

**MINUTES**  
**KING WILLIAM COUNTY**  
**BOARD OF SUPERVISORS**  
**MEETING OF JULY 26, 2010**

**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF KING WILLIAM COUNTY, VIRGINIA, HELD ON THE 26<sup>TH</sup> DAY OF JULY, 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**  
**WILLIAM H. HEFTY, INTERIM COUNTY ATTORNEY**

**INVOCATION – REV. C. EDWARD SHEPARD – PASTOR, BEULAH**

**BAPTIST CHURCH**

The opening invocation was delivered by Rev. C. Edward Shepard, Pastor of Beulah Baptist Church in Aylett.

**RE: APPROVAL OF MEETING AGENDA**

On motion by C. T. Redd III, seconded by D. L. Wright and carried unanimously, the Board adopted the agenda for this meeting as presented by the Interim County Administrator, with the following changes: Item 11, "Adoption of Resolution Adopting Revised Master Utility Plan" was moved forward to become Consent Agenda Item 7(d); Item 13 (a) and (b) "Recreation Matters – "Adoption of Resolution Authorizing the Volunteer Clearing of a New Athletic Field" and "Adoption of Resolution Approving the Implementation of User Fees" were both moved forward to become Consent Agenda Items 7(e) and 7(f); and Item 14(a) "Administrative Matters – "Adoption of Resolution Requesting that Governor Robert F. McDonnell Designate King William County a Disaster Area Due to a Prolonged Drought" was moved forward to become Consent Agenda Item 7(g).

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

Bob Kinning of 1112 Marl Hill Road in the Second District, addressed the Board concerning the number of unpaved roads in the County and the possibility of seeking Rural Rustic funding for paving of these roads. He stated there are 10 unpaved roads in the County that qualify for paving under the VDOT Six Year Plan. Only one road (Custis Mill Pond Road) was put on the Plan for this year. Due to the VDOT budget constraints being experienced at this time, he asked the Board to seek assistance under the Rural Rustic program for the paving of some of these roads.

Steve Tupponce, Vice-Chair of the King William County School Board, spoke in favor of a proposed Resolution that is to be considered later on this meeting agenda, to allow the School Board to use a fund balance in the school reserve fund for operating expenditures during FY-12 and FY-13.

**RE: CONSENT AGENDA**

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

- a. Minutes of the regular meeting of June 28, 2010, as presented
- b. Claims against the County for the month of July, 2010, in the amount of \$1,331,834.76 as follows:

(1) General Fund Warrants #72845-72981 in the amount of \$529,566.11; ACH Direct Payments #259-336 in the amount of \$504,708.55; Manual Checks #14217 in FY-10 in the amount of \$14,300.00 and #14216 in FY-11 in the amount of \$31,959.62; Direct Deposits #14184-14292 in the amount of \$191,652.97; and Electronic Tax Payment in the amount of \$59,647.51

(2) For informational purposes, Social Services expenditures for the month of June, 2010, Warrants #308288-308336 in the amount of \$35,401.27; Direct Deposits #2340-2357 in the amount of \$30,580.92; and Electronic Tax Payment in the amount of \$10,036.58

(3) For informational purposes, Circuit Court expenditures for the month of June, 2010, Warrants #72837-72843 in the amount of \$5,273.16; Direct

Deposits #379-381 in the amount of \$8,602.20; and Electronic Tax Payment in the amount of \$2,946.58

(4) For informational purposes, Comprehensive Services Act Fund expenditures for the month of June, 2010, Warrants #72828-72835 in the amount of \$31,070.04; ACH Direct Payments #246-258 in the amount of \$30,225.82

(5) There were no Tax Refunds for the month of June, 2010.

c. Authorized advertisement of a Public Hearing to be held during the Board's regular monthly meeting of August 23, 2010, beginning at 7:00 p.m. in the Board Room of the County Administration Building to consider Adoption of an Ordinance Allowing for the Collection of a Local Recordation and Probate Tax

d. Adopted the following Resolution Adopting the King William County Master Utility Plan: Revised May 14, 2010

**RESOLUTION**

**ADOPTION OF THE KING WILLIAM COUNTY  
MASTER UTILITY PLAN**

**WHEREAS**, the King William County Board of Supervisors considers the provision of water and sewer service essential to the health, safety, and welfare of the citizens of King William County, both now and in the future; and

**WHEREAS**, the first King William County Master Utility Plan was developed January 20, 2008, and was updated and revised May 14, 2010; and

**WHEREAS**, the Board of Supervisors concurs in the findings and revisions of the King William County Master Utility Plan, Revised: May 14, 2010.

**NOW, THEREFORE, BE IT RESOLVED**, by the King William County, Virginia Board of Supervisors that the King William County Master Utility Plan, Revised, May 14, 2010, be and hereby is, adopted as the King William County Master Utility Plan; and

**BE IT FURTHER RESOLVED** that said Revised Master Utility Plan, be and hereby is, forwarded to the King William County Planning Commission for inclusion in the update of the King William County Comprehensive Plan, and be and hereby is, forwarded to the Middle Peninsula Planning District Commission for inclusion in the Middle Peninsula Planning District Commission Regional Water Supply Plan I and II.

e. Adopted the following Resolution Authorizing the Volunteer Clearing of 2 Acres of Land at the King William Recreational Park.

**RESOLUTION**

**King William Recreational Park Expansion Project**

**WHEREAS**, the Board of Supervisors recognizes the need for additional athletic fields at the King William Recreational Park;

**WHEREAS**, the Board understands that Mid-Atlantic Tree Harvesters, Inc. has agreed to complete this project as a community service and at no cost to the county. King William County will provide Mid-Atlantic Tree Harvesters, Inc. with a statement of value for the equipment hours used; and

**WHEREAS**, the Board understands that through a working partnership between King William Parks and Recreation and King William Little League, Inc., this area will be developed into additional athletic fields and open space.

**NOW, THEREFORE, BE IT RESOLVED**; that the Board of Supervisors of King William County, Virginia, does hereby authorize Mid-Atlantic Tree Harvesters, Inc. to perform this service at the King William Recreational Park. Clear and grub a specified two acres of property at the King William Recreational Park.

f. Adopted the following Resolution Approving the Implementation of Parks and Recreation User Fees

**RESOLUTION**

**Parks and Recreation User Fees**

**WHEREAS**, the governing body of any county may establish fees for its parks, recreational facilities, and playgrounds pursuant to Code of Virginia § 15.2-1806; and

**WHEREAS**, the King William County Parks and Recreation Department has reviewed expenditures and revenues in an effort to keep fees reasonable to preserve the current level and quality of services provided to the citizens; and

**WHEREAS**, the King William County Recreation Advisory Commission, after due consideration, finds the recommended fees justified, fair and beneficial in providing the community with reasonable priced recreational services.

**NOW, THEREFORE, BE IT RESOLVED**; that the recreational fees to be charged by King William County shall be as follows:

1. The per person user fee for all athletic activities (Co-Sponsored and Affiliated Groups) shall be \$5.00.
2. The rental fee for all athletic activities (Co-Sponsored and Affiliated Groups) that are not part of league season play or playoffs will be \$25 per field/per day and/ or \$50 per field per day depending on facility requested.
3. The rental fee for all athletic activities (Non-Affiliated Groups) shall be \$25 per field/per day and/or \$50 per field/ per day depending on facility requested.
4. The rental fee for recreation facilities including picnic shelters and basketball courts shall be \$15 per day for residents and \$30 per day for non-residents.

g Adopted the following Resolution Requesting that Governor Robert F. McDonnell Designate King William County a Disaster Area Due to a Prolonged Drought:

**RESOLUTION**

**REQUESTING GOVERNOR McDONNELL TO HAVE KING WILLIAM COUNTY DESIGNATED A DISASTER AREA DUE TO THE PROLONGED DROUGHT**

**WHEREAS**, drought conditions in King William County have severely affected farmers; and

**WHEREAS**, during the growing season of this year, King William County has received considerably less rain than normal while experiencing unseasonably high temperatures; and

**WHEREAS**, the Virginia Cooperative Extension Service and FAC has reported that approximately 20,000 acres of farm land has been adversely affected within the County at an estimated loss of \$4,000,000; and

**WHEREAS**, the yields of the principal crops produced in the King William County including corn and soybeans have been seriously reduced.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County that the Interim County Administrator, be and hereby is, directed to file with the Governor of Virginia a request that King William County be designated as a drought disaster area.

**RE: ADOPTION AND PRESENTATION OF RESOLUTION OF APPRECIATION FOR DR. A. W. LEWIS, III UPON HIS RETIREMENT**

On motion by D. L. Wright, seconded by O. O. Williams and carried unanimously, the Board adopted the following Resolution of Appreciation for Dr. A. W. Lewis, III on Aylett, upon the occasion of his retirement from practice.

**RESOLUTION OF APPRECIATION**

**WHEREAS**, Dr. Augustine W. Lewis III retired from his family medicine practice in June, after almost 36 years of service to the community; and

**WHEREAS**, Dr. Lewis, son of Dr. A. W. Lewis, Jr. and Roberta Broaddus Lewis, grew up in Aylett and attended King William County schools; and

**WHEREAS**, Dr. Lewis attended the University of Virginia from 1962 to 1965, and graduated from the Medical College of Virginia in 1969, 27 years after his father and 57 years after his grandfather; and

**WHEREAS**, Dr. Lewis completed post graduate training at Emory University Hospitals in Atlanta and the University of Colorado Medical Center in Denver from 1969 to 1972 and subsequently practiced for two years in Colorado; and

**WHEREAS**, Dr. Lewis reopened the Aylett practice in 1974 previously operated by Dr. A. W. Lewis, Jr. and Dr. A. W. Lewis, Sr.; and

**WHEREAS**, Dr. Lewis has served his community as the local Medical Examiner, the Operating Medical Director for area rescue squads and a volunteer at the St. David's Free Clinic; and

**WHEREAS**, Dr. Lewis has gone on a number of medical mission trips to Central America; and

**WHEREAS**, Dr. Lewis has received teaching awards from the Virginia Academy of Family Physicians and from the VCU School of Medicine; and

**WHEREAS**, Dr. Lewis shares his retirement with his wife Elizabeth Christeller; his children: Joshua Lewis of Aylett, Susannah Marais, of Denver and Austin Lewis of Bruington; and four grandchildren; and

**BE IT RESOLVED**, that the King William County Board of Supervisors expresses its deep appreciation to Dr. Lewis for his career-long dedication to public service in the community; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the King William County Board of Supervisors congratulates Dr. Lewis on his retirement and commends him for his hard work on behalf of the citizens of the County; 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.

Dr. Lewis was present and received this Resolution from Board Member, Daniel L. Wright.

**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, provided an update on the search. He indicated that the application process is winding down with the deadline being on July 30<sup>th</sup>. To date, 40 applications have been received for the position of County Administrator and 15 for the position of County Attorney. He asked the Board to set a date and time to receive and review the applications.

It was stated that this agenda includes an item for Closed Meeting pursuant to Section 2.2-3711(a)(1), Code of Virginia, 1950, as amended, for discussion of the employment of a full time County Administrator and County Attorney, and a date could be set at the ending of this meeting.

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

Marcie Parker, VDOT Residency Administrator, addressed the Board to provide an update on ongoing VDOT projects.

Prior to Ms. Parker's update, Chairman T. G. Smiley asked for an explanation of Rural Rustic funds. Ms. Parker responded that Rural Rustic funds are a way to pave some of the unpaved roads. Roads can be paved as a full blown project, paved in place, or paved as a Rural Rustic project. The criteria for Rural Rustic is that the road has to carry under 1500 VPD, there has to be no known future development along the roadway, and the work can be done within the existing right-of-way, which is usually about 30 feet wide. VDOT will come in, clean out the ditches, if needed, and shoot the

road with tar and gravel. She indicated that she had checked earlier about pavement of Route 625, and it is planned, and the estimate for it is with Rural Rustic funds. VDOT is moving forward with it under the Rural Rustic concept. Ms. Parker stated that Rural Rustic funds are just the regular secondary road funds. Rural Rustic is just a way to pave the road less expensively than a full blown project. It is VDOT money that is assigned to King William County. Mr. Smiley stated that King William County has a total of \$58,000.00 in the Six Year Plan for Secondary Roads and any Rural Rustic funds will have to come out of this amount. Ms. Parker indicated this statement to be correct.

West Point Creek Bridge Approaches - Continuing, Ms. Parker advised that on July 15, 2010, VDOT conducted a citizens information meeting for the West Point Creek bridge approaches project. There were four people in attendance, one being the Town Manager and another being the Mayor, and two citizens. VDOT answered their questions, and an October advertisement date is being planned, with the project begin date to be in the January/February, 2011 time frame. The project should be completed in 10 to 12 months.

Mattaponi and Pamunkey Indian Reservations Directional Signs - Ms. Parker reported that the brown and white directional signs are now administered by the VDOT Virginia Logos Program through the company, Virginia Logos. VDOT has been in contact with both the Pamunkey Reservation and the Mattaponi Reservation and they were provided information that the procedure has changed for the brown and white signs. The Reservations must now provide funding to purchase any new signs or to upgrade existing signs.

Route 30 – Truck Traffic Counts - The average truck count on Route 30 in King William County is 775 per day. Ms. Parker reported that she has contacted the Virginia State Police about the possibility of getting the weight scales set up in the County more frequently.

Grass Mowing in the County - All the primary routes grass mowing has been completed. Areas with sight distance issues are being mowed on the secondary routes and the full blown secondary routes mowing will begin within the next two weeks.

McCauley Parkway in McCauley Park Subdivision Traffic Request - Ms. Parker reported that this request received at the Board's last meeting has been forwarded to the Traffic Engineering Department, but no information has yet been received.

Globe Road Drainage Issue - O. O. Williams discussed a drainage problem on Globe Road and Ms. Parker indicated that VDOT has done some repair work on Globe Road. She indicated her understanding of the drainage issues in this area, as being that there was a cross pipe and some manufactured homes were built in the middle of the outfall. It was her understanding that these homeowners were to adjust the outfall to handle the drainage. She plans to work with the King William Planning Department to figure out the procedure to correct this drainage issue.

Dabney's Mill Road - O. O. Williams asked for an update on work to be done on Dabney's Mill Road. Ms. Parker responded that she is unsure what stage this project is currently in. VDOT may be working on the right-of-way.

Old Footpath Road – Rural Rustic Project - O. O. Williams requested that the pavement to be put down, be of a good thickness. If not, he feels that VDOT is wasting tax dollars.

Mr. Williams also discussed an ongoing drainage problem on Old Footpath Road that has been occurring for a number of years.

Herring Creek Road - O. O. Williams reported a problem with the pavement cracking apart and coming up on Herring Creek Road. The section where this is occurring is located on Route 628 headed to Route 604, about ½ mile on the right hand side of the roadway. Ms. Parker advised that she will contact the Superintendent and have him look into this matter.

Line Painting on Secondary Roads Throughout the County - D. L. Wright requested that the VDOT line painting personnel check the secondary roads throughout the County for the need of line repainting. There are a lot of elderly people living on the secondary roads in King William and this bright yellow line is a great help, especially in inclement weather.

Kelly Lane - C. L. Schools reported a deep washout near the upper end of Kelly Lane and also some potholes, and requested that repairs be made.

Sharon Road - C. L. Schools asked for a status report on the guardrails being placed on Sharon Road between Route 30 and Route 360. The area has been marked for the guard rails.

Mitchell's Mill Road - O. O. Williams asked for an update on the guard rail installation to be done on Mitchell's Mill Road. Ms. Parker indicated that she has spoken with Mr. Stunkle for some information on this project, and Mr. Stunkle advised that he last was in contact with the Department of Conservation and Recreation back in November/December, 2009, and at that time DCR had not yet reviewed the Dam to make sure it is up to their standard and built within their specifications. Further, Ms Parker indicated that she tried to contact the Dam Safety Engineer with DCR about 2 weeks ago, and has yet to receive any word. She reported that until approval is received from the Dam Safety Engineer at DCR, there is no need to expend the money to install the guard rail, if DCR is not going to pass inspection on the Dam and the road would not be reopened.

**RE: PLANNING MATTERS – SCOTT LUCCHESI, COMMUNITY DEVELOPMENT DIRECTOR**

a. Public Hearing – 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. - Community Development Director, Scott Lucchesi, presented and reviewed the application of Resource Conservation Partners, Inc. to rezone 15.4 acres of land located ½ mile west of the intersection Route 30 and Route 611 (Venter Road) from A-C (Agricultural-Conservation to R-1 (Suburban Residential) to allow for the creation of a major subdivision. This property is further described as Tax Map 21, Parcel 33 on the King William County Tax Maps. Mr. Lucchesi explained that this parcel is designated on the County Future Land use Map as “high density residential”, and that it adjoins McCauley Park Subdivision, Section 3, to the south and east, and agricultural parcels not within a subdivision to the north and west. This parcel will be accessed via Route 611 (Venter Road) by a single entrance.

Mr. Lucchesi also advised that the applicant is asking to create 17 building lots in the subdivision. Each lot will be required to have a minimum square footage of

30,000 square feet. The 17 lots on the 15 acres will result in a density of .71 lots per acre, after subtracting the necessary square footage for the roads. Individual septic systems will serve the lots with water being provided by the County. He indicated it would be necessary to draft and approve a Utility Agreement in order for the County to provide water service for the development. Mr. Lucchesi explained that the Planning Commission would like a condition placed on this application stating that if the County water is used to supply the subdivision, that no irrigation can be done using the County water.

The lots will front on a new subdivision road that will be built to VDOT specifications and will be dedicated to VDOT for state maintenance. The subdivision road will be reviewed at the time of the preliminary plat approval, but Mr. Lucchesi explained that the staff wants to be sure two items of concern are addressed. The first is the size of the cul-de-sac – it must be the minimum of 50 feet. The second is the turn radius into the cul-de-sac – it must be a minimum of 50 feet as well, to ensure proper function of the cul-de-sac for school buses and emergency personnel. Approximately 170 trips per day will be generated onto Venter Road from this subdivision.

Continuing, Mr. Lucchesi stated that a portion of the proposed new lots will back up to the exiting McCauley Park Subdivision. Sixteen of the lots touch the boundary line. The entire parcel will be required by the Subdivision Ordinance to have a 50 foot landscape buffer along the perimeter of the parcel.

It was explained by Mr. Lucchesi that the applicant is proffering an \$8,000.00 cash proffer per lot to offset any negative impacts created for the County. In addition, the following conditions are also being proffered:

1. Complete any off site improvements required by VDOT at the time of Construction Review, build all proposed roads to VDOT specifications and dedicate said roads to the State for maintenance, when completed.
2. Minimum square footage for the homes, not including garages, decks, etc., will be 1,800 square foot of finished floor area for any 2 story home, and 1,400 square foot of finished floor area for a single story/rancher style home.

3. County water will supply the subdivision with the condition that no irrigation will be allowed utilizing County supplied water.
4. Only one point of access will be permitted.
5. All homes will have a brick foundation with no cantilevered chimneys or fireplaces, 30 year dimensional shingles, a minimum of 13 sheer heat pumps. No cinder block, cement block or solid block shall be permitted for the finished exterior of any structure.
6. No more than 17 building lots will be created through the subdivision of the property at any time in the future.
7. All of the homes shall be built in substantial conformance with the elevations submitted and labeled as "Exhibit A".

In addition, Mr. Lucchesi indicated that this application has been reviewed by the King William County Historic Preservation and Architectural Review Board with no comments generated.

The Planning Commission has considered this application and voted to forward it to the Board of Supervisors with the one condition to be added, with a recommendation of approval.

It was the recommendation of staff to the Board to approve this request by resolution, with the conditions as proffered by the applicant, as the proposed request will comply with the Land Use Map and the adopted goals and policies in the Comprehensive Plan.

Thereupon, the Chairman declared the public hearing open to receive comments on Zoning Case #Z-01-10; Owner/Applicant – Resource Conservation Partners, Inc., and the following persons appeared to speak:

Don Wagner of the Fifth Election District, addressed the Board with concerns with design issues that he feels should be resolved prior to approval of the rezoning request. In VDOT's review of the entrance into the subdivision, concern was expressed with the width of the entrance to include the median and ditches, and that the design may not fit into the available land owned by the developer. VDOT also had concerns with the site distance at the entrance onto Venter Road and suggested it should be checked out with the developer's engineer. Mr. Wagner's concern was

that if this subdivision receives approval by the Board, and subsequently it is determined by VDOT that the entrance does not meet the requirements, VDOT will have no alternative but to reject the entrance onto Venter Road. His concern with that is that the developer has a relatively small opening for the road to come onto Venter Road, but they don't control any of the right-of-way along Venter Road. So if any of these improvements are needed on Venter Road, the only place to make them is within the present 40 feet state right-of-way along Venter Road.

He also had concerns with the Subdivision Ordinance that requires sidewalk, curb and gutter and a minimum 50 foot turn-around radius at the end of the cul-de-sac.

Dean Collings, President of the McCauley Park Subdivision Homeowners Association, indicated that Mr. Lucchesi had mentioned that Section 3 of McCauley Park Subdivision borders on this proposed subdivision, but, actually it is Section 1 of McCauley Park. Speaking for the homeowners whose property directly abuts the proposed new subdivision, they have several concerns. He continued that he has had unofficial discussions with some of the partners that are developing the property, and it is his understanding that within the 50 foot buffer, they are willing to plant some trees to make the buffer truly a buffer. As adjacent property owners, they would like to see that done. Their other concern is property values. The minimum square footage of the proposed homes is 1,400 square foot, and they would like to see that enforced, so their property values are not diminished. Another concern is drainage. It is his understanding that there will be some type of drainage ponds, and the homeowners are requesting that fencing or barriers be put up around the ponds for safety.

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

Thereupon, Scott Lucchesi, Community Development Director, addressed some of the concerns presented, and the Engineer for the project, Dan Webb of Webb and Associates, also spoke to some of the concerns raised regarding VDOT site distance requirements, drainage issues, cul-de-sac radiuses.

Pete Glubiak, Attorney for Developers, indicated that the project is feasible with or without the curb and gutter requirements. The primary reason for elimination of

curb and gutter is affecting the Chesapeake Bay Act, drainage, low impact development and those types of issues.

D. L. Wright questioned about the size of the holding ponds and the depth of the water discharge in these ponds, and Mr. Webb responded that they are just under ½ acre in size, and the water depth will not be over 3 to 4 feet, or less. These will be dry facilities that will be mowed. They will not be wet facilities that will retain water indefinitely.

Interim County Administrator, William Porter, questioned if there will be discharge from storm water ponds #1 and #2, and Mr. Webb indicated that there will storm water management facilities in both areas and they both will have discharges. Mr. Porter stated that Pond #1 has a drainage easement, but Pond #2 does not. Mr. Webb explained that Pond #2 will discharge directly into the proposed right of way and then will go into a culvert pipe that goes underneath Venter Road into an existing culvert. They will drain in opposite directions.

b. Consideration of Action on Zoning Case #Z-01-10 - On motion by C. L. Schools, seconded by D. L. Wright and carried with the following roll call vote, the Board adopted the following Resolution approving the request of Resource Conservation Partners, Inc. to rezone 15.4 acres from A-C to R-1, described as Tax Map 21-33 on the King William County Tax Maps.

## **RESOLUTION**

### **ZONING CASE #Z-01-10**

**WHEREAS**, the Board of Supervisors of King William County, Virginia, received a request for rezoning on Tax Map Parcel 21`-33 on March 31, 2010, from resource Conservation Partners, Inc.; and

**WHEREAS**, the request was specifically to rezone the entire 15.04+/- acre parcel located in the Acquinton District from A-C (Agricultural-Conservation) to R-1 (Suburban Residential); and,

**WHEREAS**, the King William County Planning Commission voted on June 21, 2010, to forward the case on to the Board of Supervisors with a recommendation of approval with a condition that the County water shall not be used for any irrigation; and,

**WHEREAS**, Webb and Associates drafted a conceptual plan dated October 6, 2009, and revised on July 19, 2010; and,

**WHEREAS**, the King William County Board of Supervisors authorizes the applicant to enter into an agreement to supply the proposed development with water and that said agreement may be signed by an Interim or County Administrator; and

**WHEREAS**, the proposed development shall have no more than seventeen building lots; and,

**WHEREAS**, the King William County Board of Supervisors approves this request with the proffered conditions submitted by the applicant dated May 5, 2010; and,

**WHEREAS**, the project shall be developed in substantial accordance with the Conceptual Plan dated July 19, 2010, drafted by Webb and Associates; and,

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of King William County, Virginia, does hereby authorize the approval of the request for Zoning Case Z-01-10 with conditions as presented to the Board of Supervisors of King William County, Virginia, at the regularly scheduled meeting on July 26, 2010, and represented on the Conceptual Plan dated July 19, 2010, as drafted by Webb and Associates.

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

**COUNTY ADMINISTRATOR**

a. Adoption of Resolution Approving Adjusting Entries to the School Reserve Fund - At the request of D. L. Wright, action on this matter was tabled until the Board's August meeting.

b. Adoption of Resolution Authorizing Use of Extension Office Space by Quin Rivers - At the request of Chairman T. G. Smiley, action on this matter was tabled until the Board's August meeting.

c. Request to Hold Board of Supervisors Work Session - Interim County Administrator, William Porter, stated the need for the Board to hold a Work Session to cover such items as the financial structure of the County, the development of a county Capital Improvements Program , public utilities, land use taxation, and others.

The Board requested that Mr. Porter work with the Chairman and establish some dates, and times for the Board to consider for holding this Work Session, possibly in September.

**RE: APPOINTMENTS**

a. Building and Code Appeals Board – One Member, Five Year Term (Engineer) – Andrew J. Hammond II, PE - On motion by C. T. Redd III, seconded by D. L. Wright and carried unanimously, the Board appointed Andrew J. Hammond II to serve a five year term as a member of the King William County Building and Code Appeals Board. Said term will expire July 31, 2015.

b. Recreation Commission – One Member, Three year Term, (Election District #5) - Action on this appointment was tabled until the Board's August meeting.

c. Bay Consortium Local Workforce Investment Board, Inc.- One Member, Four Year Term - Action on this appointment was tabled until the Board's August meeting.

d. Three Rivers Soil and Water Conservation District – At-Large Director, Four Year Term, Term of Roland B. Geddes Expires January 1, 2011 - On motion by D. L. Wright, seconded by O. O. Williams and carried unanimously, the Board reappointed Roland B. Geddes as the At-Large Director for the Three Rivers Soil and Water Conservation District representative for King William County for a term of four years. Said term will expire January 1, 2015.

**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, addressed the Board concerning the re-installation of the VDOT directional sign for the Pamunkey and Mattaponi Indian Reservations, that fell down and has been on the ground for approximately six months, at the intersection of Route 360 and 30. He felt this sign needs to be replaced for tourism purposes. King William County is the only County in the State with two Indian Reservations and during the summer months the County enjoys many visitors to these sites.

He also discussed the need to have the stop lights at the intersection of Route 360 and Route 30 more visible to all vehicles. If a motorist in a small vehicle pulls up behind a larger vehicle such as a logging truck or tractor/trailer, it is impossible to see the stop lights. He feels that VDOT should consider the installation of stop lights along the sides of both of the roadways as well as the overhead lights for safety.

He also discussed the heavy flow of large vehicular traffic on Route 30 and the dangers imposed.

Don Wagner of the Fifth Election District, also addressed the Board agreeing with statements made by Herb White regarding traffic issues. He stated that King William County needs to have a Transportation Plan in place, and this should be done with the update of the Comprehensive Plan.

Bob Ehrhart of the Fifth Election District, spoke to the Board regarding the appointment of an individual to serve on the King William Recreation Commission.

**RE: BOARD OF SUPERVISORS' COMMENTS**

Various Board members thanked citizens for their attendance and support at the monthly Board meetings.

**RE: CLOSED MEETING PURSUANT TO SECTION 2.2-3711(A)(1), CODE OF VIRGINIA, 1950, AS AMENDED, FOR DISCUSSION OF THE EMPLOYMENT OF A FULL TIME COUNTY ADMINISTRATOR AND COUNTY ATTORNEY, AND PURSUANT TO SECTION 2.2-3711(A)(3), FOR DISCUSSION OF ONE ITEM OF THE DISPOSITION OF PUBLIC PROPERTY AND ONE ITEM OF ACQUISITION OF REAL PROEPRTY FOR A PUBLIC PURPOSE WHERE DISCUSSION IN AN OPEN MEETING WOULD ADVERSELY AFFECT THE BARGAINING OR NEGOTIATING POSITION OF THE COUNTY; AND PURSUANT TO SECTION 2.2-3711(A)(7) TO DISCUSS LEGAL MATTERS WITH COUNSEL CONCERNING THE CONSTRUCTION CONTRACT FOR THE REGIONAL ANIMAL SHELTER AND THE LEGAL ABILITY TO EXPAND THE EXEMPTIONS FOR PAYMENT OF REAL ESTATE TAX**

On motion by D. L. Wright, seconded by C. T. Redd III and carried unanimously, the Board entered Closed Meeting pursuant to Section 2.2-3711(A)(1), Section 2.2-3711(A)(3) and Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as amended, as stated above.

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

In accordance with Section 2.2-3412(D) of the Code of Virginia, 1950, as amended, O. O. Williams moved that the King William County Board of Supervisors adopt the following resolution certifying that this Closed Meeting's procedures comply with the requirements of the Virginia Freedom of Information Act. This motion was seconded by C. T. Redd III and carried with a unanimous roll call vote.

**RESOLUTION**

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

**WHEREAS**, Section 2.2-3416(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 each member's knowledge

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

The Chairman announced that no Board action would be taken as a result of discussions in Closed Meeting.

**RE: RECESS OF MEETING**

On motion by C. T. Redd III, seconded by O. O. Williams and carried unanimously, this meeting was recessed to be reconvened on August 9, 2010, at 9:00 a.m. in the Board Meeting Room of the County Administration Building at King William Court House.

COPY TESTE:

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William C. Porter, Jr.  
Interim County Administrator

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T. G. Smiley  
Chairman