

MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
MEETING OF JUNE 25, 2007

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF KING WILLIAM COUNTY, VIRGINIA, HELD ON THE 25TH DAY OF JUNE, 2007, 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:

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

L. M. CHENAULT, COUNTY ATTORNEY – ABSENT
BILL HEFTY, ATTORNEY FOR KING WILLIAM COUNTY
FRANK A. PLEVA, COUNTY ADMINISTRATOR

Due to the absence of County Attorney, L. M. Chenault, Mr. William H. Hefty, an attorney employed by the County was present. On motion by W. F. Adams, seconded by T. G. Smiley and carried unanimously, the Board authorized Attorney William H. Hefty to act as its advisor for this meeting.

RE: APPROVAL OF MEETING AGENDA

On motion by W. F. Adams, seconded by T. G. Smiley and carried with the following vote, the Board adopted the agenda for this meeting as presented by the County Administrator with the following changes: Moved Consent Agenda Item 6g, Authorization for Public Hearing – Amendment of King William County Code, Chapter 770, Taxation, Section 70-103(c), Policy – Scale of Exemptions, Tax Relief for the Elderly and Disabled, to become Item 9g under King William County Code Matters; and changed language on Consent Agenda Item 6j to read: Approval of First Quarter FY-08 School Fund Appropriation.

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

Bryant Wilson, a member of the King William County Board of Zoning Appeals, addressed the Board concerning the upcoming reappointment of Herb White as a member of the BZA. Mr. Wilson indicated that Mr. White has served on this Board for the past 20 years and has been its Chairman for the past 17 years, and that during that time, he feels he has done an excellent job serving the County. He asked the Board to consider reappointment of Mr. White for another five year term.

Alice Washington stated that she has been a member of the Board of Zoning Appeals for the past 16 years and during that time, has had the opportunity to work with Herb White and feels that he is a good person and a very dedicated person. She asked the Supervisors to consider reappointment of Mr. White for another five year term.

RE: CONSENT AGENDA

On motion by E. J. Rivara, seconded by T. G. Smiley and carried with the following vote, the Board approved the following items on its consent agenda:

C. T. Redd III	Aye
W. F. Adams	Aye
E. J. Rivara	Aye
T. G. Smiley	Aye
O. O. Williams	Nay

a. Minutes of the Regular Meeting of May 21, 2007, were approved as written

b. Claims against the County for June, 2007, in the amount of \$1,215,734.95 as follows:

(1) General Fund Warrants #64981-65161 in the amount of \$896,445.86; Manual Checks #14137-14140 in the amount of \$83,495.38; Direct Deposits #9768-9865 in the amount of \$176,770.95; and Electronic Tax Payment in the amount of \$59,022.76

(2) For informational purposes, Social Services expenditures for the month of May, 2007, Warrants #305913-306001 in the amount of \$72,274.43; Direct Deposits #1663-1679 in the amount of \$25,795.14; and Electronic Tax Payment in the amount of \$8,827.84

(3) For informational purposes, Circuit Court expenditures for the month of May, 2007, Warrants #64954-64961 in the amount of \$5,106.12; Direct

Deposits #240-243 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 May, 2007, Warrants #64963-64979 in the amount of \$39,313.85

(5) Tax Refunds for May, 2007, in the amount of \$483.53

c. Adopted a Resolution Expressing Sympathy to Virginia Tech

d. Adopted a Resolution Authorizing a Revenue Anticipation Note in an Amount Not to Exceed \$6,500,000.00

e. Approved a Virginia Peninsula Public Service Authority (VPPSA) Agreement for Drop-Off Recycling

f. Authorized a Public Hearing to be held during the Board's regular July 23, 2007, meeting, beginning at 7:00 p.m. to consider Amendment of King William County Code, Chapter 26, Courts, Section 32, Court Costs for Funding of Court House and Courtroom Security Personnel

g. Authorized the employment of Julie Marcum as Finance Officer to replace Carolyn Gibson who resigned in June

h. Authorized a Public Hearing to be held during the Board's regular July 23, 2007, meeting, beginning at 7:00 p.m. to consider Proposed Increases in Planning Department fees

i. Approved the first quarter FY-08 School Fund Appropriation

j. Authorized a Public Hearing to be held during the Board's regular July 23, 2007, meeting, beginning at 7:00 p.m. to consider an Amendment to the King William County Code to Include an Emergency Water Supply Ordinance

k. Authorized a Public Hearing to be held during the Board's regular July 23, 2007, meeting beginning at 7:00 p.m. to consider a Proposed Deduct Water Meter Policy

RE: RESOLUTIONS OF APPRECIATION

a. Judge Merlin M. Renne - Chairman Redd presented the Resolution of Appreciation previously adopted by the Board at its May 21, 2007, meeting, for Judge Merlin M. Renne, on the occasion of his retirement as General District Court Judge for

the Ninth Judicial District, to be effective July 1, 2007. Judge Renne was present and received this Resolution.

Following the presentation, Judge Renne thanked the Board and County residents for the privilege of serving King William County for the past 17 years, as well as for the kind remarks delivered in the Resolution.

b. Lydia M. Maddox, On Completion of the Maximum Two Terms on the Department of Social Services Board - Chairman Redd presented the following resolution expressing the Board's deepest appreciation to Ms. Lydia M. Maddox for her service as a member of the King William County Board of Social Services for the past eight years. This resolution was adopted on motion by E. J. Rivara, seconded by O. O. Williams and carried unanimously, and presented to Ms. Maddox.

RESOLUTION OF APPRECIATION

WHEREAS, Lydia Maddox was appointed to the King William Board of Social Services effective July 1, 1999; and,

WHEREAS, Ms. Maddox has served two full four-year terms on the King William County Board of Social Services; and,

WHEREAS, Ms. Maddox served as vice chairperson of the Board for two years and chairperson for four years; and,

WHEREAS, Ms. Maddox has actively advocated for social services programs that have been most beneficial for citizens of King William County; and,

WHEREAS, Ms. Maddox has personally become a model for individual service to needy people in King William by adopting two children from the Foster Care program,

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors heartily commends Lydia Maddox for her eight years of dedicated service to the citizens by serving on the King William County Board of Social Services; 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 Ms. Maddox and shall be spread upon the meeting minutes of said Board of Supervisors.

RE: TRANSPORTATION MATTERS – DAVID G. COOPER, ASSISTANT RESIDENCY ADMINISTRATOR

Mr. Emmett Helsel, interim VDOT Residency Administrator, addressed the Board to update on VDOT matters including the following:

a. Eltham Bridge Dedication - Mr. Helsel thanked the various Board members and the County Administrator for their attendance at the Dedication Ceremony for the new Eltham Bridge held on May 24, 2007.

b. Mowing Operations on Primary and Secondary Routes - He indicated that mowing operations have been completed on the primary roadways in the County and the secondary routes should be completed within the next two weeks.

c. Surface Treatment Schedule Work - Mr. Helsel reported that all surface treatment schedule work is almost completed, then the asphalt schedule work will begin, probably in August, as is normally done each summer.

d. Route 360 Bridge Over the Pamunkey River Project - This project will be advertised for bids in August/September. The scope of work is for strengthening and rehabilitation work of the superstructure on the deck.

e. Route 653 and Route 656 Rural Rustic Projects - It is anticipated that work will begin on these two projects in July.

f. Route 360/Route 30 Intersection at Central Garage - E. J. Rivara questioned Mr. Helsel concerning the possibility of what can be done regarding the lane configuration at this intersection. It has been determined in previous meetings that nothing is recommended by VDOT for any change in the stop lights, but, no report has been received regarding this issue. Mr. Helsel indicated his awareness of this study, but it has not yet been completed.

g. Litter Pick Up Operations Prior to Mowing Operations Being Done - E. J. Rivara discussed complaints he has received from his constituents regarding the VDOT subcontractors out picking up litter from the highways on Sundays. They felt this should be a day of rest.

h. Beadles Road from Route 30 - E. J. Rivara stated concern for the posted 45 MPH speed limit on Beadles Road. He indicated that approximately 15 years ago this speed limit was posted when there was very little development along this roadway, but, today there are approximately an additional 15 homes built on this end of Beadles Road from Route 30. He acknowledged that there is a "Watch For Children" sign in this area, but, he feels the posted speed limit should be investigated.

Mr. Helsel advised that his office will be happy to investigate this situation from a safety and operations standpoint, and that perhaps a speed study is in order due to increased development.

i. Intersection of Venter Road with Route 360 - Mr. Rivara discussed the fact that numerous vehicle accidents have occurred at this intersection, and he feels this is not a sight distance problem coming out of Venter Road onto Route 360, but, instead a speed situation on Route 360. Several years ago the speed limit on Route 360 was increased to 60 MPH, and over time, requests have been made to reduce certain portions of Route 360 to 45 MPH, in the Central Garage area and in the Aylett area. He is requesting that the speed limit on Route 360 from the Mattaponi River Bridge to the Pamunkey River Bridge in King William County be reduced to 55 MPH, with the areas in Central Garage and Aylett having the speed limit of 45 MPH.

Mr. Helsel stated some concern about reducing the speed limit to 55 MPH from River to River, but his department will look into the situation, particularly, at the intersection of Venter Road and Route 360.

j. Painting of Center Line on Roadways - E. J. Rivara questioned Mr. Helsel regarding the criteria used to determine whether or not a roadway has a center line painted. Mr. Helsel asked if a particular road is of concern, and Mr. Rivara indicated Commins Road. He indicated that on the end of Commins Road below Newman Drive, the center line runs from Venter Road, then stops at Newman Drive to Upshaw Road, and that there is no center line painted on the continuation of this road. He advised that citizens on this end of Commins Road have approached him as to why there is no painted center line, particularly, with the number of homes that are being built along this portion of Commins Road.

Mr. Helsel responded that the criteria is more of a function of the overall total traffic on the facility, and a cross sectional geometry of the road, which takes into account the pavement widths. He indicated that VDOT will be happy to reassess those numbers to determine if the threshold has been exceeded at this point.

O. O. Williams discussed the fact that some of the secondary roadways in King William County are too narrow to have a center line painted. The road has to have a certain width to have the center lines, because if a center line is painted, the lanes will not be wide enough for some vehicles to pass, for instance, two school buses, or two fire trucks, or two farm trucks.

k. Route 30 Near Hamilton-Holmes School complex - W. F. Adams requested that VDOT lower the speed limit on Route 30 in the area in front of the Hamilton-Holmes Elementary School complex at its intersection with Walkerton Road, as well as its intersection with Acquinton Church Road, all within this same general area. Mr. Adams continued, indicating that approximately three years ago, he had asked VDOT about conducting a speed study at this location and the possibility of reducing the speed limit in this area to 45 MPH. He indicated that when the school buses are turning in or out and other traffic turning into Walkerton Road or Acquinton Church Road, the situation could be dangerous, particularly with the volume of large truck traffic on Route 30. Further, he stated that this is probably the wrong time of year to conduct the speed study at this location due to the schools being out for the summer, but perhaps VDOT could schedule such a study for September when schools reopen.

l. Route 30 Near King William High School and County Transfer Site - W. F. Adams also requested VDOT to conduct a speed study on the section of Route 30 coming out from Central Garage at King William High School and the County Transfer Site. He reported that this area has a 45 MPH speed limit, but just past the Transfer Site, the speed picks up to 55 MPH. There is a subdivision down a little farther on the right hand side of Route 30, therefore, he is requesting that the speed limit of 45 MPH be continued on Route 30 at least $\frac{3}{4}$ mile farther down, past the subdivision entrance.

m. Route 654 - T. G. Smiley reported that the "Road Ends 2.3 Miles" sign has disappeared from Route 654, the post remains in place, but, the sign is gone.

n. Stop Lights in West Point at Route 30 and 14th Street - C. T. Redd III discussed a problem being experienced by traffic at this traffic light. He reported that if you are going north/south on King William Avenue (Route 30), the light only stays green long enough to allow three vehicles to go through, then turns red. The east/west green light allows time for at least three times more traffic to pass through. He asked Mr. Helsel to look into this situation to determine if the lights can be retimed or reset to allow more time on the north/south lanes.

Mr. Helsel indicated that this is most likely related to the bridge construction project, but, he will investigate the situation.

RE: KING WILLIAM COUNTY CODE MATTERS – FRANK A. PLEVA,

COUNTY ADMINISTRATOR

a. Public Hearing – Discontinuance and Vacation of a Portion of Commins Road (Route 606) - Mr. Bill Hefty, Attorney for the County, summarized a written request received by the Board of Supervisors from Mt. Sinai Baptist Church Trustees to discontinue and vacate a portion of public right-of-way owned by King William County pursuant to Section 15.2-2600 of the Code of Virginia, 1950, as amended, specifically a fifteen foot right-of-way, which begins at the end of the state maintained portion of Route 606 (Commins Road) and continues to Route 30, which right-of-way was originally a portion of the main road through the County to Richmond. This public right-of-way has not been used as a public road for many years, and does not show up on the 1932 VDOT map.

Mr. Hefty explained that the Code of Virginia allows citizens to request vacation of such a public right-of-way if no longer being used as a public road. Therefore, a public hearing has been advertised as required by Section 15.2-2600 of the Code of Virginia, 1950, as amended, to hear citizen comments regarding the proposed discontinuance and vacation.

Prior to opening the public hearing, the Chairman requested the applicant/petitioner, Mt. Sinai Baptist Church Trustees, to make a presentation regarding their request.

Thereupon, Mr. Pat McSweeney, an attorney representing Mt. Sinai Baptist Church Trustees and Deacons, addressed the Board stating that in April, 2006. an adjacent property owner requested that the County convey a 15 foot easement. At that point, Mr. McSweeney was not representing the Church. When he began with the case, a lawsuit had been filed to declare a private right in this road. He advised his understanding of the law that it is impossible legally to acquire private rights in a public right-of-way. It was a surprise to him and to the landowners on both sides of this road that it is a public right-of-way because its use has been discontinued for decades. In fact, the adjacent owner has had a cable up across the road, blocking access, for some period of time. The State (VDOT) has disclaimed any interest in this right-of-way, therefore, it is purely a County matter.

Continuing, Mr. McSweeney explained that if it is a public way, and the public has the right to use this road, there are certain modern standards that will have to be met, and the County would have the obligation to maintain the road.

Mr. McSweeney further explained that the Church's concern is that if this road remains a public way, inevitably, additional land would be required to provide compliance with those modern standards to widen this right-of-way. Explaining further, Mr. McSweeney stated that Mt. Sinai is one of the oldest churches in King William County, and its graveyard which at least adjoins, if it doesn't underlie, some parts of this right-of-way. It is not clear where all the graves are. The right-of-way, as it was surveyed, actually is closer to Venter Heights Subdivision, and these properties adjoin this right-of-way on the other side. If the County should decide that in the public interest this road should be opened, it would be opened to any and all public users, it cannot be maintained simply for a single landowner.

The Church's great concern is that there will be an inevitable pressure to condemn land on either side of the road, one side would be into the Church's graveyard and the other side into the property owner's lots in the adjacent subdivision. This would be very disruptive to the Church, as it is the Church's Trustees' responsibility to maintain these graves. The location of all the graves is not clearly defined, and in recent years, some graves have been discovered as new graves were dug.

Mr. McSweeney advised that this Petition is being considered under the terms of Section 15.2-2600 of the Code of Virginia, and the standard applied is, what is in the public interest? It is the Church's thinking that it would be in the public interest since many, or all concerned, assumed that this road had been discontinued for all purposes, legal and practical. It was only in recent months that it was discovered, that as a matter of formality, the County still owns this right-of-way. Because there is a right, technically, on the part of anyone in the Commonwealth to use that road, the Trustees and the Deacons of Mt. Sinai decided to petition the Board, in the public interest, to discontinue this public right-of-way. The Petition, itself, asked the Board to discontinue the entire length of Commins Road, but that has been modified, to only deal with the 200 feet through the Church property. The County may decide to maintain public right-of-way for any purpose, the other end of the road which empties onto Route 30, or any

other stretch of the road. Part of the old right-of-way is the entrance to the King William Recreation Park, for a very short distance, then it is a sunken road for a matter of ten to twenty feet or more, and you get to the top of the hill. Otherwise, this right-of-way has not been used for decades.

On behalf of the Mt. Sinai Trustees, he respectfully asked the Board, in the public interest, to discontinue public right-of-way of this road.

Following this presentation, the Chairman offered the opportunity to Ms. Betty Fryer, an adjacent landowner to this road, to make a presentation. Thereupon, Elliott Bondurant, an attorney representing Ms. Fryer, addressed the Board explaining that this matter should be considered under State Code Section 15.2-2006 on whether it is in the best interest of the public. This is an old road, and possibly could have predated the Civil War, so there may be some historical significance to this old road. It leads out to Route 30. There are some homes on this road prior to arriving at the Church. One point Mr. Bondurant presented was the fact that previously, Ms. Fryer owned the two acre parcel located on Commins Road just prior to arriving at the Church property, and she exchanged that two acre parcel with the Church for the two acres on the other side of the Church cemetery, and now the Church is trying to say that you cannot use the road to gain access to the property. Ms. Fryer exchanged that parcel in good faith and at that time was using this road to get to the two acre parcel, and that road is still used today. If the Board decides to abandon this road, the two acre parcel will be landlocked and the abandonment is not for the public welfare. Basically, it will be benefiting the Church, if it is abandoned at this point in time, and that is not what the standard is. This should not be done for the benefit of a private individual but for the public welfare. Mr. Bondurant, on behalf of Ms. Fryer, requested that the Board not abandon this right-of-way.

Thereupon, the Chairman declared the public hearing open for comments and the following persons appeared to speak:

Clinton Roosevelt Roots, Chairman of Board of Trustees of Mt. Sinai Church, advised that this road has never been used by vehicles as the road leads across a swamp and creeks. Mr. Roots indicated that he has lived in this area for the past 60 years and this road has never been traveled by vehicles.

Rev. Rufus Atkins, Interim Pastor at Mt. Sinai Church at the time this request came to the Church, indicated that the Church is not asking that the entire length of the road be vacated, only about 15 feet through the Church Cemetery. He advised that the section of Commins Road up to the Church is a State Road and is State maintained. He indicated that once you pass the Church, there are about 15 feet running through the Cemetery and if this road is ever widened to meet State Standards, graves located alongside it will have to be disrupted.

James Williams, a Deacon of Mt. Sinai, addressed the Board indicating that Mt. Sinai is one of the oldest churches in this community and has one of the oldest cemeteries in the State, and it would not be wise for anyone to tamper with the graves located on this property. Many graves are located in the area of this road and through the years, some of the history of the grave locations has been lost. He asked the Board to take this into consideration when making its decision to vacate this portion of Commins Road. He indicated there are other ways for Ms. Fryer to access this property.

Brian Glenn, a resident of Venter Heights Subdivision, stated that his property is located basically end to end with the whole section of the property being discussed. He has owned this property since July, 1999. He stated that this road in question has never been used as a right-of-way, and indicated that it is only about a 12 inch wide path to walk through. At one point there was a cable and post there blocking entrance to this road which runs along down next to Ms. Fryer's horse pastures. Ms. Fryer never used this road as a right-of-way until about 1 ½ to 2 years ago when someone in the neighborhood started to work for her. Then kids started to ride four wheelers through there. Eventually she bushhogged this section and used it only to go back and forth to the person's home who was working for her. The end of Road State maintenance ends right at his property. His property stake is actually about 3 to 4 feet into the driveway of the Church, and this road has never been used as a right-of-way to Ms. Fryer's property.

Bob Ehrhart addressed the Board stating that this Church was previously known as Cattail Church and shows up on the 1865 Civil War maps of the County. It is a historical landmark. Anything that is of this historic value is something that's in the

public interest. There are graves there, and unless the County wants to pay for Phase I archeological or Section 106 archeological type impacts and potentially exhume those bodies, he feels the County should abandon this road.

The following persons spoke in favor of the County not vacating this section of Commins Road:

Robert Abrams discussed the existence of Cattail Pond located along this right-of-way and that this was the only entrance into this pond when he was a young boy back in the 1930's. He felt the County should not abandon this road.

Kathy Riding, a non-resident of King William County, but who owns a horse and does business in the County, stated that there are several horse barns she goes to and this road is the shortest route between two barns she uses. She has used this path for the past year. She asked that the road not be closed.

John Riding, a registered professional civil engineer and a friend of Ms. Fryer, pointed out that this roadway being discussed in the only access to a 2 acre parcel described as Tax Map Parcel 60D. This parcel is owned by Betty Fryer as are the adjacent parcels. If this road is abandoned, it will create a landlocked parcel. He asked the Board to look at the historic significance of this road and not abandon it.

Paul Jameson asked the Board not to abandon this road. He feels that by doing so, the County would be taking away value from one property owner for the benefit of another.

Cheryl Hoffman indicated that she has used this right-of-way on numerous occasions and would like to see it remain open.

There being no other persons appearing to speak for or against this matter, the public hearing was declared closed by the Chairman.

Thereupon, Attorney for the County, William H. Hefty, explained that the Code of Virginia, 1950, as amended, states that after the conduct of a public hearing, the property owners have to be notified. These notices will be sent out to the adjoining property owners. Consequently, the Board will defer action until its next meeting to be held in July.

E. J. Rivara stated that he would like to see the two parties involved, Ms. Fryer and Mt. Sinai Church Trustees, meet and possibly come to some type of agreement within these next 30 days prior to the Board's July meeting.

Mr. McSweeney advised that he only represents Mt. Sinai Church and that there are other property owners along this road that he does not represent, so they would need to be included in any discussions as well. He stated he would be happy to meet but he wanted the Board to understand there are more than two parties involved.

Mr. Bondurant indicated that he would be happy to meet.

Thereupon, Mr. Hefty advised that the State Code allows the Board to appoint Viewers, 3 to 5 persons who are citizens of the County, that would investigate the issues and look at the property and make a recommendation to the Board. There is no time frame in the Code for the Viewers to look at the property and make a recommendation. Appointment of the Viewers can be done at the Board's July meeting.

Mr. Hefty advised that the Board, at its next meeting, can either vote on this issue or appoint 3 to 5 persons to serve as Viewers and report back to the Board.

Thereupon, the Chairman tabled this matter until the Board's July 23, 2007, meeting.

b. RE: PUBLIC HEARING – INCREASE OF BUSINESS, PROFESSIONAL, AND OCCUPATIONAL LICENSE (BPOL) RATES FOR FINANCIAL, REAL ESTATE & PROFESSIONAL SERVICES AND REPAIR, PERSONAL AND BUSINESS SERVICES

The County Administrator explained that the adopted FY-08 Budget revenues were predicated on increases in the rates for two types of BPOL taxes as follows:

Financial, real estate & professional services - \$0.58/\$100 of gross receipts
Repair, personal & business services - \$0.36/\$100 of gross receipts

Thereupon, the Chairman declared the public hearing open to receive comments on this proposal, and the following persons appeared to speak:

Don Wagner spoke in favor of the increase indicating that this increase is needed in order to ease the burden on real estate taxes in the County.

Bob Ehrhart questioned how the King William County taxes compare to adjacent counties BPOL rates. Depending on the classification, there are five, King William

rates are very similar to other surrounding counties, except for Mathews County, which has the lowest rate in the area.

c. Re: Consideration of Action - On motion by E. J. Rivara, seconded by W. F. Adams and carried unanimously, the Board adopted an amendment to King William County Code Chapter 18, Sections 142, 143, 144 and 145 regarding the Business, Professional, Occupational License (BPOL) Tax Rates as presented in public hearing.

d. PUBLIC HEARING – PROPOSED AMENDMENTS TO KING WILLIAM COUNTY CODE, SECTION 78-245, INCREASE IN FACILITIES CHARGE SCHEDULE FOR COUNTY’S PUBLIC WATER & SANITARY SEWER SYSTEMS

The County Administrator reviewed the proposed amendments to Section 78-245 of the King William County code pertaining to the facilities charge schedules for the County’s public water and sanitary sewer systems. He indicated that these connections fees are the first increase since the 2000-2001 time frame.

The public hearing was declared open for comments by the Chairman and the following persons addressed the Board:

Don Wagner spoke in favor of the proposed increases.

There being no other persons appearing to speak, the public hearing was declared closed.

e. Consideration of Action

On motion by W. F. Adams, seconded by E. J. Rivara and carried unanimously, the proposed amendments to Section 78-245 of the King William County Code were adopted as presented.

f. AUTHORIZATION FOR PUBLIC HEARING – AMENDMENT OF KING WILLIAM COUNTY CODE, CHAPTER 70, TAXATION, SECTION 70-103(C), POLICY, SCALE OF EXEMPTIONS, TAX RELIEF FOR THE ELDERLY AND DISABLED

By general consensus, the Board determined that it would receive information at its July meeting regarding amendment of the above stated King William County Code section concerning tax relief for the elderly and disabled. At the July meeting, a public hearing date will be set to consider this matter.

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

a. Regional Animal Shelter - The County Administrator reviewed work being done on this project.

b. Mt. Olive Community Development Project - The Management Team meeting for this month was cancelled.

RE: APPOINTMENTS

a. Building & Code Appeals Board – One Member, Five Year Term, Term of Sam Martin (Contractor) Expired 3/1/07 (NOTE: Mr. Martin Does Not Seek Reappointment) - On motion by T. G. Smiley, seconded by W. F. Adams and carried unanimously, the Board appointed Mr. William “Walt” Bailey to serve as a member of the Building and Code Appeals Board for a five year term expiring March 1, 2012.

b. Historic Preservation & Architectural Review Board – One Member, Five Year Term, Term of Carl Fischer Expires 6/30/07 - On motion by W. F. Adams, seconded by O. O. Williams and carried unanimously, the Board reappointed Mr. Carl Fischer to serve a five year term on the Historic Preservation & Architectural Review Board. Said term will expire June 30, 2012.

c. Economic Development Authority – Two Members, Four Year Terms, Terms of W. Franklin Parker, III and Travis Longest Expire 6/30/07 - On motion by T. G. Smiley, seconded by W. F. Adams and carried unanimously, W. Franklin Parker, III and Travis Longest were each appointed to serve a four year term on the Economic Development Authority for King William County. Said terms will expire June 30, 2011.

d. Recreation Commission – Three Members, Three Year Terms, Term of Vernice Wilson (Election District #1) Expires 6/30/07; Term of Al Tupponce (Election District #4) Expires 6/30/07; and Term of Gerry Mick (Election District #5) Expires 6/30/07 - On motion by T. G. Smiley, seconded by E. J. Rivara and carried unanimously, the Board appointed Vernice Wilson to represent Election District #1, Troy Simons to represent Election District #4, and Gerry Mick to represent Election District #5 on the King William Recreation Commission, each for a term of three years, ending June 30, 2010.

e. Social Services Board – One Member, Four Year Term, Term of Lydia Maddox Expires 6/30/07 (NOTE: Ms. Maddox is not eligible for reappointment) - On motion by T. G. Smiley, seconded by W. F. Adams and carried unanimously, the Board

appointed Anita H. Webb to serve on the King William Board of Social Services for a term of four years. Said term will expire June 30, 2011

f. Board of Zoning Appeals – One Member, Five Year Term, Term of Herbert L. White, Jr. Expires 6/30/07 - On motion by T. G. Smiley, seconded by E. J. Rivara and carried unanimously, the Board recommends of name of Herbert L. White, Jr. to the Judge of the Circuit Court for reappointment for a five year term as a member of the King William County Board of Zoning Appeals. Said term will expire June 30, 2012.

g. Middle Peninsula Planning District Commission – One Citizen Member, One year Term, Term of Robert F. (Dick) Brake Expires 6/30/07 - On motion by T. G. Smiley, seconded by E. J. Rivara and carried unanimously, the Board reappointed Robert F. (Dick) Brake to serve on the Middle Peninsula Planning District Commission as the citizen member representing King William County for a one year term. Said term will expire June 30, 2008.

h. Pamunkey Regional Library Board – One Member to Fill Vacated, Unexpired Term Ending 6/30/09 - On motion by T. G. Smiley, seconded by W. F. Adams and carried unanimously, the Board appointed Rebecca G. Townsend to serve on the Pamunkey Regional Library Board to fill the vacated term ending June 30, 2009.

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

Bob Ehrhart addressed the Board questioning what type of controls are now being used to identify County residents or non-residents coming into the solid waste transfer stations since County vehicle decals are no longer being used.

RE: BOARD OF SUPERVISORS' COMMENTS

Various members expressed appreciation to the public for their attendance and participation at this meeting.

RE: CLOSED MEETING PURSUANT TO SECTION 2.2-3711A(1) OF THE CODE OF VIRGINIA, 1950, AS AMENDED, REGARDING DISCUSSION OF PROSPECTIVE CANDIDATES FOR POSITION OF DIRECTOR OF COMMUNITY DEVELOPMENT AND EMPLOYMENT OF SAME

On motion by E. J. Rivara, seconded by T. G. Smiley and carried unanimously, the Board entered Closed Meeting pursuant to Section 2.2-3711A(1) of the Code of Virginia, 1950, as amended, regarding Discussion of Perspective Candidates for the Position of Director of Community Development and Employment of Same.

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

In accordance with Section 2.2-3712(d) of the Code of Virginia, 1950, as amended, W. F. Adams moved that the King William County Board of Supervisors adopt the following resolution certifying that this Closed Meeting's procedures comply with the requirements of the Virginia Freedom of Information Act. This motion was seconded by O. O. Williams and carried with a unanimous roll call vote.

RESOLUTION

WHEREAS, the King William County Board of Supervisors 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 2.2-3712(d) of the Code of Virginia, 1950, as amended, requires a certification by the King William County Board of Supervisors that such Closed Meeting was conducted in conformity with Virginia law.

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

1. Only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were heard, discussed, or considered in the Closed Meeting to which this certification resolution applies, by the King William County Board of Supervisors.
2. Only such public business matters as were identified in the motion by which the Closed Meeting was convened, were heard, discussed, or considered in the Closed Meeting by the King William County Board of Supervisors.

RE: EMPLOYMENT OF SCOTT LUCCHESI AS FULL TIME DIRECTOR OF COMMUNITY DEVELOPMENT

On motion by W. F. Adams, seconded by T. G. Smiley and carried unanimously, Scott Lucchesi was employed as the permanent, full-time Director of Community

Development, effective immediately, at a salary of \$64,000.00 yearly, to become effective on July 1, 2007.

RE: ADJOURNMENT OF MEETING

There being no other business to come before this Board, on motion by W. F. Adams, seconded by E. J. Rivara and carried unanimously, this meeting was adjourned.

COPY TESTE:

Frank A. Pleva
County Administrator
