

MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
MEETING OF OCTOBER 23, 2006

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF KING WILLIAM COUNTY, VIRGINIA, HELD ON THE 23RD DAY OF OCTOBER, 2006, BEGINNING AT 7:00 P.M. IN THE BOARD ROOM OF THE COUNTY ADMINISTRATION BUILDING AT KING WILLIAM COURT HOUSE, THE MEETING WAS CALLED TO ORDER WITH THE FOLLOWING PRESENT:

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

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

RE: APPROVAL OF MEETING AGENDA

On motion by C. T. Redd III, seconded by E. J. Rivara and carried unanimously, the Board adopted the agenda for this meeting as presented by the County Administrator with one addition. Item 6g – Consent Agenda – Adoption of Resolution Recognizing Odyssey Martial Arts School “Kick-A-Thon” held on Saturday, October 21, 2006.

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

Carla Havers, a resident of 195 Cherry Hill Road in King and Queen County, addressed the Board to praise the work of Katy Lloyd, Public Information Officer for King William County, that she performed with the events leading up to the opening of the new Lord Delaware Bridge over the Mattaponi River at West Point. Ms. Havers stated that Katy did an excellent job for the County with this event and that she was very cooperative, friendly, and easy to work with. She indicated that Ms. Lloyd is a tremendous resource for King William County and that she certainly made a positive impact on King and Queen County and others throughout the working relationship on the Bridge opening project.

Don Wagner questioned a statement included in the minutes of the Board's September 23, 2006, meeting. Under the approval of the Zoning Case #TXT-01-06, the requirement that a MotoCross Track site contain 300 acres was deleted prior to the Board's consideration of the matter.

The Board verified with Scott Luchessi, Zoning Administrator, that this requirement of 300 acres for a MotoCross Track site was deleted.

Thereupon, on motion by E. J. Rivara, seconded by W. F. Adams and carried unanimously, the Board authorized a correction to the minutes of the September 25, 2006 meeting to delete the sentence "The proposed amendment specifies that a site consisting of 300 acres is necessary to accommodate a MotoCross Track, and within the 300 acre tract, minimum setbacks are proposed so that ample buffering of the track and accessory uses can occur."

RE: CONSENT AGENDA

On motion by W. F. Adams, seconded by C. T. Redd III and carried unanimously, the Board approved the following items on its consent agenda:

a. Minutes of the Regular Meeting of September 25, 2006, as written, with one correction

b. Claims against the County for October, 2006 in the amount of \$729,640.36 as follows:

(1) General Fund Warrants #63207-63406 in the amount of \$481,280.39 for the month of October, 2006; Manual Checks #141111 in the amount of \$4,393.34; Direct Deposits #9042-9148 in the amount of \$183,161.40; and Electronic Tax Payment in the amount of \$60,805.23

(2) For informational purposes, Social Services expenditures for the month of September, 2006, Warrants #305369-305436 in the amount of \$50,641.91; Direct Deposits #1510-1531 in the amount of \$27,005.46; and Electronic Tax Payment in the amount of \$9,036.44

(3) For informational purposes, Circuit Court expenditures for the month of September, 2006, Warrants #63190-63197 in the amount of \$5,042.11; Direct Deposits #208-211 in the amount of \$9,540.60, and Electronic Tax Payment in the amount of \$3,283.86

(4) For informational purposes, Comprehensive Services Act Fund expenditures for September, 2006, Warrants #63199-63205 in the amount of \$22,039.30

(5) Tax Refunds for September, 2006, in the amount of \$1,852.86

c. Approved a Resolution Authorizing the Issuance of a Revenue Refunding Bond (VRA 2000B Series) and Associated Transactions

d. Authorized advertisement of a Public Hearing to be held during the Board's regular November, 2006, meeting beginning at 7:00 p.m. in the Board Room of the County Administration Building, to Consider Amending King William County Code, Chapter 70, Taxation, Article III, Section 70-145, "Taxpayer to File Returns" Allowing the Filing of Personal Property Returns Only in the Event of a Situs or Status Change

e. Adopted a Resolution Honoring Ms. Frances Garlick on the Occasion of Her 100th Birthday

f. Authorized advertisement of a Public Hearing to be held during the Board's regular November, 2006, meeting beginning at 7:00 p.m. in the Board Room of the County Administration Building, to Consider Zoning Case #Z-11-06, Request to Change Zoning District Classification From A-C (Agricultural-Conservation) to B-2 (General Business) (Conditional); Applicant: John Mull

g. Adopted a Resolution of Support for Odyssey Martial Arts Academy for their involvement with the community and its children by participating in the national "Kick-A-Thon" on October 14, 2006. This day was recognized in the Commonwealth of Virginia by Governor Timothy M. Kaine as "Martial Arts Day".

**RE: KING WILLIAM HISTORICAL SOCIETY – MARION JONES – UPDATE
ON THE EAST COURT HOUSE WALL RESTORATION**

Mrs. Marion Jones, Chairman of the Court House Wall Restoration Committee, updated the Board on the restoration of the East Court House Wall. Ms. Jones indicated that the east wall was removed and replaced at a cost of \$97,000.00 in 1999. The work was completed, and over the winter, some issues developed from the use of improperly mixed mortar. A lawsuit ensued and the case was settled out of court for \$11,000.00.

Continuing, Mrs. Jones reported that with the upcoming 2007 Jamestown 400th Anniversary Celebration, the Committee felt the east wall of the historic Court House should be disassembled and reconstructed in time for visitors coming into King William County during this celebration. The Committee contracted with Mr. Rick Haynie, of Art & Architecture, Inc. for the design at a cost of \$8,000.00, and with David and Steve Norman of Norman Company, Inc. for the construction at a cost of \$75,000.00.

Mrs. Jones reported that the reconstruction work is scheduled for completion at the end of October, 2006, and the Committee is \$15,500.00 short of the amount needed. On behalf of the Committee, Mrs. Jones requested the Board to fund the remaining \$15,500.00 for this project.

The Board discussed this request and upon motion by C. T. Redd III, seconded by W. F. Adams and carried unanimously, authorized that \$15,500.00 be appropriated to this project from the Series 2005B Bond issued partly for restoration of the "Old Jail" Building, as this is a related project in that it is in the historic court green. This motion also stated that if the Historical Society Wall Committee should receive further donations toward the completion of this project, that these funds be forwarded to the County in an amount up to the \$15,500.00.

RE: APPROVAL OF RESOLUTION AUTHORIZING THE MIDDLE PENINSULA REGIONAL AIRPORT AUTHORITY TO ISSUE REVENUE BONDS OF \$480,000 FOR TWO SIX-UNIT T-HANGARS

Tim Gaylord, Executive Director of the Middle Peninsula Regional Airport Authority, appeared before the Board to present plans for financing two six-unit T-Hangars for storage of aircraft at the Middle Peninsula Regional Airport. He indicated that the Authority is seeking long term financing from the Virginia Resources Authority and it is required that a Resolution of Support be adopted by each of the participating MPRAA members prior to their issuing a bond or loan to the Airport Authority. This Resolution addresses only the financing of the T-Hangars and related costs.

The Authority desires to issue revenue bonds in an estimated maximum principal amount of \$480,000.00, the proceeds of which, together with other available funds and grants are sufficient to pay the costs of constructing two six-unit T-Hangars, together with the related site work.

Thereupon, on motion by C. T. Redd III, seconded by E. J. Rivara and carried unanimously, the Board approved the Support Agreement as presented by Mr. Gaylord for long term financing from the Virginia Resources Authority revenue bonds in an amount of \$480,000.00 of the two six-unit T-Hangars at Middle Peninsula Regional Airport.

RE: VDOT MATTERS – CHARLES E. STUNKLE, RESIDENCY ADMINISTRATOR

Residency Administrator, Charles E. Stunkle, updated the Board on ongoing VDOT issues including the following:

a. Route 618 – Acquinton Church Road - Mr. Stunkle reported that the paving work on Route 618, Acquinton Church Road, which was a budget item in the current Secondary Improvement budget, has been completed and the paving crew will be moving into the Town of West Point on Tuesday to do the necessary work on 21st, 22nd, and F Streets.

b. Route 603 – Dover Lane - The hard-surfacing work on Route 603 is underway and is anticipated to be completed around November 15, 2006.

c. Lord Delaware Bridge - Mr. Stunkle indicated that the preliminary walk-through on the King William portion of the Bridge was done last week and it is anticipated that the completion date will be November 1, 2006. Some warranty work will be completed on several items on the Bridge after this date, but, it should be minor disruptions to traffic to get this accomplished.

d. Announcement of Fall Transportation Meeting - Mr. Stunkle announced that the Fall Transportation Meeting, formerly known as the Primary, Urban, Interstate, & Rail Projects Meeting, is scheduled for November 6, 2006, in the Fredericksburg District Office Auditorium at 5:00 p.m.

e. Revenue Sharing Funding - Mr. Stunkle advised that all bids or applications for Revenue Sharing funds are to be received by December 22, 2006. He advised that the Richmond office encourages that even though you may not be in a position to bid \$2 million for a potential of \$1 million revenue sharing funds, don't let this stop you from making an application because if additional money were to happen

to become available for the revenue sharing, they will be going back to the original group of applications. They won't be going out for supplemental applications.

f. Cedar Tree on Route 360 Approaching Aylett - Mr. Stunkle reported that this cedar tree has been taken down.

g. Cedar Trees on Route 30 North of its Intersection with Route 600 (East River Road) - Mr. Stunkle indicated that these cedar trees are not located on the VDOT right-of-way, therefore, will need permission from the property owner to be removed, however, they have been trimmed for site distance clearance.

h. Route 607 (Millwood Road) – Herring Creek Dam Washed Out – New Sign Needed - E. J. Rivara advised Mr. Stunkle that the “Road Closed” sign still has not been placed on Route 607. When the Dam was washed out, a sign was initially placed on this route, but, it has disappeared and should be replaced.

i. Parkwood Subdivision – Watch for Children Signs - E. J. Rivara indicated that the “Watch for Children” signs in Parkwood Subdivision have not been placed as yet.

j. Newman Drive in Aylett Farms Subdivision and Streets in Oak Springs Subdivision - E. J. Rivara discussed a problem occurring on Newman Drive in Aylett Farms Subdivision and on the streets in the Oak Springs Subdivision. Apparently, a different type of road mix is being used, and it creates a lot of sand on the surface of the road. He has received complaints, particularly about Newman Drive, that when a vehicle is trying to stop at the intersection and it hits this sand on the roadway, the vehicle tends to slide. Mr. Stunkle responded that VDOT's surface treatment is what is called a “blotted seal coat” and the final application is sand. Sand is used basically to keep the stone in place and not let it be flying off, as well as blot up any excess liquid asphalt. Typically, if there is enough traffic, it will beat up and wash off fairly quickly, however, sometimes when there are low volume, low speed traffic areas, VDOT has to go back and remove it.

k. Route 601 (Calno Road) - O. O. Williams provided information he received from a concerned citizen about a tree that fell across Route 601 (Calno Road) at Dick's Store, during the recent storm. This tree is still lying in front of the

house at this intersection. The tree was cut out of the roadway by VDOT so traffic could get through, but the top portion of the tree has been left.

I. Route 673 (Pocahontas Trail) Over the Railroad Crossing at Entrance to the Pamunkey Indian Reservation - W. F. Adams reported that several times recently after heavy rains, this route has been impassable, and since this is the only way in or out of the Reservation, he requested Mr. Stunkle to look into this situation. Mr. Adams indicated also that Steve Puckett, King William County Emergency Services Director, has been in contact with VDOT regarding this issue. Mr. Stunkle advised that he will be in contact with the local King William VDOT office regarding this.

RE: VPI & SU COOPERATIVE EXTENSION – ALINDA UZEL, ACTING UNIT COORDINATOR – INTRODUCTION OF MEGAN GARDNER, NEW HORTICULTURAL AGENT IN MIDDLE PENINSULA

Acting Unit Coordinator, Alinda Uzel, addressed the Board to introduce the new Horticultural Agent for the Middle Peninsula, Megan Gardner. Ms. Gardner's home office is located in Saluda, but she will be providing coverage for six counties in the Middle Peninsula.

Ms. Gardner indicated that she has been in the County for about six months and reviewed some of the projects on which she has worked this past summer. Plans are being looked at to implement a Master Gardner Program in the next few years that will cover King William, King and Queen, and Essex Counties.

RE: SCHOOL MATTERS – CHARLES E. RIEDLINGER, P. E., VICE-PRESIDENT, RESOURCE INTERNATIONAL, LTD. (COUNTY ENGINEER) – UPDATE ON KING WILLIAM HIGH SCHOOL ATHLETIC FIELDS RENOVATIONS

Dr. Brenda Cowlbeck, Division Superintendent, Mrs. Sharon Townsend, Vice-Chairman of the School Board, Mrs. Kathy Morrison, School Board Member, Mr. Charles Clare, King William High School Principal, Mr. Dan Jones, Activities and Athletic Director at King William High School, along with Charles Riedlinger of Resource International appeared before the Board. Dr. Cowlbeck indicated that the School Board has asked Mr. Riedlinger to present and review the bids received for the King William High School football field improvements, grandstands and lighting.

Mr. Riedlinger reported that three separate contracts were prepared for the initial site work on this project. The major contract was for the site work which included the football field, track, irrigation, fencing, water connections, wastewater connections, and seeding. A separate contract was prepared for the grandstands which included a press box, and another contract prepared for the installation of the field lighting. He reported that all three contracts were advertised and bids were received and opened on October 5, 2006.

Mr. Riedlinger advised of the low bidder for each contract as follows:

Football Field Improvements – Duke Contracting of Va., Inc.
\$809,650.00

Grandstands – Sturdisteel Company of Waco, Texas
\$464,950.00

Lighting – Hill Electrical, Inc. of Mechanicsville, VA
\$118,903.00

Continuing with the review, Mr. Riedlinger reported that the budget, based on funds currently available, is sufficient for the currently bid contracts, however, the current contract bid does not include the following items:

Electric Building
Ticket Booth
Concession/Toilet
Fieldhouse
Benches
Electrical Connections to lights and press box
Scoreboard

Mr. Riedlinger further explained that at a minimum, it will be necessary to construct the ticket booth, the electric building, the scoreboard and make the electrical connections to the press box and lighting, and estimates a cost of approximately \$58,000 for this work. He anticipates that the current benches can be relocated.

He estimates the costs for the remaining items as follows:

Concession/Toilet	\$250,000
Fieldhouse	\$450,000

It was Mr. Riedlinger's opinion that in order of priorities, the concession/toilet is the next key element of the facility, however, there are few options available where costs can be cut to fund the building. All of the site work is to be performed under the existing contract so that a building can be constructed as soon as funds are available.

It was the recommendation of Mr. Riedlinger that contracts be awarded to each of the three low bidders as stated above.

RE: EMERGENCY SERVICES MATTERS – FRANK A. PLEVA, COUNTY ADMINISTRATOR – REQUEST FOR FUNDING OF \$8,500.00 FOR A REGIONAL EMERGENCY MANAGEMENT TECHNICAL COMMITTEE (REMTAC) POSITION

At the Board's September 25, 2006, meeting, information was presented by Dan Kavanagh, Executive Director of the Middle Peninsula Planning District Commission inviting King William County to participate in a Regional Emergency Management Technical Committee (REMTAC) with five other counties. The REMTAC program will be funded by the local partners with the anticipation that the MPPDC staff will secure Federal, State, and or Project resources to subsidize the local cost in future years. The estimated cost of this Program is \$85,000. In the first year, the MPPDC will provide \$34,000 and the local partners will provide \$51,000, which will be \$8,500 per county. This Program is to begin January 1, 2007.

The Board discussed this issue and at the request of W. F. Adams, action on the matter was tabled until the Board's October 23rd meeting.

Thereupon, the County Administrator reported that Steve Puckett, newly appointed Emergency Services Director for the County, has indicated that his Department's Budget has \$4,250.00 that can be used towards this Program for this Fiscal Year..

On motion by C. T. Redd III, seconded by E. J. Rivara and carried with the following vote, the Board appropriated the \$4,250.00 from Emergency Services to the REMTAC Program.

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

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

a. Regional Animal Shelter - Frank Pleva, County Administrator, updated the Board on work done thus far on the Regional Animal Shelter and indicated that substantial completion of this project should be the end of March or early April, 2007.

b. Mt. Olive Community Improvement Project - County Administrator, Frank A. Pleva, reported that the preliminary subdivision plat for the 14 lots on the parcel recently rezoned by the County, has been approved by the Planning Commission. This subdivision is for the persons in the Mt. Olive Community Improvement Project whose houses could not be rehabilitated due to title problem issues. It is hoped that the Virginia Department of Transportation will approve the plans for the road entrance by mid-November so that construction bids can be executed.

Approval has recently been received from the Virginia Department of Environmental Quality for the plans for the wastewater treatment plant.

c. Virginia Economic Development Partnership (VEDP) Brochure - The County Administrator announced that VEDP, which is the State's primary economic development agency, has just developed, for the first time, a foldout map/brochure that they will market nationally and worldwide to the distribution industry such as Target, Wal-Mart, Home Depot, etc. who are putting in large facilities for distribution centers. VEDP is taking a very proactive approach trying to get more of these to locate in Virginia, and on one of the pages in this new publication, they quote several CEO's of companies who have done business in Virginia, including Mr. Mitch Carr of Augusta Lumber Company regarding his business in King William County.

d. Discussion of Possibility of Making Water & Sewer on Route 360 an Enterprise Fund - C. T. Redd III requested that the Planning Staff be directed to determine what fees and rates would be necessary to make the water and sewer system on Route 360 an enterprise fund beginning July 1, 2007. He would like to have this information available by February, 2007, when the Board begins its discussions on the FY-08 draft budget.

RE: APPOINTMENTS

a. Planning Commission – Two Members, Four Year Terms, Terms of Carlyle Clements and Alvin Carter Expire 10/31/06 - On motion by W. F. Adams, seconded by E. J. Rivara and carried unanimously, the Board reappointed Carlyle Clements and Alvin Carter as members of the King William County Planning Commission, each to serve a term of four years ending October 31, 2010.

In addition, a letter of resignation was received by the Board from Mr. Troy Linville as a member of the King William County Planning Commission. Mr. Linville's current term of office expires December 31, 2007.

Action on an appointment to fill this vacancy was tabled until the Board's regular November meeting.

b. Wetlands Board – One Member, Five Year Term, Term of Thomas R. Dean Expires 10/31/06 - On motion by E. J. Rivara, seconded by C. T. Redd III and carried unanimously, the Board reappointed Thomas R. Dean as a member of the King William County Wetlands Board for a five year term expiring October 31, 2011.

c. Middle Peninsula-Northern Neck Community Services Board – One Member, Three Year Term, Term of Terri E. Hale Expires 12/31/06 - On motion by C. T. Redd III, seconded by W. F. Adams and carried unanimously, the Board reappointed Terri E. Hale, Assistant County Administrator, to represent the County on the Middle Peninsula-Northern Neck Community Services Board for a three year term expiring December 31, 2009.

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

It was announced that the Board's November, 2006, meeting will be held on Monday, November 20, 2006, due to the Thanksgiving holiday.

RE: RECESS OF MEETING

On motion by C. T. Redd III, seconded by E. J. Rivara and carried unanimously, this meeting was recessed to be reconvened on Friday, October 27, 2006, at Hamilton-Holmes Elementary School beginning at 7:00 p.m. at which time the Board of Supervisors will be meeting with the School Board.

COPY TESTE:

Frank A. Pleva, County Administrator

