
D. L. Wright	Aye
C. T. Redd III	Aye
T. G. Smiley	Aye
O. O. Williams	Aye

Mr. Schools then assumed the Chair.

RE: ELECTION OF VICE-CHAIRMAN FOR 2011

The Chairman declared the floor open for nominations for Vice-Chairman.

Chairman C. L. Schools nominated T. G. Smiley for Vice-Chairman for 2011.

This nomination died for the lack of a second.

Thereupon, O. O. Williams nominated D. L. Wright for Vice-Chairman for 2011.

This motion was seconded by C. T. Redd III.

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

D. L. Wright was duly elected Vice-Chairman of the Board for the year, 2011, with the following roll call vote:

C. L. Schools	Aye
D. L. Wright	Abstain
C. T. Redd III	Aye
T. G. Smiley	Aye
O. O. Williams	Aye

RE: APPROVAL OF MEETING AGENDA

On motion by C. T. Redd III, seconded by D. L. Wright and carried unanimously, the Board adopted the agenda for this meeting as presented by the County Administrator, with the following changes: Item 9 - Consent Agenda, 9f "Authorization of County Administrator to Write Letter, on Behalf of the Board, Opposing HB 2268 was added; and Item 10 – Resolution of Appreciation to Marian A. White on the Occasion of Her Retirement" was deleted.

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

Tom Jasinowski of 1056 Millwood Road, Aylett, stated that he received his reassessment notice in mid-December, 2010, and scheduled an appeal appointment for December 23rd, and when he arrived at the County Administration Building, signs on all the doors indicated the building was closed. After the holidays, he met with the Assistant County Administrator and was told that in January, new property assessments would be mailed out along with information for appeals, and to date, he has not received his new assessment notice, and would like some answers.

Don Wagner of the Fifth Election District addressed the Board also with issues regarding the new reassessment and cited several properties on which he felt were cause for concern.

RE: CONSENT AGENDA

On motion by T. G. Smiley, seconded by C. T. Redd III and carried unanimously, the Board approved the following items on its Consent Agenda:

- a. Minutes of the Regular Meeting of December 13, 2010, as written
- b. Claims against the County for the month of January, 2011, in the amount of \$1,135,799.27 as follows:

- (1) General Fund Warrants #73668-73800 in the amount of \$248,282.47; ACH Direct Payments for December, 2010, #745-777 in the amount of \$14,293.53; ACH Direct Payments for January, 2011, #781-869 in the amount of \$458,945.99; Direct Deposits #14874-14881 in the amount of \$192,391.20; and Electronic Tax Payment in the amount of \$58,379.59

- (2) For informational purposes, Social Services expenditures for the month of December, 2010, Warrants #308538-308561 in the amount of \$22,999.39; ACH Direct Payments #156-189 in the amount of \$30,175.84; Direct Deposits #2447-2463 in the amount of \$26,853.79; and Electronic Tax Payment in the amount of \$8,042.12

- (3) For informational purposes, Circuit Court expenditures for the month of December, 2010, Warrants #73659-73667 in the amount of \$5,370.41; Direct Deposits #397-399 in the amount of \$8,701.77; and Electronic Tax Payment in the amount of \$2,979.66

- (4) For informational purposes, Comprehensive Services Act Fund expenditures for the month of December, 2010, Warrants #73647-73658 in the amount of \$24,690.48;

- (5) Tax Refunds for the month of December, 2010, in the amount of \$10,477.03

- c. Adopted the following Resolution accepting a USDA Rural Development Grant of \$15,000 for a generator at the Mt. Olive Wastewater Treatment Plant:

RESOLUTION

Mt. Olive Wastewater Treatment Plant Generator

WHEREAS, as part of the Mt. Olive Community Improvement Project, a public wastewater facility was constructed in 2007 on Mt. Olive-Cohoke Road; and

WHEREAS, it was determined by the Hampton Roads Sanitation District (HRSD), who contracts with the County to operate the facility, that a back up generator would be necessary in the event of power outages; and

WHEREAS, the Board of Supervisors approved the grant application on June 28, 2010.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors accepts the USDA Rural Development grant in the amount of \$15,000; and

BE IT FURTHER RESOLVED, that the Board accepts the lowest bid of \$15,151, submitted by Generac.

d. Adopted the following Resolution setting Board's regular monthly meeting schedule for 2011 as presented by the County Administrator:

TYPE IN RESOLUTION

e. Adopted the following Resolution congratulating Mrs. Ariminta Jones Lomax on her 100th birthday:

RESOLUTION OF APPRECIATION

WHEREAS, Mrs. Ariminta Jones Lomax was born in King William on January 26, 1911 to Percy and Allonia Morris Jones; and

WHEREAS, Mrs. Lomax will celebrate her 100th birthday with a large party to be held on Sunday, January 23, 2011, where she will rejoice with her family and friends; and

WHEREAS, Mrs. Lomax graduated from the King William Training School in 1924; Hartshone Memorial College in 1928; Virginia Union University in 1934 with a Bachelor's Degree in elementary and secondary education; and the University of Pennsylvania in 1953 with a Master's Degree in higher education; and

WHEREAS, Mrs. Lomax married Thomas Lomax in 1939; and

WHEREAS, Mrs. Lomax's teaching career spanned over 30 years: one year in Gloucester; 3 years in Rich Square, North Carolina; two years in West Point; and 26 years in Philadelphia, Pennsylvania until her retirement at 65; and

WHEREAS, Mrs. Lomax moved back to King William County in 1975.

NOW, THEREFORE, BE IT RESOLVED, that the King William Board of Supervisors hereby recognizes and congratulates Mrs. Ariminta Jones Lomax on the event of her 100th birthday and wishes her many more happy birthdays; and

BE IT FUTHER RESOLVED, that the King William Board of Supervisors does hereby extend their most sincere appreciation to Mrs. Lomax for her career-long dedication to education; 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. Lomax, and shall be spread upon the meeting minutes of said Board of Supervisors.

f. Authorized the County Administrator to correspond with Virginia Delegate Christopher Peace, Virginia Delegate Harvey Morgan and Virginia Senator Ryan McDougle, on behalf of the Board, opposing HB 2268, which relates to the Virginia Public Service Authority (VPPSA).

RE: VPPSA MATTERS – STEPHEN B. GEISLER, EXECUTIVE DIRECTOR, UPDATE ON THE REMOVAL OF ASH AND BRUSH AT THE LANDFILL

This matter was deferred to a future Board meeting.

RE: REASSESSMENT UPDATE – SALLY PEARSON, COMMISSIONER OF THE REVENUE AND BILL COALSON, TRI-COUNTY APPRAISALS, INC.

Trenton L. Funkhouser, County Administrator made a brief introduction prior to the Commissioner of the Revenue addressing the Board. Mr. Funkhouser stated that he and Terri E. Hale, Assistant County Administrator, met with Mrs. Pearson, Commissioner, and Mr. Coalson of Tri-County Appraisals, Inc. to address some of the public's questions being raised. He reported that the hearing notices are to be re-mailed the week of January 31, 2011. Some computer reconciliation is still being done between Mr. Coalson's data base and the Commissioner's to make sure all changes made since the assessment process started are picked up. The administrative hearings to be conducted by Tri-County Appraisals, Inc. should start in mid to late February. The Board of Supervisors should make recommendations in February to the Judge of the Circuit Court for appointments to the Board of Equalization. The Board of Equalization hearings should occur in March, April, 2011.

Further, Mr. Funkhouser advised that the issues referenced by Don Wagner in the earlier public comment period have been discussed with Mr. Coalson and he is waiting for a report from him.

Chairman, C. L. Schools questioned if the dates for the re-mailing of the reassessment notices and hearing dates have been publicized. Mr. Funkhouser responded that Mr. Coalson with Tri-County Appraisals, Inc. is responsible for such

publication and his company will also be responsible for the costs. C. T. Redd III stated that this information should also be posted on the County website.

Sally Pearson, Commissioner, advised that a link to the reassessment records is currently available on the County website.

Mr. Coalson of Tri-County Appraisals, Inc. addressed the Board explaining the values placed on properties. He stated that no two pieces of property are alike and when the notices do go out, the best person to come to with questions is him, so that he can explain it. There will be different situations throughout the County. If there are errors on the notices, changes will be made. The purpose of a hearing is to listen and that is what he is there for. As soon as the notices are re-mailed, the hearing dates will be set, and the process will begin.

C. T. Redd III questioned Mr. Coalson about the telephone number being used. He indicated that the Board has received numerous complaints that citizens cannot reach him.

D. L. Wright questioned Mr. Coalson about the conduct of the reassessment hearings and who is present during each hearing. Mr. Coalson indicated that it is only him present with the individual/individuals requesting the hearing. Mr. Wright asked Mr. Coalson if he didn't think it would be wise, on his behalf, to have someone else present to take notes during these hearings concerning the discussion between him and the individual/individuals that has raised an issue or a question. Mr. Wright indicated that several citizens have reported that when they were present for their hearing, no notes were ever taken, and they were told certain information, but nothing ever came to fruition from the discussion. Mr. Wright suggested it might be to everyone's benefit if some type of documentation is kept during these hearings in case some of these issues have to go further to be resolved. Mr. Coalson responded that the way he typically conducts hearings is that he does take notes for himself. In the future, he will have the individual's property record card and take down what he is being told. These are his personal working papers, and he keeps a file of these working papers, for that purpose. He stated that he will consider having someone else taking notes as well during the hearings.

Chairman C. L. Schools inquired whether or not minutes are taken during meetings of the Board of Equalization and Mr. Funkhouser responded in the affirmative.

RE: ADMINISTRATIVE MATTERS – TRENTON L. FUNKHOUSER, COUNTY

ADMINISTRATOR

a. Discussion of Annual Review of By-Laws - Mr. Funkhouser reported that County Attorney, Daniel Stuck, forwarded a suggested format for the By-Laws and suggested that the Board's By-Laws be reviewed annually. Some procedures have been incorporated that were scattered in separate policies, but overall, the draft being presented to the Board only has some minor changes.

Thereupon, O. O. Williams tabled action on this proposed document until the Board's February meeting, in order to have more time for review.

b. King William County Section 70-213 Et Als – Consumer Utility Tax on Natural Gas (Advisory Information Regarding Application of Current Code to Natural Gas Customers) - No action was taken on this matter.

c. Consideration of Resolution Regarding On-Site Sewage Disposal Systems - Mr. Funkhouser stated that this a request from the MP Planning District Commission to request the Health Department to regulate and inspect on-site sewage disposal systems. There are multiple types of these systems today which require more maintenance than the typical drain field.

Thereupon, on motion by O. O. Williams, seconded by D. L. Wright and carried unanimously, the Board adopted the following Resolution that the Virginia Department of Health be required to develop effective monitoring, expedited enforcement, and effect repair protocols; and the General Assembly provide necessary funding to accomplish these actions before any additional engineer On-Site Sewage Disposal Systems be approved.

TYPE IN RESOLUTION

RE: APPOINTMENTS

a. Building and Code Appeals Board – One Member, Five Year Term, Term of Alphonse Konvicka Expires 2/1/11 - On motion by C. T. Redd III, seconded by O. O. Williams and carried unanimously, the Board reappointed Mr. Alphonse Konvicka to serve a five year term on the Building and Code Appeals Board for King William County. Said term will expire 2/1/2016.

b. All-Hazards Emergency Planning Committee – Five Members, Four Year Terms, Terms of Spencer Cheatham of Election District #1; Herbert L. White, Jr. of Election District #2; Sean Ellis of Election District #3; Brian Rimmer of Election District #4; and Rose G. Rice of Election District #5 all Expire 1/31/11 - On motion by T. G. Smiley, seconded by C. T. Redd III and carried unanimously, Herbert L. White, Jr. of Election #2; Sean Ellis of Election District #3; and Rose G. Rice of Election District #5 were reappointed for a term of four years, with said terms expiring 1/31/2015.

It was noted that Spencer Cheatham of Election District #1 and Brian Rimmer of Election District #4 did not wish to be considered for reappointment.

c. Middle Peninsula Regional Airport Authority – Appointment of Trenton L. Funkhouser, County Administrator, as Alternate Member (NOTE: T. G. Smiley is currently serving as the Primary Member) - On motion by C. T. Redd III, seconded by T. G. Smiley, County Administrator, Trenton L. Funkhouser, was appointed to serve as Alternate Member representing King William County on the MP Regional Airport Authority.

d. Middle Peninsula Chesapeake Bay Public Access Authority – Appointment of Trenton L. Funkhouser as the County Representative (NOTE: Terri E. Hale is currently serving) - On motion by D. L. Wright, seconded by C. T. Redd III and carried unanimously, Trenton L. Funkhouser, County Administrator, was appointed to represent the County on the Middle Peninsula Chesapeake Bay Public Access Authority.

e. Middle Peninsula Disability Services Board – Appointment of Terri E. Hale as Primary Member and Trenton L. Funkhouser as the Alternate Member - On motion by T. G. Smiley, seconded by C. T. Redd III and carried unanimously, the Board appointed Terri E. Hale as the Primary Member and Trenton L. Funkhouser as

the Alternate Member to represent the County on the Middle Peninsula Disability Services Board.

f. Middle Peninsula Regional Security Center Board – Appointment of Trenton L. Funkhouser as Alternate Member - (NOTE: Daniel L. Wright is currently serving as the Primary Member) - On motion by C. T. Redd III, seconded by T. G. Smiley and carried unanimously, Trenton L. Funkhouser, County Administrator, was appointed to serve as the Alternate Member representing the County on the Middle Peninsula Regional Security Center Board.

g. Middle Peninsula Juvenile Detention Commission – Appointment of Terri E. Hale as the Primary Member and Trenton L. Funkhouser as the Alternate Member on the Middle Peninsula Juvenile Detention Commission - On motion by D. L. Wright, seconded by C. T. Redd III and carried unanimously, the Board appointed Terri E. Hale as the Primary Member and Trenton L. Funkhouser as the Alternate Member to serve on the Middle Peninsula Juvenile Detention Commission.

h. Virginia Peninsulas Public Service Authority (VPPSA) – Appointment of Trenton L. Funkhouser as Primary Member (NOTE: Terri E. Hale currently serving as Alternate Member) - On motion by O. O. Williams, seconded by D. L. Wright and carried unanimously, the Board appointed Trenton L. Funkhouser to serve as the Primary Member on the Virginia Peninsulas Public Service Authority (VPPSA).

i. Emergency Management

(1) Emergency Manager - Appointment of County Administrator (NOTE: Currently the Chairman of the Board Serves in the Capacity) - On motion by D. L. Wright, seconded by C. T. Redd III and carried with the following vote, the Board appointed the County Administrator to serve in the position of Emergency Manager for the County:

C. L. Schools	Aye
D. L. Wright	Aye
C. T. Redd III	Aye
T. G. Smiley	Nay
O. O. Williams	Nay

(2) Emergency Coordinator – Reappointment of Steve Puckett - At the request of C. T. Redd III, action on this appointment was tabled.

j. Appointment of County Administrator as Clerk to the Board of Supervisors - On motion by T. G. Smiley, seconded by C. T. Redd III and carried unanimously, Trenton L. Funkhouser, County Administrator, was appointed as Clerk to the Board of Supervisors.

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

John Breeden of the Third Election District, addressed the Board with two items, the first concerning the December 13th Board meeting minutes – he felt there was a matter that required some level of discretion, and that it was handled very, very well, and he complimented the Board on this. The second item concerned the minutes for this meeting -- he asked that the comments made by Mr. Bill Coalson of Tri-County Appraisal Service, Inc. indicating that he took notes at the Reassessment hearings he held in December, 2010, and has working papers from these hearings, be recorded in the minutes for this Board meeting.

RE: BOARD OF SUPERVISORS' COMMENTS

Various Board members thanked the citizens present for their participation at the Board meetings and also congratulated Mr. C. L. Schools on his election as Chairman of the Board for this year.

D. L. Wright asked that if anyone in his District does not feel they receive the audience they would like during the upcoming Reassessment hearings, he would like them to let him know of their concerns.

C. T. Redd III stated that the King William Volunteer Fire and Rescue will be having its monthly Salt Fish Breakfast fund raiser next on February 19th, and at the January event, when he arrived at 7:15 a.m., there were only 7 other patrons. He feels this organization works hard on this fund raiser, and the citizens of the County should support such fund raising events of all the volunteer organizations.

RE: CLOSED MEETING PURSUANT TO SECTION 2.2-3711(A)(1), CODE OF VIRGINIA, 1950, AS AMENDED, TO DISCUSS A PERSONNEL MATTER INVOLVING THE ASSIGNMENT, APPOINTMENT, AND PERFORMANCE OF A SPECIFIC PUBLIC APPOINTEE/EMPLOYEE; AND SECTION 2.2-3711(A)(7), TO

THE PROVISION OF LEGAL ADVICE BY COUNSEL.

On motion by C. T. Redd III, seconded by T. G. Smiley and carried unanimously, the Board entered Closed Meeting pursuant to Section 2.2-3711(A)(1), Code of Virginia, 1950, as amended, to Discuss a Personnel Matter involving the Assignment, Appointment, and Performance of a Specific Public Appointee/Employee.

Having completed the Closed Meeting, the Board reconvened in open meeting, on motion by C. T. Redd, III, seconded by T. G. Smiley and carried with a unanimous roll call vote.

In accordance with Section 2.2-3412D of the Code of Virginia, 1950, as amended, T. G. Smiley 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 C. T. Redd III 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 2.2-3417D of the Code of Virginia, 1950, as amended, 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 hereby certifies that, to 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 by which the Closed Meeting was convened were heard, discussed, or considered in the Closed Meeting by the King William County Board of Supervisors.

RE: AUTHORIZATION TO ADVERTISE A REQUEST FOR PROPOSALS

(RFP) FOR AUDIT SERVICES FOR FY-11

On motion by C. T. Redd III, seconded by D. L. Wright and carried unanimously, the Board authorized advertisement of a Request for Proposals (RFP) for audit services for FY-11.

RE: ADJOURNMENT OF MEETING

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

COPY TESTE:

C. L. Schools, Chairman
Board of Supervisors

Trenton L. Funkhouser
County Administrator
Clerk to the Board