

MINUTES

KING WILLIAM COUNTY

BOARD OF SUPERVISORS

MEETING OF JUNE 28, 2010

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF KING WILLIAM COUNTY, VIRGINIA, HELD ON THE 28TH DAY OF JUNE, 2010, BEGINNING AT 7:00 P.M. IN THE BOARD ROOM OF THE COUNTY ADMINISTRATION BUILDING AT KING WILLIAM COURT HOUSE, ORDER WAS CALLED WITH THE FOLLOWING PRESENT:

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

**WILLIAM C. PORTER, JR., INTERIM COUNTY ADMINISTRATOR
BRENDAN S. HEFTY, ACTING COUNTY ATTORNEY**

INVOCATION – REV. RANDY MATHIS – PASTOR, FIRST BAPTIST

CHURCH, WEST POINT

The opening invocation was delivered by Rev. Randy Mathis, Pastor of First Baptist Church in West Point.

RE: APPROVAL OF MEETING AGENDA

On motion by C. T. Redd III, seconded by D. L. Wright and carried unanimously, the Board adopted the agenda for this meeting as presented by the Interim County Administrator with one addition. Under Item 7, Consent Agenda, Item 7e – Employment of Part-Time Employees for the Animal Shelter, was added.

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

Dean Collings of the Third Election District, addressed the Board on behalf of the McCauley Park Homeowners, requesting the Board to petition the Virginia Department of Transportation to install a sign indicating “No Parking” in a corner along McCauley Parkway in the McCauley Park Subdivision. He indicated that coming into the main entrance, (McCauley Parkway) there is a ravine, and as you are going up the hill, it takes a corner to a right, and this creates a blind corner. Vehicles are

parking at this location and it is extremely difficult to see what is coming down the hill on the other side. Many people have complained about “near miss” accidents. This is becoming a real safety issue, and the homeowners are requesting that VDOT look at this small section and consider posting a “No Parking” sign at this location. There are many small children in this neighborhood and the homeowners feel this situation could potentially create a real disaster.

Don Wagner of the Fifth Election District commented on the Agenda Item pertaining to the request for an exception to the Transportation Corridor Overlay (TCO) Guidelines for the sidewalk design. He expressed his opinion that the new design is an improvement over the requirements of the TCO and perhaps the Planning Commission should look at revising the TCO guidelines. He also discussed the traffic turn signal pole being located just inside the turning radius at the corner of Route 360 and Route 30. He felt it would seem to be the responsibility of the engineer to design the turn radius to meet the requirements for a W-50 truck, which is a tractor-trailer with a 50 foot trailer, and determine if the pole should be relocated. In addition, he voiced his opinion regarding additional congestion that he feels will be created by the location of the entrance to Burger King from Route 30, and that a problem will be created by big trucks parking along Route 30 to go to Burger King, as access to this site is not provided for trucks.

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 24, 2010, with one addition – a statement made by C. T. Redd III concerning the employment of the firm to perform the County’s annual external audit for fiscal year ending June 30, 2010, was inadvertently omitted. This statement follows, and is to be inserted on page 6 of the May 24, 2010, Minutes following a statement made by D. L. Wright.

ADDITION TO MAY 24, 2010, MINUTES

C. T. Redd III stated that he had served as a member of the Evaluation Committee, and as far as the credentials brought to the table by all three firms, he felt all were qualified and had experience in dealing with municipalities, but one thing bothered him about Goodman and Company. He explained that the RFP clearly states “the County is one of only two in the State in which an incorporated town within County limits maintains an independent school system. In this regard, only certain

local revenues and the applicable share of general property taxes generated specifically within the County are transferred monthly to the school fund. Failure to accurately transfer these funds could create an obligation to the Town.” Continuing, he stated that when he asked the three persons representing Goodman and Company if they were aware that King William County had two separate school systems in the County, it was evident that they were not. He expressed his fear of this because it is written in the first paragraph of the RFP, and they did not know about it. He indicated that this bothered him as to how they prepared a presentation for the County and how they intend to do the work, when they are not even aware of one of the most important tax issues in King William – with the two separate school systems. He further stated that because of this, he did not vote for this firm as the first choice, and also that he intends to vote against the motion to hire them.

b. Claims against the County for June, 2010, in the amount of \$733,501.54 as follows:

(1) General Fund Warrants #72700-72826 in the amount of \$346,850.79; ACH Direct Payments #174-245 in the amount of \$120,060.64; Manual Check #14215 in the amount of \$12,300.00; Direct Deposits #14055-14183 in the amount of \$194,129.77; and Electronic Tax Payment in the amount of \$60,160.34

(2) For informational purposes, Social Services expenditures for the month of May, 2010, Warrants #308204-308286 in the amount of \$70,911.89; Direct Deposits #2322-2329 in the amount of \$30,683.25; and Electronic tax Payment in the amount of \$10,036.58

(3) For informational purposes, Circuit Court expenditures for the month of May, 2010, Warrants #72685-72692 in the amount of \$5,048.56; Direct Deposits #376-378 in the amount of \$8,626.84; and Electronic Tax Payment in the amount of \$2,962.70

(4) For informational purposes, Comprehensive Services Act Fund expenditures for the month of May, 2010, Warrants #72693-72699 in the amount of \$16,802.57; and ACH Direct Payments #160-173 in the amount of \$44,266.20

(5) Tax Refunds for the month of May, 2010, in the amount of \$2,724.53

c. Approved the following Resolution authorizing a categorical budget transfer in the School Operating Fund in the amount of \$50,000.00

RESOLUTION

School Fund Categorical Transfer

WHEREAS, the Board of Supervisors appropriates funds to the School (Operating) Fund on an annual, categorical basis; and

WHEREAS, the Board received a request from the superintendent to transfer \$50,000 in FY10 from the operation and maintenance category to the pupil transportation category; and

WHEREAS, the superintendent is requesting the transfer in order to purchase two buses in FY10.

NOW, THEREFORE, BE IT RESOLVED; that the Board of Supervisors of King William County, Virginia, does hereby authorize the FY10 School Fund categorical transfer of \$50,000 from operations and maintenance to pupil transportation.

d. Authorized a Public Hearing to be advertised for July 26, 2010, during the Board's regular monthly meeting to consider Zoning Case #Z-01-10, Request to rezone 15.4 acres from A-C (Agricultural Conservation) to R-1 (Suburban Residential); Tax Map 21-33; Owner/Applicant: Resource Conservation Partners, Inc.

e. Approved the employment of two part-time employees for the Regional Animal Shelter, Susan Chandler and Kimberly Davis

RE: ADOPTION OF RESOLUTION RECOGNIZING THE GRADUATES OF THE KING WILLIAM TRAINING SCHOOL AND HAMILTON-HOLMES HIGH SCHOOL ON THEIR 17TH REUNION – PAULVIN BROWN AND ALVIN C. LOMAX

D. L. Wright presented the following Resolution recognizing the graduates of the King William Training School and Hamilton-Holmes High School on the occasion of their 17th Reunion, and motioned that it be adopted. This motion was seconded by O. O. Williams and carried unanimously.

KING WILLIAM COUNTY BOARD OF SUPERVISORS

RESOLUTION OF APPRECIATION

WHEREAS, the King William Training School was established in 1923 by Reverend Doctor Samuel B. Holmes to provide educational opportunities to African American citizens in the County; and,

WHEREAS, in 1951 Hamilton-Holmes High School opened, named for Reverend Doctor Holmes and Miss India Hamilton, two pioneers in promoting formal education in the African American community; and,

WHEREAS, the last graduating class of the King William Training School was 1951 and the last graduating class of Hamilton-Holmes High School was 1969; and,

WHEREAS, the King William Training School/Hamilton-Holmes High School Alumni Association was founded in 1969 and provides annual scholarships to eligible students who continue their formal education beyond high school; and,

WHEREAS, the King William Training School/Hamilton-Holmes High School will be holding its 17th Reunion for the graduating classes of 1923 through 1969.

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors recognizes the graduates of the King William Training School and Hamilton-Holmes High School; and,

BE IT FURTHER RESOLVED, that the King William County Board of Supervisors congratulates the graduates of the King William Training School and Hamilton-Holmes High School on their 17th Reunion; and,

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

Upon its adoption, Board member, D. L. Wright, presented this Resolution to Dr. Alvin C. Lomax and Mr. PaulVin Brown. On behalf of the graduates for the 17th Reunion, Mr. PaulVin Brown expressed deep appreciation to the Board for its recognition.

RE: UPDATE ON COUNTY ADMINISTRATOR AND COUNTY ATTORNEY RECRUITMENT PROCESS – WILLIAM H. WHITLEY

William H. Whitley, Consultant employed by the County to advertise, receive, review and present to the Board, applications for the position of County Administrator and the position of County Attorney, addressed the Board to provide a status report. He reported that, to date, 22 applications for the position of County Administrator and 7 applications for the position of County Attorney have been received. He noted that he has received many phone calls inquiring with interest regarding the two positions, and feels that before the closing deadline of June 30, several more applications will be received.

Mr. Whitley indicated that once the filing deadline is closed, the applications are to be reviewed by the Board, and he asked for direction from the Board as to how they would like to proceed with this review process. He asked that an initial meeting be set with the Board for their input in establishing a schedule. By August, the interviewees should be selected and the interview process should begin. This would allow time for the Board to

conduct a second round of interviews, do background checks, talk to their respective communities, etc. if necessary, and to make an offer for both of these positions in mid-September or early October. It will be necessary for the successful applicants to provide 30 days notice to their respective employers, and therefore, the County could have someone on board in these two positions by early December.

RE: PRESENTATION OF REVISED MASTER UTILITY PLAN – CHARLES D. RIEDLINGER, PE, COUNTY ENGINEER – RESOURCE INTERNATIONAL, LTD.

Mr. Charlie Riedlinger of the firm, Resource International, Ltd., addressed the Board to present and review the updates contained within the Revised Master Utility Plan for the County. He explained that the original Plan was presented in January, 2008, and, since that time a few changes have occurred, therefore, he felt it necessary to update the Board on these very minor updates. It is important to update the Master Utility Plan because of how the Regional Water Supply Plan fits into it. Basically the Master Utility Plan discusses inventories of the water and wastewater throughout Central Garage, the industrial park around Purina, and the Mt. Olive community. A study on water demand for the next 20 years was conducted and a figure arrived at, based on growth of the County, with subdivisions, etc. of about 2.8 mgd per day of usage for the Central Garage area between Aylett and Manquin. This meshed very well with the HRSD wastewater study done. HRSD arrived at almost the same figure within a 15 year projection.

Mr. Reidlinger explained that one of the things which occurred in the Master Utility Plan is with the Water Withdrawal Permit, in that the County did not receive as much capacity as requested. The County Water Withdrawal Permit is for 170 mgd per year, which was slightly less than what was applied for. That averages out to 467 thousand gallons per day. Mr. Reidlinger indicated that over the next 10 years that figure may not be bad, but when the economy picks up again, and subdivision development resumes in the area, and with the interest that has been expressed in the area, the industrial growth potential, especially around Purina, this figure may start to be pressed by the time of the next permit renewal. The alternatives studied have changed somewhat, as the proposed reservoir is no longer a viable option, and there is less permitted capacity of groundwater. DEQ has stated they feel there is potential for stressed groundwater between Central Garage and the Hanover County line. DEQ has also requested Purina to cut in half their existing allocation during this next renewal period which is very difficult for Purina to do, especially if any type of growth is being considered.

Mr. Reidlinger also discussed the need to look at some type of storage for water, as well as water conservation plans, as DEQ is pushing this practice on all groundwater withdrawal permits now. Another topic discussed by Mr. Reidlinger, was surface water withdrawal which will probably have to come from the Pamunkey river, but that is a long term option.

It was brought out by Mr. Reidlinger that the Regional Water Supply Plan should show that King William County has needs and what these needs are, and therefore, when adopted this Revised Master Utility Plan should be forwarded to the Middle Peninsula Planning District Commission for inclusion in the Regional Water Supply Plan I and II.

Interim County Administrator, William C. Porter, Jr., advised that water is one of King William County's most important resources, and he plans to begin the process, along with the County Attorney, to get the County ready to not only be able to talk about taking water supplies from the Pamunkey or the Mattaponi or the ground, but to also have the County structurally organized to do this. It might be through the Department of Public Works, or an Authority, where this need can be concentrated upon. This is an extremely important issue that needs to be addressed by the Board.

At the Board's July 26, 2010, meeting, Mr. Porter advised that he will bring before the Board a Resolution adopting the King William County Master Utility Plan, Revised: May 14, 2010, as the County's Master Utility Plan and forwarding the Plan to the King William County Planning Commission for inclusion in the update of the King William County Comprehensive Plan, and also forwarding the Plan to the Middle Peninsula Planning District Commission for inclusion in the Regional Water Supply Plan I and II.

Mr. Porter indicated the importance of having this Plan included in the long term planning documents for the County.

RE: ALL HAZARDS EMERGENCY PLANNING COMMITTEE UPDATE – SEAN ELLIS AND CHRIS HUBBARD

Committee Chairman, Sean Ellis, addressed the Board to provide an update on the work of the All Hazards Emergency Planning Committee. He indicated that in February when he addressed the Board, he reported that the Committee had set goals, the biggest of which was to review the Virginia Fire Services Board Study performed at the request of the Committee for the County. One of the things the Committee set out to do was to bring back to the Board of Supervisors, short, mid, and long term benchmarks. One of the requests from the Board was to keep these benchmarks to as little or no cost to

the County as possible. Work has begun on this process by the Committee. The whole Committee meets monthly, and sub-committees sometimes meet more often than that.

At this time, the Committee is requesting a meeting with the Board of Supervisors to receive some direction from the Board.

It was suggested by D. L. Wright that two members of the Board of Supervisors, meet with two members of the All Hazards Committee, the Interim County Administrator, and the Emergency Services Director for the County, to work out some issues and directives for the Committee to take back, and then the Committee come back to the Board with a document, which can then be reviewed by the Board.

A date and time are to be determined for this meeting with two members of the Committee, with O. O. Williams and D. L. Wright serving as the two Board members, along with Interim County Administrator, William C. Porter, Jr., and Emergency Services Director, Steve Puckett. Mr. Porter is requested to notify participants.

RE; PLANNING MATTERS – SCOTT LUCCHESI, DIRECTOR OF COMMUNITY DEVELOPMENT

a. Request for Exception to the Transportation Corridor Overlay (TCO) Guidelines; Applicant: Kurtis S. Hedrick, PE, on Behalf of Burger King - Community Development Director, Scott Lucchesi, reviewed the application of C and N Dining, stating that approval of the submitted Site Plan (SP-01-09) was received on November 17, 2009, from the Planning Commission to construct a new retail operation in King William County. The site is located in the Transportation Overlay Corridor District (TCO) at the intersection of Route 360 and Route 30 adjacent to the Simons Tract. The TCO (86-374(4)(a)) has development standards, which were adopted 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.

The applicant is requesting the Board of Supervisors to approve the Exception request to waive the requirement to install a sidewalk in the streetscape buffer that runs along Route 360. Mr. Lucchesi advised that according to a letter submitted to the Planning Office, the applicant is seeking the Exception due to the existing grade of the site and the lack of adjoining walkways, and if the sidewalk is installed, the applicant will have to apply excessive fill prior to the installation. The fill and site conditions will add a significant cost to the project. Continuing, Mr. Lucchesi advised that Section 86-374 (5)(Exceptions) of the TCO 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. He reported that staff does not feel the exception, if approved, will impair the health, safety, comfort and welfare of the inhabitants of King William County, but does not feel that the fact that 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 site plan development.

This Exception request was first presented to the Board of Supervisors at its May 26, 2009, meeting, and was tabled until the Board could see a plan that VDOT had approved indicating the sidewalk location in the VDOT right of way. This site plan has now been revised by the applicant and has been submitted to VDOT. VDOT has reviewed and approved the plan as presented.

b. Consideration of Action - The Board discussed this proposed Exception and upon motion by C. T. Redd III, seconded by C. L. Schools and carried unanimously, adopted the following Resolution approving the Transportation Corridor Overlay (TCO) Exception Request of Applicant, Kurtis S. Hedrick, PE, on behalf of Burger King.

RESOLUTION

Transportation Corridor Overlay (TCO) Exception Request

WHEREAS, The Board of Supervisors of King William County, Virginia, received a request for an exception to the TCO District Guidelines on May 26, 2009 from Kurtis S. Hedrick, P.E., Inc.; and

WHEREAS, the exception was specifically to remove the pedestrian sidewalk requirement for Site Plan SP-01-09 (Burger King), located on Tax Map Parcel 28-55A, or allow the sidewalk to be constructed within the VDOT R/W; and

WHEREAS, the Board of Supervisors tabled the matter until a time that they could review a site plan with the sidewalk located as it will be constructed and approved by VDOT; and

WHEREAS, Kurtis S. Hedrick P.E., Inc. revised the preliminary site plan dated May 10, 2010, to reflect the sidewalk relocation; and

WHEREAS, VDOT issued an approval letter dated May 20, 2010 approving the revised preliminary site plan drafted by Kurtis S. Hedrick P.E., Inc. dated May 10, 2010.

NOW, THEREFORE, BE IT RESOLVED; that the Board of Supervisors of King William County, Virginia, does hereby authorize the approval of the request for an exception to the Transportation Corridor Overlay as presented to the Board of Supervisors of King William County, Virginia, at the regularly scheduled meeting on June 28, 2010 and represented on the preliminary site plan dated May 10, 2010 and drafted by Kurtis S. Hedrick P.E., Inc. and approved by VDOT on May 20, 2010.

c. Presentation of Middle Peninsula Planning District Commission (MPPDC) All Hazards Mitigation Plan – Ron Hachey, Emergency Management

_____ - Ron Hachey, Emergency Management Planner with the MP Planning District, presented and reviewed the Middle Peninsula Natural Hazards Mitigation Plan. He indicated the first Plan was done in 2006 and done for the Middle Peninsula region as is this Plan. It covers the Counties of Essex, Middlesex, Mathews, Gloucester, King & Queen, King William and the Towns of West Point, Urbanna, and Tappahannock. The purpose of this review is to provide a briefing on what is in the Plan and how it affects King William County. No action is required by the Board at this point. In several months, the Board will be requested to adopt a resolution in support of the adoption of the regional plan.

RE: ADMINISTRATIVE MATTERS – WILLIAM C. PORTER, JR., INTERIM COUNTY ADMINISTRATOR

a. Approval of Resolution Authorizing the Remittance of 75% of Net EMS Billings to the Transporting Rescue Squad - Interim County Administrator, William C. Porter, Jr., advised the Board that three actions are to be taken to fully implement the EMS billing fees; (1) Adopt an EMS Fee Schedule by Resolution (2) Establish a fund for the EMS billing fees and disbursement of monies in the fund to the transporting agency (3) Establish a policy for the allocation of billing fees.

Mr. Porter explained that in January, 2010, the Board, by motion, adopted the EMS billing fee schedule, however, under the EMS Billing Fee Ordinance, the Board is required to adopt the fee schedule by "Resolution". The exact same fee schedule as was adopted by motion in January, 2010, is being presented for adoption by Resolution.

Thereupon, on motion by C. L. Schools, seconded by C. T. Redd III and carried unanimously, the Board adopted the following EMS Fee Schedule Resolution:

**RESOLUTION
Establishment of EMS Billing Fees**

WHEREAS, in November, 2009, the Board of Supervisors adopted the addition of Chapter 33 "Emergency Medical Services"; Article I. "Service Fees for Emergency Medical Transport" to the King William County Code; and

WHEREAS, Article I requires the Board of Supervisors to adopt a schedule of rates by Resolution; and

WHEREAS, the Board of Supervisors, after discussion and consultation with King William County EMS providers, desires to establish a schedule of rates for service.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of King William County, Virginia, does hereby set the following EMS rate schedule.

		VA	
		Medicare 2010 Rural Rates	EMSMC Recommended Rates (~125% of allowable)
A0426	ALS Non-emergency	\$241.37	\$300.00
A0427	ALS Emergency	\$382.16	\$475.00
A0428	BLS Non-emergency	\$201.14	\$250.00
A0429	BLS Emergency	\$321.82	\$400.00
A0433	ALS 2	\$553.13	\$690.00
A0434	Specialty Care Transport	\$653.70	\$820.00
A0425	Mileage - Miles 18+	\$6.74	\$8.50
A0425	Mileage - Miles 1-17	\$10.11	\$13.00

On motion by C. L. Schools, seconded by D. L. Wright and carried unanimously, the Board adopted the following Resolution for Allocation of EMS Billing Revenues and the Policy for the Allocation of EMS Billing Revenues

RESOLUTION

Allocation of EMS Billing Revenues

WHEREAS, the Board of Supervisors desires to establish a policy for the distribution of revenues collected from EMS billings; and

WHEREAS, the Board desires to establish a fund for the accounting of EMS billing revenues; and

WHEREAS, said Board policy shall include the distribution of EMS billing revenues to the transporting department(s) and the County.

NOW, THEREFORE, BE IT RESOLVED; that the Board of Supervisors of King William County, Virginia, does hereby establish the following Policy for the distribution of revenues collected from EMS billings:

Policy for the Allocation of EMS Billing Revenues

Fund 740 EMS Billing is established to receive, disperse and hold all revenue received from EMS billings. Monies held in Fund 740 shall not transfer to the General Fund at the end of the fiscal year, but shall be held in Fund 740 until the King William County Board of Supervisors establishes a paid core of EMS providers, at which time the Board may transfer said money to the proper fund.

The net of all EMS billing revenues received by the County shall be distributed as follows:

- 100% of all EMS transportation mileage revenues shall be dispersed to the transporting company(s) within 30 days of the receipt of mileage revenues
- 75% of all EMS service revenues shall be dispersed to the transporting company(s) within 30 days of the receipt of EMS service revenues. The Board requests that 25% of revenues received by the transporting agency

- 25% of all EMS service revenues shall be held by King William County in Fund 740. All EMS billing revenues received by the transporting company(s) shall be used only for the provision of EMS/Rescue services and shall not be used to defray any other cost.
- Annually the Board of Supervisors will review the above allocations and may adjust allocations.

b. Approval of Resolution Setting a Policy for the Payment of Planning Commission and Board of Zoning Appeals Members - On motion by C. L. Schools, seconded by D. L. Wright and carried unanimously, the Board adopted the following Resolution setting a policy for the payment of Planning Commission and Board of Zoning Appeals Members:

RESOLUTION

Policy for the Payment of Planning Commission and Board of Zoning Appeals Members

WHEREAS, members of the King William County Planning Commission and Board of Zoning Appeals spend volunteer hours and personal vehicle mileage monthly on County planning cases, zoning cases and land use studies; and,

WHEREAS, the Board of Supervisors desires to establish a policy for the compensation of members of the Planning Commission and Board of Zoning Appeals.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of King William County, Virginia, does hereby establish the policy of compensating members of the Planning Commission and Board of Zoning Appeals \$100 per month for volunteer hours and personal vehicle mileage spent in carrying out their duties and responsibilities as members of the Planning Commission and Board of Zoning Appeals; and

BE IT FUTHER RESOLVED that this policy shall go into effect July 1, 2010.

c. Approval of Resolution Authorizing a USDA Rural Development Grant Application in the Amount of \$20,000 for a Generator at the Mt. Olive Wastewater Treatment Plant

On motion by D. L. Wright, seconded by O. O. Williams and carried unanimously, the Board adopted the following Resolution authorizing the application for grant funds from the United States Department of Agriculture and Rural Development for the purchase of a generator for the Mt. Olive Wastewater Treatment Plant:

RESOLUTION

USDA Rural Development Grant

WHEREAS, the Board of Supervisors authorizes the application for grant funds from the United States Department of Agriculture (USDA) Rural Development; and

WHEREAS, the Board approves the use of these grant funds for the Mt. Olive Community Improvement Project; and

WHEREAS, said Board will purchase with these grant funds a generator for the Mt. Olive Wastewater Treatment Plant.

NOW, THEREFORE, BE IT RESOLVED; that the Board of Supervisors of King William County, Virginia, does hereby authorize the submission of an application to USDA Rural Development for grant funds in the amount of \$20,000.

d. Consideration of Approval of Resolution Authorizing the Payment of the Virginia Retirement System (VRS) 5% Member Contribution After July 1 for New Hires

Assistant County Administrator, Terri E. Hale, made the Board aware that the 2010 General Assembly passed legislation providing new plan provisions for employees hired or rehired after July 1, 2010, with no prior Virginia Retirement System (VRS) service. This legislation requires that employees covered under this plan, called VRS Plan 2, pay the 5% member contribution through salary reduction on a pre-tax basis. She indicated that the County may elect to pay some or all of the 5% member contribution by adopting and submitting a Resolution to VRS.

She stated that staff recommends the Board pay the 5% member contribution for employees hired after July 1, 2010, for several reasons. The 5% member contribution is currently paid for all full-time, permanent employees. Requiring new hires to pay the 5% would effectively create a second class of employees, meaning different employees would receive different benefits. Also, when the Board chose to begin paying the 5% member contribution in 1992, it was done in lieu of a raise. For the existing pay plan to remain equitable, new hires paying the 5% member contribution should be compensated at a higher salary.

Ms. Hale noted that the new VRS Plan 2 has no effect on current employees. Also, if the Board does choose to adopt a Resolution to continue to pay the 5% member contribution, it may revoke the action at a later date.

The Board discussed this matter quite extensively. A motion was made by C. L. Schools, and seconded by T. G. Smiley that the County pay the 5% member contribution to VRS. This motion failed with the following roll call vote:

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

e. Approval of Resolution Authorizing a Roof Replacement of the Old Jail -

Interim County Administrator, William C. Porter, Jr., advised that in 2005, the Board approved the issuance of debt in the amount of \$1,050,000.00 to fund ten small general government capital projects. Six of these projects were completed using bond proceeds, including the Regional Animal Shelter. One project was funded by a grant, and three projects have not been completed. This renovation of the old jail building was a project not undertaken because of additional animal shelter costs.

Continuing, Mr. Porter advised that last fall, a group consisting of staff and Historical Society members met to discuss repairs to the old jail roof. In June, 2009, the group received quotes from three local contactors. Since the work to be done is on an old building, and some of the areas were covered, each of the quotes included add-ons for additional work that may be required to complete the roof work. One of the bids included a price per linear foot for replacement of portions of the roof system that must be replaced. After viewing the area to be re-roofed now, it is suspected that the entire roof system may need to be replaced, therefore, each of the three contractors were asked to update their quotes.

The three quotes follow:

Kenwood Builders, King William, VA	**Did not update quote**	\$38,303
Darrell Kellum, Inc., King William, VA		\$42,000
Fan Roofing, King William, VA		\$42,150

It was the recommendation of the staff to award the bid for the repair of the old jail roof in an amount not to exceed \$46,000 to Darrell Kellum, Inc. It was indicated that the staff believes the additional \$4,000 may be needed to complete the roof repair and replacement work, as the roofing system and walls have deteriorated significantly. It is also recommended by the staff that the necessary money to fund this project come from the FY-11 Contingency Account, leaving a Contingency Account balance of \$105,122.

Mr. Porter thanked Herb White and the King William Historical Society for all the work done in securing these proposals.

Thereupon, on motion by D. L. Wright, seconded by C. L. Schools and carried unanimously, the Board adopted the following Resolution awarding the bid for the old jail roof replacement and repair to Darrell Kellum, Inc., and also authorizing the transfer of

\$46,000 from the FY-11 Contingency Account to the General Fund, leaving a Contingency Account balance of \$105,122.

RESOLUTION

Award of Bid Old Jail Roof Replacement

WHEREAS, the roof on the “Old Jail” section of the Historic Courthouse is dilapidated and in need of immediate repair and replacement; and,

WHEREAS, staff and the King William County Historical Society have received three bids for the repair and replacement of the “Old Jail” section of the Historic Courthouse; and,

WHEREAS, the Board of Supervisors desires to be good stewards in the maintenance and care of the Historic King William County Courthouse complex.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of King William County, Virginia, does hereby award the bid for the repair and replacement of the “Old Jail” roof to Darrell Kellum, Inc. in accordance with the Proposal submitted to: King William Historical Society in an amount not to exceed \$46,000.00; and,

BE IT FURTHER RESOLVED that the Board of Supervisors does hereby authorize the transfer of \$46,000.00 from the Fiscal Year 2010-2011 Contingency Account to the General Fund, leaving a Contingency Account of \$105,122.00.

f. Recognition of 12th Consecutive Government Finance Officers (GFOA) Certificate of Achievement for Excellence in Financial Reporting - William C. Porter, Jr., Interim County Administrator, recognized Ms. Terri E. Hale, Assistant County Administrator, and the Finance Staff for receiving the Government Finance Officers Certificate of Achievement for Excellence in Financial Reporting for 12 consecutive years.

RE: APPOINTMENTS

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

b. Economic Development Authority – Two Members, Four Year Terms, Terms of T. D. Stuart and James E. Boyer Expire 6/30/10 - On motion by C. T. Redd III, seconded by D. L. Wright and carried unanimously, the Board reappointed T. D. Stuart and James E. Boyer, each to serve a four year term as a member of the King William County Economic Development Authority. Said terms will expire June 30, 2014.

c. Historic Preservation and Architectural Review Board – One Member, Five Year Term, Term of LaVerne Abrams Expires June 30, 2010 – (NOTE: Mrs. Abrams Does Not Wish to Be Considered for Reappointment) - On motion by O. O.

Williams, seconded by T. G. Smiley and carried unanimously, the Board appointed Robert H. Hubbard to serve as a member of the King William County Historic Preservation and Architectural Review Board for a term of five years, ending June 30, 2015.

Chairman, T. G. Smiley, thanked Mrs. LaVerne Abrams for serving the past five years on the HP&AR Board, stating that she has been a dedicated and steadfast member.

d. Recreation Commission – Three Members, Three Year Terms, Terms of Vernice Wilson (Election District #1); Troy Simons (Election District #4); and Gerry W. Mick (Election District #5) all Expire 6/30/10 (NOTE: Mrs. Mick Does Not Wish to Be Considered for Reappointment) - On motion by C. T. Redd III, seconded by D. L. Wright and carried unanimously, the Board reappointed Vernice Wilson of Election District #1 and Troy Simons of Election District #4 to serve three year terms on the King William County Recreation Commission. Said terms will expire June 30, 2013.

Action on the appointment from Election District #5 was tabled until the Board's July meeting.

e. Social Services Board – One Member, Four Year Term, Term of Constance Mickens Expires 6/30/10 - On motion by O. O. Williams, seconded by D. L. Wright and carried unanimously, the Board reappointed Constance Mickens to serve a four year term on the King William County Social Services Board. Said term will expire 6/30/14.

f. Bay Consortium Local Workforce Investment Board, Inc. – Two Members, Four year Terms, Terms of Brenda H. Ball and Otto O. Williams Expire 6/30/10 (NOTE: Mrs. Ball is ineligible for reappointment) - On motion by C. T. Redd III, seconded by D. L. Wright and carried unanimously, the Board reappointed Otto O. Williams to represent the County as a member on the Bay Consortium Local Workforce Investment Board, Inc. for a term of four years, expiring June 30, 2014.

Action on the appointment of a replacement for Mrs. Brenda H. Ball was tabled until an application is received.

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

Herb White of the Second Election District, thanked the Board and Mr. William C. Porter, Jr., Interim County Administrator, for securing the funding for replacement and repairs to the roof of the old jail building. This is a landmark in the County, and he feels the Historical Society and other citizens of the County are very enthused about this work being done, so that the building will be protected for the future. With this repair work being done on the old jail building, he hopes the Circuit Court Judge will continue to convene court in the historic Courthouse in order to hold its standing as the “oldest Courthouse in the United States in continuous use”.

Lloyd Huckstep, President of the Historical Society, also thanked the Board for the funding to repair the old jail building, and expressed appreciation to the Board for allowing the Historical Society to continue to keep the Museum in the old Circuit Court Clerk's office building, as well. That is a big gift and the Society appreciates the opportunity for the Museum.

Chairman, T. G. Smiley, thanked members of the Historical Society for their volunteer hours put into this project.

Jeff Walton, Sheriff, addressed the Board concerning the VRS 5% member contribution. He stated that he has two open positions to fill, and one he has purposely left open for the past month and a half to save some money to help with the state budget cuts. He stated he almost feels that he has been slapped in the face. He should have filled these two positions before July 1, and this would not have happened. He indicated that we are not competitive with the counties around us, that our pay scale is still a little bit below, and he feels this was the wrong move for the County, not to pay the 5% VRS member contribution for new employees hired after July 1.

Dean Collings of the Fourth Election District, addressed the Board concerning the VRS 5% member contribution decision for the County not to pay. He stated that not only will the 5% be taken out of salaries, but no one mentioned that it will be

taxable. He expressed his opinion that when the amount is a benefit, no taxes are paid on it, but when an employee contributes, taxes are taken out.

RE: BOARD OF SUPERVISORS' COMMENTS

Various Board members thanked the citizens for attendance at this meeting and for their interest in King William County government.

D. L. Wright recognized the work done at the 20th annual River Stewardship Day on June 5, 2010, which shows the stewardship of people in the community and what can be accomplished by volunteers.

RE: RECONSIDERATION OF RESOLUTION AUTHORIZING THE PAYMENT OF THE VIRGINIA RETIREMENT SYSTEM (VRS) 5% MEMBER CONTRIBUTION AFTER JULY 1 FOR NEW HIRES

The question was raised by C. T. Redd III and D. L. Wright if the Board could reconsider its previous motion made regarding the VRS 5% Member Contribution. Interim County Administrator, William C. Porter, Jr., advised that the motion to reconsider would have to be made by someone who voted in favor of the previous motion.

Thereupon, C. L. Schools motioned that the Board reconsider its previous motion that the County pay the 5% member contribution for employees hired after July 1. This motion was seconded by D. L. Wright and received the following roll call vote:

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

Whereupon, C. L. Schools motioned that the County pay the 5% VRS member contribution on new hires after July 1. This motion was seconded by D. L. Wright and received the following roll call vote:

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

It was noted that information is to be provided to Department Heads along with the FY-12 Budget materials in 2011 that this 5% VRS member contribution on new

hires now paid by the County will be reconsidered by the Board with the FY-12 Budget.

RE: ADJOURNMENT OF MEETING

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

COPY TESTE:

T. G. Smiley, Chairman

William C. Porter, Jr.
Interim County Administrator