

**MINUTES  
KING WILLIAM COUNTY  
BOARD OF SUPERVISORS  
SPECIAL CALLED MEETING OF FEBRUARY 10, 2021**

A special called meeting of the Board of Supervisors of King William County, Virginia, was held on the 10<sup>th</sup> day of February, 2021, beginning at 7:00 p.m. via Zoom.

**CALL TO ORDER**

Chairman Moskalski called the meeting to order.

**ROLL CALL**

The members were polled:

Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Aye

**Agenda Item 3. SPECIAL MEETING MATTERS**

**a. Discussion of 2021 Assessment**

Steve Hudgins, Interim County Administrator, presented materials for discussion of the 2021 Reassessment. As of February 2, 2021, 116 new construction properties were outstanding. Fifty-four (54) were completed after the contractor ceased viewing permits in August to close the reassessment file. The other sixty-two (62) were completed prior to the August 3<sup>rd</sup> date. The new construction should have been followed up after the August 3<sup>rd</sup> date and entered the system to ensure accurate values for the 2021 assessment. There are multiple documented cases where visits did not occur for several weeks after multiple follow-up request by property owners.

Andrew McRoberts, of Sands Anderson, provided various options including allowing the Board of Equalization to hear appeals of property owners to correct the errors, have BRIGHTMINDS, LLC or another person/company correct errors, or invalidate the entire assessment.

The Board questioned the performance bond issued and terms involved.

The code stipulates that the penalty for non-compliance, applied by the Comptroller of Virginia, is to withhold the County's share of the alcoholic beverage control system net profits of operations. However, in practice, several years ago the General Assembly removed the profit-sharing provision and diverted ABC profits to the general fund, essentially removing enforcement for non-compliance.

Emily Teagle, Fiscal Specialist Senior, noted data entry errors, new construction entries not entered and lack of parcel visits.

Olivia Lawrence, Clerk to the Board, stated Mr. Chastang was not forthcoming with information for FOIA requests and was not available for citizens.

The Board commended both Ms. Teagle and Ms. Lawrence.

Karena Funkhouser, Commissioner of the Revenue, stated she would reassume the responsibilities of real estate assessments if the board wished.

Mary Sue Bancroft, Treasurer, stated there would be no room for all citizens to be heard by the Board of Equalization and many did not attempt to be heard. Ms. Bancroft stated it would be best if the Commissioner of the Revenue's Office receive the assessment responsibilities once again.

#### **Agenda Item 4. PUBLIC COMMENT**

Chairman Moskalski apologized for not seeing the errors in the assessment sooner.

Chairman Moskalski open the public comment period.

1. Raymond Carter, of District 1, stated the Commissioner of the Revenue should oversee the reassessments.
2. Brian Hodges, of District 2, noted errors in the land book and questioned why there was no quality assurance.
3. Tim Vaughan, of District 5, requested the assessments be invalidated and start over with proper insight to restore trust.
4. Shakeena Rogers, of District 5, questioned the status of the Economic Development Authority COVID-19 Grants.
5. Fred Krauss, of District 3, requested the assessment be invalidated due to state code violations and noted many new constructions were not assessed.
6. Joann Schmidt, of District 1, requested the assessment be invalidated and noted she saw a 97% increase and would need to increase the rent for her tenants.
7. Chris Couch, of District 5, noted his 3,000 square foot green house was missed during the assessments and so he chose to make them aware of the error.

There being no further public comments, Chairman Moskalski closed the public hearing.

**Agenda Item 5. CLOSED SESSION**

**a. Motion to Convene Closed Meeting**

Upon motion of Supervisor Moren, seconded by Supervisor Greenwood, the Board acted to convene a Closed Meeting pursuant to § 2.2-3711 (A)(8) of the Code of Virginia to consult with legal counsel on a specific legal matter regarding BRIGHMINDS, LLC requiring the provision of legal advice by counsel.

The roll call vote on the motion was as follows:

Supervisor, 1st District: William L. Hodges	Absent
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Aye

**b. Motion to Reconvene in Open Session**

Having completed the Closed Meeting, Chairman Moskalski reconvened the regular meeting back to order in Open Session.

**c. Certification of Closed Meeting**

Chairman Moskalski called for a motion to approve Standing Resolution 1 (SR-1) In accordance with Section 2.2-3717(D) of the Code of Virginia, 1950, as amended.

Supervisor Hodges moved that the King William County Board of Supervisors adopt the following SR-1 Resolution certifying that the Closed Meeting was conducted in conformity with the requirements of the Virginia Freedom of Information Act; the motion was seconded by Supervisor Moren.

Chairman Moskalski announced the motion was properly moved and properly seconded; he called for any discussion. There being no discussion among Board members SR-1 was adopted.

The roll call vote in favor of this motion was as follows:

Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye

Supervisor, 3rd District: Stephen K. Greenwood Aye  
Supervisor, 1st District: William L. Hodges Aye  
Supervisor, 2nd District: Travis J. Moskalski – Chairman Aye

**STANDING RESOLUTION – 1 (SR-1)**  
**A RESOLUTION TO CERTIFY COMPLIANCE WITH THE**  
**FREEDOM OF INFORMATION ACT REGARDING MEETING IN CLOSED MEETING**

**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 2.2-3711 of the Code of Virginia 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 on this 10<sup>th</sup> day of February, 2021, hereby certifies that, to the best of each member’s knowledge:

1. Only public business matters lawfully exempted from open meeting requirements under the Freedom 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 convening the closed meeting were heard, discussed, or considered by the King William County Board of Supervisors.

**DONE** this the 10<sup>th</sup> day of February, 2021.

**d. Action on Closed Meeting**

Upon the motion of Supervisor Garber, seconded by Supervisor Moren, the Board authorized counsel to enter an order to the court to the extend the reassessment period by 90 days by the following roll call vote:

Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair Aye  
Supervisor, 3rd District: Stephen K. Greenwood Aye  
Supervisor, 1st District: William L. Hodges Aye  
Supervisor, 4th District: C. Stewart Garber, Jr. Aye  
Supervisor, 2nd District: Travis J. Moskalski – Chairman Aye

Upon the motion of Supervisor Greenwood, seconded by Supervisor Hodges, the Board authorized counsel to enter an order to the court to disband the Board of Equalization by the following roll call vote:

Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Aye

Upon the motion of Supervisor Moren, seconded by Supervisor Greenwood, the Board instructed staff to publish intent to amend the Ordinance date of January 1, 2021 to January 1, 2023 by the following roll call vote:

Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Aye

**Agenda Item 6. ADJOURN**

Upon motion of Supervisor Hodges, second by Supervisor Greenwood, the meeting was adjourned by the following roll call vote:

Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Aye

COPY TESTE:

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Travis J. Moskalski, Chairman  
Board of Supervisors

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Olivia S. Lawrence  
Deputy Clerk to the Board