

**MINUTES**  
**KING WILLIAM COUNTY**  
**BOARD OF SUPERVISORS**  
**MEETING OF MAY 24, 2010**

**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF KING WILLIAM COUNTY, VIRGINIA, HELD ON THE 24<sup>TH</sup> DAY OF MAY, 2010, 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 PRESENT:**

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

**WILLIAM H. HEFTY, INTERIM COUNTY ATTORNEY**  
**WILLIAM C. PORTER, JR., INTERIM COUNTY ADMINISTRATOR**

**INVOCATION – REV. NANCY SUMMERLIN - PASTOR, BRETT-REED**

**MEMORIAL PRESBYTERIAN CHURCH**

The opening invocation was delivered by Rev. Nancy Summerlin, Pastor of Brett-Reed Memorial Presbyterian Church.

**RE: INTRODUCTION OF WILLIAM C. PORTER, JR, INTERIM COUNTY**

**ADMINISTRATOR**

The newly appointed Interim County Administrator, Mr. William C. Porter, Jr., was introduced by Chairman, T. G. Smiley. Mr. Porter began his duties with King William County on May 18, 2010.

**RE: APPROVAL OF MEETING AGENDA**

On motion by C. T. Redd III, seconded by D. L. Wright and carried unanimously, the Board adopted the agenda for this meeting as presented by the Interim County Administrator with the following changes: Under Item 8, Consent Agenda, Item 8d – Authorization to Remit 75% of Net EMS Billings to Rescue Squads, was deleted, and Item 8e – Approval of Payment Policy for Attendance at Planning Commission Meetings, was deleted. Under Item 11, Appointments, Items d 1-6 Appointment of William C. Porter, Jr., Interim County Administrator to Positions Vacated by Outgoing County Administrator, were deleted, and Item 11e – Appointment

of William C. Porter, Jr., Interim County Administrator as Clerk of the Board of Supervisors, was added.

**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 to speak.

**RE: VDOT MATTERS – MARCIE PARKER, SALUDA RESIDENCY ADMINISTRATOR**

VDOT Saluda Residency Administrator, Marcie Parker, addressed the Board to provide an update on VDOT matters. She reported that Dwayne Shiflet from Fredericksburg is now the Superintendent at the Rumford office and that Kevin Reeves is still in this office also.

Route 600 - Ms. Parker reported that Route 600 has been closed due to a wash out from the heavy rains and high water several months ago, and is now undergoing a pipe replacement. It is anticipated that this work will be completed next week and Route 600 will be reopened.

West Point Creek Bridge – Ms. Parker provided information regarding a Citizens Informational Meeting to be held on July 15, 2010, at the West Point Business Center regarding the approaches to the West Point Creek Bridge. Minor repairs were done last year, and now a more permanent repair is to be done. This will require the roadway to be reduced back down to just one lane in each direction for approximately 12 months.

Route 360 Guard Rails – VDOT has a contract to upgrade some of the guardrails on Route 360. This work should begin in the next few months.

Gray Manor Subdivision Streets Inspection - VDOT has done an inspection on the streets in Gray Manor Subdivision, a Community Development Block Grant project in the Mt. Olive community, and the comments will be sent out next week.

Stop Signs Located in the Medians – Ms. Parker reported that several Stop Signs located in the median of roadways throughout the County that are continuously being knocked down, are being considered by VDOT engineers to be moved from the

center of the roads to the right hand side of the roads, and possibly adding a “Stop Ahead” sign if necessary.

Route 608 (Globe Road) - O. O. Williams stated his unhappiness with the quality of roads in his district. Since all the wet weather during the winter months, a lot of the roads are deteriorating. In the past, he has commented about some of the poor resurfacing that has been done, and was told that the quality of work was better than average. He would like to see the roads done right the first time instead of being patched up later. On Route 608 (Globe Road) just off of Route 30, the shoulders are cracking and coming apart.

Route 644 (Old Footpath Road) - Mr. Williams indicated that there are drainage problems on Old Footpath Road, which he has brought to attention several times in the past, and the problems still exist.

Route 615 (Nelson’s Bridge Road) - Mr. Williams discussed a drainage easement on Route 615 (Nelson’s Bridge Road) approximately 200 yards off of Dabney’s Mill Road that somehow was discontinued. High water collects each time it rains.

Route 604 (Herring Creek Road) - Mr. Williams advised of problems on Route 604 (Herring Creek Road) with washouts and the pavement falling apart.

Stop Sign at Intersection of Route 619 (Horse Landing Road) with Route 30 - Mr. Wright discussed the problem occurring with the Stop Sign continually being knocked down at this intersection and requested that VDOT consider the possibility of installing the Stop Sign on the right hand side of the roadway instead of in the center/median.

Grass Cutting by VDOT – Mr. Wright requested that VDOT cut the grass on Route 360 at the intersection of Route 647 (Mill Road) in front of the Aylett Post Office for sight distance clearance and safety, and also at other dangerous intersections on Route 360.

Directional Sign on Westbound Side of Route 360 Near Intersection with Route 30 at Central Garage – Mr. Wright reported that a VDOT 3’ wide x 6’ long directional sign has fallen from its pole and is lying on the ground on the westbound side of Route

360 near the intersection of Route 30 at Central Garage and requested that VDOT re-erect it. This sign has been down for several weeks.

Truck Traffic on Route 30 (King William Road) - D. L. Wright stated that Route 30 is being inundated with heavy trucks and requested that an updated heavy truck traffic count be done on Route 30. He also asked if VDOT would contact the Virginia State Police to request that more activity with the scales be done in King William County.

Guard Rails on Sharon Road Between Route 30 and Route 360 – C. L. Schools asked that Ms. Parker check on the status of the placement of guard rails on Sharon Road between Route 30 and Route 360, as was previously requested.

West Point Creek Bridge - C. T. Redd III inquired about the projected start date for the work on the West Point Creek Bridge and Ms. Parker advised that the project is to be advertised in September with a November, December start date.

Grass Cutting in Front of a Business or Residence by Individuals – T. G. Smiley inquired whether or not VDOT has now changed its policy of individuals cutting the grass in front of their property. Last year VDOT officials indicated that, for safety reasons, it would prefer that individuals not do this. Mr. Smiley stated that he has recently seen on TV that VDOT would now like individuals to voluntarily do this. Ms. Parker responded that a new program is now being promoted by VDOT through their Adopt-A-Highway Program where individuals can volunteer to cut the grass in the area they have adopted.

#### **RE: CONSENT AGENDA**

On motion by C. T. Redd III, 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 April 26, 2010, the Reconvened Meeting of May 3, 2010, and the Minutes of the Reconvened Meeting of May 10, 2010
- (b) Claims against the County for May, 2010, in the amount of \$746,847.03
- (1) General Fund Warrants #72571-72684 in the amount of \$373,978.34; ACH Direct Payments # 108-159 in the amount of \$95,195.90; Manual Checks #14208, 14211-14214 in the amount of \$27,525.10; Direct Deposits #13952-14054 in the amount of \$189,899.39; and Electronic Tax Payment in the amount of \$60,248.30

(2) For informational purposes, Social Services expenditures for the month of April, 2010, Warrants #308153-30823 in the amount of \$57,419.39; Direct Deposits #2303-2321 in the amount of \$34,060.45; and Electronic Tax Payment in the amount of \$11,152.16

(3) For informational purposes, Circuit Court expenditures for the month of April, 2010, Warrants #72545-72552 in the amount of \$5,048.46; Direct Deposits #373-375 in the amount of \$8,626.84; and Electronic Tax Payment in the amount of \$2,962.70

(4) For informational purposes, Comprehensive Services Act Fund expenditures for the month of April, 2010, Warrants #72553-72570 in the amount of \$70,292.63; and ACH Direct Payment #107 in the amount of \$2,121.80

(5) Tax Refunds for the month of April, 2010, in the amount of \$1,149.38

c. Approved a Tax Refund in the amount of \$138.04 to Albert L. Ross for three years back taxes on Tax Map Parcel 44-115. This property was taxed as 11.13 acres and a survey of the property revealed the parcel to contain only 9.4 acres. This new survey has been recorded in the King William Circuit Court Clerk's office.

d. Approved an FY-11 Budget Transfer from the Contingency Fund to the Middle Peninsula Regional Jail in the amount of \$23,000.00

**RE: INDIAN RIVERS HUMANE SOCIETY – PHYLLIS JONES, MEMBERSHIP CHAIR – UPDATE ON IRHS ACTIVITIES**

Phyllis Jones representing the Indian Rivers Humane Society (IRHS) addressed the Board to provide an update on their activities and on some new programs they are working on with the County. The IRHS has been in existence in the County since 1996, and next year they will be celebrating their 15<sup>th</sup> anniversary. They depend entirely on donations and fund raising activities to support their work, and it is an all-volunteer organization. There are no paid staff members. She commended Ms. Lauri Betts, Manager of the Regional Animal Shelter, for her excellent work at the Shelter and also indicated that she has been wonderful to work with.

**RE: PROCUREMENT MATTERS – TERRI E. HALE, ASSISTANT COUNTY ADMINISTRATOR**

Assistant County Administrator, Terri E. Hale, reported that a Request for Proposals (RFP) was issued in March soliciting vendors to complete the County's annual external audit. Proposals were received from the following three firms.

Goodman & Company, Chester, VA - \$34,500.00

Robinson, Farmer, Cox, Associates, Fredericksburg, VA - \$35,450.00

Cherry, Bekaert & Holland, Richmond, VA - \$45,050.00

Ms. Hale further indicated that an Evaluation Committee was created to rank these proposals based on the requirements set forth in the RFP. This committee was comprised of two members of the Board of Supervisors, one School Board member, one Finance staff member and one School Finance staff member. She reported that the Committee was split in its rankings, but a majority of the Committee ranked Goodman & Company first. It was stated that the prevailing thought was that the audit firm should be changed periodically.

Thereupon, Ms. Hale asked that the Board authorize the County staff to negotiate a contract with Goodman & Company and that Interim County Administrator, William C. Porter, Jr. be authorized to execute this document on behalf of the Board.

D. L. Wright questioned the clause in the proposal regarding contracting for one year with the possibility of renewal of four years. Ms. Hale responded that a new evaluation would be done at the end of each contract year.

Thereupon, on motion by C. L. Schools, seconded by D. L. Wright and carried with the following roll call vote, the Board authorized Interim County Administrator, William C. Porter, Jr., to negotiate and execute a contract for one year with the firm of Goodman & Company of Chester, Virginia, in the amount of \$34,500.00 for the County's annual external audit for fiscal year ending June 30, 2010.

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

**RE: APPOINTMENTS**

- a. Building and Code Appeals Board – One Member, Five Year Term (Engineer) - Action on this appointment was tabled.

b. Board of Zoning Appeals – One Member, Five Year Term, Term of W. Bryant Wilson Expires 6/30/10 - On motion by D. L. Wright, seconded by O. O. Williams and carried unanimously, the Board recommends to the Judge of King William County Circuit Court that Mr. W. Bryant Wilson be reappointed to serve a five year term as a member of the King William County Board of Zoning Appeals, with said term expiring June 30, 2015.

c. MP Regional Airport Authority – One Member, Four Year Term, Term of T. G. Smiley as Primary Member Expires 6/30/10 - On motion by C. T. Redd III, seconded by D. L. Wright and carried unanimously, the Board reappointed T. G. Smiley to serve a four year term representing King William County on the MP Regional Airport Authority. Said term will expire June 30, 2014.

d. Appointment of Interim County Administrator as Clerk of the Board of Supervisors - On motion by C. T. Redd III, seconded by D. L. Wright and carried unanimously, the Board appointed Interim County Administrator, William C. Porter, Jr., as Clerk of the Board.

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

Jeanette Wagner of the Fifth Election District, welcomed Mr. William C. Porter, Jr. to King William County as the Interim County Administrator.

**RE: BOARD OF SUPERVISORS' COMMENTS**

Various Board members thanked citizens for their participation at the monthly Board meetings.

D. L. Wright reminded everyone of the upcoming holiday, Memorial Day, on Monday May 31, 2010.

**RE: CLOSED MEETING PURSUANT TO SECTION 2.2-3711A(1), CODE OF VIRGINIA, 1950, AS AMENDED, FOR DISCUSSION OF THE EMPLOYMENT OF A FULL TIME COUNTY ADMINISTRATOR AND COUNTY ATTORNEY**

On motion by C. T. Redd III, seconded by D. L. Wright and carried unanimously, the Board entered Closed Meeting pursuant to Section 2.2-3711A(1),

Code of Virginia, 1950, as amended, for Discussion of the Employment of a Full Time County Administrator and County Attorney.

Having completed the Closed Meeting, the Board reconvened in open meeting, on motion by C. T. Redd III, 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, D. L. Wright moved that the King William County Board of Supervisors adopt the following resolution certifying that this Closed Meeting's procedures comply with the requirements of the Virginia Freedom of Information Act. This motion was seconded by C. T. Redd III and carried with a unanimous roll call vote.

### **RESOLUTION**

**WHEREAS**, the King William County Board of Supervisors has convened a Closed Meeting on this date pursuant to an affirmative recorded vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and,

**WHEREAS**, Section 2.2-3416D 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 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.

The Chairman announced that no action would be taken as a result of 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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T. G. Smiley, Chairman

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William C. Porter, Jr., Interim County Administrator