

MINUTES

KING WILLIAM COUNTY BOARD OF SUPERVISORS MEETING OF OCTOBER 24, 2011

At a regularly scheduled meeting of the Board of Supervisors of King William County, Virginia, held on the 24th day of October, 2011, beginning at 6:30 p.m. in the Conference Room of the County Administration Building, order was called with the following present:

C. L. Schools, Chairman
D. L. Wright, Vice-Chairman
C. T. Redd III (arrived at 6:40 p.m.)
T. G. Smiley
O. O. Williams (arrived at 6:40 p.m.)

T. L. Funkhouser, County Administrator
D. M. Stuck, County Attorney

RE: REVIEW OF MEETING AGENDA

Chairman, Cecil L. Schools, called the meeting to order at 6:30 p.m. and agenda changes were discussed. The following changes were made: under the Consent Agenda item 8c, Adoption of Resolution #11-38 Authorizing the County Administrator to Accept Deeds Conveying Real Property or Interests therein to King William County, now becomes item 9b under Presentations to the Board. Item 8d under the Consent Agenda, Adoption of Resolution #11-39 Bridging Community Regional Career and Technical Education Center in New Kent County, now becomes item 9c under Presentations to the Board. Item 8e under the Consent Agenda now becomes item 8c Adoption of Resolution #11-40(R) Authorization of Tax Abatement to RCI Builders LLC.

There was some discussion of the recent Board of Equalization letter mailed to Board of Supervisors.

Mr. Williams asked for clarification of when VDOT is scheduled to appear before the Board next. The County Administrator stated VDOT will attend the November 2011, Board meeting.

The County Attorney briefed the Board on a claim on funds King William County holds for Marle Hill Section IV; a Staff report will be included with the Board's November agenda.

The Board recessed and moved to the Board Meeting Room of the County Administration Building to continue the meeting.

The Chairman called the continued Board of Supervisors meeting to order at 7:00 p.m.

RE: INVOCATION

The opening invocation was delivered by Reverend Evans C. White, Jr. of Providence Baptist Church in Aylett.

RE: APPROVAL OF MEETING AGENDA

On motion by C. T. Redd III, 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 the Consent Agenda item 8c, Adoption of Resolution #11-38 Authorizing the County Administrator to Accept Deeds Conveying Real Property or Interests therein to King William County, now becomes item 9b under Presentations to the Board. Item 8d under the Consent Agenda, Adoption of Resolution #11-39 Bridging Community Regional Career and Technical Education Center in New Kent County, now becomes item 9c under Presentations to the Board. Item 8e under the Consent Agenda now becomes item 8c Adoption of Resolution #11-40(R) Authorization of Tax Abatement to RCI Builders LLC.

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

The Chairman opened the First Public Comment Period.

a. Fred Krauss of the 3rd District appeared before the Board with complaints related to the recent letter sent by the Board of Equalization to the Board of Supervisors. He questioned how the properties of the two largest tax payers in the County were not assessed; stating one of the tax payers obtained a reduction of two million in their assessment. Continuing Mr. Kraus said some King William homeowners had hearings before the Board of Equalization, with documentation, but their assessments were not reduced. He asked that the members of the Board of Supervisors that voted to pay the final payment to the assessor resign.

b. Robert Shannon of the 3rd District expressed his thoughts on the recent letter sent by the Board of Equalization; he feels voters will show how they feel in a couple of weeks. He stated King William homeowners pay one of the highest tax rates in the State of Virginia. He feels citizens have the right to ask questions and feels Mr. Krauss has taken considerable abuse for speaking out. Continuing he also feels the responsibility of the Board of Supervisors is to address these issues; in his opinion they have not.

c. Darrell Kellum of the 3rd District stated he feels Mr. Shannon and Mr. Krauss have not done their homework properly. He confirmed Smurfit Stone was visited, a walk through was done, the reason for the two million dollar reduction for this property is because they are an income producing property. Further he clarified the reassessment cost to the County was \$16,200, not \$162,000 as reported earlier; he encouraged those reporting this information to do their homework.

d. Roy Miller of the 5th District spoke of his thoughts of the duties of the Board of Supervisors.

e. David Robinson of the 4th District commented on the first two speaker's vicious attacks on the Board, he feels they are uncalled for, incorrect and can not be substantiated. Continuing he stated he owns commercial property in King William County and the claim by the earlier speakers that commercial property owners do not pay enough taxes in comparison to homeowners in the County is not true.

f. Don Wagner of the Mangohick District commended the Board of Equalization for a job well done and the citizens who went to the BOE and registered their concerns. In his opinion he does not feel the Board or Administration did what they should have done as this is a contract administered by the Board and Administration, not the Commissioner of Revenue's office. In his opinion he feels the final payment to the assessor should have been withheld. Mr. Wagner spoke of the inconsistencies in the assessment of commercial properties and suggested someone should have been asking questions a long time ago. He feels the equalization of commercial and private properties should be the same and suggested the Board give the BOE recommendation letter to the County Attorney for recommendation on correcting and to move forward.

g. Robbie Sparks, President of the King William County Volunteer Fire Department and Rescue Squad, thanked the Board for their past and continued support, especially through these tough economic times. He thanked various Board members for their individual assistance, Mr. Williams for his help with building the fire station; Mr. Wright for his assistance in finance solutions for a new tanker; Mr. Schools who is always there to answer calls; and Mr. Redd, and his company, for assisting with the financing of the brake issues with their ladder truck.

Mr. Sparks referred to a recent comment in the *Country Courier* regarding the experiment of paying some EMS and fire fighter personnel and where it is heading; he explained this pertains to his organization and wanted to explain how the program works.

King William County does not fund this program, the funding comes from the revenue recovery funds received from rescue calls the department runs. Revenue recovery is a billing service the rescue squads use in King William County to help with the cost of operating. When a citizen has a medical emergency, they call 911; ambulance takes them to the hospital. Once the call is complete the call data is uploaded to EMSMC, EMSMC is the billing service company King William has selected, EMSMC in turn uploads the costs to the State. EMSMC sends a bill to citizen requesting insurance information; the bill contains the care provided and miles driven. EMSMC will attempt to gather this information three times, after the third attempt the bill is written off. No citizen will be denied ambulance services because of insurance status, in fact this information is not asked for, it is helpful if available but not required. EMSMC invoices the insurance company, 6% of the amount collected is retained by EMSMC, the rest is sent to King William County. The County retains 25% to be used for a future part time ALS provider; the individual squad gets the remaining amount, plus 100% of the mileage.

The funds collected by King William Volunteer Fire & Rescue are placed into an account, some calls have been missed, those funds were allocated to the Mattaponi Volunteer Rescue Squad because they answered the call. King William Volunteer Fire & Rescue decided to do something about the calls being missed; starting on August 1st they started paying their providers, two per shift. Mr. Sparks said volunteer status is not changing. Since starting the program only one call was missed in the month of August, two in the month of September, and so far, only two in the month of October. He reported there has been an improvement in response time from 15 minutes to a 2 minute average. Members are expected to report to the station, in uniform by 6:00 a.m. or 6:00 p.m.,

depending on the shift. Equipment is cleaned, inspected, daily house keeping duties are also performed, this ensures the entire building and all equipment are cleaned by the end of each week; the only down time is when a call comes in.

Mr. Sparks stated with the current procedures in place the station is able to provide 24 hours a day, 7 day a week; members are now allowed to respond to calls from home. We are very excited with the program for several reasons; it is a huge morale booster, it is highly commented on by the citizens of the County, and saves tax payer dollars.

The "experiment" or program was started as a trial through the month of December; at which point it will be evaluated. Intention is to continue to offer the program to members and to provide service to citizens of the County; which seems to be working very well.

Mr. Sparks stated if anyone would like to discuss further he is available, or they may stop by the station. He also announced that bingo is continuing at the station, held the second and fourth Saturday of every month.

There being no other persons to appear before the Board the Chairman closed the First Public Comment Period.

RE: CONSENT AGENDA

On motion by C. T. Redd III, seconded by T. G. Smiley and carried a unanimous vote the Board approved the following items on its Consent Agenda:

- a. Minutes of the Regular Meeting of September 26, 2011, as presented
- b. Claims against the County for the month of October, 2011, in the amount

of \$977,711.30 as follows:

(1) General Fund Warrants #75049-75157 in the amount of \$183,108.24; ACH Direct Payments for October, 2011, #1565-1656 in the amount of \$403,367.20; Direct Deposits #15887-15985 in the amount of \$184,825.04; and Electronic Tax Payment in the amount of \$66,518.09.

(2) For informational purposes, Social Services expenditures for the month of September, 2011, Warrants #308856-308889 in the amount of \$25,060.19; ACH Direct Payments #424-448 in the amount of \$27,781.40 Direct Deposits #2618-2641 in the amount of \$32,315.53; and Electronic Tax Payment in the amount of \$9,100.80.

(3) For informational purposes, Circuit Court expenditures for the month of September, 2011, Warrants #75040-75048 in the amount of \$5,383.97;

Direct Deposits #724-726 in the amount of \$8,909.60; and Electronic Tax Payment in the amount of \$2,881.24.

(4) For informational purposes, Comprehensive Services Act Fund expenditures for the month of September, 2011, Warrants #75035-75039 in the amount of \$19,706.00; and ACH Direct Payments #1560-1563 in the amount of \$8,754.00.

(5) There were no Tax Refunds for the month of October, 2011.

c. Adopted the following Resolution #11-40(R) – Real Estate Tax Abatement – RCI Builders LLC:

**RESOLUTION #11-40 (R)
AUTHORIZATION OF TAX ABATEMENT
RCI BUILDERS LLC**

WHEREAS, the King William County Board of Supervisors is informed of a real-estate tax overpayment by RCI Builders LLC in the amount of \$4,724.32, for tax years 2009, 2010 and 2011, and a refund has been requested by the property owner; and

WHEREAS, this overpayment was due to the fact no structure exists on parcel 22-11-1-35 and said parcel records indicated the presence of a single family dwelling; and

WHEREAS, the Commissioner of the Revenue has certified this overpayment and recommends a refund; and

WHEREAS, the County Attorney has reviewed and approves the certification prepared by the Commissioner of the Revenue,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of King William County, Virginia, authorizes a refund in the amount of \$4,724.32 with 10% interest as required by the Code of Virginia payable to RCI Builders LLC.

Adopted this 24th day of October, 2011

Those members voting:

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

RE: PRESENTATIONS TO THE BOARD

a. Regional Animal Shelter Update – Lauri Betts, Director – Ms. Betts gave an overview of the activities of the Regional Animal Shelter since opening in late September 2009. She stated the FY10-11 statistical report shows a very soft start with four hundred thirty dogs and twenty-nine cats housed and cared for in the first 9 months of operation of FY10. Seventy-six of the dogs were reclaimed and one hundred thirty-eight were adopted, none of the cats were reclaimed, twelve were adopted; the shelter did not

routinely handle cats during this time, or take in animals surrendered by owners. The revenue report derives from reclaim, boarding, dog licenses, adoptions, spay/neuter fees, and profit from resale items, donations totaled \$16,015.

In January 2011, the 2010 calendar report gave the first numbers of a full twelve months of operation. Six hundred sixty-five dogs and three hundred thirty-five cats were handled in 2010; one hundred twelve dogs were reclaimed and two hundred thirteen were adopted, five cats were reclaimed and fifty-one were adopted; the cat number reflects only six months of the cat care program as the shelter did not routinely handle cats until July 2010 with the new fiscal year budget.

The recent FY11 report is the first complete fiscal year report since the Shelter began operation; it reflects more accurately the sum of animals that will be managed under a fiscal year budget plan. The report tally's six hundred seventy-two dogs, one hundred twelve were reclaimed, two hundred eleven were adopted; five hundred six cats, seven were reclaimed and eighty-eight were adopted. Revenue derived from the shelter fees and donations was \$31,472. The Shelter also provided care to a number of other species including a couple of guinea pig, couple of rabbits, a ferret and one hundred-nineteen fighting roosters.

The complete calendar year and fiscal year reports have shown the shelter is handling far more animals than originally predicted when the shelter concept was in the formative stages. The community is saturated with surplus animals; the high numbers are distressing because they are clearly a measure of the community's lack of commitment to animal welfare. The problem of pet over population is a terrible drain on tax dollars. The shelter program is enhanced by asking for in-kind donations from the community, accepting monetary donations earmarked for enrichment of animal care needs or to help with veterinary expenses and through a partnership with Hill Science Diet; who supplies free food. The Shelter maintains a volunteer core to help in routine and special tasks associated with the program and provides educational opportunities to scout, school and civic groups.

The shelter has a great adoption program, which includes start up health care procedures that are performed free or at a low cost price to encourage shelter adoptions. Photographs are taken of the shelter animals for adoption and are posted on petfinder.com. Staff organizes adoption specials such as adopt a shelter dog month, desperate house cats of King William, and two for one kitten special. The shelter works

closing with the local humane society, Indian Rivers, to participate in offsite adoptions through community events and networks with private adoption agencies continuously in an attempt to transfer our surplus pets to their programs.

Shelter efforts are not enough to make a difference in lowering the euthanasia rate against the steady flow of surplus animals to a small shelter. Euthanasia is the number one cause of death in healthy dogs and cats due to over-population. This is not a government fix, this is a community fix, and help is needed from the citizens in the community to turn the tide on this tragedy. Most of the people that need to hear this are not in attendance tonight so perhaps we can all spread the information to community members that could benefit from it. We need pet owners to take responsibility for the animals they keep, identify them by a visible tag or microchip so they can be returned home quickly and safely when they are found. Spay and neuter them so there are not litters upon litters born into the community; spay neuter prevents over population and euthanasia. Do not abandon them, if they are no longer wanted take them to the animal shelter where they can receive care and may have the possibility of being re-homed, instead of subjecting them to roam in search of sustenance and companionship which leads to public nuisances, traffic accidents, unplanned breeding and suffering the animals will endure. In addition, we need members of our community to make adoption their first option when considering acquiring a new pet. It is understandable in the current economic climate everyone has to prioritize how they spend their money, it is important for pet owners to understand the benefits to their pet, their family and the community by keeping rabies vaccinations and identification tags current, and by spaying and neutering.

The Shelter has recently joined in a new initiative to help all pet owners in spay neuter, and other basic medical care at an extremely low cost. The Animal Resource Foundation Spay/Neuter clinic in Gloucester will be providing a transport once each month from the Regional Animal Shelter; this clinic performs high quality, high volume spay neuter surgeries at a low cost price. They also have a menu of health care needs such as rabies vaccination, ear mite treatment, and heartworm testing and preventative, all done low cost at the time of spay or neuter. This program is open to everyone; you do not need to have to qualify for financial aid. The next transport is scheduled for November 9th, pet owners will bring their pet to the Regional Animal Shelter, pets are brought in the morning and picked up in the evening, pre-registration is required; contact the Regional Animal Shelter for more information.

Ms. Betts thanked the Board for their time and asked for any questions.

Mr. Wright commended Ms. Betts on her report and stated it was very informative. He asked for clarification on the epoxy peeling at the Shelter and where it stands. The County Administrator stated this is not the responsibility of Ms. Betts; the County is awaiting a final report from the retained legal team and inspection service. Mr. Funkhouser stated under previous administration settlement was reached with the contractor. The County agreed to have a final inspection done and possibly proceed with a claim against the architect, it is alleged at this point the epoxy was faulty and possibly the application.

Mr. Wright asked Ms. Betts to elaborate on the subject in her report of the need of special training for Shelter staff. Ms. Betts stated training will not take place unless a scholarship is obtained, they are hard to come by; most training organizations have cut funding for all training. Mr. Wright asked Ms. Betts if she had discussed funding for training with the County Administrator. Ms. Betts said her intention is to address in the operating budget request.

Mr. Wright commended Ms. Betts on the operation of the Shelter and said he receives positive comments from citizens. Further he added he is very proud to have Ms. Betts, and her staff, onboard at the Shelter and commented on the good job they do and the care given to the animals.

Mr. Redd also thanked Ms. Betts, and her staff, for their hard work and dedication. He also thanked the volunteers for their many hours of contribution.

Ms. Betts thanked the Board for their comments and stated she would convey them to her staff.

b. Consideration of Resolution #11-38 – Authorizing the County Administrator to Accept Deeds Conveying Real Property or Interests Therein to King William County -

Mr. Smiley stated he requested this item be removed from the consent agenda, he feels the more control given to the County Administrator, the less authority the Board has. Further he stated he feels this authority should stay like it is rather than adopt a resolution to change.

Mr. Wright agreed with Mr. Smiley stating he feels whenever the County is giving away land the Board needs to be involved; he is not in favor of adopting a

resolution to give the County Administrator authority to accept deeds for the County. He also feels this should be discussed in an open meeting so the public can be involved.

Mr. Williams stated his understanding of this resolution is it authorizes the County Administrator to accept land given to the County, not the County giving land away. Further he understood this resolution is to authorize the County Administrator to accept land donated to the County for a tax deduction and asked for further clarification.

Chairman Schools asked the County Attorney for clarification of Resolution #11-38 - Authorizing the County Administrator to Accept Deeds Conveying Real Property or Interest Therein to King William County.

The County Attorney explained the general process of a standard resolution authorizing the County Administrator to accept deeds conveying real property or interests therein to King William County. He stated if the Board is not inclined to adopt a general form; it would be appreciated if the Board would accept the deed of easement brought before them tonight as the developer has been holding for 30-45 days waiting for the County to accept.

There was some discussion of the Burger King deed of easement before the Board.

Mr. Smiley tabled item 9b under Presentations to the Board.

On motion by T. G. Smiley, seconded by D. L. Wright with a unanimous vote the Board adopted the following Resolution #11-38(R), as amended; to authorize the acceptance of the deed of easement from Burger King, further the Board authorized the County Administrator to sign said deed of easement.

**RESOLUTION #11-38 (R)
A RESOLUTION AUTHORIZING
THE COUNTY ADMINISTRATOR TO
ACCEPT DEEDS CONVEYING REAL PROPERTY OR
INTERESTS THEREIN TO
KING WILLIAM COUNTY**

WHEREAS, §15.2-1803 of the Code of Virginia provides that no deed purporting to convey real estate to a county shall be valid unless accepted by the county; and

WHEREAS, that statute also requires that such acceptance appear on the face of the deed or on a separately recorded instrument and be executed by a person authorized to act on behalf of the county; and

WHEREAS, the Board of Supervisors wishes to authorize the County Administrator to act in its behalf in accepting certain deeds conveying real property or any interests therein to the County,

NOW, THEREFORE, BE IT RESOLVED by the King William County Board of Supervisors this 24th day of October, 2011, that the County Administrator is hereby authorized to act on behalf of King William County in accepting the following conveyance: deed of easement from N&R Associates LLC for a utility easement associated with proposed development of County parcel #28-55A,

BE IT FUTHER RESOLVED, the County Administrator is authorized to evidence such acceptance by signing a statement of acceptance appearing on the face of any and all such deeds or by signing a separately recorded instrument, provided that any such deed or instrument is approved as to form by the County Attorney or other qualified attorney selected by this board.

Adopted this 24th day of October, 2011

Those members voting:

O. O. Williams	<u>Aye</u>
C. T. Redd III	<u>Aye</u>
D. L. Wright	<u>Aye</u>
T. G. Smiley	<u>Aye</u>
C. L. Schools	<u>Aye</u>

c. Consideration of Resolution #11-39 – Bridging Community Regional Career and Technical Education Center in New Kent County -

Mr. Smiley commented on Resolution #11-39 saying the resolution does not state how much this program would cost the County, now or in the future; nor does it state when the program goes into effect. Continuing he said if this is a resolution to say King William County is interested in the program and not a financial commitment then it is acceptable; if the resolution is obligating the County, then it is not acceptable.

The Chairman asked for clarification from the County Attorney. Further he stated his understanding of the resolution is showing support of the program and not a commitment for any financial support from the County.

The County Attorney said the way the resolution is written does not make it a commitment; he stated he is not privy to the details of the program.

Mr. Schools stated this resolution is not a commitment for financial support; a commitment would be a budget matter for the Board and would require a vote. He stated this resolution shows support from King William County, also shows support to the Regional Career and Technical Education Center in New Kent County and the theory behind it; this has been on the Board for four years.

Mr. Smiley asked if a resolution comes before the Board next year saying three counties plus King William County are involved with this program and King William County owes two hundred and fifty thousand dollars for a new technical center being built in New Kent will the Board approve.

Mr. Schools again stated the Board would have to agree to enter into a financial commitment for support before the County would get to that point; his understanding of the resolution is a show of support of the program.

Mr. Redd questioned if language could be inserted into the resolution stating the Board supports the initiative and does not authorize any expenditures. He feels the concept of the program is good, getting citizens trained and back into the work force is a good thing. Further he agrees with Mr. Smiley that the Board supports the idea but is not committing to any financial obligation at this point.

Mr. Wright asked for clarification of the financial commitment expectations. He feels this item should be tabled until more information is gathered.

The County Administrator stated the Board has made appropriations to the schools for this year, if there is concerns what the schools may be expending this current fiscal year on this regional technical center then those questions need to be addressed with the School Superintendent and/or School Board. As far as future money, there is no request in this resolution. The program is a continuing initiative, it does cost money, whether there is a large future capital request is not known, this is simply a resolution of support, and other questions would have to be addressed with the School Superintendent.

Mr. Wright tabled item 9c Consideration of Resolution #11-39 – Bridging Community Regional Career and Technical Education Center in New Kent County, and asked that the County Administrator work with the School Superintendent for further clarification of expectations of the Board, and the County, for the future; if any for this program.

RE: APPOINTMENTS

a. Consideration of Appointment - Emergency Management Services Duties, Travis M. Lindsey - Resolution #11-35(R) Amended –

The County Administrator stated this appointment is in accordance with code of Virginia, as well as Virginia Statewide Fire Prevention regulations; certain titles are customarily appointed to the Emergency Management Coordinator, if there is multiple

staff, these titles can be spread across. Resolution #11-35(R) lists the appointments for Board consideration and approval, appointing Mr. Lindsey. The resolution also codifies the hiring of Travis M. Lindsey as the Emergency Management Coordinator; appointment of this title by the Board is required, as well as appointment to Fire Marshal, Fire Official and Arson Investigator. The County Administrator asked for the Board's consideration and approval of these appointments.

Mr. Williams asked if Mr. Lindsey has the required certification for this appointment, as required by State Code. The County Administrator stated certification is not required for this appointment, Mr. Lindsey has one year from appointment to complete a fire training course. Further stating Mr. Lindsey is qualified to perform the work through experience or ability, he will not be practicing outside of his area of expertise, support staff at the State and Local level will continue to assist, as necessary, as has been done since the County created this department.

Mr. Wright asked for clarification if Skip Hardesty will no longer serve as the Deputy Fire Marshal. The County Administrator said the resolution does not de-appoint Mr. Hardesty, explaining no record has been found of his appointment to this position; it has been confirmed, by previous Emergency Operations Manager, that Mr. Hardesty functioned in this capacity. The County is proposing, based on some discussion with the Board, handling the appointment of employees at this time and then dealing with the volunteer capacity in the near future.

On motion by T. G. Smiley, seconded by C. T. Redd III with the following vote the Board adopted Resolution #11-35(R), as amended, appointing Travis M. Lindsey to Emergency Management Services Duties:

**RESOLUTION #11-35 (R)
RESOLUTION OF APPOINTMENT
EMERGENCY MANAGEMENT SERVICES DUTIES**

WHEREAS, as provided for in §27-6.1 of the Code of Virginia, the King William County Board of Supervisors created a Department of Emergency Services by resolution approved on May 22, 2006; and

WHEREAS, §44-146.19 of the Code of Virginia provides for the appointment of a coordinator of emergency management with the consent of the governing body; and

WHEREAS, §27-30 of the Code of Virginia provides for the appointment of a fire marshal and further provides the term fire marshal may include the local fire official and local arson investigator; and

WHEREAS, §27-36 of the Code of Virginia provides for the appointment of one or more assistants, who, in the absence of the fire marshal, shall have the powers and perform the duties of the fire marshal; and

WHEREAS, Section 105.1 of the Virginia Statewide Fire Prevention Code (SFPC) provides for the appointment of a fire official; and

WHEREAS, King William County does not authorize the exercise of police powers by the fire marshal or assistants as provided for by §27-34.2 and §27-34.2:1 of the Code of Virginia; and

WHEREAS, King William County does authorize the fire marshal and assistants to exercise the powers authorized by the Virginia Statewide Fire Prevention Code as provided for by §27-34.3 of the Code of Virginia; and

WHEREAS, King William County does authorize the fire marshal and assistants to exercise the powers of right of entry to investigate the release of hazardous material, hazardous waste, or regulated substances as provided for by §27-37.1 of the Code of Virginia; and

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of King William County appoints Travis M. Lindsey to serve King William County as the Emergency Management Coordinator, Fire Marshal, Fire Official and Arson Investigator.

Adopted this 24th day of October, 2011

Those members voting:

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

b. Consideration of Appointment - Application Agents Hurricane Irene Public Disaster Assistance, Travis M. Lindsey and Trenton L. Funkhouser – Resolution #11-36 –

The County Administrator explained this appointment is considered by County staff to be a housekeeping type resolution and asked for the Board's consideration and approval designating Travis M. Lindsey, as primary agent, and Trenton L. Funkhouser, as secondary agent, to apply for public disaster assistance. He stated in many instances grant and loan assistant agencies require confirmation of authorization to apply for assistance.

On motion by C. T. Redd III seconded by T. G. Smiley with a unanimous vote the Board adopted the following Resolution #11-36 Appointment of Application Agents Hurricane Irene Public Disaster Assistance; Travis M. Lindsey as primary agent and Trenton L. Funkhouser as secondary agent:

**RESOLUTION #11-36
APPOINTMENT OF APPLICATION AGENTS
HURRICANE IRENE PUBLIC DISASTER ASSISTANCE**

WHEREAS, Hurricane Irene was a federally-declared disaster impacting King William County; and

WHEREAS, King William County is a local government eligible for Public Assistance grant funds to aid the County in recovering from Hurricane Irene,

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of King William County appoints Travis M. Lindsey to serve King William County as the County's authorized primary agent and appoints Trenton L. Funkhouser as the County's secondary agent in seeking federal Public Assistance grant funding to aid the County's recovery from Hurricane Irene.

Adopted this 24th day of October, 2011

Those members voting:

O. O. Williams	<u>Aye</u>
C. T. Redd III	<u>Aye</u>
D. L. Wright	<u>Aye</u>
T. G. Smiley	<u>Aye</u>
C. L. Schools	<u>Aye</u>

a. Consideration of Appointment - Wetlands Board, one member, Jesse T.

Crawford; term expires 10/30/11 – Resolution #11-37 – On motion by T. G. Smiley, seconded by C. T. Redd III and carried a unanimous vote, the Board reappointed Jesse T. Crawford to serve a five year term on the Wetlands Board for King William County. Said term will expire October 31, 2016.

Those members voting:

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

RE: OLD BUSINESS

No old business was brought before the Board

RE: NEW BUSINESS

No new business was brought before the Board

RE: ADMINISTRATIVE MATTERS – TRENTON L. FUNKHOUSER,

COUNTY ADMINISTRATOR

a. Proposed Communications Tower – Court House Area Property – The County Administrator explained the Board packet includes two unsolicited proposals to construct communications towers on lands owned by the County, in King William County, within the area of the Court House; stating no action is required by the Board

at this time. Continuing he said he and the County Attorney have identified some issues in the proposed leases and are presenting this information to the Board asking for recommendation to direct staff to negotiate proposals from both offerors, in order for staff to bring final proposals to the Board for a recommendation of advertisement for one or both of them.

Mr. Smiley asked for clarification of whether this proposed tower will be located outside of the historical district; the County Administrator answered in the affirmative.

The County Administrator explained although a lease is required, should the Board wish to advertise a lease, the applicant is expected to follow the same local zoning process as other applicants are for similar type facilities.

Mr. Williams asked for clarification if this tower will help with the emergency radio system King William County has been working with; the County Administrator answered in the affirmative.

On motion by C. T. Redd III, seconded by D. L. Wright, and carried the following vote, the Board authorized the County Administrator and County Attorney to review the two proposals received, to verify the terms and specifications of each, and to work with both applicants to get leases to acceptable form to the County.

Those members voting:

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

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

The Chairman opened the Second Public Comment Period.

Robert Shannon of the 3rd District stated for clarification on some of the comments mentioned earlier and the suggestion that homework was not done, for the record hundreds of publicly accessible property tax records were reviewed, in his opinion the Board of Equalization has not done their homework. He feels the BOE is almost uniformly in agreement with some of the conclusions they, the TEA Party, reached back in February.

There being no other persons to appear before the Board the Chairman closed the Second Public Comment Period.

RE: BOARD OF SUPERVISORS COMMENTS

All Board members thanked citizens for their participation at the monthly Board meetings.

Mr. Williams encouraged everyone to vote on November 8th.

Mr. Wright also encouraged citizens to cast their votes on Election Day.

Mr. Redd said he was surprised at some of the contents of the letter received from the Board of Equalization. He also stated he asked the County Attorney if legal action could be taken against the assessor and the answer was not at this point.

Mr. Smiley stated he will be at the November Board meeting but would not be in attendance after that reminding that he was not running for re-election. He stated he appreciated all the help has received over the past 8 years.

Mr. Schools said he appreciates the citizen support and the criticism received. He also encouraged voters to come and vote on November 8th.

RE: ADJOURNMENT OF MEETING

There being no further business to come before this Board, the meeting was adjourned at 8:10 p.m. on motion by C. T. Redd III, seconded by T. G. Smiley, and carried unanimously.

Those members voting:

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

COPY TESTE:

C. L. Schools, Chairman
Board of Supervisors

T. L. Funkhouser,
County Administrator
Clerk to the Board