

MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
MEETING OF DECEMBER 16, 2002

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF KING WILLIAM COUNTY, VIRGINIA, HELD ON THE 16TH DAY OF DECEMBER, 2002, BEGINNING AT 7:00 P.M. IN THE BOARD ROOM OF THE KING WILLIAM COUNTY ADMINISTRATION BUILDING AT KING WILLIAM COURTHOUSE, ORDER WAS CALLED WITH THE FOLLOWING PRESENT:

D. L. WRIGHT, CHAIRMAN
E. P. STEROWSKI, VICE-CHAIRMAN
L. E. BYRUM, JR.
R. S. DIGGS
C. T. REDD, III – ABSENT

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

RE: ADOPTION OF AGENDA

On motion by L. E. Byrum, Jr., seconded by E. P. Sterowski and carried unanimously the Board adopted the agenda for this meeting as presented by the County Administrator with one addition to the Item #6, Consent Agenda, Set Public Hearing – Zoning Case T-02-02 – Zoning Text Amendment – Applicant: 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

Herb White, a resident of 1186 Mill Road in Aylett, requested the Board to consider the possibility of establishing a commission to investigate and study the serious problem with the heavy flow of large truck traffic on Route 30. He indicated that several very serious accidents involving these large trucks have occurred within the last two weeks on Route 30, as well as numerous reports over the past several months, of trucks following other vehicles too closely, or trying to run smaller vehicles off the road. Mr. White stated that GDC, owner/operator of the large garbage trucks which daily travel Route 30, has closed its drop point which was located on Sharon Road, so now these large garbage trucks could use Route 17 to get to the landfill in King and Queen County. He strongly urged the Board set up a commission possibly comprised of a representative from each of the following: Board of Supervisors, Virginia State Police, King William Sheriff's Department, West Point Town Police, Virginia Department of Transportation, King William County School System, and other interested County citizens.

RE: CONSENT AGENDA

On motion by L. E. Byrum, Jr., seconded by E. P. Sterowski and carried unanimously, the Board approved the following items on its consent agenda:

- a. Minutes of the regular meeting of November 25, 2002, and Special Called Meeting of November 5, 2002

b. Claims against the County for December, 2002, in the amount of \$1,559,217.48 as follows:

(1) General Fund Warrants #52537-52670 and manual check #13934 in the amounts of \$1,199,415.93 and \$182,310.00; Direct Deposits #4223-4311 in the amount of \$131,201.96; and Electronic Tax Payment in the amount of \$46,289.59

(2) For informational purposes, Social Services expenditures for the month of November, 2002, Warrants #302108-302167 in the amount of \$31,485.96, Direct Deposits #700-714 in the amount of \$20,564.08; and Electronic Tax Payment in the amount of \$7,531.11

(3) For informational purposes, Circuit Court expenditures for the month of November, 2002, Warrants #52505-52514 in the amount of \$6,199.13; and Direct Deposits #63-65 in the amount of \$6,592.22

(4) For informational purposes, Comprehensive Services Act Fund expenditures for November, 2002, Warrants #52516-52535 in the amount of \$32,474.48

(5) There were no tax refunds for the month of November, 2002.

c. Authorized advertisement of a public hearing set for January 27, 2003, during the Board's regular monthly meeting beginning at 7:00 p.m. to consider Zoning Case Z-06-02, Request for Rezoning – Applicant: Barnette & Schools as represented by Cecil Schools

d. Authorized advertisement of a public hearing set for January 27, 2003, during the Board's regular monthly meeting beginning at 7:00 p.m. to consider Zoning Case Z-07-02, Request for Rezoning – Applicant: King William Land Development Group represented by William Pohlig & Stuart "Sonny" Haynes

e. Authorized advertisement of a public hearing set for January 27, 2003, during the Board's regular monthly meeting beginning at 7:00 p.m. to consider Zoning Case Z-08-02, Request for Rezoning – Applicant: King William Land Development Group represented by William Pohlig & Stuart "Sonny" Haynes

f. Authorized advertisement of a public hearing set for January 27, 2003, during the Board's regular monthly meeting beginning at 7:00 p.m. to consider Zoning Case T-02-02, Request for Zoning Text Amendment, Applicant – King William County.

RE: VDOT MATTERS – CHARLIE STUNKLE, RESIDENT ENGINEER

a. Suggested Establishment of a Commission to Investigate and Study Heavy Truck Traffic on Route 30 - Resident Engineer, Charlie Stunkle, indicated that, if the Board does establish a commission to study the heavy truck traffic on Route 30, as was just suggested by Herb White in public comment period, VDOT would be happy to participate.

b. Route 647-Mill Road - Mr. Stunkle reported that the traffic counting tubes were put out on Route 647, but freezing rain came in that day, so no results yet.

c. Update on Two Loop Road Paving Projects on Route 30 in Mangohick Area - It was indicated by Mr. Stunkle that these two projects will be reseeded in the spring.

d. Route 360 at Manquin - Mr. Stunkle reported that this request has been forwarded to the Traffic Engineer for review and comments.

e. Timing of Traffic Lights at Central Garage Intersection of Routes 360/30 It was also reported by Mr. Stunkle that this request has been forwarded to the Traffic Engineer for review and comments.

RE: CIRCUIT COURT CLERK – PATRICIA NORMAN – STATUS OF LAND RECORDS AND OTHER CIRCUIT COURT RECORDS

Mrs. Patricia Norman, Circuit Court Clerk, was unable to attend this meeting due to illness, but she submitted to the County Administrator, a packet of information relating to the recent concern of County residents about documents from the Circuit Court Clerk's office being posted on the Internet, which was presented to the Board.

The information provided by Mrs. Norman explained that the idea for Clerk's offices to consider allowing remote access to records originated in the state law. The King William County Circuit Court Clerk's office is required by Virginia Code Section 17.1-279(B) to have a plan for technological improvements that provide for remote access to land records, if the County is to have access to Technology Trust Funds provided by the Commonwealth of Virginia. It was further explained that the King William Circuit Court Tactical Automation Plan for improving access to, and modernizing land records, was installed by Business Information Systems (BIS) from Piney Flats, Tennessee, on October 29, 1999, which was prior to Mrs. Norman taking office on February 7, 2001.

Mrs. Norman's communication further stated that after she had several conversations with BIS, she learned that they were not aware of, nor had they been informed, that the permanent records of King William Circuit Court should be retained on either alkaline paper or microfilm, to be used for back up and security copies, and are to be transferred to the Archives at The Library of Virginia for storage. After learning this, BIS had to put the King William County records on the Internet to pick up the images from the Circuit Court office in order to make a copy for the Library of Virginia.

In addition, Mrs. Norman's communication explained that on December 5, 2002, she received a phone call from a citizen stating he had received a letter about King William records being on the Internet. She requested to see a copy of this letter and on December 6, 2002, when she received the copy, she immediately called BIS and spoke to the owner of the company regarding King William Circuit Court records being posted on their web page, and a fee being charged for access. She reported that at that time, she instructed BIS that no records from King William Circuit Court were to be on their web site. As of December 6, 2002, the Circuit Court records for King William County were removed from the Internet.

E. P. Sterowski questioned whether or not this removal of records is on a temporary basis or on a permanent basis.

In the absence of Mrs. Norman, the County Administrator responded that he believed it was Mrs. Norman's intent that this be a permanent removal.

RE: COUNTY PROJECTS AND ACTIVITIES – FRANK A. PLEVA

a. Courts Facility Project - Mr. Pleva updated the Board indicating that site clearing and grading is underway, and that the construction office trailer is to be placed on the site in the next week.

b. Regional Animal Shelter - The Board was updated by Mr. Pleva on the regional animal shelter indicating that the Office of the State Veterinarian is now reviewing the plans for compliance, and will sign off on it. The project should go out for bids in January, 2003, with construction beginning in March, 2003.

c. Mt. Olive Community Development Block Grant Project - The County Administrator reported that the first public hearing required by the Department of Housing and Community Development on the Mt. Olive Community water and sewer project is set for January 6, 2003, at 7:00 p.m. in the Mt. Olive Community Center.

d. Dry Well Replacement Program – The County Administrator made the Board aware of the Dry Well Replacement Program announced by Governor Warner on November 7, 2002, and indicated that funds under this program will probably not be available until January, 2003, or later. He reviewed the guidelines for this Program with the Board indicating that the first of two required public hearings on this program is to be held at 10:00 a.m. on December 30, 2002, at King William County Courthouse. A request was made for waiver of these two public hearings, but the request was denied.

RE: STATUS OF TRICENTENNIAL YEAR-END FESTIVITIES – KATY LLOYD

Katy Lloyd reviewed the various activities being planned by the Tricentennial Committee for the December 20, 2002, "Old Fashioned Christmas and Time Capsule Burial".

The Chairman, on behalf of the Board, thanked all of the members of the Tricentennial Committee for their outstanding efforts, time, and hard work done on all events held throughout the year to celebrate the County's 300th Birthday.

RE: APPOINTMENTS

a. Middle Peninsula Disability Services Board – One Member – Two Year Term – Term of Lucille Minor Expires 12/30/02 - Mrs. Minor is not seeking reappointment - Action on this appointment was tabled until the Board's January meeting.

RE: SETTING OF MEETING DATE FOR 2003 ORGANIZATIONAL MEETING

On motion by L. E. Byrum, Jr., seconded by R. S. Diggs and carried unanimously, the Board set the date of January 27, 2003, at 7:00 p.m. to conduct its organizational meeting for 2003. This meeting will also be the Board's regular monthly meeting for January, 2003.

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

a. Bret Dawson, owner/operator of King William Coin Laundry, presented information regarding King William County's public utility fees as compared to fees in surrounding counties, and indicated that he cannot afford to expand his business based on the County current rates and fees. He requested the Board to investigate the possibility of offering reduced rates for high volume usage, as the surrounding counties do.

b. Harry Whitt, Treasurer, indicated to the Board that he has extended the due date for 2002 taxes one day, to December 6, as County offices were closed on December 5 due to snow.

c. Shawn Taylor, of 270 Hill Drive in Manquin, requested more information concerning the posting of land records and other Circuit Court records on the Internet.

The Board indicated to Mr. Taylor that the Circuit Court Clerk and the other four Constitutional Officers of the County, are independent, locally elected officials, and as such, they are neither employed nor operate and function under the auspices or control of the Board.

Following much discussion on this topic, the Chairman stated he is concerned about the information being presented tonight and feels the Board should take a strong position that the posting of Circuit Court records on the Internet should not happen, and the Board should send a letter to Mrs. Norman, Circuit Court Clerk, indicating this.

Thereupon, a motion was made by R. S. Diggs, seconded by L. E. Byrum, Jr. and carried unanimously, to authorize the County Attorney and the County Administrator to prepare a letter to Mrs. Norman, Circuit Court Clerk, indicating that the Board would prefer not to have the Circuit Court records posted on the Internet, and this motion also requested the County Attorney to prepare a report for the Board's January meeting.

RE: BOARD OF SUPERVISORS' COMMENTS

D. L. Wright, Chairman, expressed his appreciation to the other Board members for the support and spirit of cooperation shown to him throughout the year as Chairman, and indicated the Board and staff members have worked well together, in a team effort, for the betterment of King William County citizens.

RE: ADJOURNMENT

There being no further business to come before this Board, on motion by R. S. Diggs, seconded by L. E. Byrum, Jr. and carried unanimously, the meeting was adjourned.

COPY TESTE:

D. L. Wright
Chairman

Frank A. Pleva
County Administrator