

MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
MEETING OF FEBRUARY 28, 2005

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF KING WILLIAM COUNTY, VIRGINIA, HELD ON THE 28TH DAY OF FEBRUARY, 2005, BEGINNING AT 7:00 P.M. IN THE BOARD ROOM OF THE KING WILLIAM COUNTY ADMINISTRATION BUILDING AT KING WILLIAM COURT HOUSE, ORDER WAS CALLED WITH THE FOLLOWING PRESENT:

W. F. ADAMS, CHAIRMAN
L. E. BYRUM, JR., VICE-CHAIRMAN
C. T. REDD III
T. G. SMILEY
O. O. WILLIAMS

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

RE: APPROVAL OF MEETING AGENDA

On motion by C. T. Redd III, seconded by L. E. Byrum, Jr. and carried unanimously, the Board adopted the agenda for this meeting as presented by the County Administrator with two changes.

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

No persons appeared to speak.

RE: CONSENT AGENDA

On motion by L. E. Byrum, Jr., seconded by C. T. Redd, III and carried unanimously, the Board approved the following items on its consent agenda:

- a. Minutes of the January, 2005, regular meeting were approved as written
- b. Claims against the County for February, 2005, in the amount of

\$1,155,530.07 as follows:

(1) General Fund Warrants #58184-58389 in the amount of \$849,971.34; Manual Checks #14041-14044 in the amount of \$105,718.17; Direct Deposits #6839-6941 in the amount of \$151,277.62; and Electronic Tax Payment in the amount of \$48,562.94

(2) For informational purposes, Social Services expenditures for the month of January, 2005, Warrants #303931-304001 in the amount of \$43,886.89; Direct Deposits #1144-1159 in the amount of \$22,718.99; and Electronic Tax Payment in the amount of \$7,583.73

(3) For informational purposes, Circuit Court expenditures for the month of January, 2005, Warrants #58158-58165 in the amount of \$5,573.13; Direct Deposits #147-149 in the amount of \$7,585.29

(4) For informational purposes, Comprehensive Services Act Fund expenditures for January, 2005, Warrants #58167-58181 in the amount of \$47,980.23

(5) Tax Refunds for January, 2005, in the amount of \$5,489.20

c. Adopted the following resolution authorizing the County Administrator to negotiate a Line of Credit with Citizens and Farmers Bank in anticipation of tax receipts:

RESOLUTION

WHEREAS, the King William County Board of Supervisors prepared and adopted a budget for the fiscal year beginning July 1, 2004, and ending June 30, 2005; and

WHEREAS, the County will have sufficient revenues to fully fund the expenditures for the fiscal year; and,

WHEREAS, the County needs to establish a Line of Credit to insure sufficient funds availability until local taxes are due on June 25, 2005, and/or December 5, 2005; and

WHEREAS, the County will repay any such funds borrowed by December 15, 2005.

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors authorizes the County Administrator to negotiate a Line of Credit not to exceed \$2,500,000 in anticipation of tax receipts, with the repayment of all amounts utilized and any interest to occur, on or before December 15, 2005.

RE: VDOT MATTERS- CHARLES E. STUNKLE, RESIDENT ENGINEER

Resident Engineer Charles E. Stunkle, was absent from this meeting due to illness, but, he telephoned the County Administrator with information for the Board.

a. Proposed Prohibition of Certain Through Truck Traffic on a Portion of Virginia Secondary Route 600 (West River Road) - At the Board's January 24, 2005, meeting, following a duly advertised public hearing, a motion was made by L. E. Byrum, Jr. and seconded by T. G. Smiley to request the Virginia Department of Transportation to move forward with a detailed study to prohibit through truck traffic on

Route 600 (West River Road) between Route 360 (Richmond-Tappahannock Highway) at Aylett and Route 30 (King William Road) at Rumford.

Upon further discussion following this motion regarding truck weights and the number of axles of vehicles, C. T. Redd, III tabled action on the motion until the Board's February regular meeting, and requested Mr. Stunkle of VDOT to provide the Board with additional information.

Thereupon, L. E. Byrum, Jr. stated that, based on language supplied by the VDOT staff, he would like to amend his original motion to request the Virginia Department of Transportation to move forward with a detailed study to prohibit certain through truck traffic on a portion of Route 600 (West River Road) between Route 360 (Richmond/Tappahannock Highway) at Aylett and Route 30 (King William Road) at Rumford, this prohibition applying to those trucks and truck and trailer or semi-trailer combinations having a total of four or more axels, excluding pickup and panel truck and trailer combinations. Mr. Byrum's motion included the following alternate or detour routes:

To destinations and termini east and south of Aylett and/or Rumford – proceed west on Route 360 from Aylett to Route 30 at Central Garage; take left at the Route 360/30 intersection on to Route 30, and then proceed east on Route 30 towards Rumford and West Point

To destinations and termini west and north of Aylett and/or Rumford – proceed west on Route 30 from Rumford to Route 360 at Central Garage; take right at the Route 30/360 intersection on to Route 360; and then proceed east on Route 360 towards Aylett and Tappahannock

This amended motion was accepted and seconded by T. G. Smiley.

Prior to the roll call vote on this motion, C. T. Redd III requested Mr. Byrum to amend his above motion to state "prohibit vehicles with four or more axels, excluding one lift axel".

After further discussion on this requested amendment of Mr. Redd to the stated motion on the table, it was the general consensus of the Board to act on the motion as stated by Mr. Byrum and seconded by Mr. Smiley.

Thereupon, Mr. Byrum's motion carried with the following roll call vote:

W. F. Adams	Aye
L. E. Byrum, Jr.	Aye
T. G. Smiley	Aye
C. T. Redd III	Nay
O. O. Williams	Nay

b. Route 600 Speed Study - Frank Pleva, County Administrator, relayed information received for the Board from Charles Stunkle, VDOT Resident Engineer. He reported that the Speed Study requested on Route 600 (West River Road) should be available in March. The tubes were put out across the roadway for the speed count and when the snowfall came, the tubes were accidentally pulled up.

c. Route 30 in the Area of Its Intersection with Route 617 (West Spring Forest Road) – The speed study requested by the Board at its January 24, 2005, meeting on this section of Route 30 should be available in March.

d. Route 661 – Repair of Bridge Damaged by Tropical Storm Gaston – It was reported that bids could be going out on this project in the March/April timeframe, Normally, the bidding process takes about four months, but if VDOT can get an interpretation from the Attorney General's office that this is an emergency repair, the time frame may be less. Depending on the length of the bid process, the repairs may be done this summer or early fall.

The Board requested the County Administrator to prepare a letter to the Attorney General and to the Transportation Commissioner indicating the Board's support for a declaration of emergency status in this situation to try to expedite this process.

e. Herring Creek Mill Dam and Mitchell's Mill Dam - Information was provided to the Board that VDOT has provided cost estimates to restore these two dams and roadways destroyed in Tropical Storm Gaston to the impoundment owners. The costs as defined in Section 33.1-179 of the Code of Virginia will be the responsibility of the impoundment owners for one-half of the cost of the earthwork required to complete the dam.

Also, if the replacement of the emergency spillway at the Herring Creek Mill is desired to be included by the owners at their costs as part of this work, it would be necessary for them to have this structure designed by a professional engineer and approved by VDOT prior to the replacement.

f. Route 30 at the Entrance to McCauley Park Subdivision - L. E. Byrum, Jr. expressed concern about the roughness of the paving on Route 30 at the entry way into McCauley Park Subdivision. Concerns were expressed about whether or not this

is the finished product. The pavement needs to be paved over again to make it smoother. He discussed some of the safety issues and appearance issues involved with this situation, and requested that Mr. Stunkle monitor this situation. It was also a concern as to whether or not this section of the roadway has been constructed to meet the standards proffered, and he requested that Mr. Stunkle investigate this possibility and report back to the Board.

RE: ADOPTION AND PRESENTATION OF RESOLUTION OF APPRECIATION – CHARLIE COMPANY, 276TH ENGINEERING BATTALION, VIRGINIA ARMY NATIONAL GUARD – CAPTAIN DAVID KAULFERS

On motion by C. T. Redd III, seconded by L. E. Byrum, Jr. and carried unanimously, the Board adopted the following resolution expressing its sincere appreciation to the members of Charlie Company, 276th Engineering Battalion of the Virginia Army National Guard in West Point, as they returned from military support operations in Iraq.

RESOLUTION OF APPRECIATION

WHEREAS, since January, 2004, Charlie Company of the 276th Engineering Battalion of the Virginia Army National Guard in West Point, Virginia, has been courageously undertaking military support operations in Iraq; and,

WHEREAS, the unit was mobilized on December 18, 2003, which was the first time that a unit from West Point was mobilized; and,

WHEREAS, the unit is a Combat Corps Wheeled Engineering Company whose duties in Iraq included improving roads, repairing infrastructure and convoy security; and,

WHEREAS, the unit consists of more than 120 citizen soldiers who have been separated from their families for more than a year to answer their call to duty; and,

WHEREAS, on December 21, 2004, Charlie Company suffered a great loss when Army SPC Nicholas C. Mason and Army SPC David A. Ruhren paid the ultimate price protecting our freedom; and,

WHEREAS, Charlie Company performed its mission with great bravery, determination and distinction; and,

WHEREAS, the ability of the Armed Forces to successfully perform their missions requires the support of their nation, community, and families.

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors expresses its sincere appreciation to the courageous members of Charlie Company as they served our Country with honor and valor; and,

BE IT FURTHER RESOLVED, that the King William County Board of Supervisors expresses its deepest sympathies to the families and friends of SPC Mason and SPC Ruhren; 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 Charlie Company of the 276th Engineering Battalion of the Virginia Army National Guard, Governor Mark R. Warner, and President George W. Bush, and shall be spread upon the meeting minutes of said Board of Supervisors.

Captain David Kaulfers of Charlie Company of the 276th Engineering Battalion of the Virginia Army National Guard in West Point, was present to receive this Resolution. On behalf of the entire Charlie Company, he expressed deep appreciation for the recognition and support of the County, and for the very warm welcome shown the Battalion upon their return home last week.

RE: MIDDLE PENINSULA JUVENILE DETENTION COMMISSION – JOANNE SMITH

Joanne Smith, Director of the Merrimac Detention Commission, presented and reviewed the Middle Peninsula Juvenile Detention Commission annual report for FY 2004. In order to provide some background information for the Board, she reported that the Middle Peninsula Juvenile Detention Commission was formed in 1994 when seventeen counties and two cities joined together with the goal of building and operating a secure juvenile detention facility. At that time these localities had no guaranteed access to secure detention facilities, and local law enforcement officials were transporting juveniles to detention facilities and jails throughout the Commonwealth, sometimes to great distances. Construction of a secure detention facility, the Merrimac Center, began in the summer of 1996, and in December, 1997, the Merrimac Center received its first admission.

Ms. Smith reviewed some of the services and programs offered at the Merrimac Center to provide a safe, secure environment for the juveniles placed by the courts.

RE: FINAL REASSESSMENT REPORT – WILLIAM D. COALSON, CORPORATE OFFICER OF TRI-COUNTY APPRAISALS, INC.

William Coalson of Tri-County Appraisals, Inc. discussed the process of reassessment of the County properties which his firm began in September, 2003, and completed in October, 2004. He reviewed the reassessment project, process, mandatory state mandates, market conditions, and current assessment levels with the Board, and stated that, overall, there was a 35% average increase in assessments county wide. However, when the reassessment statements were mailed out, and his

firm began conducting the informal public hearings there were less than 200 inquiries at these hearings.

RE: COMMUNITY CONNECTION PROGRAM – SHERRY TATE

Sherry Tate, Director of the Community Connection Program, appeared seeking the Board's support of the Community Connection Program being allowed to handle internally its independent electronic monitoring/outreach detention services for the five localities it serves. Electronic monitoring is a sanction used by the Juvenile Court to address (1) the elimination of inappropriate or unnecessary use of secure detention; (2) the redirection of localities' general funds from increasing secure detention costs; (3) an alternative program to secure detention to ensure public safety; and (4) the provision of a step in the system of graduated sanctions that includes a degree of restriction and more intensive contact. The five localities served by the Community Connection Program are Charles City County, New Kent County, King William County, King and Queen County, and Middlesex County. Ms. Tate explained that the Ninth District Court Services Unit has had a continuous problem with obtaining any vendor services, or has had limited satisfaction with, the current vendor services provided for these localities. Further, Ms. Tate stated that she feels the Community Connection Program can provide the same level of service at seventy-five percent of the cost by centering the service and keeping local control. She cited several surrounding jurisdictions that currently operate electronic monitoring independently. In addition, she explained that the Department of Justice currently has a contract with the vendor services of BI Incorporated for leasing the electronic equipment, and the Community Connection Program would be able to take advantage of those rates. Ms. Tate reviewed funding and based on the use of electronic monitoring/outreach detention services for FY-04 for Charles City, New Kent, King William and King & Queen Counties, she could provide the same level of service with a total of 1500 hours of monitoring by part-time employees and include Middlesex County. She indicated that it would take two part-time employees a total of 40 hours per week between the two of them. The cost for FY-04 for this service through a private vendor was \$46,500.00, and would cost \$36,000.00 through the Community Connection Program. Based on an hourly charge of \$24.00 versus \$31.00 per hour through their present vendor

services, this would represent a 23% cost savings. Ms. Tate stated that King William County acts as the fiscal agent for the Community Connection Program, and as such, she is requesting approval from the Board for the two part-time positions.

Thereupon, on motion by L. E. Byrum, Jr., seconded by C. T. Redd III and carried unanimously, the Board endorsed the request of Sherry Tate, Director of the Community Connections Program, for the employment of two part-time employees for the electronic monitoring.

**RE: PLANNING AND COMMUNITY DEVELOPMENT – LEE YOLTON,
DIRECTOR**

a. Public Hearing – Zoning Case #Z-04-04, Request to Rezone 25+/- Acres from Agriculture-Conservation District to Industrial Zoning District with Proffered Conditions; Applicant: Fontainebleau Farm, Inc., David S. Robinson, Jr. - Lee Yolton, Community Development Director, presented the application of Fontainebleau Farm, Inc., David S. Robinson, Jr. to rezone a 25.22 acre portion of Fontainebleau Farm from an Agricultural-Conservation (AC) District to an Industrial (M) District with proffered conditions. This property is located in the central portion of the County adjacent to the Fontainebleau Industrial Park, on Route 613, approximately 0.75 mile south of Route 30, and is described as Parcel 28-69A on the King William County Tax Maps. Mr. Yolton indicated that in 1992, a quarry and processing facility received approval to commence operations on a large part of the original Fontainebleau tract, and also in 1992, an industrial park, the “Fontainebleau Industrial Park” was platted on 46 acres of the property and rezoned for industrial use. Further, Mr. Yolton explained that as an outcome of the 1992 zoning, this area along Dunluce Road was planned for industrial/manufacturing uses. The property involved in this application is recommended for industrial use on the adopted future land use plan. It has good access to the road network in the area, and Dunluce Road, just to the north of this site, has been upgraded to industrial standards. This case represents an effort to spark the development of this planned economic growth location.

Mr. Yolton continued that this request to rezone the property will position this site in a manner necessary to capture a potential economic development prospect, and the County Comprehensive Plan emphasizes the need to attract additional

employment opportunities and build a stronger non-residential tax base. In this instance, there is every indication that a significant economic development prospect may be captured if this request is approved, however, the County has no guarantee in this regard. In addition, Mr. Yolton indicated that staff has worked with the landowner on a proposed set of conditions to provide appropriate measures for a potential manufacturing plant at this location. He reviewed the proposed set of four proffers as submitted by the applicant on January 20, 2005, as follows: In addition, Mr. Yolton reported that the applicant, through his attorney, has tonight, prior to this meeting, submitted a 5th proffer.

1. Limit on Uses: Uses of the property shall be limited to those permitted by right in the M (Industrial) District (Article V of the Zoning Ordinance) with the following exceptions:
 - Sand and gravel processing
 - Tire rebuilding and recapping
 - Firearms manufacturing
 - Structural iron manufacturing
 - Acetylene generation and storage
 - Transport, storage and transfer of municipal waste
 - Manufacture, compounding, processing, packaging, or treatment of asbestos products
 - Ink manufacture from primary raw materials
 - Poultry packing and slaughtering (wholesale)
2. Buffer Area: A buffer of 50 feet in width shall be maintained along the property's frontage on Route 613 (Dunluce Road). In addition, a buffer of 50 feet in width shall be maintained along the property's southernmost boundary.
3. Access: There shall be no direct access from the property to any portion of Route 613 (Dunluce Road) which is unpaved.
4. Lighting: Lighting shall be shielded and directed so as to minimize glare and spillover on to adjoining properties. Lighting shall be reduced to no more than a security level following close of daily operations.
5. Public Utilities: Mr. Yolton reported this proffer was submitted prior to this meeting and essentially states that the owner will be responsible for extending water and sewer lines to this property, unless the County wishes to do so voluntarily.

Mr. Yolton continued that in an ideal situation, the County would know precisely what this property would be used for, so that the proffered conditions could be crafted for that particular use, but, since there is no certainty about the ultimate user of this property, the applicant only has a basic set of proffers that could apply to any type of industrial use. The staff was hoping that the owner would provide a couple of

additional proffers that addressed the hours of operation and some potential noise impacts from uses that could occur on this property.

At the same time, Mr. Yolton stated that staff realizes that the property owner is trying to market the property and attract a bona fide industrial user to the site, and if the owner is successful in attracting an industrial user, it is clear that an important goal for the County, that is to attract new jobs and economic growth, will be advanced. It is for that essential reason that the staff does not object to the approval of the request as it is submitted.

Following Mr. Yolton's presentation, Randy Cook, attorney, representing the applicant, appeared with a slide presentation to review this request for rezoning and the proffered conditions. Mr. Cook indicated that this request was initially filed as a result of meetings and discussions with the economic development representatives for King William County when an industrial prospect presented itself to the County with an interest in some sites in this area. This parcel was identified as one of the parcels they were interested in, probably the prime site for King William County. They were also looking in other counties as well.

Mr. Cook continued, reviewing the proposed proffers explained that Proffer #3, (Access: There shall be no direct access from the Property to any portion of Route 613 (Dunluce Road) which is unpaved.) indicates the applicant is trying to assure the County that until Dunluce Road is paved in front of this parcel, whoever may do it, there will be no right to access from this parcel onto Dunluce Road. Any access to it would have to come from an interior road network that would have to be constructed in the park, and all traffic would have to exit on the existing exit onto Dunluce Road. At such time as Dunluce Road is paved further along this parcel, then access will be allowed from the parcel onto Dunluce Road.

This concluded Mr. Cook's presentation, and the following Board members had questions: W. F. Adams asked about proffer #3 regarding access – no access onto Dunluce Road from this parcel until Dunluce Road is paved. The two existing accesses already in place come out onto the existing paved portion of Dunluce. If Dunluce is paved, more access points could come out onto Dunluce Road. The County Attorney clarified that this proffer does not limit the number of permitted access

points onto Dunluce Road. The County Administrator indicated that since this is a State route, VDOT would have to approve all cuts onto a State route. This would be an industrial entrance onto a state route so approval would be required by VDOT,

C. T. Redd III questioned what the distance is from where the pavement stops now, to the end of this parcel. Mr. Cook indicated the distance to be approximately 500 feet.

L. E. Byrum, Jr. questioned what the potential is with this particular proffer. The County is trying to attract a business, but that business comes in and says they want the County to pave the road, then is this not opening the County up for having to pave other roads? He indicated his feeling that Proffer #3 would give a business prospect leverage over the County in that the business would only come into the County if the County paved the road. He felt the Board needs to be aware of this potential. The County Attorney stated he felt this to be an unnecessary concern because the prospect would have access to the existing paved portion of Dunluce Road. Besides Mr. Cook has indicated that what is anticipated is that the user would do the paving.

County Attorney, L. M. Chenault, expressed concern regarding no limit being placed on the number of access points allowed onto Dunluce Road, and that a proffer has not been made to not place an access point across from Dunluce Farm.

C. T. Redd III asked Mr. Cook if his client would consider having only two additional access points onto Dunluce Road, one to be on the corner of this parcel and the other to be further down. Mr. Cook indicated that he would relay this information to his client. In addition, Mr. Redd stated that if VDOT stipulates only one access point is allowed from this parcel, then that is what the Board would want. Mr. Cook also indicated he would explore with his client, the fact of not placing an access point directly from Dunluce Farm entrance.

County Attorney, L. M. Chenault, indicated that Proffer #3 should be rewritten to clarify the meaning "from the end of the present paving to the entrance of the new access point".

Thereupon, C. T. Redd, III tabled holding this public hearing on Zoning Case #Z-04-04 until the Board's March meeting, and requested Mr. Cook to check with his client regarding the minimum of two access points on Dunluce Road, to rewrite the

paving issue, and also where one of the entrances cannot come out. Mr. Adams expressed his concerns about VDOT's requirements for industrial entrances, the number of feet apart, etc. and would like a report from VDOT. Also, Mr. Adams brought up the issue of Proffer #2 (Buffer Area). He questioned what the proffered 50 feet buffer would consist of. Mr. Cook responded that it will be undeveloped area, with no building permitted, no parking permitted, etc. in this 50 feet natural buffer. Mr. Adams questioned if it is already a naturally maintained vegetated buffer, or is it 50 feet of open space, which will not be screening anything? L. M. Chenault inquired that by the maintaining stated in Proffer #2, is the client saying that he will not remove the vegetation? Mr. Cook indicated that he will reword this proffer, to consider whether the buffer is natural or screening. It was suggested to Mr. Cook, that if the 50 feet buffer has to be disturbed to put in utility lines, etc., then some sort of screening needs to be put back in place.

Mr. Adams brought up the topics of hours of operation to be permitted and noise levels. Mr. Yolton indicated he had discussed these two closely related issues with the property owner, and it was stated that they don't want to limit their ability to market this property by setting limits on the hours of operation because they don't know what type of user will come in. Mr. Cook indicated that he will explore this issue with his client.

All members having voiced their concerns regarding the submitted list of proffers, C. T. Redd III again tabled holding this public hearing on Zoning Case # Z-04-04 until the Board's March meeting.

RE: UPDATE ON COUNTY PROJECTS AND ACTIVITIES – FRANK A.

PLEVA

a. Regional Animal Shelter - The County Administrator reported that the animal shelter site plan is being prepared and also Mr. Daggett of Daggett and Grigg, architect for the project, of Charlottesville is modifying the building to show some less expensive operating mechanical systems for the air exchanges necessary to meet the State animal shelter requirements. This project should go out for bid in the March/April timeframe.

b. Mt. Olive Community Improvement Project - Frank Pleva indicated that a Management Committee Meeting was held last week and it was determined that this project is ahead of schedule in terms of the number of houses going in. Actually, Resource International is now bidding out the mass drain field, which will serve part of the neighborhood, approximately six or so of the homes. The Operation Permit has been received from DEQ for the small wastewater treatment plant that will serve the other part of the neighborhood. Bids for this plant should be going out in the next 30 to 60 days. This will be a high tech package plant, probably the first or second one in Virginia. Improvements are already under construction on the community well as the bid has been let and the contract has been signed.

c. King William Historical Society Museum - It was reported by the County Administrator that for the past months there have been discussions about turning the vacated Circuit Court Clerk's office into a County museum, and the County has even applied for federal enhancement funds to help financially. Twenty-five percent of the County's request was funded. Mr. Pleva further reported that last week, there was a hearing in front of Judge Hoover in King William Circuit Court regarding the Thomas Hill Estate and how the funds would be used from that estate. An inheritance was left to the King William County Historical Society for a County museum. The question was if the Historical Society entered into a long term lease with the County for the use of the old Clerk's Office, would that meet the intent of Mr. Hill's Will. Judge Hoover ruled that this would comply with the terms of Mr. Hill's Will. The amount in the Will is \$150,000.00 for the Historical Society, which can now be used to enhance the old Clerk's Office. A Lease will be prepared for signature between the County and the King William County Historical Society. Prior to the County entering into this Lease, it will be necessary for the Board to conduct a public hearing, because use of County property will be conveyed.

RE: APPOINTMENTS

a. Board of Building and Code Appeals – One Member, Five Year Term, Incumbent Ernest A. Burcham (Builder) Deceased, Current Term Expired September 1, 2004, New Term Expires September 1, 2009 - On motion by L. E. Byrum, Jr., seconded by C. T. Redd III and carried unanimously, the Board appointed Donald

Wray Kellum to serve as a member of the King William County Board of Building and Code Appeals for a five year term expiring September 1, 2009.

b. Pamunkey Regional Library Board – One Member, Four Year Term, Two Terms Maximum, Term of Ruth E. Armatage Expires June 30, 2005, (Mrs. Armatage is ineligible for reappointment) - On motion by L. E. Byrum, Jr., seconded by C. T Redd III and carried unanimously, the Board appointed Kathleen Campbell to serve as the Board's representative on the Pamunkey Regional Library Board for a four year term expiring June 30, 2009.

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

Harry Whitt, Treasurer of the County, addressed the Board about the possibility of eliminating County decals, and some of the issues that would need to be addressed if this materializes.

RE: BOARD OF SUPERVISORS' COMMENTS

Chairman, W. F. Adams, noted the new furniture and name tags in place in the Board's meeting room.

RE: CLOSED MEETING PURSUANT TO SECTION 2.2-3711(A)(3), CODE OF VIRGINIA, 1950, AS AMENDED, FOR DISCUSSION AND CONSIDERATION OF THE ACQUISITION OF REAL PROPERTY FOR PUBLIC PURPOSES PERTAINING TO ECONOMIC DEVELOPMENT AND/OR PARKS AND RECREATION, WHERE DISCUSSION IN AN OPEN MEETING WOULD ADVERSELY AFFECT THE BARGAINING POSITION OR NEGOTIATING STRATEGY OF THE COUNTY OF KING WILLIAM

On motion by C. T. Redd III, seconded by L. E. Byrum, Jr. and carried unanimously, the Board entered Closed Meeting pursuant to Section 2.2-3711(A)(3), Code of Virginia, 1950, as amended for discussion and consideration of the acquisition of real property for public purposes pertaining to economic development and/or parks and recreation, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County of King William.

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 2.2-3711B 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. This motion was seconded by T. G. Smiley 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 Freedom of Information Act; and,

WHEREAS, Section 2.2-3711B 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 the best of each member's knowledge:

1. Only such 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; and,
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: ACTION ON MATTER HEARD IN CLOSED MEETING

The Chairman announced that no action would be taken as a result of the Closed Meeting discussion.

RE: CHANGE OF BOARD'S MEETING DATE FOR MARCH, 2005

On motion by C. T. Redd III, seconded by T. G. Smiley and carried unanimously, the Board changed its regular monthly meeting scheduled for Monday, March 28, 2005, at 7:00 p.m. to Tuesday, March 22, 2005, at 7:00 p.m.

RE: ADJOURNMENT OF MEETING

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

COPY TESTE:

W. F. Adams, Chairman

Frank A. Pleva, County Administrator