

**MINUTES**  
**KING WILLIAM COUNTY**  
**BOARD OF SUPERVISORS**  
**MEETING OF JUNE 24, 2002**

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF KING WILLIAM COUNTY, VIRGINIA, HELD ON THE 24<sup>TH</sup> DAY OF JUNE, 2002, AT 7:00 P.M. IN THE BOARD ROOM OF THE KING WILLIAM COUNTY ADMINISTRATION BUILDING, THE MEETING WAS CALLED TO ORDER WITH THE FOLLOWING PRESENT:

D. L. WRIGHT, CHAIRMAN  
E. P. STEROWSKI, VICE-CHAIRMAN  
L. E. BYRUM, JR.  
R. S. DIGGS  
C. T. REDD, III

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

**RE: ADOPTION OF AGENDA**

On motion by C. T. Redd, III, seconded by L. E. Byrum, Jr. and carried unanimously, the Board adopted the agenda for this meeting as presented by the County Administrator with the addition of one item – to Item #14, Appointments, added “Appointment of Middle Peninsula Juvenile Detention Commission – One Member, Four Year Term, County Administrator now serves as King William County Representative, Term Expires 6/30/02”.

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

Gene Campbell, representing the King William County Tricentennial Celebration, Inc., updated the Board on future plans and activities including the burying of a “Time Capsule” on the Courthouse grounds on December 20, 2002. Mr. Campbell also reported that at the last Tricentennial meeting held on June 20<sup>th</sup>, new officers were elected. These included: President – Eugene L. Campbell, Jr.; Vice-President – Katy Lloyd; Secretary – Marian White; and Treasurer – William Miles. The Tricentennial Celebration, Inc. will be meeting monthly on the fourth Thursday, at 7:00 p.m. in the King William County Administration Building Board Room.

**RE: CONSENT AGENDA**

On motion by C. T. Redd, III, seconded by L. E. Byrum, Jr. and carried unanimously, the Board approved the following items on its consent agenda:

- a. The minutes of the April 15, 2002, meeting regarding the FY-03 Budget Public Hearing, and the minutes of the regular meeting of May 20, 2002
- b. Claims against the County for May, 2002, in the amount of \$1,603,746.10 as follows:
  - (1) General Fund Warrants #51108-51299 and #13914-13917 in the amounts of \$1,230,327.81 and \$197,186.92; Direct Deposits #3610-3710 in the amount of \$132,467.31; and Electronic Tax Payment in the amount of \$43,764.06

(2) For informational purposes, Social Services expenditures for the month of May, 2002, Warrants #301706-301776 in the amount of \$56,190.54; Direct Deposits #607-620 in the amount of \$19,785.02; and Electronic Tax Payments in the amount of \$7,156.86

(3) For informational purposes, Circuit Court expenditures for the month of May, 2002, Warrants #51075-51083 in the amount of \$5,635.86 and Direct Deposits \$45-47 in the amount of \$7,039.15

(4) For informational purposes, Comprehensive Services Act Fund expenditures for May, 2002, Warrants #51075-51106 in the amount of \$48,400.89

(5) Tax Refunds for the month of May, 2002, in the amount of \$890.26

c. The Virginia Juvenile Community Crime Control Act (VJCCCA) provides programs to juvenile offenders referred by the Juvenile & Domestic Relations Court or the Court Services Unit. This program is self-sufficient and funded by the Commonwealth and small local shares of the participating localities. However, due to a loss of state funding, the Board reduced the appropriation for this fund in the amount of \$35,854.00 in the FY-03 Budget.

d. Approved the employment of Ms. Rae L. Pemberton for the position of Animal Control Officer for King William County. Ms. Pemberton will begin her duties with the County effective July 1, 2002.

e. Approved the following Resolution Acknowledging the School Debt Issuance

**RESOLUTION OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF KING WILLIAM, VIRGINIA**

In June, 2001, the School Board of the County of King William, Virginia, (the "School Board"), entered into a Financing Lease between the School Board and Sun Trust Bank, dated as of June 1, 2001, (the "Financing Lease") to provide financing in the amount of \$9,000,000 for a portion of the cost of construction of a new primary school and the renovation of the existing high school (the "Projects"). The School Board has determined that it is in the best interests of the County of King William Public Schools to extend the maturity of the Financing Lease (the "Financing Lease Extension").

Additionally, the School Board proposes to amend the Financing Lease to increase the principal component of the rental payments thereunder in the maximum amount of \$6,000,000 (the "Financing Lease Agreement") to provide for the financing of a portion of the cost of the Projects. The School Board, with the consent and approval of the Board of Supervisors of the County of King William, Virginia (the "County") has submitted applications to the Virginia Literary Fund for loans (the "Literary Fund Loans") to pay a portion of the costs of the Projects, which Literary Fund Loans are expected to be used to pay the principal amount due under the Financing Lease, as amended.

On June 18, 2002, at a regular meeting of the School Board, the School Board adopted a resolution approving the Financing Lease Extension and Financing Lease Amendment.

After careful consideration and in furtherance of the purposes set forth herein,

**NOW, THEREFORE, BE IT RESOLVED,** that:

1. The County consents to and acknowledges the Financing Lease Extension and the Financing Lease Amendment.

2. Nothing in this Resolution or the Financing Lease, as amended, shall constitute a debt of the School Board or the County. The School Board's obligations to make payments pursuant to the Financing Lease, as amended, shall be subject to and dependent upon annual appropriations being made from time to time by the Board of Supervisors of the County and School Board for such

purpose. Nothing in this Resolution or the Financing Lease, as amended, shall constitute a pledge of the full faith and credit of the County beyond the constitutionally permitted annual appropriations.

3. The School Board expects that principal payments due under the Financing Lease, as amended, will be paid from proceeds of the Literary Fund Loans and agrees to apply such proceeds to the payments of the principal component of rental payments under the Financing Lease, as amended, unless other moneys are lawfully available therefor.

4. This Resolution shall be effective upon its adoption.

**RE: KING WILLIAM COUNTY CODE – PROPOSED AMENDMENT REGARDING HUNTING NEAR HIGHWAYS**

a. Discussion with State Game Warden, Hank Garner, Regarding Proposed Amendment to Chapter 9, Article III, “Hunting”, Section 9-48, “Hunting Near Highways”

Hank Garner, State Game Warden, made a very informative presentation to the Board, regarding the safety issues related to adopting this proposed amendment, and then answered questions from the Board regarding the matter.

Robert Lee Stephens, who participates with Hank Garner in instructing the required Hunter Safety Classes for young persons obtaining a first Hunter’s License, discussed the hunting accident rate being low for King William County and indicated his opinion that the King William County Ordinance regarding “Hunting Near Highways” should remain in force for public safety reasons.

b. Public Hearing on Proposed Amendment to Chapter 9, Article III, “Hunting”, Section 9-48, “Hunting Near Highways” - The Chairman declared the public hearing open and the following persons appeared to speak in favor of the proposed amendment:

Ricky Carter, a resident of 144 Seatons Lane, West Point, Virginia, and Hunt Master of the Foxes Hunt Club, presented a petition bearing 232 signatures of individuals who are in favor of the proposed amendment to permit the hunting with a firearm of any game bird or game animal on or within one hundred yards of any primary or secondary highway in the County. Mr. Carter indicated that it can be dangerous to load and/or unload a firearm, which has to be done by hunters each time they encounter any primary or secondary highway in the County, and if the proposal is adopted to delete the existing ordinance passage, this need would be eliminated, as well as this potential danger.

Latane Trice, a resident of King & Queen County, and a former member of the Virginia Game and Inland Fisheries Board, was introduced and requested to speak by Ricky Carter. Mr. Trice spoke in favor of deleting this section from the King William County Ordinance as proposed.

Harry Jones, a member of the West Point Community Hunt Club, stated that it is safer to stand on the ditch line and shoot back into the woods than it is to be back in the woods 100 yards and shoot out.

Don Wagner, a resident of 5515 Herring Creek Road in Aylett, appeared to speak in opposition of the proposed deletion of this code section, indicating that this is a public safety issue rather than a hunting issue. He also cited that if this proposed deletion of the existing section is adopted,

the issue of hunters parking along the roadways will also become a safety issue for law enforcement personnel to deal with.

Robert Lee Stephens spoke in opposition indicating a major concern of his is the future of game and bird hunting. He indicated he has hunted for many years and would like this sport to still be available for future generations. He feels that a high percentage of hunters today do not understand the common sense of proper game management, and if this prohibition of hunting with a firearm within 100 yards of any primary or secondary highway within the County is deleted, it will eventually stop all hunting in King William County.

Mrs. Ann Garner, a resident of 8071 Dabney's Mill Road in Manquin, stated concerns about public safety if this proposed deletion is adopted. She cited a personal encounter she had with a hunter firing at a deer across the roadway right in front of her vehicle.

William Perritt, a resident of Aylett, spoke in favor of keeping the 100 yards firing range.

Betty Latane' Walters, a property owner in King William County, but who now resides in Henrico County, spoke in favor of not deleting the existing 100 yards for the firing of a weapon for hunting.

Thomas Dean of 188 Woodbury Road, stated his concern that if this proposed deletion is made, it will give the anti-hunter the wrong idea of why people like to hunt. He voiced his concern about the public safety issues that could be involved.

Will Gilpin of 1025 Hybla Farm Road, spoke against deletion of the existing 100 yards firing range and indicated that if this deletion is adopted, more problems will be created for the Game Wardens.

Herb White, a resident of 1186 Mill Road in Aylett, stated his opposition to the deletion of Section 9-48, "Hunting Near Highways" of the King William County Hunting Ordinance indicating concerns about safety issues that will arise, and stated he is proud that King William County stands out, by being one of the few Virginia Counties that prohibits hunting with a firearm on or within one hundred yards of any primary or secondary highway in the County. He advised that the old cliché "If it's not broken, don't fix it" certainly applies to this situation.

Mrs. Anne Crowe of 3755 Herring Creek Road in Aylett, indicated that on her farm she boards horses and dogs and discussed the dangers involved with hunters firing guns near these animals. She also indicated that people ride horses on her property and that hunters have been known to fire at any movement, thinking it to be a deer.

The County Administrator informed the Board that three letters were received in his office in opposition to the issue – from Mr. and Mrs. Gregory, Mr. Tom Dean, and Mr. and Mrs. Wagner.

There being no other persons appearing to comment on this issue, on motion by C. T. Redd, III, seconded by R. S. Diggs and carried unanimously, the public hearing was declared closed.

**RE: CONSIDERATION OF ACTION ON PROPOSED AMENDMENT TO SECTION 9-48**

A motion was made by C. T. Redd, III to delete Section 9-48, "Hunting Near Highways" of Chapter 9, Article III, "Hunting" of the King William County Code, as presented in public hearing.

This motion died for the lack of a second.

Thereupon, on motion by R. S. Diggs, seconded by E. P. Sterowski and carried with the following vote, the Board voted to keep Section 9-48, "Hunting Near Highways" of Chapter 9, Article III, "Hunting" of the King William County Code, as it now exists.

D. L. Wright	Aye
E. P. Sterowski	Aye
L. E. Byrum, Jr.	Aye
R. S. Diggs	Aye
C. T. Redd, III	Nay

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

a. Revised Six-Year Plan – Lower Revenue Projections – VDOT Resident Engineer, Charlie Stunkle, reported that the secondary construction allocation projections to become effective July 1, 2002, are actually about 2 ½ percent higher than what he presented in the Revised Six Year Secondary Road Plan (2002-2008) and the Construction Priority List (2002-2003) for the County at the Board's May 20, 2002, meeting.

b. Route 644 – Old Foot Path Lane – Mr. Stunkle reported that construction is due to begin on Route 644 in July.

c. Route 671 – Mangohick Circle - Construction was reported to begin on Route 671 in August.

d. DuPont Street in Town of West Point – Industrial Access Funds - Mr. Stunkle indicated that the widening and resurfacing of DuPont Street in the Town of West Point is also scheduled to begin in July.

e. Poplar Road – Venter Heights Subdivision - Frank Pleva, County Administrator, indicated that he has received requests in his office for information about what to do regarding maintenance problems occurring on Poplar Road in Venter Heights Subdivision. Mr. Stunkle indicated that the original developer of the subdivision needs to perform the necessary corrections to bring Poplar Road up to current State Standards, or if the road was constructed prior to 1990, it may come into the State System as a rural addition. However, currently King William County does not participate in the rural addition program. This program would allow secondary road construction funds to pay for this, if it were included in the Six-Year Secondary Road Construction Plan.

f. King William Vol. Fire & Rescue – Route 360 Crossover - D. L. Wright questioned Mr. Stunkle regarding the permit for the King William Volunteer Fire Dept. and Rescue Squad crossover on Route 360, and Mr. Stunkle indicated that the Fire Department and Rescue Squad need to apply for such a permit, and the permit would be issued out of the VDOT Richmond office, not his office.

g. Dogwood Drive in West Point - Mr. C. T. Redd, III indicated that new culverts are needed for two houses located on Dogwood Drive in West Point. These driveways have been recently blacktopped, and the existing culverts are caving in. Mr. Stunkle indicated that it is the property owner's responsibility to furnish the culvert, but that VDOT will be happy to install them.

**RE: PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT – MATT WALKER,**

**DIRECTOR**

a. Public Hearing – Zoning Case #Z-01-02, Request for Zoning Map Amendment with Proffers, Applicant: Wade C. Bowler - Matt Walker, Director of Community Development, presented the application of Wade C. Bowler for a zoning map amendment, with proffers, to rezone approximately 18.3 acres from an A-C District to a R-R District, to allow for the development of a five unit single-family minor subdivision. Said property is located on the west side of Route 610 (Enfield Road), approximately ½ mile west of the intersection of Route 30 and Route 610, and is further described on the King William County Tax Maps as Section 19, Parcel 43.

The applicant is proffering a 1500 square foot minimum on all proposed housing units. This square footage minimum and lot sizes suggest an average single-family assessed value of \$139,500 for the development. Based upon an overall average future property assessed valuation of \$139,500 per single-family dwelling unit, the suggested cash proffer, according to the County's methodology would be \$3,020.00. This estimated assessed valuation utilizes an average per square foot multiplier of \$68.00 for new housing construction coupled with reasonable estimates of lot valuations. The non-cash proffers and the cash proffer of \$3,020.00 per home adequately mitigate the impacts of the proposed project on the County's capital infrastructure, based upon the existing methodology.

The Chairman declared the public hearing open for comments on this request for rezoning.

William Herbert, an attorney from Ashland representing the applicant, Wade Bowler, appeared, speaking in favor of the application, and indicated that Mr. Bowler has worked very closely with Matt Walker, the Director of Community Development, and with L. M. Chenault, County Attorney, to comply with the County Zoning requirements, and that he has enjoyed the utmost cooperation during this process.

No other persons appeared to speak for or against this proposed rezoning.

Thereupon, on motion by C. T. Redd, III, seconded by L. E. Byrum, Jr. and carried unanimously, the public hearing was declared closed.

b. Consideration of Zoning Case #Z-01-02

The Director of Community Development, Matt Walker, advised the Board that the Planning Commission considered this application in public hearing and unanimously recommended its approval, with the set of proffers dated March 26, 2002, to the Board of Supervisors.

On motion by R. S. Diggs, seconded by L. E. Byrum, Jr. and carried unanimously, the Board accepted the recommendation of the Planning Commission and approved Zoning Case #Z-01-02, as submitted by Wade C. Bowler, for a zoning map amendment from an A-C (Agricultural-Conservation) District to a R-R (Rural Residence) District, with the list of proffers dated March 26, 2002, and stated below, on an 18.3 acres parcel of land located on the west side of Route 610 (Enfield Road), approximately ½ mile west of the intersection of Route 30 and Route 610. Said property is further described on the King William County Tax Maps as Section 19, Parcel 43.

**Proffers for Conditional Rezoning submitted by Wade C. Bowler and dated March 26, 2002**

In accordance with 10-526 "Proffer in Writing" of Division 19; Conditional Zoning Within the County of King William Zoning Ordinance, Wade C. Bowler wishes to extend the following proposal:

*Rezone the existing property with current zoning as Agricultural to Rural Residential, Location: Plat of 18.3 acres lying on the west line of State Route 610 and .73 miles off Route 30, Mangohick District*

1. Each stick built house will maintain a 1,500 square foot minimum.
2. Proffer \$3,020.00 per lot to abate capital impact.

Wade C. Bowler wishes to develop six (6) buildable lots on this parcel of land.

c. Consideration of Action on Zoning Text Amendment, Case #T-01-02, To Redefine the Maximum Number of Lots Allowed in a Minor Subdivision - A public hearing was conducted by the Board at its May 20, 2002, meeting, and action on the matter was tabled for 30 days. It was explained that with adoption of this proposed Text Amendment, Case #T-01-02, the County's current definition of a minor subdivision will be changed to reduce the maximum number of lots allowed in a minor subdivision from seven (7) lots to five (5) lots. It was further explained that this proposed amendment was recommend by the 1991 Comprehensive Plan as a growth management strategy, but has yet to be adopted into the Ordinance. The Zoning and Subdivision Ordinances should support the Comprehensive Plan and be in compliance therewith.

On motion by L. E. Byrum, Jr., seconded by E. P. Sterowski and carried with the following roll call vote, the Board adopted Zoning Text Amendment, Case #T-01-02 as presented in public hearing, to change the County's definition of a minor subdivision to reduce the maximum number of lots allowed in a minor subdivision from seven (7) lots to five (5) lots.

D. L. Wright	Aye
E. P. Sterowski	Aye
L. E. Byrum, Jr.	Aye
R. S. Diggs	Aye
C. T. Redd, III	Nay

**RE: KING WILLIAM COUNTY CODE – PROPOSED AMENDMENTS REGARDING ASSESSMENT OF COURT COSTS**

a. Public Hearing – Proposed Amendments to Code of King William County, Virginia, Chapter 9, Article V, "Assessment of Court Costs" – Section 9.72, Court Cost for Funding of Courthouse and Courtroom Security Personnel (and Renumbering Current Section 9.72 to Section 9.74) - The County Administrator advised the Board that this proposed amendment to the Code of King William County, Virginia, has been duly advertised as required by law, and explained that if adopted, revenues realized from the court costs will be used for funding of courthouse and courtroom security personnel.

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

Whereupon, on motion by L. E. Byrum, Jr., seconded by C. T. Redd, III and carried unanimously, the public hearing was declared closed.

b. Adoption of Amendment to Code of King William County, Virginia, Chapter 9, Article V, Section 9.72 (and Renumbering Current Section 9.72 to Section 9.74) - On motion by C. T. Redd, III, seconded by R. S. Diggs and carried unanimously, the Board adopted the following amendment to the Code of King William County, Virginia:

**AMENDMENT TO CODE OF KING WILLIAM COUNTY, VIRGINIA  
CHAPTER 9, ARTICLE V “ASSESSMENT OF COURT COSTS”  
SECTION 9.72 (The current Section 9.72 will be renumbered 9.74)**

**Amend Chapter 9, Article V pertaining to Miscellaneous Fees by adding Section 9.72 – Court Cost for Funding of Courthouse and Courtroom Security Personnel (The current Section 9.72 will be renumbered 9.74)**

9.72 – Court cost for funding of courthouse and courtroom security personnel

There is hereby assessed the sum of five dollars (\$5.00) on each and every criminal or traffic case in Juvenile & Domestic Relations Court, General District Court, and Circuit Court in which the defendant is convicted of a violation of any statute or ordinance. The Clerk of the Juvenile and Domestic Relations District Court, the Clerk of the General District Court, and the Clerk of the Circuit Court shall collect said assessment and remit same to the King William County Treasurer where it shall be held subject to appropriation by the King William County Board of Supervisors for the funding of Court House security personnel.

These amendments shall be effective on and after July 1, 2002.

c. Public Hearing on Proposed Amendment to Code of King William County, Virginia, Chapter 9, Article V, “Assessment of Court Costs” – Section 9.72, Local Booking Fee - The County Administrator indicated to the Board that this proposed amendment to the Code of King William County, Virginia, has been duly advertised as required by law, and that if adopted, the revenues realized from it will be used to defray the costs of processing arrested persons.

The Chairman declared the public hearing open for comments. There being no persons appearing to speak for or against this proposed amendment, the public hearing was declared closed on motion by C. T. Redd, III, seconded by L. E. Byrum, Jr. and carried unanimously.

d. Adoption of Amendment to Code of King William County, Virginia, Chapter 9, Article V, Section 9.73, Local Booking Fee - On motion by L. E. Byrum, Jr., seconded by C. T. Redd, III, and carried unanimously, the Board adopted the following amendment to the Code of King William County, Virginia:

**AMENDMENT OF CODE OF KING WILLIAM COUNTY, VIRGINIA  
CHAPTER 9, ARTICLE V ‘ASSESSMENT OF COURT COSTS’  
SECTION 9.73**

**Amend Chapter 9, Article V Pertaining to Miscellaneous Fees By Adding Section 9.73 – Local Booking Fee**

73.73 - Local Booking Fee

There is hereby assessed the sum of twenty-five dollars (\$25.00) on each individual admitted to the County or regional jail following a conviction. The Clerk of the Juvenile and Domestic Relations District Court, the Clerk of the General District Court, and the Clerk of the Circuit Court shall collect said assessment and remit same to the King William County Treasurer where it shall be held subject to appropriation by the King William County Board of Supervisors, for the uses permitted by Section 15.2-1613.1 of the Code of Virginia, 1950, as amended.

This amendment shall be effective on and after July 1, 2002.

**RE: BUILDING OFFICIAL'S OFFICE – CONSIDERATION OF JOINT AGREEMENT REGARDING THE PROVISION OF BUILDING CODE, PROPERTY MAINTENANCE CODE, FIRE CODE, AND FIRE MARSHAL SERVICES TO TOWN OF WEST POINT**

The Board was informed by the County Administrator that the King William County Department of Community Development has been providing on an interim basis certain building code enforcement services within the Town of West Point. These services entailed the enforcement of the Uniform Statewide Building Code, the national property maintenance code and the national fire prevention code. Fire Marshal services are also provided in coordination with the West Point Volunteer Fire Department. These services have been provided for about one year, beginning with the Town code enforcement officer's illness and continuing after his recent death.

This proposed Agreement formalizes the informal building code enforcement arrangement between the County and the Town that has existed. The Town is in full agreement, and the Town Council is expected to consider the proposed Agreement during its regular meeting on June 24, 2002.

Thereupon, on motion by C. T. Redd, III, seconded by R. S. Diggs and carried unanimously, the Board approved the "Agreement for Building Code Enforcement Services" with the Town of West Point. Said Agreement is to become effective July 1, 2002.

**RE: BUSINESS, PROFESSIONAL, AND OCCUPATIONAL LICENSE (BPOL) TAX – SETTING OF WORK SESSION ON DRAFT ORDINANCE**

A copy of the draft BPOL Tax Ordinance was presented to the Board just prior to this meeting, and on motion by L. E. Byrum, Jr., seconded by R. S. Diggs and carried unanimously, the Board set the date of July 17, 2002, beginning at 6:30 p.m. to conduct a work session on this draft ordinance. Said work session meeting is to be held in the King William County Administration Building. The Treasurer and the Commissioner of the Revenue of King William County will be invited to attend. In addition, the Commissioner of the Revenue of Mathews County, Mr. Ray Hundley, will be invited to attend, as he has been in that office for approximately 30 years, with many years of experience with the BPOL Tax.

**RE: CAPITAL PROJECTS – FRANK PLEVA, COUNTY ADMINISTRATOR**

a. **Public Water and Sewer Utility Systems – Consideration of Action on Proposed Design and Construction Standards** - The County Administrator made the Board aware that many local and regional utilities in this area have adopted standards and criteria specifying the design, materials, equipment, and construction of water and sewer facilities. Benefits of such stan-

dards include: Insuring consistency, uniformity and quality in the design, materials, equipment and construction of new, extended, repaired or upgraded water and sewer facilities; Effectively notifying engineers of the utility systems, acceptable standards prior to the design of facilities; Ensuring new, expanded or upgraded facilities are functionally compatible with existing facilities; Enhancing the approval and permitting of proposed new, expanded and upgraded utility facilities; and Facilitating utility system repairs and maintenance through uniformity of materials, equipment and construction.

The Hampton Roads Planning District (HRPDC) and a consulting engineering firm, have recently developed such standards on behalf of its 16 member localities.

A copy of the Foreword and Procedural Section of the draft "Design Standards for Water and Sewer Systems and Related Work" were presented to the Board. The Foreword provides an overview of the purpose of the three volumes constituting the design standards. The Procedural Section notes, among other things, that the standards are flexible and that the County may approve deviations from the specifications.

On motion by C. T. Redd, III, seconded by L. E. Byrum, Jr. and carried unanimously, the Board adopted the draft "Design Standards for Water and Sewer Systems and Related Work" as presented, to become effective immediately upon its adoption on June 24, 2002.

b. **Regional Animal Shelter – Status Report** - Frank Pleva, County Administrator, reviewed the tentative project design, bid, and construction schedule on the Middle Peninsula Regional Animal Shelter with the Board.

c. **Court House Facility Project – Status Report** - The County Administrator, Frank Pleva, also reviewed the tentative project design, bid, and construction schedule on the King William County Court House Facility Project with the Board.

#### **RE: APPOINTMENTS**

a. **Bay Consortium Workforce Investment Board – One Member, 2 Year Term** - (Mr. Allen Campbell does not seek reappointment) - On motion by C. T. Redd, III, seconded by R. S. Diggs and carried unanimously, the Board appointed Mr. John R. Gresham to serve a two year term representing King William County on the Bay Consortium Workforce Investment Board. Said term will expire June 30, 2004.

b. **Historic Preservation & Architectural Review Board – One Member, 5 Year Term, Term of James Wolford Expires 6/30/02** (Mr. Wolford does not seek reappointment) - On motion by C. T. Redd, III, seconded by L. E. Byrum, Jr. and carried unanimously, the Board appointed Mr. Carl R. Fischer to serve a five year term on the King William County Historic Preservation & Architectural Review Board. Said term will expire June 30, 2007.

c. **Industrial Development Authority Board of Directors – Two Members, 4 Year Terms, Terms of Cynthia Rinaldi and James Ellis Boyer Expire 6/30/02** (Ms. Rinaldi and Mr. Boyer seek reappointment) - At the request of E. P. Sterowski, action on these appointments was tabled for 30 days.

d. Recreation Commission – Three Members, 3 Year Terms, Terms of Delores A. Owens (Election District #2), Linda Minor (West Point School System Representative) and Daniel L. Wright (Member, Board of Supervisors) Expire 6/30/02 (Ms. Owens seeks reappointment; and Ms. Minor does not seek reappointment) - A motion was made by C. T. Redd, III, seconded by E. P. Sterowski and carried unanimously, to reappoint Delores A. Owens as the Election #2 representative, to appoint Ms. Rosalin E. Ball as the West Point School System representative, and to reappoint Daniel L. Wright as the representative from the Board of Supervisors, on the King William County Recreation Commission. Said terms will expire June 30, 2005.

e. Social Services Board – One member, 4 Year Term, Term of Wylie C. Johnson Expires 6/30/02 (Mr. Johnson seeks reappointment) - On motion by E. P. Sterowski, seconded by C. T. Redd, III and carried unanimously, the Board reappointed Mr. Wylie C. Johnson to serve a four term on the King William County Social Services Board. Said term will expire June 30, 2006.

f. Middle Peninsula Planning District Commission – Citizen Member, 1 Year Term, Term of Robert F. Brake Expires 6/30/02 (Mr. Brake seeks reappointment) - On motion by L. E. Byrum, Jr., seconded by R. S. Diggs and carried unanimously, the Board reappointed Mr. Robert F. Brake as the citizen member representing King William County on the Middle Peninsula Planning District Commission for a one year term expiring June 30, 2003.

g. Middle Peninsula Juvenile Detention Commission – One Member, 4 Year Term – County Administrator currently serves as the King William County representative, Term of Frank A. Pleva expires 6/30/02 - On motion by C. T. Redd, III, seconded by L. E. Byrum, Jr. and carried unanimously, the Board reappointed the County Administrator to serve as the County's representative on the Middle Peninsula Juvenile Detention Commission Board of Directors for a four year term expiring June 30, 2006.

**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: CLOSED MEETING PURSUANT TO SECTION 2.2-3711(1), CODE OF VIRGINIA, 1950, AS AMENDED, FOR DISCUSSION AND CONSIDERATION OF THE PERFORMANCE OF SPECIFIC PUBLIC EMPLOYEES IN THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

On motion by C. T. Redd, III, seconded by L. E. Byrum, Jr. and carried unanimously, the Board entered Closed Meeting pursuant to Section 2.2-3711(1), Code of Virginia, 1950, as amended, for discussion and consideration of the performance of specific public employees in the Department of Planning and Community Development.

Having completed the Closed Meeting, the Board reconvened in open meeting, on motion by C. T. Redd, III, seconded by L. E. Byrum, Jr. and carried with a unanimous roll call vote.

In accordance with Section 2.2-3711B of the Code of Virginia, 1950, as amended, C. T.

Redd, III 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 L. E. Byrum, Jr. 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 2.2-3711B of the Code of Virginia, 1950, as amended, requires a certification by the King William County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law.

**NOW, THEREFORE, BE IT RESOLVED**, that the King William County Board of Supervisors hereby certifies that, to the best of each member's knowledge:

1. Only 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; and,
2. Only such public business matters as were identified in the motion by which the closed meeting was convened, were heard, discussed, or considered in the closed meeting by the King William County Board of Supervisors.

### **RE: RECESS OF MEETING**

On motion by C. T. Redd, III, seconded by L. E. Byrum, Jr. and carried unanimously, the Board recessed this meeting to be reconvened on July 17, 2002, at 6:30 p.m. in the King William County Administration Building for a Work Session on the draft BPOL Tax Ordinance.

COPY TESTE:

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D. L. Wright, Chairman

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Frank A. Pleva, Co. Administrator