

MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
MEETING OF SEPTEMBER 22, 2008

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF KING WILLIAM COUNTY, VIRGINIA, HELD ON THE 22ND DAY OF SEPTEMBER, 2008, BEGINNING AT 7:00 P.M. IN THE BOARD ROOM OF THE COUNTY ADMINISTRATION BUILDING AT KING WILLIAM COURT HOUSE, ORDER WAS CALLED WITH THE FOLLOWING PERSONS PRESENT:

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

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

RE: APPROVAL OF MEETING AGENDA

On motion by O. O. Williams, seconded by D. L. Wright and carried unanimously by those present, the Board adopted the agenda for this meeting as presented by County Administrator with one change. Item 7a “Adoption of Resolution of Appreciation for the Virginia Army National Guard 237th Engineer Company for their service in Iraq” was deleted, and is to be placed on the Board’s October agenda.

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

No persons appeared to speak.

RE: CONSENT AGENDA

A motion was made by D. L. Wright to remove Item “b” (Approval of Payment of Bills), due to questions relating to compensation of a specific public employee under the Board of Supervisors, and approve the following items on the Consent Agenda. This motion was seconded by C. L. Schools and carried unanimously by those present.

- a. Minutes of the Regular Meeting of August 25, 2008, as written

c. Approved FY-08 Year End Supplemental Appropriations in the amount of \$948,159.04 as follows:

Additional Local Funds	\$324,238.24
State/Federal Funds	130,695.83
Offsetting Revenue	493,224.97
Total Supplemental Appropriations	\$948,159.04

d. Authorized publication for a public hearing to consider an amendment to the King William County Code to add the Indian Fields Subdivision in the Leash Law Ordinance.

e. Authorized advertisement for a public hearing to be held during the Board's regular monthly meeting of October 27, 2008, beginning at 7:00 p.m. in the Board Room of the County Administration Building to consider Zoning Case #CUP-03-08, Request for Conditional Use Permit, Applicant: Essex Concrete Corporation.

f. Adopted the following Resolution for Project Adjustments for the West Point Bridges:

**RESOLUTION APPROVING PROJECT ADJUSTMENTS
FOR THE WEST POINT BRIDGES**

WHEREAS, the Virginia Department of Transportation has provided this Board with a sketch dated November 20, 2007 depicting the additions, abandonments and discontinuances required in the Secondary System of State Highways as a result of Project 0033-966-1020,C501,B602 and Project 0033-966-1-2,C502,B601 which sketch is hereby incorporated herein by reference; and,

WHEREAS, the portions of old road identified to be discontinued or abandoned are deemed to no longer serve public convenience warranting maintenance at public expense; and,

WHEREAS, the new road serves the same citizens as those portions of old road identified to be abandoned and those segments no longer serve a public need; and,

NOW, THEREFORE, BE IT RESOLVED, that this Board abandons as part of the Secondary System of State Highways, those portions of road identified by the sketch to be abandoned, pursuant to Section 33.1-155, Code of Virginia; and,

BE IT FURTHER RESOLVED, that this Board requests the Virginia Department of Transportation to add to the Secondary System of State Highways those portions of road identified by the sketch to be added, pursuant to Section 33.1-229, Code of Virginia; and

BE IT FURTHER RESOLVED, that this Board concurs with the discontinuance as part of the Secondary System of State Highways, those portions of road identified by the sketch to be discontinued, pursuant to Section 33.1-150, Code of Virginia; and,

BE IT FURTHER RESOLVED, that this Board requests the Virginia Department of Transportation that the segments identified by the sketch to be renumbered as part of the Section System of State Highways; and,

BE IT FINALLY RESOLVED, that a certified copy of this Resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

g. Adopted the following Resolution approving the King William County Emergency Operations Plan:

**RESOLUTION ADOPTING THE
KING WILLIAM COUNTY EMERGENCY OPERATIONS PLAN**

WHEREAS, the Board of Supervisors of King William County, Virginia, recognizes the need to prepare for, respond to, and recover from, natural and man-made disasters; and,

WHEREAS, King William County has a responsibility to provide for the safety and well being of its citizens and visitors; and,

WHEREAS, King William County has established and appointed a Director of Emergency Services.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the Board of Supervisors of King William County, Virginia, that this Emergency Operations Plan, as revised January, 2008, is officially adopted; and,

BE IT FURTHER PROCLAIMED AND ORDERED that the Director of Emergency Services, or his/her designees, are tasked and authorized to maintain and revise as necessary this document over the next five year period or until such time it be ordered to come before this Board.

**RE: ADOPTION OF RESOLUTION OF APPRECIATION – CARROLL LEE
WALKER FOR HIS PRESERVATION OF LESTER MANOR**

On motion by D. L. Wright, seconded by O. O. Williams and carried unanimously by those present, the Board adopted the following Resolution for Mr. Carroll Lee Walker in appreciation of his reconstruction of Lester Manor and restoration of the old Lanesville Church.

RESOLUTION OF APPRECIATION

WHEREAS, in the late 1800s and early 1900s, Lester Manor, located near the Pamunkey Indian Reservation, was a thriving railway town; and

WHEREAS, Lester Manor was once home to a train station, the Lester Manor Hotel and Tavern and the Lester Manor General Store and Post Office; and

WHEREAS, the original buildings have long disappeared, but thanks to the historical nostalgia of Carroll Lee Walker, who as a young boy said he would own Lester Manor one

day, new representations have been constructed and an old steam engine sits on the tracks; and

WHEREAS, purchasing the 106 acre property in 2005, Mr. Walker's construction plans continue and he hopes to add seven more buildings in the future including a pavilion to preserve the location of the fish factory, which was built at Lester Manor in the 1700s; and

WHEREAS, a history lover, Mr. Walker has restored the old Lanesville Church and several structures in Walkerton; and,

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors expresses its sincere appreciation to Mr. Walker for his fine work reconstructing the buildings that once stood at Lester Manor; and,

BE IT FURTHER RESOLVED, that the King William County Board of Supervisors also commends Mr. Walker for recreating a piece of King William County's history that residents and visitors can enjoy; 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 Mr. Walker, and shall be spread upon the meeting minutes of said Board of Supervisors.

RE: VDOT MATTERS

Charles Stunkle, VDOT Residency Administrator, was not present at this meeting, but requested that any VDOT issues from the Board be forwarded to his office.

C. T. Redd inquired about the status of the "Stop" sign request for Boat Ramp Road in West Point.

RE: QUIN RIVERS COMMUNITY ACTION AGENCY – CHARLES M. EMMONS, EXECUTIVE DIRECTOR

Mr. Charles Emmons, Executive Director of the Quin Rivers Community Action Agency, addressed the Board to review services provided by Quin Rivers to residents of King William County. These services include Homelessness Intervention Services, Domestic Violence and Sexual Assault Prevention and Intervention Services, Free Tax Preparation for low income individuals/families qualifying for the Federal Earned Income Tax Credit, Financial, Credit-Repair and Home Buying Counseling to help people work toward more solvent, self-sustaining economic situations, Senior Services through the Middle King William Active Lifestyle Center, etc. He explained that all of their programs are funded through various federal and state grants, and that most of their ongoing grants remain level-funded, while their needs increase. County funding is required to match the federal and state funds, typically at the 20% level, and to defray operations costs not covered by programs funds, such as staffing and space costs and utilities for the Middle King William Senior Center.

It was stated that neither the County administrative staff nor individual Board members realized there would be a direct loss of funding to the Senior Center as a result of the exclusion of Quin Rivers from the current FY-09 King William County Budget.

Mr. Emmons advised that if King William County could appropriate the \$3,000.00 needed for space costs and utilities, that Quin Rivers could maintain the other services provided to both the County and Senior Center through the current fiscal year.

The Board discussed this issue, and upon motion by D. L. Wright, seconded by O. O. Williams and carried with the following vote, the Board appropriated \$3,000.00 to the Quin Rivers Community Action Agency for space costs and utilities at the Middle King William Senior Center.

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

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

COUNTY ADMINISTRATOR

a. Public Hearing – Proposed Amendments to King William County Code Division 2 of Article III of Chapter 74, “Traffic and Vehicles”, Parking Regulations

The County Administrator stated that the proposed amendment to Division 2 of Article III of Chapter 74 of the King William County Code would repeal and reenact Sections 74-102 and 107 and add sections 74-108 through 74-111, which would provide for: the posting of parking-related signage on County owned or leased property; the regulation of vehicles parked upon property owned or leased by the County, within fifteen (15) feet of a fire hydrant, within designated fire lanes and within designated handicapped parking spaces; the regulation of parking, posted speed limits and stop signs on parking lots open to the public and designed to accommodate fifty (50) or more vehicles; the penalties for violations, the procedures for the payment of citations and the collection of delinquent parking citations.

The Chairman declared the public hearing open for comments. There being no persons appearing to speak for or against the proposed amendment, the public hearing was declared closed by the Chairman.

Thereupon, a motion was made by D. L. Wright, seconded by C. L. Schools and carried with the following roll call vote, to adopt the amendment to Division 2 of Article III of Chapter 74 of the King William County Code as presented in public hearing.

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

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

PLEVA

a. Regional Animal Shelter - Frank Pleva, County Administrator, reported that the Animal Shelter is currently on schedule to be completed in mid-October with the punch list and close out completed during the first week of November. This schedule, however, is predicated on inclement weather, change orders, and resolution of the on-site waste disposal systems issue. Once completed, it will take approximately 30 days to occupy and become operational.

b. Middle Peninsula Regional Airport - The County Administrator apprized the Board that the runway extension of approximately 5,000 feet, which is being largely federally funded, is completed, and is now open for business during daylight hours only, because lights are yet to be installed along the approach areas. This extension will increase the size of the air traffic that the airport can accommodate.

RE: APPOINTMENTS

a. Planning Commission – Two Members, Four Year Terms, Term of Ruth S. Muire Expires 9/30/08 and Term of Holly L. Hamel Expires 10/31/08 - On motion by O. O. Williams, seconded by C. L. Schools and carried unanimously by those present, the Board tabled action on appointments for these two positions, and instructed the County Attorney and the County Administrator to investigate the possibility of lowering the number of Planning Commission members from nine to seven.

b. Wetlands Board – One Member, Five Year Term, Term of Charles M. Shaver Expires 9/30/08 - On motion by O. O. Williams, seconded by C. L. Schools and carried unanimously by those present, the Board reappointed Charles M. Shaver to serve a five year term on the King William County Wetlands Board, Said term will expire September 30, 2013.

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

No persons appeared to speak.

RE: BOARD OF SUPERVISORS' COMMENTS

D. L. Wright announced the date for his next Town Hall Meeting has been set for October 14, 2008, at 7:00 p.m. in the Board Room of the County Administration Building. The topic for this month will be "Identity Theft" with the program being presented by the King William Sheriff's Department, and representatives from area banks discussing safety measures to guard and protect your accounts. In addition, Patricia Norman, Clerk of the

Circuit Court, and Harry Whitt, Treasurer, will be speaking. All interested persons are invited to attend.

Mr. Wright also reminded everyone of the next meeting regarding potential establishment of a Chamber of Commerce for King William County. This meeting is set for 7:00 p.m. on October 23, 2008, in the Board Room of the County Administration Building. Everyone is invited.

O. O. Williams and C. L. Schools thanked the citizens for their attendance at this meeting and for their participation in local government.

C. T. Redd III stated that over the past years, the County has had to increase its borrowing to get through to the next collection of taxes. In August, 2007, the County had to borrow \$4.8 million, and in August, 2008, the borrowed amount was \$2.6 million. This borrowed amount has been cut by almost \$2 million. This comes from all of the departments cutting their budgets to the bare minimum. He thanked staff members for all their efforts to make this happen.

RE: CONSIDERATION OF TWO BOARD MEMBERS PARTICIPATING IN INTERVIEW PROCESS FOR EMPLOYMENT OF INDIVIDUAL TO FILL VACATED POSITION OF PUBLIC INFORMATION OFFICER

D. L. Wright stated that, to date, 16 applications have been received for the position of Public Information Officer for the County and recommended that two Board members be appointed to participate in the interview process for employment of this individual.

Thereupon, Board Chairman, C. T. Redd III appointed C. L. Schools and D. L. Wright to participate in the interview process seeking an individual as the new Public Information Officer for King William County.

RE: CLOSED MEETING PURSUANT TO SECTION 2.2-3711(A)(1), CODE OF VIRGINIA, 1950, AS AMENDED, FOR DISCUSSION OF PERSONNEL MATTERS RELATING TO COMPENSATION OF A SPECIFIC PUBLIC EMPLOYEE UNDER THE BOARD OF SUPERVISORS, AND PURSUANT TO SECTION 2.2-3711(A)(29), CODE OF VIRGINIA 1950, AS AMENDED, FOR DISCUSSION OF CONTRACTUAL OBLIGATIONS

On motion by D. L. Wright, seconded by C. L. Schools and carried with a unanimous roll call vote by those present, the Board entered Closed Meeting pursuant to Section 2.2-3711(A)(1), Code of Virginia 1950, as amended, for discussion of Personnel Matters Relating to Compensation of a Specific Public Employee Under the Board of Supervisors and pursuant to Section 2.2-3711(A)(29), Code of Virginia, 1950, as amended, for Discussion of Contractual Obligations.

Having completed the Closed Meeting, the Board reconvened in open meeting, on motion by D. L. Wright, seconded by O. O. Williams and carried with a unanimous roll call vote by those present.

In accordance with Section 2.2-3412D of the Code of Virginia, 1950, as amended, D. L. Wright 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. L. Schools and carried with a unanimous roll call vote by those present.

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 2.2-3417D 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 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: ACTION ON CLOSED MEETING MATTER - CONSENT AGENDA – ITEM “b”,
APPROVAL OF PAYMENT OF BILLS – RELATING TO COMPENSATION OF A
SPECIFIC PUBLIC EMPLOYEE UNDER THE BOARD OF SUPERVISORS**

On motion by D. L. Wright, seconded by C. L. Schools, and carried unanimously by those present, the Board approved Item “b” on its Consent Agenda as follows:

b. Claims against the County for September, 2008, in the amount of \$1,511,035.32 as follows:

(1) General Fund Warrants #68375-68587 in the amount of \$1,117,675.20; Manual Checks #14177-14179 in the amount of \$136,703.27; Direct Deposits #11630-11739 in the amount of \$193,202.85; and Electronic Tax Payment in the amount of \$63,454.00

(2) For informational purposes, Social Services expenditures for the month of August, 2008, Warrants #306807-306868 in the amount of \$41,127.30;

Direct Deposits #1903-1924 in the amount of \$28,407.20; and Electronic Tax Payments in the amount of \$9,983.67

(3) For informational purposes, Circuit Court expenditures for the month of August, 2008, Warrants #68355-68362 in the amount of \$5,672.66; Direct Deposits # 300-303 in the amount of \$10,283.14; and Electronic Tax Payments in the amount of \$3,607.67

(4) For informational purposes, Comprehensive Services Act Fund expenditures for August, 2008, Warrants #68364-68373 in the amount of \$28,811.20

(5) There were no Tax Refunds for the month of August, 2008.

RE: ADJOURNMENT OF MEETING

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

COPY TESTE:

Frank A. Pleva
County Administrator