

MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
MEETING OF OCTOBER 22, 2007

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF KING WILLIAM COUNTY, VIRGINIA, HELD ON THE 22ND DAY OF OCTOBER, 2007, BEGINNING AT 7:00 P.M. IN THE BOARD ROOM OF THE COUNTY ADMINISTRATION BUILDING AT KING WILLIAM COURT HOUSE, ORDER WAS CALLED WITH THE FOLLOWING PRESENT:

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

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

RE: APPROVAL OF MEETING AGENDA

On motion by W. F. Adams, seconded by T. G. Smiley and carried unanimously, the Board adopted the agenda for this meeting as presented by the County Administrator, with the following changes: Under Item 6, Consent Agenda, sub-item "d" "Adoption of Resolution of Appreciation for Sture G. Olsson" was removed and re-positioned as Item 7; Under Item 6, Consent Agenda, sub-item "i" "Authorization for Public Hearing on November 19, 2007, at 7:00 p.m. to Consider Proposed Conveyance to St. James Presbyterian Church" was added; and Under Item 6, Consent Agenda, sub-item "j" "Setting of Work Session on November 8, 2007, at 5:00 p.m. on "the Commonwealth's FY-08 Budget reductions and their impact on King William County" was added.

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

Mr. Kelly Place of York County, and Director of Research and Policy for the Coastal Virginia Watermen's Association, addressed the Board commenting on three topics including Transparency in Government, FOIA, and the Virginia Coalition for Open Government (VCOG). Many of the local governments and the federal and state

governments have a lot of mistrust from the citizens they serve, and a lot of this mistrust comes from a lack of transparency, especially the lack of equal access to the information that the decision makers use, when they make decisions that affect the welfare and well being of the citizens. He encouraged the Board to provide information that is important to the decisions that are to be made to the citizens, and it is best given to the citizens well in advance of the eve of a meeting when an important decision is to be made. It is unfair to the citizens to give them complex financial documents on the eve of a hearing, particularly, when those documents may be questionable as to their objectivity, and the source of their independence, etc. An average person cannot digest such complex matters at the last minute. When given important information at the last minute, there is no manner for the citizens to verify the objectivity and independence. He asked the Board to realize how important it is for the citizens to feel the transparency in government, and to know what is going on, and to feel that their government is working for them, and not being controlled by other forces.

Gary Rouse alluded to a recent press release which contained a lot of information not provided to the citizens before the last Board meeting when a public hearing was conducted. Speaking in general terms regarding the press release, he felt it included a lot of outside influence and indicated his opinion that the Board should be going out on its own to secure this type of information. He felt the Board should be making decisions on its own, should not be overwhelmed by a big locality and should not be reacting to the decisions made by other larger governmental powers.

RE: CONSENT AGENDA

On motion by T. G. Smiley, seconded by W. F. Adams and carried unanimously, the Board approved the following items on its Consent Agenda:

a. Minutes of the Regular Meeting of September 24, 2007, were approved as written.

b. Claims against the County for October, 2007, in the amount of \$1,043,205.11 as follows:

(1) General Fund Warrants #65882-66100 in the amount of \$786,927.19; Manual Checks #14150-14151 in the amount of \$6,764.79; Direct

Deposits #10309-10416 in the amount of \$186,937.75; and Electronic Tax Payment in the amount of \$62,575.38

(2) For informational purposes, Social Services Expenditures for the month of September, 2007, Warrants #306239-306292 in the amount of \$35,269.79; Direct Deposits #1736-1758 in the amount of \$27,532.07; and Electronic Tax Payment in the amount of \$9,279.79

(3) For informational purposes, Circuit Court expenditures for the month of September, 2007, Warrants #65866-65873 in the amount of \$5,057.50; Direct Deposits #256-259 in the amount of \$9,906.92; and Electronic Tax Payment in the amount of \$3,419.07

(4) For informational purposes, Comprehensive Services Act Fund expenditures for September, 2007, Warrants #65875-65880 in the amount of \$29,695.60

(5) There were no Tax Refunds for September, 2007.

c. Approved the employment of Laura A. Betts as the King William-King and Queen Animal Shelter Manager. The date on which Ms. Betts will begin her duties is unknown at this time awaiting more information on a shelter construction completion date.

d. Approved FY-07 Year-End Supplemental Appropriations in the amount of \$562,106.69

e. Approved the employment of William J. Okuly as Building Official for the County. Mr. Okuly will begin his duties with the County effective immediately.

f. Adopted the following Resolution Supporting the Bon Secours Memorial Regional Medical Center Proposal for a Linear Accelerator:

RESOLUTION

WHEREAS, Richmond Radiation Oncology Center, Inc., filed a Certificate of Public Need (COPN) application on May 31, 2007; and,

WHEREAS, this application asks the State Commissioner of Health to grant permission to establish a Cancer Center in Hanover County, to be located at the intersection of Meadowbridge Road and Pleasant Grove Road, through the relocation of one of two linear accelerators currently located at St. Mary's Hospital; and,

WHEREAS, Richmond Radiation Oncology Center, Inc. further intends to replace the current linear accelerator, following relocation, with a new linear accelerator that is capable of providing state of the art radiation therapy planning and treatment to residents of King William County; and,

WHEREAS, this campus has only one linear accelerator, which currently operates in excess of the State Health Department's utilization capacity criterion; surrounding counties all have better access to radiation therapy services on a per population basis; and,

WHEREAS, King William County is experiencing rapid growth in its population; more importantly, King William County continues to experience a high cancer incidence rate. The majority of new cancer cases today are treated with radiation therapy. The rapid population growth and high rate of cancer incidence will drive the need for additional linear accelerators to meet the increasing demand for radiation therapy services; and,

WHEREAS, a substantial number of King William County residents are leaving King William County to obtain radiation therapy services; and,

WHEREAS, the King William County Board of Supervisors desires to continue to support improved availability of and accessibility to health care resources for its residents; and,

WHEREAS, the King William County Board of Supervisors believes that this goal can be furthered through the establishment of the proposed Cancer Center, which will enable King William County residents to receive state of the art cancer treatment services at a convenient location close to home.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of King William County, Virginia, hereby endorses Certificate of Public Need Application No. VA-7461 submitted by Richmond Radiation Oncology Center, Inc., on May 31, 2007, to establish a Cancer Center in Hanover County through the relocation and replacement of a previously approved linear accelerator.

g. Approved a Supplemental Appropriation in the FY-08 School Budget for Funds Associated with an Increased (ADM) Average Daily Membership in the amount of \$1,073,663.00

h. Authorized advertisement of a public hearing during the Board's regular November 19, 2007 meeting beginning at 7:00 p.m. to consider a proposed conveyance to St. James Presbyterian Church

i. Set the date of November 8, 2007, at 5:00 p.m. to conduct a Work Session on the Commonwealth's FY-08 Budget reductions and their impact on the County. Said meeting will be held in the Board Room of the County Administration Building.

RE: ADOPTION AND PRESENTATION OF RESOLUTION OF APPRECIATION FOR STURE G. OLSSON

On motion by E. J. Rivara, seconded by W. F. Adams and carried unanimously, the Board adopted the following Resolution expressing its deepest appreciation to Mr. Sture Olsson for his many contributions to the Town of West Point, the County of King William, and the Commonwealth of Virginia, and reaffirms to the Olsson family its strong respect for Mr. Olsson and its deep sadness at his passing:

RESOLUTION OF APPRECIATION

WHEREAS, Sture Gordon Olsson was born in 1920 in Richmond and lived most of his life in West Point; and

WHEREAS, Mr. Olsson's life was characterized by his dedication to his family, a long distinguished career with Chesapeake Corporation, military service to his country and active support of many education and civic organizations; and

WHEREAS, in 1938, Mr. Olsson graduated from Episcopal High School, in Alexandria, which he remained devoted to by establishing a scholarship, numerous professorships and a faculty sabbatical program; and in 1992, the school honored him with its highest honor, the Distinguished Alumnus Award, for his many years of service; and

WHEREAS, Mr. Olsson remained especially active throughout his life supporting his alma mater, the University of Virginia, where he received a B.S. in mechanical engineering, by underwriting scholarships, fellowships, endowed professorships, special academic programs and numerous capital projects; he was one of the founding sponsors of the Darden School of Business at the University, which houses the Olsson Center for Applied Ethics; and in recognition of his support of the Engineering School, the applied math and computer science building was named Olsson Hall; and

WHEREAS, after a brief tour of duty as a private in the Marine Corps, Mr. Olsson was transferred to the Navy, where he served as a lieutenant until he was honorably discharged in 1946; and

WHEREAS, shortly after his return from overseas, Mr. Olsson joined Chesapeake Corporation, the company that was founded in 1918 by his father, Elis Olsson, an engineer by trade and recognized worldwide as a pioneer in the paper industry; and

WHEREAS, from Mr. Olsson's initial position as a project engineer for Chesapeake, he rose through the ranks to president and chairman of the board until his retirement as chairman in 1994 and during his career, Chesapeake grew from a single pulp and

paper mill into a Fortune 500 diversified paper and packaging company in the kraft products, tissue and packaging businesses; and

WHEREAS, organizations that benefited from Olsson's philanthropic leanings included his service as vice chairman and director of the American Paper Institute; director of Citizens and Farmers Bank and C&F Financial Corporation; director of the National Association of Manufacturers; vestryman of St. John's Episcopal Church; trustee of St. Margaret's School; director of the Virginia Forestry Association and the Virginia Forestry Educational Foundation; and member of the board of visitors for the Virginia Military Institute, among numerous others; and

WHEREAS, Mr. Olsson was married to Anne Shirley Carter Olsson, M.D. for 50 years and the couple has a son, Charles Elis Olsson; three daughters, Lisa Olsson Everett, Anne Olsson Loeb and Inga Olsson Rogers and four grandchildren; and

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors expresses its deepest appreciation to Mr. Olsson for his many contributions to the Town of West Point, the County of King William and the Commonwealth of Virginia; and,

BE IT FURTHER RESOLVED, that the King William County Board of Supervisors reaffirms to the family its strong respect for Mr. Olsson and its deep sadness at his passing; 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 the Olsson Family, and shall be spread upon the meeting minutes of said Board of Supervisors.

Dr. Shirley Olsson and her son, Mr. Elis Olsson were present at this meeting and received this Resolution from Board Chairman, C. T. Redd III, on behalf of the Board.

RE: VDOT MATTERS – DAVID G. COOPER, ASSISTANT RESIDENCY

ADMINISTRATOR

a. Maintenance and Construction Operations on Various Routes - David Cooper, Assistant Residency Administrator of VDOT, addressed the Board reporting that their hourly paving contractor is in the area performing asphalt patching and paving operations on Route 6515 (Nelson's Bridge Road), Route 608 (Globe Road), and on Route 604 (Herring Creek Road).

The grass mowing contractor will be in the County on October 29th to begin cutting primary routes.

The maintenance personnel have been cleaning ditches on Routes 600, 604, and 639 in various locations and using the motrim to correct sight distance problems on Routes 604, 609, and 628.

b. Route 604 (Herring Creek Road) - Mr. Cooper reported that the pavement failure on Route 604 (Herring Creek Road) as reported by a citizen at the September meeting has been repaired.

c. Route 360 – Pamunkey River Bridge Project - Work on this project has begun by the contractor, Lanford Brothers Company. Said project involves the rehabilitation of the bridge deck, and has a projected completion date the Spring of 2009.

d. Route 360 – Eastbound Lane – Moncuin Creek Bridge Scour - Mr. Cooper reported that the contract for this project is to be awarded this upcoming week to Sanders Construction Company, and that the work should begin in November.

e. Route 649 (Dirt End Road Off of Route 605) - Mr. Cooper indicated that the requested Speed Study was conducted on Route 649, and after review, a Speed Limit of 25 MPH will be posted.

f. Route 360 Corridor Through the County from River to River - The Board was advised that the requested Speed Study on the Route 360 Corridor through the County is still on going and not yet completed. This was a request from the Board to determine if the speed limit could be lowered to 55 MPH.

g. Route 30 in Front of Hamilton-Holmes, Acquinton Schools Complex – Request for Speed Study - Mr. Cooper reported that the request was presented that VDOT revisit the Speed Study on Route 30 in front of the Hamilton-Holmes and Acquinton Schools Complex, now that school is again in session, and that the Traffic Engineers still do not recommend lowering the speed limit below 45 MPH.

h. Route 30 Between Route 662 (Sharon Road) and Route 658 (Indian Church Road) - Mr. Cooper advised the Board that he voiced the concern of the Board again to the VDOT Engineers regarding the speed limit on Route 30 between Route 662 (Sharon Road) and Route 658 (Indian Church Road), and that there has been no reply from them as yet.

RE: KING WILLIAM RESERVOIR MATTERS – ARTHUR ANDERSON, VRA

LEGAL COUNSEL

a. Consideration of Adoption of Resolution Authorizing the Issuance and Sale of Water Utility Revenue Bonds - Chairman C. T. Redd III announced that the

Board conducted a public hearing to receive comments on this matter at its September 24, 2007, meeting, and action on consideration of adoption of the resolution was tabled until this meeting.

The Board discussed the complex nature of this material and determined the need to provide additional information on the matter to the citizens, as well as more time for the material to be reviewed.

Whereupon, on motion by T. G. Smiley, seconded by O. O. Williams and carried unanimously, the Board tabled any action until November 13, 2007, in a meeting set for 7:00 p.m. in the Board Room of the King William County Administration Building.

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

a. Introduction of New Zoning Administrator, Susan Blackburn - The newly employed Zoning Administrator, Susan Blackburn, was present and introduced to the Board by Scott Lucchesi.

b. Adoption of Revised Planned Unit Development (PUD) Ordinance - The Board was advised by the Director of Community Development, Scott Lucchesi, that a public hearing was conducted on this proposed updated PUD Ordinance on September 24, 2007, and action on its adoption was tabled until this meeting.

Thereupon, on motion by T. G. Smiley, seconded by E. J. Rivara and carried with the following vote, the Board repealed the existing Section 86.281 of the King William County Code and adopted replacement Section 86-289, the revised Planned Unit Development (PUD) Ordinance:

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

RE: APPOINTMENTS

a. Tidewater Resource Conservation & Development Council – One Member, Four Year term, Term of Charlie LeFon Expires 12/31/07 - On motion by E. J. Rivara, seconded by T. G. Smiley, the Board appointed Scott Lucchesi to serve as the King William County representative on the Tidewater Resource Conservation &

Development Council for a term of four years beginning January 1, 2008, and expiring December 31, 2012.

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

Herb White addressed the Board requesting that the Board consider adopting a Resolution of Appreciation for the family of the late Theodore F. Woody.

RE: BOARD OF SUPERVISORS' COMMENTS

Various Board members encouraged everyone to vote on November 6th.

RE: CLOSED MEETING PURSUANT TO SECTION 2.2-3711(A)(7), CODE OF VIRGINIA, 1950, AS AMENDED, FOR CONSULTATION WITH LEGAL COUNSEL AND BRIEFINGS BY STAFF MEMBERS PERTIANING TO ACTUAL LITIGATION ENTITLED ST. LAURENT PAPER PRODUCTS CORPORATION VERSUS COUNTY OF KING WILLIAM

On motion by W. F. Adams, seconded by E. J. Rivara and carried unanimously, the Board entered closed meeting pursuant to Section 2.2-3711(a)(7), Code of Virginia, 1950, as amended, for consultation with legal counsel and briefings by staff members pertaining to actual litigation entitled St. Laurent Paper Products Corporation versus County of King William.

Having completed the closed meeting, the Board returned to open meeting, on motion by T. G. Smiley, seconded by O. O. Williams and carried with a unanimous roll call vote.

In accordance with Section 2.2-3712(d) of the Code of Virginia, 1950, as amended, T. G. Smiley 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 E. J. Rivara and carried with a unanimous roll call vote.

RESOLUTION

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

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

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

1. Only public business matters lawfully exempted from open meeting requirements under the Freedom on 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.

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

RE: RECESS OF MEETING

On motion by E. J. Rivara, seconded by W. F. Adams and carried unanimously, the Board recessed this meeting to be reconvened at 5:00 p.m. on November 8, 2007, in the Board Room of the King William County Administration Building, to conduct a Work Session on the Commonwealth's FY-08 Budget reductions and their impact on King William County.

COPY TESTE:

Frank A. Pleva, County Administrator