

MINUTES

KING WILLIAM COUNTY

BOARD OF SUPERVISORS

MEETING OF JUNE 22, 2009

AT A MEETING OF THE KING WILLIAM COUNTY BOARD OF SUPERVISORS HELD ON JUNE 22, 2009, 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:

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

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

RE: APPROVAL OF MEETING AGENDA

On motion by C. T. Redd III, seconded by T. G. Smiley and carried unanimously, the Board adopted the agenda for this meeting as presented by the County Administrator with the following change and additions: Under Item 6, Consent Agenda, item 6c, "Consideration of Supplemental Appropriation Request from the Electoral Board - \$34,750.69" was moved further down on the Agenda to become Item 12a; and "Request from School Board for FY-09 Budget Transfers Between Categories" was added to become Consent Agenda Item 6c; Under Item 15, Appointments, item 15f, Middle Peninsula Planning District Commission – Strategic Planning Committee, One Member Appointment, was added.

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

Dr. Andy Franco, a resident of 1129 Millwood Road, thanked the Board for its action taken at the May 18, 2009, meeting to not support any abandonment or discontinuance of Route 607 (Millwood Road) from approximately .15 mile southwest of Route 643 (Millwood Court) to 0.56 mile southwest of Route 643, a distance of 0.41

mile. He indicated his appreciation also to the Board for requesting VDOT to continue maintenance on Route 607 and requesting that VDOT Engineers prepare a cost estimate for the restoration of the roadway on Millwood Road. He asked that the Board continue to follow up on this request.

Dean Collings of 126 Pollard Place in Aylett, addressed the Board to share his thoughts on the Kevin Overstreet issue. He felt that other than just considering legal issues, important ethical and moral considerations have to be made as well, and that character and integrity play an important part. He stated that to vacate ethical and moral responsibilities demonstrate a lack of integrity and character, and he would hope that our leaders would show themselves as men who value character and integrity and accept the lissome fiduciary responsibility for decisions that were made by previous supervisors. He indicated that it has been previously stated that the County does not hold this responsibility, but he felt a previous supervisor could have more vigorously prosecuted the contractor but chose not to do that. If that had been done, heavier fines most likely would have been levied that would have remedied this problem. He asked the Board to consider this.

RE: CONSENT AGENDA

On motion by C. T. Redd III, seconded by C. L. Schools and carried unanimously, the Board approved the following items on its Consent Agenda:

a. Minutes of the Regular Meeting of May 18, 2009, were approved as written

b. Claims against the County for June, 2009, in the amount of \$852,019.19 as follows:

(1) General Fund Warrants #70378-70562 in the amount of \$573,250.53; Manual Checks #14196-14198 in the amount of \$15,652.04; Direct Deposits #12682-12821 in the amount of \$202,516.48; and Electronic Tax Payment in the amount of \$60,600.14

(2) For informational purposes, Social Services expenditures for the month of May, 2009, Warrants #307462-307573 in the amount of \$89,814.51; Direct Deposits #2107-2124 in the amount of \$30,293.43; and Electronic Tax Payment in the amount of \$9,729.72

(3) For informational purposes, Circuit Court expenditures for the month of May, 2009, Warrants #70353-70361 in the amount of \$4,754.75; Direct Deposits #335-337 in the amount of \$8,732.19; Electronic Tax Payment in the amount of \$2,880.85

(4) For informational purposes, Comprehensive Services Act Fund Expenditures for May, 2009, Warrants #70362-70376 in the amount of \$50,096.12

(5) Tax Refunds for the month of May, 2009, in the amount of \$1,706.81

c. Authorized a public hearing to be held during the Board's regular monthly meeting on July 27, 2009, beginning at 7:00 p.m. in the Board Room of the King William County Administration Building, to consider an amendment to King William County Code, Chapter 30, entitled "Environment" to make the current King William County Erosion & Sediment Control Ordinance consistent with Commonwealth of Virginia amendments.

d. Appointed Steve Puckett to serve as Fire Marshall of King William County

e. Appointed Skip Hardesty to serve in the unpaid position of Assistant Fire Marshall of King William County

f. Appointed Brady Grimm to serve in the unpaid position of Deputy Emergency Coordinator

g. Approved payment of a fowl claim in the amount of \$140.00 to Phillip L. Viens for 14 chickens killed by stray dogs

h. Approved a transfer from the Instruction Category to the Technology Category in the FY-09 School Board Budget in the amount of \$100,000.00 and a transfer from the Pupil Transportation Category to the Operations and Maintenance Category in the amount of \$125,000.00

Following the approval of the Consent Agenda, Mr. Steve Puckett, Emergency Services Director for King William County, introduced Mr. Skip Hardesty and Mr. Brady Grimm to the Board.

RE: HON. DONALD L. HART, JR. – PRESIDENT OF VIRGINIA ASSOCIATION OF COUNTIES

The Honorable Donald L. Hart, Jr., current President of the Virginia Association of Counties (VACO), and a member of the Accomack County Board of Supervisors, appeared before the Board to introduce himself to the Board. He indicated that during his tenure as VACO President, he intends to visit each of the 95 counties in the State, so that all Boards of Supervisors will have the opportunity to meet their VACO President. Mr. Hart discussed some of the issues facing local governments today, including: unfunded State mandates; unequalized rights and privileges between counties and cities and towns – towns and cities have more rights than do counties; and VACO benefits and services and offerings to counties, especially the e-mail list. He invited the County to please participate in this because it provides information to keep everyone abreast of current events. He also urged the Board to participate in the VACO Committees, especially the Rural Caucus, which are the smaller counties that band together to speak as a voice on issues that deal more with rural counties than with the larger urban counties.

RE: VDOT MATTERS – CHARLIE STUNKLE, RESIDENCY
ADMINISTRATOR – ADOPTION OF TWO RESOLUTIONS FOR SUBDIVISION
STREET ACCEPTANCE INTO THE VDOT SECONDARY SYSTEM

a. Kennington Subdivision, Section 1 - On motion by T. G. Smiley, seconded by D. L. Wright and carried unanimously, the Board adopted the following resolution requesting VDOT to accept the streets in Section 1 of Kennington Subdivision into the State Secondary System of Highways:

RESOLUTION

WHEREAS, the streets described on the attached VDOT Additions Form AM-4-3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of King William; 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 on the attached VDOT Additions Form AM-4-3 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 FINALLY RESOLVED, that a certified copy of this Resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

b. Central Crossing Subdivision, Section 1 - On motion by T. G. Smiley, seconded by D. L. Wright and carried unanimously, the Board adopted the following resolution requesting VDOT to accept the streets in Section 1 of Central Crossing Subdivision into the State Secondary System of Highways:

RESOLUTION

WHEREAS, the streets described on the attached VDOT Additions Form AM-4-3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of King William; 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 on the attached VDOT Additions Form AM-4-3 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 FINALLY RESOLVED, that a certified copy of this Resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

c. Cost Estimate for Restoring Section of Millwood Road - As requested by the Board at its May meeting, Mr. Stunkle provided an estimated cost of \$1.24 million to restore the section of Millwood Road washed out by Tropical Storm Gaston. This preliminary estimate is for a two lane roadway only, across the washed out Dam area, that would be commensurate with the amount of traffic that the road is carrying, plus a drainage structure that would satisfactorily carry the flow through there, but does not address the Dam. This cost estimate includes preliminary engineering, right of way and utilities and construction. He indicated that the estimate is based on the project being advertised for bids in FY-2015 and construction completed in FY-2016. These dates are important because there is about a 20% inflation rate being carried on their construction estimates now, so the longer it goes, the more it will cost. Mr. Stunkle further advised that no funds are available in the Six Year Plan to apply to a project of

this scope. This estimate is for the Board's planning purposes to determine what the next steps might be. He reported that the only other source of funding of which he is aware of that could apply, would be Revenue Sharing and that VDOT would match dollar for dollar to the project. Applications for the Revenue Sharing Program for the upcoming fiscal year just went out in the end of May and are due in August.

The County Administrator questioned whether or not Revenue Sharing funds have to be spent in the year in which they are granted, and Mr. Stunkle responded that funding can be phased over two years, but, the Commonwealth Transportation Board is concerned about monies being approved and not being spent, therefore, they are going to reclaim and reappropriate.

Chairman Williams requested that VDOT continue maintenance on Millwood Road. Mr. Stunkle responded that VDOT will do everything they can to keep it maintained and open to traffic. He indicated that VDOT's maintenance budget is very tight. It only has \$200,000.00 for all year, which is only 20% of what they normally have for maintenance.

c. West Point Town – 14th Street Bump - C. T. Redd III thanked VDOT for the improvement made to the bump on 14th Street approaching the Mattaponi River Bridge. Mr. Stunkle reported that the work done is temporary and that they are still working on a design for a permanent fix.

d. Sign Down on Route 619 (Courthouse Lane & Horse Landing Road intersection) - D. L. Wright reported a VDOT sign down at the intersection of Courthouse Lane and Horse Landing Road, and requested that this be taken care of.

RE: KEVIN OVERSTREET – ADDRESS TO THE BOARD

Kevin Overstreet thanked the Board for this time allotted to him on the agenda and presented a petition asking the Board to pay for a septic system that is adequate for his three bedroom house in order to bring it up to Code and allow him to get his permanent Certificate of Occupancy returned. He reviewed the history of his case and stated that he feels this problem was brought to the County's attention well within the Statute of Limitations as to the County holding the builder accountable. He maintained his opinion that this problem would never have occurred if the County had properly checked the permits. He asked for justice and accountability, and feels that he has

been victimized by a builder and the County officials, both employed and elected. He also stated his concern about this issue because he feels that nothing has changed in the way permits are checked and inspections made. He questioned why there are Building Codes if they are not followed, and if a violation is found, why the Building Department can't follow through and have the builder correct the violation.

Continuing, he indicated that he has been hearing about Sovereign Immunity for County officials. He asked if Sovereign Immunity protects impropriety or dereliction of duty. He also stated that Sovereign Immunity can be used in the case of an accident, but his issue was not an accident, it is a miscarriage of justice and stems from a lack of enforcement of and by County employees.

Lastly, he indicated that he obtained three cost estimates ranging from \$19,000.00 to \$21,000.00 for a new septic system and asked the Board to bring this matter to closure by voting to pay all costs necessary to repair/replace this septic system.

Thereupon, D. L. Wright stated his opinion that the County has a moral obligation in this issue and made a motion that the Board take action to meet with Kevin Overstreet to work out some type of monetary agreement to assist him.

Whereupon, T. G. Smiley stated the issue of Sovereign Immunity for the County.

Whereupon, C. L. Schools called for a Point of Order stating that such a motion is not in order as it is a violation of State law as the County is protected under Sovereign Immunity and even if the Board passed such a motion unanimously, the motion would be void. He stated that this Board does not have the authority to waive its Sovereign Immunity.

Whereupon, T. G. Smiley stated that counties have the same Sovereign Immunity as do states.

No second was received to the above stated motion of Mr. Wright, therefore, it died.

Following this, Kevin Overstreet asked the Board what is being done to make sure this type of situation is not still happening in the County.

L. M. Chenault, County Attorney, stated that Scott Lucchesi, Director of Community Development, will be presenting a report to the Board at its July meeting indicating the procedures that have been put in place to keep this from happening again.

RE: EMERGENCY SERVICES MATTERS – DISCUSSION OF PUCHASE OF INTEGRATED RADIO SYSTEM – STEVE PUCKETT, EMS DIRECTOR

Steve Puckett, Emergency Medical Services Director for the County, presented information on a proposed contract for the procurement of a new integrated radio system for the County. He indicated that the current radio system is antiquated, and at times provides no communication to patrolling officers.

He reported that a small informal group consisting of Board member, C. L. Schools and various King William County and West Point Town staff members was formed to look at the County's current and future needs, the possibility of a regional arrangement, the interoperability within County agencies, the Commonwealth and with other localities. This group met with Hanover County staff persons to discuss using them as a "master" site, which would allow for cost sharing and cost savings, and it has been determined that King William County can "piggyback" on an existing contract with Hanover County. The group met with Radio Communications Consultants (RCC) to discuss their services, and has also discussed particular interests, including potential grants, timing of borrowing and implementation, interoperability (with law enforcement, EMS agencies, schools, and public works) as well as regional arrangements. Mr. Puckett reported that the result of this was the initial RCC proposal dated May 4, 2009, which gives a cost estimate of \$56,000.00 for Phases I through IV, and an estimated cost of the multi-year implementation (Phase V) is \$479,225.00. Explaining further, Mr. Puckett indicated the total cost of the system is wide-ranging, depending on several important variables. If the County is able to contract with Hanover, it could potentially save \$2M, with the system cost being \$8M - \$10M. Grants could reduce this amount, but availability and amounts are unknown at this time. West Point Town will pay for a pro-rata share of the system, probably based on population.

It is being requested that the Board approve entering into a contract with RCC for Phases I through IV in the amount of \$56,000.00.

Mr. Wayne Stack, Managing Director of Radio Communications Consulting Services, explained the phases of the contract – Phase I – Development of Specifications; Phase II – Development of a Request for Proposals (RFP); Phase III – Evaluation of Proposals; and Phase IV – Negotiation of Contract Between County and Vendor. Phase V will be multi-year implementation.

b. Consideration of Approval of Contract with Radio Communications Consulting Services to Oversee System Purchase, Contract Negotiation, and Multi-Year Implementation Including a Transfer of Funds from Contingency

On motion by D. L. Wright, seconded by T. G. Smiley and carried unanimously, the Board approved entering into a contract with Radio Communications Consulting Services for Phase I through IV, at a cost not to exceed \$56,000.00, and further authorized the transfer of this amount from the FY-10 budgeted contingency of \$115,890.00.

RE: PLANNING MATTERS – SCOTT LUCCHESI, COMMUNITY DEVELOPMENT DIRECTOR

a. Consideration of Transportation Corridor Overlay (TCO) Exception – Dollar General Store/Turner and Associates - Community Development Director, Scott Lucchesi, presented and explained the Transportation Corridor Overlay (TCO) District Exception Application, indicating that the applicant, Turner and Associates, received site plan approval on September 15, 2008, to construct a new retail operation (Dollar General Store) in King William County, on property located in a TCO District along Route 360 directly in front of the Sharon Road Business Park. The TCO District has development standards (approved on August 22, 2005) that require a sidewalk to be located within a streetscape buffer. The applicant is requesting an exception to the TCO development standards to waive the requirement to install a sidewalk in the streetscape buffer that runs along Route 360. Continuing, Mr. Lucchesi explained that the applicant is seeking the exception due to the existing grade of the site. If the sidewalk is installed, the applicant will have to apply excessive fill prior to the

installation. The fill will require a retaining wall to be built to assist with stabilization and these two factors add a significant cost to the project.

It was noted that Section 86-374(5), entitled "Exceptions" of the Transportation Corridor Overlay District allows the Board of Supervisors to approve exceptions to the Overlay only when such exception or deviation will not impair the health, safety, comfort and welfare of the inhabitants of the County.

Mr. Lucchesi reported that the Staff does not feel that the fact the sidewalk will add a significant cost to the project is a reason to waive the required standards. The site existed in the same condition with the TCO standards in place prior to the applicant purchasing the parcel. Staff feels that the question to be answered is, "Does King William County want to provide for a pedestrian path along the Route 360 corridor?" With the current TCO standards in place, including the sidewalk requirements, staff feels the County does want to provide a pedestrian path and the requirement should be upheld and the Exception request denied.

The Board considered this Exception request, as stated above, and upon motion by T. G. Smiley, seconded by C. L. Schools and carried unanimously, voted that it be denied.

b. Consideration of a Special Events Policy/Procedure Regarding Mud Bogs - Community Development Director, Scott Lucchesi, presented information to the Board for review and discussion concerning control of mud bogs. Mud bogging is defined as follows: Mud bogging, also known as mud racing, mud running, mud drags, or simply mudding, is a form of off-road motor sport in which the goal is to drive a vehicle through a pit of mud of a set length. Winners are determined by the distance traveled through the pit or, if several vehicles are able to travel the entire length, the time taken to traverse the pit. Typically, vehicles competing in mud bogs are four-wheel drives.

In the past, the Sheriff of the County and the Emergency Services Director have discussed concerns about the need for more security, emergency services, the safety of attendees and participants, etc. with the Board and the need to adopt regulations for control.

Mr. Lucchesi indicated several options to be considered. Amend the Zoning Ordinance to include a provision for a Special Exception for a temporary use which would allow the Board of Zoning Appeals to approve a permit application for a use that is temporary, for up to 24 months, and the Board of Zoning Appeals would be able to place appropriate conditions on the Special Exception for the specific site. Another option would be to amend the Zoning Ordinance to require a bog to be allowed as a Conditional Use. Both of these would also require a decision be made as to which zoning districts such events would be allowed.

C. T. Redd III advised that the County has consistently considered a mud bog as an implied recreational use, and because of this, no regulations have been put in place for control, therefore, he requested that the Planning Staff and the County Administrator to work with the County Attorney to draft an amendment to the Zoning Ordinance for the Board's review at its July meeting.

L. M. Chenault, County Attorney, suggested that the Board take the time to change the Ordinance and include whatever its definition of Special Events are, whether it's mud bogging, or tractor pulls or whatever. Also, at the same time, the Board could tell Mr. Lucchesi that the policy of this Board is to treat any type of mud bog as a matter of policy to be treated as a Special Exception until such time as the Ordinance has been changed. Therefore, anything that should come up between now and time the Ordinance is changed, could be addressed as a Special Exception, treated as policy under his temporary uses.

The County Administrator indicated that this approach would also give the Board the opportunity to look at which Districts the Board does or does not want these uses in.

Continuing further, Mr. Chenault clarified his suggestion that should any mud bog request come in within the next 30 to 60 days, Mr. Lucchesi could use the policy of the Board to treat such an event as a temporary use, and the applicant would have to apply for a Special Exception. Temporary use is in the Ordinance now, and it could be clarified with an Ordinance amendment.

Thereupon, C. T. Redd III made a motion to authorize the Planning Department to handle all requests for mud bogs as a temporary special event. This motion was seconded by T. G. Smiley and carried with the following vote:

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

Mr. Redd clarified the Board's request to the Planning Staff that proposed Ordinance amendments are to be brought to the Board at its July 27th meeting for review.

RE: TAXATION MATTERS – DISCUSSION OF CREATING A SPECIAL CLASSIFICATION FOR A PERSONAL PROPERTY TAX FOR AIRCRAFT AND CONSIDERATION OF SETTING PUBLIC HEARING ON SAME

Frank A. Pleva, County Administrator, stated that the Board recently approved a Conditional Use Permit (CUP) for a heliport at the Fontainbleau Industrial Park, and that as part of the County's effort to attract and retain locally-based aircraft, the Board has been considering a new classification of personal property taxing for aircraft. He recommended that the Board consider authorizing for public hearing for the July 27th meeting an amendment to the current ordinance to tax aircraft at a rate of \$1.60 per \$100 of assessed value. He explained that the Commissioner of the Revenue currently values aircraft at 100% of their assessed value, which is the method of assessment she supports.

The Board discussed this issue, and a motion was made by T. G. Smiley to authorize advertisement of a public hearing for July 27, 2009, to consider amendment of the current ordinance to include a new classification of personal property taxing for aircraft at a rate of \$1.60 per \$100 of assessed value.

C. L. Schools offered an amendment to Mr. Smiley's motion to advertise the rate of \$1.30 with a sliding scale from 75% to 20% of cost for six years.

This amendment to the original motion was accepted by Mr. Smiley and was duly seconded by Mr. Schools, and carried unanimously, to authorize advertisement of a public hearing for July 27, 2009.

b. Consideration of Supplemental Appropriation Request from the Electoral Board - \$34,750.69

The Chairman indicated that, at the beginning of this meeting, the Board removed this item from its Consent Agenda and placed it at this point on the Agenda for Board discussion and action.

Thereupon, T. G. Smiley tabled action on this matter until the Board's July 27th meeting and requested that the General Registrar for the County be present.

RE: DISCUSSION CONCERNING NATURAL GAS SERVICES – HONORABLE DANIEL L. WRIGHT

D. L. Wright presented information received in an e-mail addressed to David S. Robinson, Jr. from the Manager of Nestle Purina Company regarding natural gas service to their King William plant at Fontainebleau Industrial Park. The message thanked Mr. Robinson for his time in his endless pursuit to obtain natural gas service for the Nestle King William plant, and indicated that Nestle is currently reviewing potential options for obtaining natural gas service to the site, since they have not been able to make measurable progress with Virginia Natural Gas. This message also indicated that Nestle is very much interested in furthering any contacts and/or resources in this pursuit as soon as possible.

Mr. Wright then presented, for the Board's consideration, the following resolution requesting the State Corporation Commission to take any action necessary to ensure the delivery of natural gas service sufficient to meet the present and future need of King William County at reasonable and competitive rates.

**Resolution to State Corporation Commission Chairman Mark C. Christie
Regarding the Extension of Natural Gas Service**

WHEREAS, two (2) major industries currently exist in King William County: the Nestle Purina Pet Care (NPPC) plant and Smurfit-Stone Container Corporation in West Point; and,

WHEREAS, extensive efforts have been made to acquire natural gas service for the operation of these businesses since the early 1990s; and,

WHEREAS, a contract between Virginia Natural Gas (VNG) and the West Point mill existed in the late 1980s to bring natural gas from Providence Forge to West Point; and,

WHEREAS, the West Point mill has three (3) boilers, of which only two (2) can operate at one time due to pollution permit requirements; and the continued operation of the mill may be dependent in large part upon natural gas availability; and,

WHEREAS, the future expansion of the NPPC plant, as opposed to other industrial sites located out of state, may also be contingent in large part upon an immediate decision on natural gas; and,

WHEREAS, VNG has held the current natural gas franchise in King William County since 1989; and it has yet to demonstrate its capability to extend natural gas service to these two (2) major industries in the County at a competitive rate; and,

WHEREAS, natural gas service is essential for the continued economic development and financial well-being of King William County and its businesses and industries; and,

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors respectfully requests that the State Corporation Commission take any action necessary to ensure the delivery of natural gas service sufficient to meet the present and future needs of King William County at reasonable and competitive rates; and,

BE IT FURTHER RESOLVED, that the Board of Supervisors will provide any assistance possible to meet the environmentally friendly energy needs of its residents, businesses and industries, and provide for the continued security of the 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 the State Corporation Commission and the County's State legislative delegations, and shall be spread upon the meeting minutes of said Board of Supervisors.

Thereupon, on motion by D. L. Wright, seconded by C. T. Redd III and carried unanimously, the Board adopted the above stated Resolution.

C. T. Redd III asked that a copy of this adopted Resolution also be sent to Nestle Purina Pet Care, Smurfit-Stone, and to Virginia Natural Gas.

RE: UPDATE ON COUNTY PROJECTS – FRANK A. PLEVA, COUNTY ADMINISTRATOR

a. Regional Animal Shelter – County Administrator, Frank A. Pleva, indicated that the problem concerning the epoxy flooring in the Animal Shelter is being corrected.

b. Mt. Olive Community Improvement Project - The County Administrator noted that all the houses are completed, that one more house is left to be demolished, that all the houses to be on the mass drain field part of the utility system, are now on the system. There are still houses on a temporary Certificate of Occupancy (C.O.) that

are to go on the public utility system and grant funding has been obtained from Rural Development (formerly known as the (FHA) Farmers Home Administration), to assist in completing the sewer and water works. This funding has not yet been received, but will be forthcoming. Money for the guard rails for the Grey Manor Subdivision should be received within the next 60 days, and once they are installed, VDOT will be asked to provide an inspection to take the road into the State Secondary Road System.

c. Discussion Concerning High Speed Internet Service for the County - D.L. Wright discussed the lack of high speed internet service in King William County and asked the County Administrator to contact some of the service carriers (Virginia Broadband, Verizon, Cox, Comcast, etc.) to invite them to come before the Board to discuss the potential of bringing the service into the County.

d. Discussion Concerning Vacant Position in the Recreation and Parks Department - D. L. Wright asked if it is necessary to fill the vacated position in the Department of Recreation and Parks at this time. He asked that this matter be discussed with the Director and information brought back to the Board at its July meeting.

RE: APPOINTMENTS

a. Historic Preservation and Architectural Review Board – One Member, Five Year Term (Appointee to have professional training or experience per Sect. 86-349 of the King William County Code) - On motion by T. G. Smiley, seconded by D. L. Wright and carried unanimously, the Board appointed Ms. Summer Chaffman to serve a five year term beginning July 1, 2009, and expiring June 30, 2014, on the King William Historic Preservation and Architectural Review Board.

b. Recreation Commission – One Member, Three Year Term, Term of Donald B. Longest, Representative from King William School System, Expires 6/30/09
At the request of T. G. Smiley, action on this appointment was tabled.

c. Pamunkey Regional Library Board – One Member to Fill Vacated, Unexpired Term Ending 6/30/12 - On motion by D. L. Wright, seconded by T. G. Smiley and carried unanimously, the Board appointed Audrey P. Mitchell to fill the vacated, unexpired term representing King William County on the Pamunkey Regional Library Board. Said term will end June 30, 2012.

d. Middle Peninsula Planning District Commission – One Citizen Member, One Year Term, Term of Robert F. (Dick) Brake Expires 6/30/09 - On motion by C. T. Redd III, seconded by T. G. Smiley and carried unanimously, the Board reappointed Robert F. (Dick) Brake to serve as its citizen member representing King William County on the Middle Peninsula Planning District Commission for one year. Said term will expire June 30, 2010.

e. Social Services Board – One Member, Four Year Term, Term of Otto O. Williams Expires 6/30/09 - On motion by T. G. Smiley, seconded by D. L. Wright and carried unanimously, the Board reappointed Otto O. Williams to serve as a member of the King William County Social Services Board for a term of four years, with said term expiring June 30, 2013.

f. Middle Peninsula Planning District Commission's Strategic Planning Committee – One Member - On motion by C. T. Redd III, seconded by C. L. Schools and carried unanimously, the Board appointed Otto O. Williams as its representative on the MPPDC Strategic Planning Committee. Said term of office begins June 22, 2009, and ends at the dissolution of the Committee.

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

a. David Robinson, Jr. thanked the Board and its staff for support with his recent Conditional Use Permit application for a heliport on his property, and recognized the fact that Delegate Chris Peace, with the support of Delegate Harvey Morgan, has taken a tremendous role in trying to secure natural gas service for King William County. He also recognized two Supervisors, D. L. Wright and C. L. Schools, for their efforts in trying to make this happen, and Terri Hale for her recent efforts on this.

b. Jeanette Wagner commented on the lack of enforcement of ordinances pertaining to the Kevin Overstreet issue. She indicated her opinion that while the Statute of Limitations time clock was still ticking on this matter, someone should have advised him of this. She felt that when Mr. Overstreet first brought this matter to the

County's attention, there was the opportunity to make the correction, and that County ordinances are being selectively enforced.

c. Larry Hart of 632 Globe Road questioned what is being done by the County now to stop situations like the Overstreets' from reoccurring. He also discussed a state-of-the-art mud bog facility just built in an adjoining county, and suggested that maybe King William County should send persons wishing to hold a mud bog to this rental facility. In addition, he commented on a recent house fire which occurred on Route 608. The structure was completely destroyed and is now being dug up and transported. He questioned where this debris is being transported to. The County Administrator responded that this material should be going to the regional landfill, and Mr. Hart indicated his opinion that the County should require load tickets for materials going into a landfill.

RE: BOARD OF SUPERVISORS' COMMENTS

Various members thanked citizens for their interest and attendance at this meeting.

D. L. Wright announced that he and C. T. Redd III will be holding a Town Hall Meeting on July 14th beginning at 7:00 p.m. in the Board Room of the King William County Administration Building to provide information concerning emergency preparedness, particularly with the approaching hurricane season. Steve Puckett, Emergency Services Director for the County, will be speaking about emergency shelters, the possible need in an emergency for evacuation, and other related matters.

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

COPY TESTE:

Frank A. Pleva
County Administrator