

MINUTES

KING WILLIAM COUNTY

BOARD OF SUPERVISORS

MEETING OF MARCH 26, 2007

AT A REGULAR MEETING OF THE KING WILLIAM COUNTY BOARD OF SUPERVISORS HELD ON THE 26TH DAY OF MARCH, 2007, BEGINNING AT 7:00 P.M. IN THE BOARD ROOM OF THE COUNTY ADMINISTRATION BUILDING AT KING WILLIAM COURT HOUSE, THE MEETING WAS CALLED TO ORDER WITH THE FOLLOWING PRESENT:

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

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

RE: 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 the addition of Item 9 (a) – VDOT Matters – Adoption of Resolution Designation Vessels Lane (Route 659) as a Rural Rustic Road; the addition of Item 6 (g) Authorization for Advertisement of Public Hearing at the Board's Earliest Meeting to Consider Public Utilities Hook-Up Fees; the deletion of Item 6 (d) – Consideration of Voter Registrar's Request for Supplemental Appropriation of \$3,000.00, stating that this item will be discussed later in this fiscal year, if it becomes necessary; the deletion of Item 10 (a)(b)(c) – Update on County Projects by Frank A. Pleva, County Administrator – Regional Animal Shelter; Mt. Olive Community Improvement Project; and Public Utilities Improvements; and deletion of Item 11 (a)(b) – Appointments – Building and Code Appeals Board member; and Middle Peninsula Disability Services Board member.

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

Patricia and Danny Waltman addressed the Board with concerns about the damage to the spring fed, fresh water pond on their property located adjacent to the King William High School athletic fields construction project. Mrs. Waltman advised that there are 6 or 7 springs that feed this pond, and she feels a very important fact, their pond, was overlooked in the design of the school project. In order for them to assess the full impact this school construction will have on their property, she requested the Board of Supervisors to furnish them with a copy of the plans, including the grading, the drainage, the erosion control and all related notes, details and specifications on the school project. She indicated that they suspect most all of the water from the disturbed construction site will be draining into a silt basin before it is released from the school property, and if this is the fact, the County has changed the original sheet flow drainage to a concentrated drainage pattern. If so, they feel this will be a real problem, because whatever area of drainage that goes into this basin will come out to their property in a concentrated flow and go directly into their pond. Even if it comes out slowly, it will be concentrated to their area and eventually erode their property and cut a ditch into their pond. Previously, with sheet flow drainage, they have never had a problem with erosion on their site, even during the storms, Gaston, Katrina, or Isabel. However, on March 4th and through March 20th, two rains have occurred and their property received most all the silt that had been retained in the basin on the school site since the construction began. Mrs. Waltman advised that they are not aware of any drainage easement that exists for King William County that would allow all the water from this site to be deposited onto their property and into their pond. Therefore, she is requesting, in addition to the plans and specifications, that a copy of the drainage calculations and a copy of the environmental impact study made prior to construction, be submitted for a review. She continued that they have been advised to contact the Virginia Department of Conservation and Recreation (DCR) about this problem, but in the spirit of respect and cooperation to the County, and wanting to be a good neighbor to the County, they have not. She advised that they wanted to allow the County time to review and respond to this problem, and that they are in no way trying to cause a problem with the construction at the school, but are trying to resolve a major problem with destruction to their property. She stated that it

is their opinion that a major problem has been overlooked, and they would like to know who is going to pay for the investigation, the inspection, and the reclamation of their pond, and most importantly, who is going to make sure that this does not happen again or become an ongoing problem.

She continued that she has swum in this pond since they have lived on this property, and they train dogs, for a living, in this pond. At present, they can no longer allow dogs in the pond because they are not sure of what they could be coming in contact with. She advised that their pond needs to be cleaned out.

Mr. Waltman presented pictures to the Board of their pond area which depicts their concerns.

The Chairman advised Mr. and Mrs. Waltman that someone from the County staff will be in touch with them regarding this matter.

RE: CONSENT AGENDA

On motion by T. G. Smiley, seconded by O. O. Williams and carried unanimously, the Board approved the following items on its consent agenda:

a. Minutes of the Regular Meeting of February 26, 2007, were approved as written

b. Claims against the County for March, 2007, in the amount of \$1,110,778.99 as follows:

(1) General Fund Warrants #64381-64532 in the amount of \$590,604.23; Manual Checks #1411-14132 in the amount of \$288,181.01; Direct Deposits #971-9675 in the amount of \$174,431.88; and Electronic Tax Payment in the amount of \$57,561.87

(2) For informational purposes, Social Services expenditures for the month of February, 2007, Warrants #305692-305782 in the amount of \$45,952.12; Direct Deposits #1606-1622 in the amount of \$25,568.83; and Electronic Tax Payment in the amount of \$8,725.76

(3) For informational purposes, Circuit Court expenditures for the month of February, 2007, Warrants #64362-64369 in the amount of \$5,106.12; Direct Deposits #228-231 in the amount of \$9,823.98; and Electronic Tax Payment in the amount of \$3,377.45

(4) For informational purposes, Comprehensive Services Act Fund expenditures for February, 2007, Warrants #64371-64379 in the amount of \$16,975.80

(5) Tax Refunds for February, 2007, in the amount of \$1,245.22

c. Approved the fourth quarter of the 2006-2007 School Budget in the amount of \$3,232,109.00

d. Authorized a public hearing be held during the Board's regular April 23, 2007, meeting to be held in the Board Room of the County Administration Building beginning at 7:00 p.m. to consider utility easements on County properties

e. Adopted a revised Resolution on the Mt. Olive, Part Two, Comprehensive Community Development Block Grant (CDBG) Project Proposal Submission to the Virginia Department of Community Development

f. Authorized a public hearing to be held at the next earliest Board of Supervisors meeting to Consider Utility Hook-Up Fees. Said meeting to be held in the Board Room of the County Administration Building.

RE: ADOPTION AND PRESENTATION OF RESOLUTIONS OF APPRECIATION

a. Dr. Brenda Cowlbeck – On the Occasion of Her Retirement After 37 Years of Service in Virginia Public Schools

(1) **Delegate Christopher K. Peace** - Delegate Chris Peace appeared before the Board to present to Dr. Brenda Cowlbeck, a Senate Joint Resolution adopted during the recent General Assembly Session, which highlights a number of achievements of Dr. Cowlbeck during her career. Delegate Peace read this Joint Resolution and then presented it to Dr. Cowlbeck. In addition, he also presented a Commendation from the Virginia House of Delegates offering its sincerest congratulations in recognition of her retirement from service as Superintendent of King William County Public Schools. This Commendation was offered by Delegate Peace on the House of Delegates floor on March 1, 2007, and signed by the Clerk of the House of Delegates.

(2) **King William County Resolution – Chairman C. T. Redd III** - Chairman Redd presented the following resolution expressing the Board's deepest appreciation to Dr. Brenda Cowlbeck for her years of distinguished service to King

William County Public Schools and congratulating her on the occasion of her retirement. This resolution was adopted on motion by E. J. Rivara, seconded by O. O. Williams and carried unanimously, and presented to Dr. Cowlbeck.

RESOLUTION OF APPRECIATION

WHEREAS, after 37 years in education, Dr. Brenda F. Cowlbeck retired from King William County Public Schools on March 1, 2007; and

WHEREAS, Dr. Cowlbeck served in numerous professional capacities in other localities in southwest Virginia before coming King William County in 1999 as Principal of King William High School and was appointed Superintendent in 2001; and

WHEREAS, during Dr. Cowlbeck's tenure as superintendent, she oversaw significant improvements to the physical plant, including the construction of Cool Spring Primary School, the major renovation of King William High School, and the complete design for the reconstruction of the high school athletic complex; and

WHEREAS, Dr. Cowlbeck oversaw tremendous academic achievements of students and teachers that have resulted in all schools earning Virginia Standards of Learning accreditation, and both Cool Spring Primary School and Acquinton Elementary School meeting federal Adequate Yearly Progress standards this year; and

WHEREAS, during her tenure, Dr. Cowlbeck was named Region III Superintendent of the Year in 2004 and again in 2006; and

WHEREAS, in her retirement, Dr. Cowlbeck continues to reside in King William County and plans to expand her role on the faculty of Virginia Commonwealth University, where she has been an adjunct professor since 2000; and

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors expresses its deepest appreciation to Dr. Cowlbeck for her years of distinguished service to the King William County Public Schools; and,

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

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

b. **Mrs. Marion Jones – Chairperson, King William Court House Wall**

Restoration Committee

Chairman C. T. Redd III read the following resolution expressing the Board's deepest appreciation to Marion Jones, Chairman, and members of the Court House Wall Restoration Committee, Ruth Armatage, Ruth Childress, and Emilie Townsend, for their ongoing commitment to preserving this important piece of King William County's history, and for their efforts in seeking funding from other sources to pay for the repairs. This resolution was adopted on motion by O. O. Williams, seconded by

W. F. Adams and carried unanimously, and presented to Mrs. Jones and Committee Members:

RESOLUTION OF APPRECIATION

WHEREAS, the King William Historical Society's Wall Restoration Committee was formed more than 10 years ago in order to make improvements to the Courthouse wall, originally built in the 1840's; and

WHEREAS, original repairs to the historic wall began in 1999 after the committee led the Historical Society's efforts preparing and seeking funding from the county, grants and private donations; and

WHEREAS, work began on the east wall and due to a problem with the mortar, the work was unsuccessful; and

WHEREAS, in 2002, different firms, Art & Architecture and Norman Company, were hired and successfully completed repairs to the other three sides of the wall; and

WHEREAS, for three years, the County and Historical Society battled the contractor of the east wall in court until a settlement was reached in 2005; and

WHEREAS, in 2006, the east wall was in desperate need of repair and the Historical Society again hired Art & Architecture and Norman Company to complete the job; and

WHEREAS, in July 2006, restoration of the historic wall was complete; and

WHEREAS, members of the Wall Restoration Committee are: Marion Jones, chairperson, Ruth Armatage, Ruth Childress and Emily Townsend; and

WHEREAS, Mrs. Jones received a Recognition Award for beautification, conservation and preservation of the wall from the Garden Club of the Middle Peninsula;

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors expresses its deepest appreciation to Wall Restoration Committee members for their ongoing commitment to preserving this important piece of King William County's history; and,

BE IT FURTHER RESOLVED, that the King William County Board of Supervisors also commends the Wall Restoration Committee for their efforts in seeking funding from other sources to pay for the repairs; 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 the Wall Restoration Committee, and shall be spread upon the meeting minutes of said Board of Supervisors.

RE: BRIDGING COMMUNITIES REGIONAL CTE FOUNDATION, INC. – DR.

LARKIN PHILLIPS, DIRECTOR

Dr. Larkin Phillips, Director of the Bridging Communities Regional Career & Technical Education (CTE) Foundation, Inc., along with Mrs. Kathy Morrison of the CTE Advisory Council, addressed the Board to provide an update on the status of this regional project. He advised that several possibilities are being looked at for the location of the center, such as the old BeLo Store property in West Point.

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

a. Consideration of Resolution Designating Route 659 (Vessels Lane) as a Rural Rustic Road - On motion by T. G. Smiley, seconded by E. J. Rivara and carried unanimously,

the Board adopted the following resolution designating Route 659 (Vessels Lane) as a Rural Rustic Road, and requesting that the VDOT Residency Administrator concur in this designation.

RESOLUTION

WHEREAS, Section 33.1-70.1 of the Code of Virginia, permits the improvement and hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and,

WHEREAS, any such road must be located in a low-density development area and have a minimum of 50 vehicles per day (vpd), and have no more than 500 vehicles per day (vpd); and,

WHEREAS, the Board of Supervisors of King William County, Virginia, (Board) desires to consider whether State Route 659 (Vessels Lane) from the intersection of Route 607 to the dead end, should be designated as a Rural Rustic Road; and,

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and,

WHEREAS, the citizens that utilize this road have been made aware that this road may be paved with minimal improvements; and,

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and,

WHEREAS, this road is in the Board's Six Year Plan for improvements to the secondary system of State highways.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby designates this road as a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, that the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right of way and ditch lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in this current state.

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

b. Allocations for Secondary Six Year Plan – Charlie Stunkle, Residency Administrator, advised the Board of correspondence dated March 5th received from Commissioner Ekerin regarding allocation numbers for the secondary Six Year Plan, that were about 20% lower than the figures he used in formulating and approving the Plan. He advised that these figures will change, yet again, so once the final numbers are received, he will reallocate the funds to the projects and provide copies to the Board for review before asking for a resolution of formal approval.

c. Route 603 (Dover Lane) - Mr. Stunkle reported that a speed study on Route 603 (Dover Lane) has been completed as requested at the Board's last meeting

and it has been recommended for posting at 30 MPH with a couple of curve warning signs that will be required to go with the lower speed limit.

d. Route 625 (Custis Millpond Road) - Mr. Stunkle indicated that he called about getting a special traffic count done on Millpond Road, and was advised by the Traffic Engineering Department that all the secondary roads will be recounted this year.

e. Route 629 (Walkerton Road) - W. F. Adams explained that he has received calls regarding Route 629 (Walkerton Road) about the paving of the lanes and the center lines just left, which has created a dip between the two lanes of travel. This route needs a complete overlay and he questioned Mr. Stunkle about a plan to do this. Mr. Stunkle responded that the plan is to overlay the road, but it is not on the schedule for this year.

f. Route 637 (White Oak Landing Road) - W. F. Adams discussed a problem that occurs on Route 637 (White Oak Landing Road) which is an unpaved road that leads into the Dick Campbell property. When events are held at the Campbell property during dry weather, the road is very dusty, and during wet weather, the road becomes all rutted up. Mr. Adams reported that he received a request from a property owner along this route regarding the possibility of VDOT putting down some type of dust suppressant prior to this heavy traffic going to the events, as they have a young child with asthma and the dust causes problems.

Mr. Stunkle responded that VDOT has a contractor that sprays this route for the dust problem, but he needs to be notified in advance to do this. Thereupon, Mr. Adams advised Mr. Stunkle of the date of April 10, 2007, for the annual King William Ruritan Fish Fry at the Dick Campbell property and requested that Route 637 be sprayed with the dust suppressant in preparation for this event.

g. Traffic Light at Intersection of Route 360 and Route 30 - E. J. Rivara discussed a site visibility problem at the Central Garage intersection of Routes 360 and 30 with motorists not being able to see the traffic light. This occurs if a car or small vehicle pulls up behind a tractor-trailer truck or dump truck or any large vehicle, then the traffic light is blocked from the view of the motorist in the smaller vehicle. Mr. Rivara requested that VDOT investigate the possibility of installing traffic signals on the sides of Route 30 and Route 360 or

doing some thing to enhance the visibility of the signals to motorists in the smaller vehicles when the overhead signals are blocked by the larger vehicles.

Mr. Stunkle advised that the Traffic Engineer has looked at this intersection and determined that the overhead signals cannot be raised high enough to provide a good line of sight, but, he might consider installing side mounted signals.

C. T. Redd III requested that advance notification lights for the traffic signal ahead be installed 50 yards up and down and Route 30 and Route 360.

T. G. Smiley indicated that Route 360 has two different levels and different signage should be installed, as one side is higher than the other.

h. Route 628 (Dorrell Road) - O. O. Williams discussed a problem occurring on Route 628 (Dorrell Road). He indicated that VDOT put down a new overlay on this route last year, but no pipe and no rock were put down, therefore, when the rains come, mud washes down the road.

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

No persons appeared to speak.

RE: BOARD OF SUPERVISORS' COMMENTS

Various Board members thanked the attending citizens for their participation.

RE: RECESS OF MEETING

On motion by T. G. Smiley, seconded by O. O. Williams and carried unanimously, this meeting was recessed and will be reconvened at 7:00 p.m. on April 16, 2007, in the Board meeting room at King William County Administration Building, at which time the Board will conduct a public hearing on the proposed FY 2007-2008 Budget.

COPY TESTE:

Frank A. Pleva
County Administrator

