

**MINUTES**  
**KING WILLIAM COUNTY**  
**BOARD OF SUPERVISORS**  
**MEETING OF MARCH 24, 2008**

**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF KING WILLIAM COUNTY, VIRGINIA, HELD ON THE 24<sup>TH</sup> DAY OF MARCH, 2008, BEGINNING AT 7:00 P.M. IN THE BOARD ROOM OF THE COUNTY ADMINISTRATION BUILDING AT KING WILLIAM COURT HOUSE, ORDER WAS CALLED WITH THE FOLLOWING PERSONS PRESENT:**

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

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

**RE: APPROVAL OF MEETING AGENDA**

On motion by T. G. Smiley, 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: Move Item 7 – Public Comment Period – up to become Item 4a; and change Item 12a to become Authorization to Set a Public Hearing on the Request for Conditional Use Permit by Rappahannock Electric Cooperative. Items 13a and 13b – Update on County Projects – Regional Animal Shelter and Mt. Olive Community Development Project – were deleted.

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

Garrie Rouse addressed the Board regarding the King William Reservoir Interim Project Financing Agreement being considered by the Board later in this meeting. He encouraged the Board not to act on this Agreement at this meeting but to defer action to allow more time for review. Based on the following points, he requested the Board to defer a decision – (1) In November, 2007, the Board of Supervisors voted to not acquire any more properties for the Reservoir project until all construction-related State and Federal Permits were granted for the project, and, if additional properties

were acquired, then the expense and financing for such acquisitions shall be the sole responsibility of the City of Newport News. (2) The contract with Newport News obligates the County to purchase the properties, but does not set a time line for said purchases. (3) He requested that these properties not be purchased before Newport News receives its renewal permit from the State Water Control Board which will not be considered until the year 2012. (4) He requested that citizens be given more time to review this draft document prior to the Board making its decision.

Gene Campbell of 446 White Oak Landing Road stated that the site for the proposed motorcross park is not acceptable, and asked the Board to vote the will of the people when the application is before them for a decision.

Joe Tannery, a staff attorney for the Chesapeake Bay Foundation, spoke concerning the proposed Interim Project Financing Agreement for the King William Reservoir. He asked that the Board delay its decision on this proposed Agreement to allow for a 30 day public comment period.

Don Wagner, representing the "Citizens for King William County" group, stated opposition to the potential motorcross facility being located in King William County and indicated that the Citizens Group has obtained 1,000 plus signatures of adult County residents who oppose the motorcross. He indicated that the Citizens Group will not continue to speak at each monthly Board of Supervisors meeting on this topic, but will closely monitor the status of the application.

Tom Rabino, Co-Chairman of the "Alliance to Save the Mattaponi" group asked the Board to delay its decision on the proposed Agreement with Newport News to allow landowners the opportunity to review it. He stated that it is very risky for the County to purchase these properties before Newport News has all the necessary permits for the project in hand. He also discussed the point that Newport News is proposing to purchase 20% more land than is actually needed, that the proposal is to purchase 3,100 acres, when only 2,500 acres are needed.

Ernest Glazebrook of 167 Scotland Landing Road, thanked the Board for adopting a Resolution at the February meeting supporting the tradition of hunting with dogs in King William County. He also stated that citizens are concerned about the Reservoir project and asked the Board to take some time to consider this issue.

Robert Richardson of James City County addressed the Board regarding the Reservoir Interim Project Financing Agreement asking that the decision on the Agreement be deferred until County citizens have had a chance to review and comment.

Stephen Greenwood of 121 Harris Road in Aylett, commented on the Reservoir Interim Financing Agreement asking that the Board's decision not be made for 30 days to give citizens time to review. He also discussed the public hearing date for the proposed FY-09 Budget for the County.

Kitty Cox discussed the Reservoir issue also, asking that the Board not go forward with the Interim Financing Agreement at this time to take family land from citizens with the SWCB Permit still so unsure for Newport News.

Greg Anischeck of 5890 Dorrell Road in Aylett, addressed the Board to echo comments made by others regarding the request for a 30 day delay on the Board's decision making. He asked the Board to give serious consideration to this issue.

Kelly Place of York County, representing the Watermen's Association, asked the Board to delay land purchases until all permits are obtained by Newport News. He posed the question whether or not affected landowners have been notified that they will be losing their land sooner if this Agreement is approved.

Donald Kellum of 13806 West River Road in Aylett, stated that he supports the proposed motorcross park 100%. He indicated that he has an 11 year old son that is involved in the sport and he has seen him and other children his age and older, excel in a sport they like to do. It has been good for a lot of kids. He stated that he understands the concerns about the noise, but he feels the developer will do everything possible to provide adequate noise controls for the surrounding areas. He feels this proposed facility is a good opportunity for the County.

**RE: KING WILLIAM RESERVOIR PROJECT – PROPOSED INTERIM PROJECT FINANCING AGREEMENT**

Vernon E. Inge, Jr. Esquire with the firm of LeClair Ryan, an independent legal counsel employed by the County, addressed the Board to review the proposed Interim Project Financing Agreement for the Reservoir. He indicated that the Board had voted in November, 2007, not to approve financing to acquire land necessary for the

Reservoir project and that Newport News had sent a letter dated December 4, 2007, claiming that King William's action was in direct conflict with the Project Development Agreement by its vote to not issue the bonds to acquire the property. This put King William County in dispute with Newport News.

In reviewing the history of the project, Mr. Inge stated that King William County entered in the Project Development Agreement for the Reservoir on November 13, 1990, and that there also are several amendments and related agreements, including a lease.

Continuing, he listed advantages for King William including the economic development potential, the lease payments from Newport News that will provide substantial revenue to the County, and the water source for future County development.

In addition, Mr. Inge acknowledged the current opposition to the project which is the concern that because the project is being contested for environmental reasons – if the project never happens – the County would be “stuck with” the land acquired. He advised that the Project Development Agreement provides that King William County must acquire the property, and if acquisition of the property is not begun now, it would result in very expensive litigation. Both he and the County Attorney agree, that litigation costs would likely exceed \$100,000.00.

He advised that on January 25, 2008, he and a delegation from King William County met with representatives of Newport News to try to resolve this dispute, and an agreement has been negotiated. This agreement improves the arrangement for King William County in order to resolve the dispute. The Interim Project Financing Agreement was negotiated with the following points in exchange for King William County agreeing to begin the acquisition process now:

Newport News will fund the acquisitions.

King William County must reimburse Newport News, without interest, for the fair market value of the property within one year after the final permits for the construction of the Reservoir are issued by the Commonwealth of Virginia.

King William County may reimburse at any time.

Rent from Newport News begins after reimbursement payment.

Newport News will make payments to King William County in the amount of real estate taxes on the property until rent payments begin.

Continuing, Mr. Inge stated that King William County will not lose tax revenue on the property acquired, and will not be required to accrue any debt until up to one year after the final permit is issued to Newport News. In addition, when the debt is issued, the rent payments should far exceed the debt service.

In discussing the major concern that King William County would be “stuck” with the land if the project was terminated, he stated that King William County could elect to keep or sell the land. If King William County decides to sell, Newport News must continue to pay rent until the properties are sold. If the properties can’t be sold within a reasonable period, not to exceed 36 months, Newport News must purchase the properties.

In further discussion, Mr. Inge noted that King William County has already acquired, between 1998 and December, 2007, a few properties, and these properties have been financed by Newport News. Newport News has also been paying rent on these properties even though Newport News paid for them and has not been reimbursed. They will continue to pay rent on these properties through June 30, 2008.

It was the recommendation of Mr. Inge that the Board of Supervisors agree to enter into this Interim Project Financing Agreement as this settlement avoids expensive litigation, creates the right for King William County to get rent even if the project is terminated, keeps King William County from being “stuck” with the property if the project is terminated, gets interest-free financing for the acquisitions, but, doesn’t get rent until reimbursement is made to Newport News for the acquisitions, however, will get tax payments.

b. Consideration of Approval of Proposed Interim Project Financing Agreement - On motion by T. G. Smiley, seconded by D. L. Wright and carried with the following roll call vote, the Board approved the Interim Project Financing Agreement with Newport News for the Reservoir:

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

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

**COUNSEL EMPLOYED AND RETAINED BY THE BOARD OF SUPERVISORS  
REGARDING SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF  
LEGAL ADVICE BY SUCH COUNSEL PERTAINING TO THE CONSTRUCTION OF  
THE REGIONAL ANIMAL SHELTER**

On motion by T. G. Smiley, seconded by C. L. Schools and carried with a unanimous roll call vote, the Board entered closed meeting pursuant to Section 2.2-3711A(7) of the Code of Virginia, 1950, as amended, for the above stated.

Having completed the Closed Meeting, the Board reconvened in open meeting, on motion by O. O. Williams, seconded by D. L. Wright and carried with a unanimous roll call vote.

In accordance with Section 2.2-3412D of the Code of Virginia, 1950, as amended, C. L. Schools 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 Virginia Freedom of Information Act; and,

**WHEREAS**, Section 2.2-3712D 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: ACTION ON CLOSED MEETING MATTERS**

The Chairman announced that no action would be taken by the Board as a result of the discussions in the Closed Meeting.

**RE: CONSENT AGENDA**

On motion by D. L. Wright, seconded by O. O. Williams and carried unanimously, the Board adopted the following items on its Consent Agenda:

- a. Minutes of the Regular Monthly Meeting of February 25, 2008, as written
- b. Claims against the County for March, 2008, in the amount of \$1,152,955.44 as follows:

- (1) General Fund Warrants #67035-67223 in the amount of \$505,699.92; Manual Checks #14164-14168 in the amount of \$389,292.88; Direct Deposits #10922-11038 in the amount of \$193,811.09; and Electronic Tax Payment in the amount of \$64,151.55

- (2) For informational purposes, Social Services expenditures for the month of February, 2008, Warrants #306537-306590 in the amount of \$40,503.61; Direct Deposits #1832-1848 in the amount of \$26,904.55; and Electronic Tax Payment in the amount of \$9,289.88

- (3) For informational purposes, Circuit Court expenditures for the month of February, 2008, Warrants #67009-67016 in the amount of \$5,126.95; Direct Deposits #276-279 in the amount of \$10,196.56; and Electronic Tax Payment in the amount of \$3,559.32

- (4) For informational purposes, Comprehensive Services Act Fund expenditures for February, 2008, Warrants #66768-66781 in the amount of \$68,466.51

- (5) Tax Refunds for the month of February, 2008, in the amount of \$727.65

- c. Appropriated the FY-08 Fourth Quarter of the School Operating Fund in the amount of \$3,226.919.00

- d. Approved payment of a fowl claim to Ms. Sibyl Rose in the amount of \$68.00 for two laying hens and six guineas killed by stray dogs.

**RE: APPROVAL OF RESOLUTIONS OF APPRECIATION ON ACHIEVING THE RANK OF EAGLE SCOUT**

- a. Christopher Lee Hodges - On motion by D. L. Wright, seconded by O. O. Williams, and carried unanimously, the Board adopted the following Resolution of Appreciation for Christopher Lee Hodges upon attaining the rank of Eagle Scout.

Upon its adoption, said Resolution was presented to Christopher by Chairman, C. T. Redd III

### **RESOLUTION OF APPRECIATION**

**WHEREAS**, Christopher Lee Hodges has been a member of the Boy Scouts for the past 12 years; and

**WHEREAS**, Chris recently earned the rank of Eagle Scout, the highest rank in Boy Scouts; and

**WHEREAS**, Chris has worked very hard to become an Eagle Scout, earning 21 merit badges and completing a leadership project; and

**WHEREAS**, for his leadership project, Chris organized a concert and food drive with local bands to benefit Corner Stone Food Pantry; and

**WHEREAS**, the concert was held at the King William Volunteer Fire and Rescue building and was so successful that it sparked the station to hold additional concerts for the youth of King William; and

**WHEREAS**, within Scouts, Chris served as past Senior Patrol Leader, past Assistant Senior Patrol Leader, past Patrol Leader and past Quartermaster; attended Buckskin Leadership Camp, served as a trainer at Junior Leadership Training and is a member of Order of the Arrow; and

**WHEREAS**, outside of Scouting, Chris is a Junior Squad Member for King William Volunteer Fire and Rescue Squad where he just completed Fire Fighter I training and is a member of the rock/ska band "Skwal" where he writes songs, sings, plays base guitar and performs regularly in Richmond area; and

**WHEREAS**, an 18-year-old senior at King William High School, Chris is the son of Nan Bandura, the stepson of Steve Bandura and has one sister, Caitlin Hodges; and

**WHEREAS**, after graduating from high school, Chris plans to attend Virginia Military Institute and possibly study foreign languages;

**NOW, THEREFORE, BE IT RESOLVED**, that the King William County Board of Supervisors recognizes Chris and congratulates him on all of his accomplishments; and,

**BE IT FURTHER RESOLVED**, that the King William County Board of Supervisors acknowledges Chris's leadership, dedication to the Boy Scouts and commitment to his community; 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 Chris, and shall be spread upon the meeting minutes of said Board of Supervisors.

b. Benjamin Donoghue Rellick - On motion by O. O. Williams, seconded by D. L.

Wright and carried unanimously, the Board adopted the following Resolution of Appreciation for Benjamin Donoghue Rellick upon attaining the rank of Eagle Scout. Upon its adoption, Chairman C. T. Redd III, presented this Resolution to Benjamin.

### **RESOLUTION OF APPRECIATION**

**WHEREAS**, Benjamin Donoghue Rellick has been a member of the Boy Scouts for the past 12 years; and

**WHEREAS**, Benjamin recently earned the rank of Eagle Scout, the highest rank in Boy Scouts; and

**WHEREAS**, Benjamin has worked very hard to become an Eagle Scout, earning 28 merit badges and completing a leadership project; and

**WHEREAS**, for his leadership project, Benjamin improved the nature trail at Zoar State Park by adding informational trail signs; and

**WHEREAS**, within Scouts, Benjamin served as past Senior Patrol Leader, past Assistant Senior Patrol leader and past Patrol Leader; he attended Buckskin Leadership Camp, served as a trainer at Junior Leadership Training and is a member of Order of the Arrow; and

**WHEREAS**, outside of Scouting, Benjamin is the Editor, King William High School Yearbook, a member of the National Honor Society, a member of the rock/ska band "Skwal" where he writes songs, sings, plays guitar, performs regularly in the Richmond area and recorded and produced 2 CDs for Skwal, including designing cover artwork; and

**WHEREAS**, an 18-year-old senior at King William High School & the Chesapeake Bay Governor's School, Benjamin is the son of Betsy Donoghue and John Rellick and has two brothers Joshua, 21, also an Eagle Scout, and Adam, 16; and

**WHEREAS**, after graduating from high school, Benjamin plans to attend college and study graphic design;

**NOW, THEREFORE, BE IT RESOLVED**, that the King William County Board of Supervisors recognizes Benjamin and congratulates him on all of his accomplishments; and,

**BE IT FURTHER RESOLVED**, that the King William County Board of Supervisors acknowledges Benjamin's leadership, dedication to the Boy Scouts and commitment to his community; 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 Benjamin, and shall be spread upon the meeting minutes of said Board of Supervisors.

**RE: KING WILLIAM COUNTY HEALTH DEPARTMENT – DR. THOMAS**

**IRUNGU – UPDATE ON ACTIVITIES**

Dr. Thomas Irungu, Health Director and Mrs. Kim Carlton, Public Health Nurse, appeared before the Board to provide an update on community needs and available services in King William County. Dr. Irungu advised that Mrs. Carlton has been named as Team Leader in the King William office.

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

**ADMINISTRATOR**

a. Public Hearing – Six Year Plan – FY 2009-14, Secondary Roads in King William County - Charles Stunkle, VDOT Residency Administrator, appeared before the Board to conduct a joint public hearing with the Board on the proposed Six Year Plan (FY 2009-14) for Secondary Roads in King William County. Mr. Stunkle explained that some revisions have been made to the proposed Plan which reflects more than a one third cut in dollars than the figures that were discussed at the Board's work session held during the February meeting. These dollar figures have been applied to projects indicated by the Board in the work session to be included in the

Plan. In addition, Mr. Stunkle advised that the two unpaved roads, for new surface treatment, as determined by the Board in its recent Work Session, are included in the Plan -- the first mile of Route 625 (Custis Mill Pond Road), and Route 608 (Hazelwood Road), although it will not be completely financed within the Plan. Continuing, Mr. Stunkle indicated that the major projects in the Plan include Route 604 (Dabney's Mill Road), the section from Route 30 to .75 mile south of Route 615; and Route 608 (Upshaw Road) from Route 600 to 1 mile west of Route 607 (approximately 1/3 financing is within this Plan), and Route 600, the bridge and approaches over Fox Mill Run. He indicated that the bulk of this project is to be funded with federal bridge replacement funds. Also, included in the Plan is Route 604 (Dabney's Mill Road), curve improvement between Route 360 and Route 602. This is the project that was in the former plan and is not proposed for any funding, based on the limitation VDOT now has. In further review of the proposed Plan, Mr. Stunkle indicated that in the Town of West Point, another federally funded bridge replacement project, Route 1003, (Chelsea Road) is included.

Thereupon, the public hearing was declared open by the Chairman and the following addressed the Board:

Eugene L. Campbell, Jr. of 446 White Oak Landing Road, spoke regarding the proposed curve improvements on Route 604, (Dabney's Mill Road), between Route 360 and Route 605, which he understood this project would not be done in the foreseeable future. He feels there are other areas along Route 604 that are more dangerous than the curve that is proposed for improvement, particularly, one that is .2 mile north from the intersection of Route 602. It is a hill that virtually has no site distance. If you meet another vehicle there, and that vehicle is over in your lane, you have no place to go because of the embankment. He feels very strongly about this danger, and asked the Board to look at this and include this improvement into future projects.

There being no other persons appearing to speak for or against the proposed Six Year Plan, the public hearing was declared closed by the Chairman.

b. Consideration of Six Year Plan – FY 2009-14 - Upon the recommendation of Charles Stunkle, VDOT Residency Administrator, to table action on this proposed Plan at this time due to the uncertainty of the final dollar amounts from the General Assembly, a motion

was made by T. G. Smiley, seconded by O. O. Williams and carried unanimously, to defer action on the proposed Six Year Plan until the Board's May, 2008, meeting.

c. Adoption of Resolution Accepting Holly Court and LaMae Court Into VDOT's Secondary Road System - On motion by T. G. Smiley, seconded by D. L. Wright and carried unanimously, the Board adopted the following resolution requesting the Virginia Department of Transportation to add two streets located in Venter Heights Subdivision to the Secondary System of State Highways. These two streets are: LaMae Court (State Route 1218) from Route 1242 (LaMae Circle) to cul-de-sac, a distance of 0.04 mile with a right of way width of 50 feet; and Holly Court (State Route 1219) from Route 1241 (Holly Road) to cul-de-sac, a distance of 0.04 mile with a right of way width of 50 feet.

#### **RESOLUTION**

**WHEREAS**, the streets described on the attached Additions Form LA-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of King William County; and,

**WHEREAS**, the representative for the Virginia Department of Transportation has advised this Board that streets meet the requirements established by the Virginia Department of Transportation's Subdivision Street Requirements; and,

**NOW, THEREFORE, BE IT RESOLVED**, that this Board requests the Virginia Department of Transportation to add the streets described as LaMae Court (State Route 1218) from Route 1242 LaMae Circle to cul-de-sac, a distance of 0.04 mile with a right of way width of 50 feet, and Holly Court (State Route 1219) from Route 1241 Holly Road to cul-de-sac, a distance of 0.04 mile with a right of way width of 50 feet, to the secondary system of State highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, after receiving a copy of this Resolution and all outstanding fees and documents required of the developer, whichever occurs last in time.

**BE IT FURTHER RESOLVED**, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage; and,

**BE IT FURTHER RESOLVED**, that this Board hereby guarantees the subject streets against faults in materials and workmanship for a period of one year following the Department's acceptance of the street and agrees to reimburse the Department its cost for any remedial work required during this one-year period due to failure caused by faulty materials or workmanship; and,

**BE IT FINALLY RESOLVED**, that a certified copy of this Resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

c. Route 644 (Olde Footpath Road) - O. O. Williams discussed a problem on Olde Footpath Road with Mr. Stunkle regarding numerous potholes and requested that VDOT check on this situation.

d. Route 615 (Nelsons Bridge Road) - O. O. Williams made the Board aware of a situation on Nelsons Bridge Road as you cross into King William County

from Hanover County, approximately  $\frac{3}{4}$  mile, where the pavement is breaking up and the roadway is getting more narrow. Mr. Stunkle was requested to investigate this matter.

e. Eltham Bridge in West Point - C. T. Redd III questioned Mr. Stunkle regarding posted speed limits on the new Eltham Bridge. He stated that the speed limit coming into Town from New Kent County across the Eltham Bridge (Pamunkey River) turns to 35 MPH at the top of the hill headed down. He questioned why the speed limit is set at 35 MPH leaving Town headed up to the top of the hill, when the speed limit posted on the Mattaponi River Bridge is 45 MPH. Mr. Stunkle responded that these are speed limits recommended by the VDOT Traffic Engineers after they did the speed study. Mr. Redd requested that Mr. Stunkle contact the Traffic Engineers regarding these speed limits.

**RE: PLANNING MATTERS – SCOTT LUCCHESI, COMMUNITY DEVELOPMENT DIRECTOR**

a. Setting of Public Hearing Date – Request for Conditional Use Permit to Build an Electric Transformer Substation on Property Described as Tax Map 11-82B; Owner/Applicant: Rappahannock Electric Cooperative - On motion by T. G. Smiley, seconded by O. O. Williams and carried unanimously, the Board authorized a public hearing to be set for the Board's regular April, 2008, meeting to consider an application from Rappahannock Electric Cooperative for a Conditional Use Permit to build an electric transformer substation on property described as Tax Map 11/82B. Said meeting will begin at 7:00 p.m. in the Board Room of the King William County Administration Building at King William Court House.

**RE: APPOINTMENTS**

a. All-Hazards Emergency Planning Committee – Three Members From Each Election District - On motion by T. G. Smiley, seconded by O. O. Williams and carried unanimously, the Board appointed the following persons to serve as members of the newly created All-Hazards Emergency Planning Committee.

<b><u>District #1</u></b>	Mark S. Davis
	Tim Brown
	Joseph W. Hirtz

**District #2** Herbert L. White, Jr.  
Jeff Walton, Sheriff  
Bobby Cannon

**District #3** Donald Kellum  
Judy Ramirez  
Sean Ellis

**District #4** Jack G. Barbour  
Brian Rimmer  
Brady M. Grim

**District #5** Rose G. Rice  
Chris Hubbard

b. Pamunkey Regional Library Board – One Member, Four Year Term, Term of James E. Mickens Expires 6/30/08 (NOTE: Mr. Mickens is not eligible for reappointment) - On motion by D. L. Wright, seconded by T. G. Smiley and carried unanimously, the Board appointed Ms. Gaynell Smith to serve a four year term representing King William County on the Pamunkey Regional Library Board. Said term will expire June 30, 2012.

**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 before the Board to speak.

**RE: BOARD OF SUPERVISORS' COMMENTS**

Various Board members thanked citizens for their attendance and participation at this meeting, and to the volunteers who have agreed to serve as members of the newly created All-Hazards Emergency Planning Committee.

**RE: CLOSED MEETING PURSUANT TO SECTION 2.2-3711A(1) OF THE CODE OF VIRGINIA, 1950, AS AMENDED, FOR DISCUSSION OF PERSONNEL MATTERS**

On motion by O. O. Williams, seconded by D. L. Wright and carried with the following vote, the Board entered Closed Meeting pursuant to Section 2.2-3711A(1) of the Code of Virginia, 1950, as amended, for discussion of personnel matters:

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

Having completed the Closed Meeting, the Board reconvened in open meeting, on motion by D. L. Wright, seconded by O. O. Williams 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 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 Virginia Freedom of Information Act; and,

**WHEREAS**, Section 2.2-3712D 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 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: ACTION ON CLOSED MEETING MATTER**

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

### **RE: ADJOURNMENT OF MEETING**

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

COPY TESTE:

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Frank A. Pleva, County Administrator

