

**MINUTES**

**KING WILLIAM COUNTY**

**BOARD OF SUPERVISORS**

**MEETING OF DECEMBER 13, 2010**

**AT A MEETING OF THE BOARD OF SUPERVISORS OF KING WILLIAM COUNTY, VIRGINIA, HELD ON THE 13<sup>TH</sup> DAY OF DECEMBER, 2010, BEGINNING AT 7:00 P.M. IN THE BOARD ROOM OF THE COUNTY ADMINISTRATION BUILDING, ORDER WAS CALLED WITH THE FOLLOWING PRESENT:**

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

**WILLIAM C. PORTER, JR. INTERIM COUNTY ADMINISTRATOR  
DANIEL M. STUCK, COUNTY ATTORNEY**

**RE: INVOCATION**

The opening invocation was delivered by Board Member, Daniel L. Wright.

**RE: APPROVAL OF MEETING AGENDA**

On motion by C. T. Redd III, seconded by D. L. Wright and carried unanimously, the Board adopted the agenda for this meeting as presented by the Interim County Administrator, with the following changes: Item 12a – Administrative Matters – Discussion of Creation of an Audit Committee, was deleted; and under Item 16 – Closed Meeting (If Necessary) - the Chairman stated the Board would be holding a Closed Meeting pursuant to Section 2.2-3711 A(1) of the Code of Virginia, 1950, as amended.

**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**

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

- a. Minutes of the regular Meeting of November 22, 2010, as written

b. Claims against the County for the month of December, 2010, in the amount of \$1,097,674.53 as follows:

(1) General Fund Warrants #73556-73646 in the amount of \$529,307.37; ACH Direct Payments #687-744 in the amount of \$132,030.74; Direct Deposits #14763-14873 in the amount of \$184,493.05; Electronic Tax Payment in the amount of \$58,238.24; Manual Check #14219 in the amount of \$45,980.00; and Manual ACH #686 in the amount of \$5,727.50

(2) For informational purposes, Social Services expenditures for the month of November, 2010, Warrants #308509-308537 in the amount of \$21,441.60; ACH Direct Payments #125-155 in the amount of \$16,810.30; Direct Deposits #2430-2446 in the amount of \$26,870.51; and Electronic Tax Payment in the amount of \$8,044.86

(3) For informational purposes, Circuit Court expenditures for the month of November, 2010, Warrants #73536-73544 in the amount of \$5,370.41; Direct Deposits #394-396 in the amount of \$8,701.77; and Electronic Tax Payment in the amount of \$2,979.66

(4) For informational purposes, Comprehensive Services Act Fund expenditures for the month of November, 2010, Warrants #73545-73555 in the amount of \$37,567.35; and ACH Direct Payments #679-685 in the amount of \$13,298.60

(5) Tax Refunds for the month of November, 2010, in the amount of \$812.57

c. Adopted the following Resolution approving a FY-11 supplemental appropriation for the schools in the amount of \$497,370.00 for additional state funds and deferred revenues from FY-10:

### **RESOLUTION**

#### **Supplemental Appropriations for Fund 205 School Operating Fund**

**WHEREAS**, funds for the King William County School Board, acting as fiscal agent for the Regional Alternative Education Program and the Bridging Communities Regional CTE Advisory Council; and

**WHEREAS**, fiscal year funds for 2010-2011 have been granted by the State of Virginia for the Regional Alternative Education Program; and

**WHEREAS**, funds for both programs carried over from fiscal year 2009-2010 are categorized in the general ledger as deferred revenues; and

**WHEREAS**, revenues for the E-Rate program will be in excess of the amount budgeted and appropriated for fiscal year 2010-2011; and

**WHEREAS**, the funds described above will be needed for ongoing educational programs of the King William County School Board, the Regional Alternative Education Program, and the Bridging Communities Regional CTE Advisory Council.

**NOW, THEREFORE, BE IT RESOLVED**; that the Board of Supervisors of King William County, Virginia, does hereby authorize the following supplemental appropriations for fund 205, the school operating fund for fiscal year 2010-2011:

<u>Fiscal Agent:</u>	
Regional Alternative Education	\$343,370
<u>Appropriation of Fiscal Agency funds received in FY10</u>	
<u>And categorized as Deferred Revenues at 6/30/2010:</u>	
Regional Alternative Education	\$ 64,428
Regional CTE Foundation	\$ 49,572
Additional E-Rate Funds above budget	\$ 40,000
<b>Total Supplemental Appropriation</b>	<b>\$497,370</b>

c. Adopted the following Resolution authorizing a Personal Property tax refund to Mazuma Capital in the amount of \$18,430.59

**RESOLUTION**

**AUTHORIZING THE REFUND OF \$18,430.59 IN PERSONAL PROPERTY TAXES TO MAZUMA CAPITAL CORPORATION**

**WHEREAS**, Advanced Property Tax Compliance on behalf of Mazuma Capital Corporation requested refund of 2009 and 2010 business personal property taxes; and

**WHEREAS**, the equipment for which the 2009 personal property taxes were paid was never delivered to the County; and

**WHEREAS**, Mazuma Capital Corporation paid \$18,430.59 in business personal property for equipment that was not in King William County.

**NOW, THEREFORE, BE IT RESOLVED** that the King William County Board of Supervisors does hereby authorize the Treasurer of King William County to refund Mazuma Capital Corporation \$18,430.59 in 2009 business personal property taxes.

e. Adopted the following Resolution authorizing a Personal Property tax refund to Farm Credit Leasing Services Corp. in the amount of \$3,723.00

**RESOLUTION**

**Authorizing The Refund of \$3,723 In Personal Property Taxes to Farm Credit Leasing Services Corporation**

**WHEREAS**, Farm Credit Leasing Corporation requested a refund of 2010 business personal property taxes; and

**WHEREAS**, the equipment for which the 2010 personal property taxes were paid was not in service in King William County; and

**WHEREAS**, Farm Credit Leasing Services Corporation paid \$3,723 in business personal property taxes and desires a refund.

**NOW, THEREFORE, BE IT RESOLVED** that the King William County Board of Supervisors does hereby authorize the Treasurer of King William County to refund Farm Credit Leasing Services Corporation \$3,723 in 2010 business personal property taxes.

**RE: ADOPTION AND PRESENTATION OF RESOLUTION**  
**CONGRATULATING NESTLE PURINA'S KING WILLIAM COUNTY PET CARE**  
**PLANT ON RECEIVING THE NATIONALLY PRESTIGIOUS 2010 MALCOLM**  
**BALDRIGE NATIONAL QUALITY AWARD**

On motion by D. L. Wright, seconded by C. L. Schools and carried unanimously, the Board adopted the following Resolution congratulating the Nestle Purina Pet Care Plant in King William County on receiving the nationally prestigious 2010 Malcolm Baldrige National Quality Award: Upon its adoption this Resolution was presented to Mr. Mike Broz, Plant Manager of the King William County Nestle Purina Pet Care Plant.

**RESOLUTION**

**CONGRATULATING NESTLÉ PURINA'S KING WILLIAM COUNTY  
PET CARE PLANT**

**WHEREAS**, U. S. Secretary of Commerce Gary Locke named seven public and private organizations as recipients of the nationally prestigious 2010 Malcolm Baldrige National Quality Award on November 29, 2010; and

**WHEREAS**, Nestlé Purina Pet Care Company was announced as one of the seven Malcolm Baldrige National Quality Award winners; and

**WHEREAS**, Nestlé Purina Pet Care King William County Plant is among Purina's 20 manufacturing facilities and 7,000 associates receiving the award; and

**WHEREAS**, the King William County Plant exemplifies a Malcolm Baldrige Award winner as an organization that role-models organizational management systems that ensure continuous improvement in the delivery of products and demonstrates efficient and effective operations, and provides for ways of engaging and responding to customers and other stakeholders, while serving as a model corporate citizen.

**NOW, THEREFORE, BE IT RESOLVED** that the King William County Board of Supervisors does hereby honor and congratulate the Nestlé Purina Pet Care King William County Plant and it's employees for the vital role it plays as a global leader in the pet care industry and being a winner of the nationally prestigious 2010 Malcolm Baldrige National Quality Award.

**RE: COMPREHENSIVE SERVICES ACT MATTERS – ANNE MITCHELL, K.**  
**W. SOCIAL SERVICES DIRECTOR, AND DR. PAT DORGAN, DIRECTOR OF**  
**YOUTH AND FAMILY SERVICES, MP-NN COMMUNITY SERVICES BOARD**

Anne Mitchell, Director of Social Services for King William County, and Dr. Pat Dorgan, Director of Youth and Family Services for the Middle Peninsula-Northern Neck Community Services Board shared a success story of how the County's Comprehensive Services helped the Harrell family of King William County.

**PRESENTATION OF THE FY-10 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) – LESLIE F. ROBERTS, PARTNER, GOODMAN AND COMPANY, LLP**

Ms. Leslie Roberts of Goodman and Company, LLP addressed the Board to provide an overview of the King William County FY-10 Comprehensive Annual Financial Report (CAFR).

Chairman, T. G. Smiley requested that Goodman and Company provide copies of their proposal for the FY-11 audit to all five Board members for their review and then come back before the Board at its January 24, 2011, to explain her proposal to the full Board.

C. T. Redd III indicated that the Management Letter on the FY-10 audit was just received earlier this evening by the Board members, and more time is needed to review it, and if any questions are raised, these could be discussed at the Board's January 24, 2011, meeting.

Thereupon, Ms. Roberts stated that she has met with some representatives of the Board and reviewed the CAFR and done an exit conference detailing the report with them. She then pointed out several items in the report that give a high level analysis of the financial status of the County during the year.

She indicated that she will be present at the Board's January 24, 2011, meeting to present the Goodman and Company proposal for the FY-11 audit and to review the Management Letter with the Board on the FY-10 audit just completed.

**RE: DISCUSSION OF PROPOSED RESTRUCTURING OF EXTENSION OFFICES – DAVID M. MOORE, EXTENSION AGENT**

David Moore, Virginia Cooperative Extension Agent, reviewed the proposed restructuring plan for the reorganization of Extension. He indicated that because of state cutbacks and retirements, Extension has been sparse with Agents in this area over the past several years. A regional office/business center is being proposed

where there will be an agent and a unit administrative assistant, as well as some Program Managers. Most all of the business will be done out of this regional office center, but there will still be the local offices. The counties will have the opportunity to have a co-funded position in the local office, whether it be agricultural, ANR related, or 4-H Youth Program related, and if the County wants any more than that, it will be fully funded by the County. All personnel in the regional business center will be 100% funded by the State or the University.

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

a. Discussion of Creation of an Audit Committee - This item was deleted from the Board's agenda for this meeting.

b. Approval of Allocation of Miscellaneous Emergency Services Allocations  
Interim County Administrator, William C. Porter, Jr., stated that in June, the Board had adopted a resolution authorizing that 75% of all Emergency Medical Services (EMS) deposits for service charges and 100% of all mileage charges be remitted to the transporting department, while 25% of the service charge remains with the County. Since that time, the County has received a small number of lump sum deposits, so they are unable to be allocated as initially approved. These deposits include Medicaid payments and patient co-pays. An advisory committee determined that the County nets approximately 12% of the total EMS deposits and recommends the same allocation for these lump sum deposits.

Thereupon, on motion by C. L. Schools, seconded by D. L. Wright and carried unanimously, the Board adopted the following resolution approving the allocation of certain EMS deposits:

**RESOLUTION**

**Approving the Allocation of Certain EMS Deposits**

**WHEREAS**, the Board of Supervisors adopted a resolution in June 2010 authorizing that 75% of emergency medical services (EMS) deposits for services and 100% of mileage be remitted to the transporting department; and 25% of the deposit for services be retained by the County; and

**WHEREAS**, since that time a small portion of deposits have been received in a lump sum, primarily Medicaid payments and patient co-pays; and

**WHEREAS**, the advisory committee determined that the County nets approximately 12% of the total EMS deposits and therefore recommends the same allocation for these lump sum deposits.

**NOW, THEREFORE BE IT RESOLVED**; that the Board of Supervisors of King William County, Virginia does hereby authorize the allocation of certain lump sum EMS deposits be remitted at 88% to the transporting department and retained by the County at 12%.

c. Consideration of Request from Sally Pearson, Commissioner of the Revenue - A request from Sally Pearson, Commissioner of the Revenue, was presented for a FY-11 unbudgeted expense in the amount of \$250.00 to permit two Commissioner of the Revenue employees to attend a Land Use Course in Tappahannock, Virginia.

Thereupon, on motion by D. L. Wright, seconded by C. T. Redd III and carried unanimously, the Board adopted the following resolution authorizing the transfer of \$250.00 from the FY-11 contingency to the Commissioner of the Revenue's budget:

**RESOLUTION**

**Authorizing a Transfer from Contingency to the Commissioner of Revenue's Fiscal Year 2011 Budget**

**WHEREAS**, the Commissioner of Revenue has requested a Fiscal Year 2011 (FY-11) unbudgeted expense in the amount of \$250.00; and

**WHEREAS**, said unbudgeted expense is to permit one Commissioner of Revenue employee to attend a Land Use Course in Tappahannock, Virginia with a class capacity of 50; and

**WHEREAS**, there are no other expenses associated with said Land Use course .

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of King William County, Virginia, does hereby authorize the transfer of \$250.00 from the FY-11 contingency to the Commissioner of Revenue's budget leaving a balance of \$8,677.00 in the contingency.

**RE: ADOPTION OF RESOLUTION OF APPRECIATION FOR WILLIAM C.**

**PORTER, JR., INTERIM COUNTY ADMINISTRATOR**

On motion by C. T. Redd III, seconded by O. O. Williams and carried unanimously, the Board adopted and presented the following resolution of appreciation to William C. Porter, Jr., for his service to King William as its Interim County Administrator:

*KING WILLIAM COUNTY*

**RESOLUTION OF APPRECIATION**

**WHEREAS**, William C. Porter, Jr., has served as Interim County Administrator for over 7 months; and

**WHEREAS**, Mr. Porter has 36 years of local government service in the counties of Henrico, Stafford, Louisa, James City, and now King William; and

**WHEREAS**, Mr. Porter assisted the Board and staff through a difficult transition period through his extensive knowledge, leadership, team-building and caring; and

**WHEREAS**, Mr. Porter will be greatly missed by the staff he has worked with so closely these last months.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the King William County Board of Supervisors expresses its deep appreciation to Mr. Porter for his assistance to the community and wishes him the best in future endeavors; and

**BE IT FINALLY RESOLVED**, that a copy of this Resolution expressing the sense of this Board of Supervisors on this matter shall be spread upon the meeting minutes of said Board of Supervisors.

Upon presentation of this Resolution, Mr. Porter thanked the Board for the opportunity to have served in this capacity, and stated that it had been an honor and a pleasure to have worked in King William County.

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

Harry Whitt, Treasurer of King William County, thanked Mr. Porter for his service to King William County, and stated that both he and his staff had enjoyed working with him. He also noted that his office has just finished collecting the 2010 taxes, and the total number of payments collected is within about ½ percent of what they were last year.

**RE: BOARD OF SUPERVISORS' COMMENTS**

Various Board members expressed Holiday wishes to all in attendance and thanked the King William County employees for their service during the past year.

**RE: CLOSED MEETING PURSUANT TO SECTION 2.2-3711(A)(1), CODE OF VIRGINIA, 1950, AS AMENDED, TO DISCUSS A PERSONNEL MATTER INVOLVING THE ASSIGNMENT, APPOINTMENT, AND PERFORMANCE OF A SPECIFIC PUBLIC APPOINTEE/EMPLOYEE**

On motion by C. T. Redd III, seconded by O. O. Williams and carried unanimously, the Board entered Closed Meeting pursuant to Section 2.2-3711(A)(1),

Code of Virginia, 1950, as amended, to Discuss a Personnel Matter Involving the Assignment, Appointment, and Performance of a Specific Public Appointee/Employee.

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

In accordance with Section 2.2-3412D of the Code of Virginia, 1950, as amended, C. T. Redd III 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 O. O. Williams and carried with a unanimous roll call vote.

### **RESOLUTION**

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

**WHEREAS**, Section 2.2-3417D 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.

The Chairman stated that no action is to be taken by the Board as a result of discussion in the Closed Meeting.

### **RE: RECESS OF MEETING**

On motion by C. T. Redd III, seconded by C. L. Schools and carried unanimously, this meeting was recessed until January 10, 2011, at 7:00 P. M., at which time the Board will meet jointly with the King William County All-Hazards Emergency Planning Committee. Said meeting to be in the County Administration Building at King William Court House.

COPY TESTE:

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T. G. Smiley  
Chairman

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William C. Porter, Jr.  
Interim County Administrator