

**MINUTES**  
**KING WILLIAM COUNTY**  
**BOARD OF SUPERVISORS**  
**MEETING OF MARCH 22, 2004**

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF KING WILLIAM COUNTY, VIRGINIA, HELD ON THE 22<sup>ND</sup> DAY OF MARCH, 2004, BEGINNING AT 7:00 P.M. IN THE BOARD ROOM OF THE KING WILLIAM COUNTY ADMINISTRATION BUILDING AT KING WILLIAM COURTHOUSE, ORDER WAS CALLED WITH THE FOLLOWING PRESENT:

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

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

**RE: APPROVAL OF MEETING AGENDA**

On motion by T. G. Smiley, seconded by O. O. Williams and carried unanimously, the Board adopted the agenda for this meeting as presented by the County Administrator with one addition – Item 6I – Consent Agenda, Authorization for Public Hearing – Proposed Amendment of Article II, Real Property, Division 3. Exemption of Taxes on Property of Certain Elderly and Disabled Persons, Section 13-43.1-4, of the Code of King William County, Virginia.

**RE: PUBLIC COMMENT PERIOD**

No persons appeared to speak.

**RE: CONSENT AGENDA**

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

a. Minutes of the Board's monthly meetings of January 29, 2004, and of February 23, 2004, were approved as written

b. Claims against the County for March, 2004, in the amount of \$1,296,584.90

(1) General Fund Warrants #55726-55906 in the amount of \$1,038,308.02; Manual Checks #13992-13994 in the amount of \$78,039.43; Direct

Deposits #5747-5840 in the amount of \$136,248.50; and Electronic Tax Payment of \$43,988.95

(2) For informational purposes, Social Services expenditures for the month of February, 2004, Warrants #303098-303169 in the amount of \$30,253.83; Direct Deposits #954-970 in the amount of \$22,145.39; and Electronic Tax Payment in the amount of \$7,434.41

(3) For informational purposes, Circuit Court expenditures for the month of February, 2004, Warrants #55699-55707 in the amount of \$6,161.85; and Direct Deposits #108-110 in the amount of \$6,931.96

(4) For informational purposes, Comprehensive Services Act Fund expenditures for February, 2004, Warrants #55709-55724 in the amount of \$34,082.20

(5) Tax Refunds for the month of February, 2004, in the amount of \$42.67

c. Authorized advertisement of a Public Hearing for April 26, 2004, during the Board's regular monthly meeting beginning at 7:00 p.m. in the Board Meeting Room at King William County Courthouse, to consider Zoning Case #Z-01-04, Request to Rezone 2 Acres from R-1 to B-2, Applicant: Garrie D. Rouse

d. Authorized advertisement of a Public Hearing for April 26, 2004, during the Board's regular monthly meeting beginning at 7:00 p.m. in the Board Meeting Room at King William County Courthouse, to consider Zoning Case #Z-02-04, Request to Rezone 4.5 Acres from R-1 to B-2, Applicant: Patrick Connor

e. Awarded a contract to Robinson, Farmer, Cox Associates in Charlottesville, Virginia, for audit services for the fiscal year ending June 30, 2004, in an amount of \$26,500, with the potential of four annual renewals, and annual increases not to exceed the current Consumer Price Index-Urban.

f. Adopted a resolution supporting the development of the Four Rivers Regional Fatality Review Partnership with a mission to collectively review incidents of domestic and intimate partner related fatalities, in order to collect, compile, and disseminate information that will lead to the prevention of future fatal incidents within the Counties of New Kent, Charles City, King William, King and Queen, and the Town of West Point.

g. Approved the employment of Anna Burnette to the position of Property Maintenance/Building Inspector in the Building Department.

h. Adopted a Resolution Regarding Revenue Sharing Program Funds for Drainage Problems in the Town of West Point

i. Authorized advertisement of a public hearing for a proposed Amendment to Article II, Real Property, Division 3. Exemption of Taxes on Property of Certain Elderly and Disabled Persons, Section 13-43.1-4 of the Code of King William County, Virginia, to be held during the Board's regular monthly meeting beginning at 7:00 p.m. in the Board Meeting Room at King William County Courthouse on April 26, 2004.

**RE: VDOT MATTERS – CHARLIE STUNKLE, RESIDENT ENGINEER**

Charlie Stunkle, VDOT Resident Engineer, was present to update the Board on the following transportation issues:

a. Revenue Sharing Program Funds – Drainage Improvements in Town of West Point - Mr. Stunkle indicated the importance of the County executing the Agreement between the Virginia Department of Transportation and the Board of Supervisors for using the Revenue Sharing Program Funds for the drainage improvement project on Routes T-2004 and T-1030 from T-1002 to T-1006 in the Town of West Point. The County will serve only as the fiscal agent for this project in the Town.

b. Two Requests from Board for “Watch for Children” Signs - Mr. Stunkle reported that he has not received any report yet from his Engineers on the two requests from the Board for “Watch for Children” signs, one at or near the location of 256 Millwood Road (Route 607), and the other location at 744 Oak Springs Drive in the Oak Springs Subdivision.

c. Route 604 (Herring Creek Road) - It was announced by Mr. Shockey that the Herring Creek Road (Route 604) Utility Relocation Project has received financial approval and is scheduled to be advertised in July, 2004.

d. Lord Delaware Bridge Replacement Project - Mr. Shockey reported that bids on this project are out and due for return on Wednesday, March 24<sup>th</sup>.

e. Placement of 45 MPH Speed Limit Signs on Route 360 at Central Garage - T. G. Smiley discussed the location of the 45 MPH speed limit sign recently

placed on Route 30 near the Central Garage intersection with Route 360, and requested Mr. Stunkle to investigate the possibility of moving the 45 MPH sign north on Route 30 further down, beyond the Route 611 entrance. This seems a better idea with the increased traffic that will be coming in with the development of McCauley Park Subdivision.

f. Hickory Woods Lane - A Dirt Lane Located 1.9 Miles to the Left Off of Route 30, North, From its Intersection with Route 360 at Central Garage - T. G. Smiley indicated that Route 30, North, carries a broken yellow line for approximately 1200 feet or less, in the area just before getting to Hickory Woods Lane, and this poses a danger if a motorist is passing another vehicle in this short distance, and someone is pulling out of Hickory Woods Lane onto Route 30. Mr. Smiley requested that VDOT change the broken yellow line in this short distance to a solid yellow line to eliminate this danger and also, if placement location of the 45 MPH speed limit sign on Route 30 north, is to be changed to beyond the entrance to Route 611, then consider the possibility of placing it on beyond Hickory Woods Lane. Mr. Stunkle indicated he would have the Traffic Engineers look into this matter.

g. Route 30 at Route 629 (Acquinton Church Road) at Hamilton-Holmes School - T. G. Smiley questioned Mr. Stunkle regarding a school zone speed of 25 MPH off of Route 30 onto Route 629 at the entrance to Hamilton-Holmes and Acquinton, and Cool Springs Schools, as to whether or not the School Board would be responsible for paying for the sign. Mr. Stunkle responded that the zone is actually 25 MPH, and that if the School Board desires to add an additional flasher as you turn off of Route 30 onto Acquinton Church Road, which is the only recommendation VDOT has, the cost of this would have to be borne by the School Board. Mr. Stunkle reminded Mr. Smiley that there already exists two speed zone flashers, one on Route 629 coming out to Route 30 from Walkerton, and one on Route 30 before you come to the schools. Mr. Smiley questioned the possibility of installing a 25 MPH sign on Route 629 turning off of Route 30 to the schools, and Mr. Stunkle indicated that the 25 MPH speed limit only applies when school buses are arriving and departing the school.

W. F. Adams continued the questioning to Mr. Stunkle regarding the speed limit on Route 30 right in front of Hamilton-Holmes School. Mr. Stunkle responded that the speed limit is 55 MPH when the school buses are not arriving or departing, and 25 MPH when they are. Mr. Adams discussed the possibility with Mr. Stunkle of lowering the speed limit in this stretch of Route 30. Mr. Stunkle indicated he would ask that the Engineering Department do a traffic study on this area.

**RE: FINANCIAL MATTERS – TERRI HALE, ASSISTANT COUNTY ADMINISTRATOR**

a. Public Hearing – FY-05 Proposed Budget Including Tax Levies and Fees

Terri E. Hale, Assistant County Administrator, presented and reviewed the draft FY-05 Budget, including the public school system budget, tax levies and fees. She indicated that the first draft of the Budget was delivered to the Board on February 23, 2004, and the Board held a work session on February 28, 2004. After the work session, all the changes were incorporated into the draft document and advertised on March 10, 2004.

The proposed Budget totals \$37,608,850.00, which includes \$16,896,510.00 for the General Fund, \$18,285,020.00 for the School Fund, \$1,954,500.00 in Special Revenue Funds and \$472,820.00 for Capital Projects Funds. This proposed document includes a tax increase on the School Fund side only of \$.14 on the Real Estate Rate, which brings that tax rate from \$.94 to \$1.08. Also, proposed is an increase in the Personal Property Tax Rate of \$.10, from \$3.55 to \$3.65, for the School Fund side only. No increases are proposed for the Machinery and Tools Levy or in the BPOL (Business, Professional, and Occupational License).

Speaking on behalf of the Board, Chairman C. T. Redd, III stated that the proposed budget presented by the School Board to the Supervisors contained very reasonable requests for this year. Unfortunately, the School Board has some very large legal obligations that had to be included – Debt Service of approximately \$600,000.00 and another being a State Assessment, which the County could not get out of, for approximately \$353,000.00, for VSRS payments. These two items total almost one million dollars of the School Budget. The Chairman indicated that the Board of Supervisors discussed this proposed School Budget in great detail and concluded that the proposed salary increases for the teachers, staff, and all school

employees should remain, as they are the persons who make King William County Schools the great educational facility that it is.

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

Dr. Brenda Cowlbeck, Superintendent of Schools, thanked the Board for its support of the King William County Public Schools and for the confidence it places in the School Board and the entire school division. In addition, she expressed appreciation for the Board's support of their proposed FY-05 School Budget.

Vinson Harris, Director of Finance and Operations for King William County Schools, thanked the Board for its willingness to continue to support King William County Public Schools and requested the Supervisors to continue, as has been done in the past, to appropriate school funds to allow maximum flexibility in their use.

Judiann Shaver, Director of Parks and Recreation, expressed appreciation to the Board for its continued support of the Parks and Recreation Program. The Program was established in 1992 and since then, has grown to offer over 150 different recreational opportunities for the citizens of the County in a calendar year. In 2003, the Department had close to 7,000 citizens participate in the programs sponsored by the Recreation Department.

Ben Owen, Director of Social Services, spoke on behalf of the Social Services Board, thanking the Supervisors for their continued support of the needs of the Department of Social Services.

Herb White, a resident of 1186 Mill Road in Aylett, addressed the Board regarding two areas in the proposed Budget which he has heard no mention of in this public hearing tonight. They are the emergency medical services of the County, the fire and rescue protection service, particularly during the day time hours when most of the volunteers are away from the County at their place of work, and the law enforcement services by the Sheriff and his Deputies. Both of these services are very important to the future development of this County and should be considered favorably during this budget process.

Jeff Walton, Sheriff, appeared before the Board to express his appreciation for the Board's continued support of his Department and staff. He indicated that the large

majority of funding for his Department does come from the State, and as everyone is aware, the General Assembly has not yet completed its budget process for this year, but, he would like to express his appreciation to the Board for its support.

There being no other persons appearing to speak for or against this proposed Budget document for FY-05, the public hearing was declared closed by the Chairman.

b. Set Date, Time, and Place for Consideration of Adoption of Proposed FY-05 Budget, Including Tax Levies and Fees, and for Appropriation of Funds - On motion by W. F. Adams, seconded by O. O. Williams and carried unanimously, the Board determined that it will recess this meeting tonight and reconvene in open session on Monday, March 29, 2004, beginning at 7:00 p.m, in the Board Room of the King William County Administration Building, to consider for adoption the proposed FY-05 Budget including tax levies and fees.

**RE: PLANNING MATTERS – MATTHEW L. WALKER, DIRECTOR OF COMMUNITY DEVELOPMENT**

a. Public Hearing – Zoning Case #Z-07-03 – Request to Rezone 2 Acres from A-C to B-2, Applicant: Store-More, Inc. - Matt Walker, Director of Community Development, presented and reviewed the application of Store-More, Inc., Zoning Case #Z-07-03, for rezoning approximately 2 acres from an A-C to a B-2 District, with proffers, to allow for the possible future expansion of the mini-storage facility which is currently under development. This property is located on the west side of Route 360, approximately 2 miles east of the intersection of Route 360 and Route 30 at Central Garage, behind the mini-storage facility currently under development. The applicant has proffered conditions that address the future development of the site, the County's development standards concerning mini-storage use, lighting and screening. In addition, the applicant states the intent to keep at least 40% of the site pervious (undeveloped open space without impervious surfaces such as roof tops or driveways) for use as a buffer between adjoining properties.

Billy Payne, owner of Store-More, Inc., addressed the Board indicating that this parcel, if rezoned as requested, will be used in conjunction with the mini-storage business for future expansion or for the parking and storage of RV's and boats. He stated that these two acres will not be visible from Route 360 and will be accessible

only through the rear of his current project. He stated that he will leave a buffer of trees between his property and the adjacent properties.

Thereupon, the Chairman declared the public hearing open for comments on Zoning Case #Z-07-03, and requested anyone desiring to speak for or against this proposal to come forward.

No persons appeared to speak for or against the proposal, therefore, the public hearing was declared closed by the Chairman.

b. Consideration of Case #Z-07-03 - Mr. Walker reported that the Planning Commission considered this application in public hearing on January 12, 2004, and recommended approval to the Board of Supervisors with acceptance of the applicant's most recent list of proffers.

Thereupon, on motion by T. G. Smiley, seconded by W. F. Adams and carried unanimously, the Board accepted the recommendation of the Planning Commission and approved the application (Zoning Case #Z-07-03) of Store-More, Inc., William V. Payne, owner, as stated above, for a change in zoning classification on a portion (approximately 2 acres) of Tax Map Parcel 22-19 from A-C to B-2 with the applicant's most recent proffered list of conditions.

At this point in the meeting, the Board recessed for a brief time. Upon completion of the brief recess, the Chairman reconvened the meeting.

c. Public Hearing – Zoning Case #Z-03-03, Request to Rezone with Proffers Parcels 22-20, 22-20E, and 22-20F from A-C to R-1 and B-2, Applicant: Rogers-Chenault, Inc., Kennington Place, LLC and Public Hearing – Zoning Case #CUP-02-03, Request for Conditional Use Permit for 172 Multi-Family Dwelling Units, Applicant: Rogers-Chenault, Inc., Kennington Place, LLC

Matt Walker, Director of Community Development, presented the applications of Rogers-Chenault, Inc., Kennington Place, LLC, Zoning Case Z-03-03, Request to Rezone, with proffers, Tax Map Parcels 22-20, 22-20E, and 22-20F, approximately 318 acres, from an A-C District to an R-1 District and a B-2 District, and Zoning Case #CUP-02-03, Request for Conditional Use Permit for 172 Multi-Family Dwelling Units. Mr. Walker explained that Kennington Place, LLC. c/o Rogers-Chenault, Inc. as represented by James Duke, has applied for rezoning to R-1 with proffers to allow for

the development of up to a 229 lot single-family major subdivision on approximately 156 acres, and a 172 unit multi-family development consisting of townhouses and carriage style homes on approximately 39 acres, for sale. The request also seeks rezoning an area to B-2 with proffers to allow future marketing and development of commercial uses along Route 360. This property is located on the northwest side of Route 360, approximately one and one-half miles north of the intersection of Route 30 and Route 360 at Central Garage.

Duffy Mytetus, attorney representing Kennington Place, LLC, appeared before the Board and introduced other representatives in attendance on behalf of the applicant - Jim Duke, Todd Rogers, and Mike Chenault of Rogers-Chenault, Inc., and Mr. Terry Cave with the Timmons Group, who has been responsible for the conceptual planning and related engineering materials submitted as part of the applications. Mr. Mytetus presented and reviewed the two applications and proffered conditions. He indicated that the proffers are probably more refined now than when first submitted. He gave a power point presentation on the proposed project, which indicated the project consists of approximately 317 acres, broken down into three separate sections; the single family residential section consists of 227 acres, the commercial section along Route 360 consists of 51.9 acres, and the proposed multi-family section consists of 39 acres. He highlighted some of the proffered conditions including: (1) Roads – The applicant has proffered to provide the right-of-way and construct any on-site and off-site road improvements that are required by VDOT as the project is developed, such as turn lanes. In addition, the applicant has proffered to pay \$150,000.00 towards a traffic light at Entrance No. 1 (Route 360 between Venter Road and Mill Road), and proffered to pay \$50,000.00 towards a traffic light at the Venter Road intersection with Route 360. The applicant has also proffered to bond the money for these lights for ten years. (2) Water & Sewer – The applicant has proffered to connect to both water and sewer. In addition to the costs of improvements on the property, this includes paying for the extension of the gravity sewer across Route 30 approximately 1,000 feet, the construction of a lift station, and the construction of a force main line to the development. The applicant also proffers to pay for upgrades to two existing pumps east of Route 30 and the upgrade of over a mile of force main from

4" to 6". The applicant also is proffering to building a 6 inch water well and well building on the property, install all lines to the homes, and construct a water line from the development back to the tie in at Central Garage. The cost of the off-site improvements, which will be owned by the County and/or Hampton Roads Sanitation District, is approximately \$700,000.00. In return, the County agrees to extend the service districts to include the development, and agrees to enter into an agreement in which the applicant receives credits against the investment for other developments that tie into the water and sewer lines. (3) Streets – The applicant has stated that the internal streets will be paved and will have curbs and gutters. (4) Cash Proffers – A cash proffer in the amount of \$5,976.00 per single-family dwelling unit and per attached residential unit shall be paid prior to the issuance of building permits. The applicant has proffered that the proffers will be adjusted by the cost of living for each building permit issued two years or more from the date the first building permit is issued. (5) Pool and Other Recreational Amenities – The applicant has proffered to commence construction of the pool and other amenities following the issuance of 150 building permits for the entire development or 5 years, whichever is earlier, and will finish construction of the pool and clubhouse within six months of starting construction. (6) Offering Homes for Sale – The applicant proffered that it would offer all homes for sale, rather than rental, with the condition that if an individual house did not sell for six months, it could be rented but would continue to be marketed for sale. This condition would be a recorded restriction, so that it would apply if another company purchased the development from the applicant.

The Chairman declared the public hearings open to consider both applications (Case #Z-03-03) and Case # (CUP-02-03) simultaneously, and the following persons appeared to speak:

Joshua Rellick of 353 Cherry Hill Circle in Aylett, opposed the proposed development stating that this is the largest subdivision ever proposed in the County and discussed some of the growth issues and their effects on the services provided by King William County such as emergency medical services, fire protection services, law enforcement, and educational services. He asked the Board to preserve the existing

quality of life in King William County and reduce the number of homes permitted due to the services that will be required.

Eugene Rivara of 1270 Commins Road in Aylett, also asked the Board to consider the fire and rescue services that will be required for a project of this magnitude. He discussed some possible options for the County to control growth – increase proffers to full cost of impact reached per residential unit which would include the cost of general and government infrastructure and phase in residential growth. He indicated the Board has to have “Smart Growth”.

No other persons appeared to speak for or against the proposed applications, however, due to the absence of Board member, L. E. Byrum, Jr., who represents the Third Election District, wherein these application sites lie, the Chairman continued these public hearings to March 29, 2004, at 7:00 p.m. in the Board Room of the King William County Administration Building at King William Courthouse, in a reconvened meeting of the Board.

d. Consideration of Zoning Case #Z-03-03, Request to Rezone with Proffers Parcels 22-20, 22-20E and 22-20F from A-C to R-1 and B-2, Applicant: Rogers-Chenault, Inc., Kennington Place, LLC and Consideration of Zoning Case #CUP-02-03, Request for Conditional Use Permit for 172 Multi-Family Dwelling Units, Applicant: Rogers-Chenault, Inc., Kennington Place, LLC

Due to the absence of Board Member, L. E. Byrum, Jr., of the Third Election District, the Board continued the public hearings on these two cases until March 29, 2003, at 7:00 p.m. and no action was taken on these two cases.

At this point in the meeting, the Board recessed briefly. Having completed the recess, the Chairman called the meeting back to order.

f. Public Hearing – FY-05 Capital Improvements Plan (CIP) - Matt Walker, Director of Community Development, presented the proposed 2005 Update of the King William County Capital Improvements Plan (CIP). He explained that the CIP is a general guide to aid the Board of Supervisors in preparing for and measuring the cost of potential future capital infrastructure needs. Mr. Walker explained that the various areas of the County’s infrastructure were examined by the respective department and agency heads to effectuate the most rational estimation of future needs possible. The

CIP is not an accounting document, but rather a guide and general plan. The major projects included in the FY-05 through FY-09 Plan were then reviewed by Mr. Walker.

The Chairman declared the public hearing open for comments for or against the proposed 2005 Update of the County CIP.

No persons appeared to speak.

Thereupon, the public hearing was closed by the Chairman.

b. Consideration of FY-05 Update of the King William County Capital Improvements Plan

The Board discussed various items included in the proposed CIP update, and upon motion by T. G. Smiley, seconded by W. F. Adams and carried unanimously, the Board adopted the 2005 Update of the King William County Capital Improvements Plan as presented in public hearing.

**RE: PUBLIC SAFETY MATTERS – FRANK A PLEVA, COUNTY ADMINISTRATOR**

a. Public Hearing – Extension of Exemption of Building Fees for Damage Resulting from Hurricane Isabel and the September 23, 2003, Storm, Through Friday, October 1, 2004 - The County Administrator explained that this public hearing is to receive comment and to consider the proposed amendment of an ordinance entitled “An Ordinance providing for Exemptions from Building and Other Land Development Fees for Construction Necessitated by Certain-Related Damage”. He indicated that the Board adopted this ordinance on an emergency basis on September 29, 2003, and then readopted it on November 24, 2003, following an advertised public hearing. The Ordinance shall become void on and after April 1, 2004, unless readopted by the King William County Board of Supervisors. The proposed Ordinance amendment would extend the Ordinance, including the fee exemption provisions therein, through October 1, 2004.

Thereupon, the Chairman declared the public hearing open for comments. No persons appeared to speak for or against this proposed amendment. The public hearing was declared closed.

b. Adoption of Extension of Exemption - On motion by O. O. Williams, seconded by W. F. Adams and carried unanimously, the Board adopted the proposed

Amendment to the Ordinance Providing Exemptions from Building and Other Land Development Fees for Construction Necessitated by Certain Storm-Related Damage, which extends the exemption provisions therein, through October 1, 2004.

c. Request that DEQ Extend Time Period that Landfill Can Accept Storm Related, Burnable Debris for an Additional Three Months - On motion by W. F. Adams, seconded by O. O. Williams and carried unanimously, the Board authorized the petitioning of the County to the Virginia Department of Environmental Quality for a three months extension of the time period which the landfill located on Route 30 can accept storm related, burnable debris.

**RE: UPDATE ON COUNTY PROJECTS – FRANK PLEVA, COUNTY ADMINISTRATOR**

a. Mt. Olive Community Improvement Project - Frank Pleva, County Administrator, reported that work is being done to transfer title of the existing community well and lot to the County, that some potential mass drainfield sites have been identified, and that within 45 to 60 days some of the rehabilitation work is to begin.

b. Courts and Public Safety Facility - The County Administrator reviewed the updated report prepared by Kevin Vaughan, Clerk of the Works on this project.

c. Regional Animal Shelter - It was indicated by County Administrator, Frank Pleva, that he has been in contact with the King and Queen County Administrator, Ron Hachey, and with Bill Hefty, County Attorney for King and Queen County, regarding discussions of two possible sites for location of the regional animal shelter – (1) on a surplus parcel in the King and Queen School System, or (2) possibly a site on the property behind the new King William County Courts and Public Safety Facility.

**RE: APPOINTMENTS**

a. Recreation Commission – One Member, Representative from King William School System, to Fill Unexpired Term of Kathy Campbell, Term Expires 6/30/06 - On motion by T. G. Smiley, seconded by O. O. Williams and carried unanimously, the Board appointed Terry Sims Adams to fill the vacated, unexpired term of Kathy Campbell, representing the King William County school system on the

King William County Recreation Commission. Ms. Adams was recommended for appointment by the King William County School Board. Said term expires June 30, 2006.

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

Harry Whitt, Treasurer, reported that 41 properties with past due taxes for the year, 2001, have been turned over to Jim Elliott for collection.

Eugene Rivara commended Matt Walker, Director of Community Development, on the excellent job he did in working with the developers of the Kennington rezoning project.

**RE: BOARD OF SUPERVISORS' COMMENTS**

a. W. F. Adams commented on the smooth flow of the FY-05 budget process.

b. O. O. Williams spoke in favor of higher proffers for fire and rescue service needs.

**RE: CLOSED MEETING PURSUANT TO SECTION 2.2-3711(A)(7), CODE OF VIRGINIA, 1950, AS AMENDED, FOR CONSULTATION WITH LEGAL COUNSEL REGARDING COURTHOUSE WALL LITIGATION**

On motion by O. O. Williams, seconded by T. G. Smiley and carried unanimously, the Board entered Closed Meeting pursuant to Section 2.2-3711(A)(7), Code of Virginia, 1950, as amended for Consultation with Legal Counsel Regarding Courthouse Wall Litigation.

Having completed the Closed Meeting, the Board reconvened in open meeting on motion by O. O. Williams, 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, 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 O. O. Williams 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 matter discussed in closed meeting.

**RE: RECESS OF MEETING**

There being no other business to come before this Board, on motion by T. G. Smiley, seconded by W. F. Adams and carried unanimously, this meeting was recessed until 7:00 p.m. on March 29, 2004, in the Board Room of the King William County Administration Building at King William County Courthouse.

COPY TESTE:

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C. T. Redd, III  
Chairman

\_\_\_\_\_  
Frank A. Pleva  
County Administrator