

**MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
MEETING OF NOVEMBER 21, 2016**

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 21st day of November, 2016, beginning at 7:00 p.m. in the Board Meeting Room of the County Administration Building.

RE: CALL TO ORDER

Chairman Greenwood called the meeting to order.

RE: ROLL CALL

The members were polled:

William L. Hodges	Aye
Travis J. Moskalski – Vice Chairman	Aye
David E. Hansen	Aye
Robert W. Ehrhart II	Aye
Stephen K. Greenwood – Chairman	Aye

Also in attendance:

Sanford B. Wanner, Interim County Administrator
Daniel M. Stuck, County Attorney

RE: MOMENT OF SILENCE

The Chairman called for a moment of silence.

RE: PLEDGE OF ALLEGIANCE

The Chairman led the pledge of allegiance.

RE: REVIEW AND ADOPTION OF MEETING AGENDA

There was general discussion of the meeting agenda items.

Supervisor Ehrhart moved for the adoption of the agenda for this meeting as presented by the Interim County Administrator, motion was seconded by Supervisor Moskalski.

The members were polled:

T. J. Moskalski	Aye
D. E. Hansen	Aye
R. W. Ehrhart II	Aye
W. L. Hodges	Aye
S. K. Greenwood	Aye

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

Chairman Greenwood opened the Public Comment Period.

1. Jeanette Wagner, of the 5th District, spoke of a problem she considers to be with pigs running free range in the upper end of the County. She suggested the Board consider a fence ordinance. She has concerns with property damages and vehicle safety; particularly school buses.

2. William Guy Townsend, of the 4th District, spoke of the intersection at Route 360 and Route 604 that he considers to be a traffic hazard. He urged the Board to take this intersection under serious consideration for improvements for safer conditions for citizens and visitors of King William County.

3. Charles Piersa, of the 2nd District, thanked Mr. Wanner for his assistance with the matter of honey bees with the legislators recently. He shared his concerns regarding a reported large abundance of coyotes in Virginia. He encouraged the Board to show their support by writing a letter to the legislators to fund the two coyote experts that cover the State of Virginia. He still concerns with the road conditions on Route 30 after the recent paving project.

RE: CONSENT AGENDA

Supervisor Moskalski moved for approval of the items on the Consent Agenda, motion was seconded by Supervisor Hodges.

The Chairman called for any discussion.

There being no discussions the consent agenda was approved by the following roll call vote:

D. E. Hansen	Aye
R. W. Ehrhart II	Aye
W. L. Hodges	Aye
T. J. Moskalski	Aye
S. K. Greenwood	Aye

a. Minutes:

- i. Work Session of October 3, 2016, 2016
- ii. Regular Monthly Meeting of October 24, 2016

b. Claims against the County for the month of November, 2016, in the amount of \$1,149,649.74 as follows:

(1) General Fund Warrants #82874-82956 in the amount of \$253,010.63 and #82961-83003 in the amount of \$99,987.64; ACH Direct Payments #8148-8191 in the amount of \$216,260.37 and #8194-8231 in the amount of

\$129,403.36; Direct Deposits #22753-22915 in the amount of \$214,357.37; and Electronic Tax Payment in the amount of \$117,101.48.

(2) For informational purposes, Social Services expenditures for the month of November, 2016, Warrants #311124-311132 in the amount of \$3,624.00 and #311133-311150 in the amount of \$16,810.34; ACH Direct Payments #1824-1843 in the amount of \$8,801.59; Direct Deposits #3867-3888 in the amount of \$35,008.66; and Electronic Tax Payment in the amount of \$19,645.96.

(3) For informational purposes, Comprehensive Services Act Fund expenditures for the month of November, 2016, Warrants #82957-82960 in the amount of \$8,905.00; and ACH Direct Payments #8192-8193 in the amount of \$26,540.00.

(4) Tax refunds for the month of November, 2016, in the amount of \$193.34.

RE: BOARD PRESENTATIONS

a. Presentation of check donation to Parks and Recreation Department – Rev. Douglas Riley with Third Union Baptist Church – Supervisor Moskalski introduced Rev. Riley and gave a brief summary of the recently held “Unity in the Community Basketball Tournament”.

Rev. Riley announced he is the President of the first King William County Children’s Lions Club. He said the Sheriff’s department, led by Sheriff Walton, played against some of the local pastors and community leaders in the basketball tournament. Some of the team members included Supervisor Moskalski, Commonwealth’s Attorney Matthew Kite, teacher Blair Swicker, Rev. Wilbur Talley, Rev. James Savant, Rev. Evans White, Rev. Shawn Knight and Rev. Gus Agustina. The event was refereed by Supervisor Ehrhart and teacher Howard Hill. He presented a check in the amount of \$650, raised by the basketball tournament that includes a \$100 contribution made by Senator Norment, to the King William County Parks and Recreation Department.

Parks and Recreation Manager, Alison Fox, was present to receive the donation. She thanked Rev. Riley for the generous donation on behalf of the King William County Parks and Recreation Department.

RE: OLD BUSINESS

a. Resolution 16-74 – A resolution to establish the King William County Department of Fire and Emergency Services as an emergency medical services

agency – Chief Andy Aigner explained that the adoption of this resolution would allow him to provide basic and advanced life support services within the County and to obtain agency license. He noted the establishment of King William County Fire and Emergency Services would allow for the application of grants.

Chairman Greenwood called for any discussion.

Supervisor Hansen asked how many of the volunteer Chief's support the establishment of this department.

Mr. Aigner stated the two Chief's that operate in the County, Josh Schrum and Forest Jewel are present and supports this action.

Supervisor Hodges explained that West Point Volunteer Fire and Rescue has adopted its own fire code and has elected to represent themselves in the 1st District.

Supervisor Hansen has concerns that the establishment of this department will allow Chief Aigner the authority to hire employees under such a department. He feels this item should be tabled for additional information.

The County Attorney clarified he drafted the resolution at the request of Staff. He explained the particular code section in this resolution allows for the establishment of a department by the County. The department may consist of paid employees, all volunteers, or a combination of both, but does not replace companies that have been formed and established. This does not provide any authority for the County Chief to regulate the other EMS agencies. State code requires the establishment of such a department before the County can apply for and is eligible for grants through the State. He further explained that authorization of this request does not put a County established department in charge of the other volunteer agencies.

Chief Forest Jewel explained the County previously had EMS licensing status in the past that lapsed. He noted that Chief Aigner cannot practice as an EMS intermediate provider unless he has an affiliation with an organization that is licensed. He further explained that affiliation with one of the existing departments could be misconstrued as collusion between that department and the County. In summary, this allows the County to restore a license that has since lapsed.

Chairman Greenwood explained further approval from the Board is required for Chief Aigner to hire any Staff for such a department.

Supervisor Hansen still has concerns.

Supervisor Moskalski inadvertently called for the question.

The County Attorney explained a motioned had not been called.

Supervisor Moskalski moved for the approval of Resolution 16-74; motion was seconded by Supervisor Hodges.

Chairman Greenwood called for any further discussions.

Supervisor Ehrhart asked for clarification that this request only allows for the application of grants.

Chief Aigner reiterated authorization of this request also allows him to run calls as an EMS provider.

The County Attorney further explained that the County currently owns three ambulances. He noted that grants for replacement of ambulances, or parts for the currently owned ambulances, cannot be applied for unless you are a certified agency.

Chief Aigner reported that a number of new volunteers have signed on with the departments he attributes to his relationship with them. He stated his job is to grow the volunteer organization to save the County money; this has been his stance from the start of this employment with the County and will continue to be his stance.

Chairman Greenwood called for any other discussions.

There being no other discussions Resolution 16-74, was approved by the following roll call vote:

R. W. Ehrhart II	Aye
W. L. Hodges	Aye
T. J. Moskalski	Aye
D. E. Hansen	Nay
S. K. Greenwood	Aye

RESOLUTION 16-74
RESOLUTION TO ESTABLISH THE KING WILLIAM COUNTY
DEPARTMENT OF FIRE AND EMERGENCY SERVICES AS AN EMERGENCY
MEDICAL SERVICES AGENCY

WHEREAS, Section 15.2-955 of the Code of Virginia provides that localities “shall seek to insure that Emergency Medical Services are maintained throughout the entire locality”; and

WHEREAS, Section 32.1-111.4:6 authorizes the Board of Supervisors to establish an emergency medical services agency as a department of government; and

WHEREAS, the Board has determined it to be in the best interest of the citizens of King William County for the King William County Department of Fire and Emergency Services to assist in providing these services countywide in addition to existing licensed emergency medical services agencies operating within the County;

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors hereby establishes the King William County Department of Fire and

Emergency Services as an emergency medical services agency and directs the Department to seek appropriate licensure through the Virginia Office of Emergency Medical Services to provide such services.

b. 2017 Draft King William County Legislative Program – Mr. Wanner gave an update on this item. He noted that Supervisor Moskalski and Supervisor Ehrhart recently attended the VACo Annual Conference. As a result of this conference suggested changes have been made to the draft legislative program for the County. He reviewed the suggested changes for consideration. He noted the approved legislative program will be forwarded to the delegation to be used in the General Assembly session commencing in January 2017.

Supervisor Hansen is curious what the Commissioner of the Revenue thinks of the item regarding zoning classifications. He is not comfortable with this item until the agricultural community has been notified and has had a chance to voice their thoughts.

Supervisor Ehrhart has spoken to the Commissioner about this item. He explained that this deals only with areas that are zoned as industrial and gives King William County the same ability as other localities that have this taxing authority. The Commissioner did not express any opposition. He further explained this would only affect approximately six parcels.

Mr. Wanner confirmed he has spoken to the Commissioner about this item and she was not opposed. He also clarified that this request is to give the County local taxing authority.

Supervisor Hodges moved for the approval of the revised 2017 King William County Legislative Program as presented; motion was seconded by Supervisor Ehrhart.

Chairman Greenwood called for any other discussions.

There being no other discussions the 2017 King William County Legislative Program, was approved by the following roll call vote:

W. L. Hodges	Aye
T. J. Moskalski	Aye
D. E. Hansen	Nay
R. W. Ehrhart II	Aye
S. K. Greenwood	Aye

2017 King William County
Legislative Program

Meals Tax Authority

King William County supports granting counties the authority to adopt a local meals tax without referendum.

Tobacco Tax Authority

King William County also supports equal authority amongst all counties to levy and collect a tobacco tax.

Equal Taxation Authority

King William County supports granting counties equal taxing authority enjoyed by cities and towns to enact local excise taxes without referendum.

Dillon Rule/Local Authority

King William County supports relaxation of the Dillon Rule by granting and enhancing local authority and autonomy including land use matters, revenue measures, procurement and other issues of local concerns. The General Assembly should extend powers currently granted to some local governments to all other local governments.

Stormwater programs

King William County supports adequate funding to enable local governments to meet ongoing costs associated with local stormwater management programs. King William County further opposes any legislation that would impose any additional mandates or financial burdens upon local governments.

King William supports legislation to correct the so-called “donut hole” problem that currently requires “opt out” local governments to enforce stormwater requirements for land disturbances between 2,500 square feet and one acre.

King William supports the continued work by the General Assembly in looking for any and all options to make stormwater solutions more effective from a cost and water quality point of view.

Water Supply Planning

King William County supports appropriations adequate to ensure full funding by the State for the ongoing development and implementation of state-mandated water supply plans.

§58.1-3237.1. Authority of counties to enact additional provisions concerning zoning classifications

This bill would add King William County to the list of localities permitted to enact an ordinance to exclude land lying in planned development, industrial or commercial zoning districts established prior to January 1, 1981 from special land use assessments. King William County would also be permitted to provide that property subject to special land use assessments would no longer be eligible for special land use assessments and subject to roll-back taxes at the time the zoning is changed, at the owner’s request, to a more intensive nonagricultural use. However, agriculturally zoned property that is subsequently rezoned to a more intensive use which is complementary to agricultural use, provided that the agricultural activity continues to be operated on the property and the property continues to be owned by the same owner, would not lose its eligibility.

RE: NEW BUSINESS

- a. Public Hearing proposed revisions to the King William County

Comprehensive Plan –

- i. Presentation – Wally Horton, Director Community Development, gave a brief summary of the proposed revisions made to the Comprehensive Plan. He explained the most recent copy of the Plan provided to the Board includes

grammatical corrections and the integration of comments from the Virginia Department of Transportation, and it was recommended by the Planning Commission for approval. He reviewed the corrections and additions made to the document as a result of the discussion during the work session of November 7, 2016. He suggests the Planning Commission review the Plan yearly for any recommended amendments. He noted several elements that may be considered by the Board as possible amendments to the Plan during yearly reviews, such as the Capital Improvements Plan, the Urban Development Area, and the future land use map.

Supervisor Hansen asked for clarification that the McDonalds restaurant is the 9th largest employer in the County; Mr. Horton confirmed. Supervisor Hansen asked for clarification of the referenced recommendation of a new school building in 2018; Mr. Horton confirmed this is old information and has been updated to read renovation of the school. Supervisor Hansen has concerns with data that is older than three years old included in this document.

Chairman Greenwood clarified that data and references can be updated in future amendments to the plan.

ii. Public Hearing (3 minutes per individual; 5 minutes if representing an organization or group) – Chairman Greenwood opened the public hearing.

1. Donald Wagner, of the 5th District, acknowledged that past and present County Staff has worked hard to get this draft document completed. He agrees this document should be reviewed yearly for amendments. He urged the Board to approve the document presented and make amendments in the future as necessary. He suggested the zoning ordinance needs to be reviewed and revised.

2. Ed Moren, of the 5th District, is interested in participating in the local government process. He has reviewed the Plan and does not see any radical changes that need to be made. He advised he submitted a list of suggested changes to the Director of Community Development earlier today.

3. Roger Spangler, of the 5th District, has lived in the County for about nine months, moving from California. He urged the Board to make broadband a priority. He suggested the Comprehensive Plan should be accessible online to make real-time updates to the document. He offered his assistance to the County and the Planning Commission.

There being no others to speak for or against this matter Chairman Greenwood closed the public hearing.

iii. Consideration – Chairman Greenwood called for any discussions.

Supervisor Moskalski is not opposed to adopting the document presented tonight, with the understanding that the Board moves forward with the Planning Commission to upgrade and update the Plan to make it even better.

Supervisor Hansen believes that broadband is going to be replaced very soon with newer technology that is much cheaper.

Supervisor Ehrhart suggested that the reference to potable water in the Plan is contradictory and should be reworded.

Supervisor Hansen asked when consideration of updates will be scheduled; Mr. Horton suggested December or January timeframe each year.

Mr. Wanner noted that following the adoption of the Comprehensive Plan the zoning ordinance will need to be reviewed.

The County Attorney clarified the resolution for consideration is worded such that the Plan is considered as presented and incorporated in the minutes. He noted this item can be considered as late as the December regular business meeting. The Board may choose to direct Staff to clean up the document and bring back for consideration at that time.

Supervisor Hansen feels the document should be considered as presented; Supervisor Hodges agrees.

Supervisor Hodges moved for the approval of Resolution 16-77; motion was seconded by Supervisor Hansen.

Chairman Greenwood called for any further discussion.

There being no other discussions Resolution 16-77, was approved by the following roll call vote:

T. J. Moskalski	Aye
D. E. Hansen	Aye
R. W. Ehrhart II	Nay
W. L. Hodges	Aye
S. K. Greenwood	Aye

RESOLUTION 16-77
A RESOLUTION TO AMEND AND READOPT THE
KING WILLIAM COUNTY COMPREHENSIVE PLAN

WHEREAS, the County of King William has a Comprehensive Plan that was adopted on June 23, 2003 and §15.2-2229 of the Code of Virginia provides for the amendment of Comprehensive Plans; and

WHEREAS, in accordance with §15.2-2229 of the Code of Virginia the King William County Planning Commission conducted a public hearing on September 6, 2016, to receive public comment and consider a recommendation to the Board of Supervisors on revisions of the King William County Comprehensive Plan; and

WHEREAS, the Planning Commission voted to recommend approval of the revised King William County Comprehensive Plan with the provision that clerical corrections and updates necessitated by Virginia Department of Transportation be made; and

WHEREAS, the Board of Supervisors conducted a work session on November 7, 2016, to discuss the Plan and additional comments regarding content were made; and

WHEREAS, the Board of Supervisors believes that public general welfare as well as good planning practices are served by amending the King William County Comprehensive Plan; and

WHEREAS, the Board of Supervisors conducted a public hearing on November 21, 2016, to receive public comment and consider adoption of the revised King William County Comprehensive Plan,

NOW, THEREFORE, BE IT RESOLVED, in accordance with §15.2-2229 of the Code of Virginia, the Board of Supervisors hereby amends and readopts the King William County Comprehensive Plan in the form presented to the Board this date and included in the minutes of this meeting.

A copy of the approved Comprehensive Plan will be provided as an attachment to the approved minutes.

RE: ADMINISTRATIVE MATTERS

a. Supervisor Hodges moved for a resolution to be prepared by Staff recognizing the late Mrs. Susan Mickens, for her service as the General Registrar, for presentation to her family during the December business meeting; motion was seconded by Supervisor Moskalski.

Chairman Greenwood asked for a roll call vote.

The members were polled:

D. E. Hansen	Aye
R. W. Ehrhart II	Aye
W. L. Hodges	Aye
T. J. Moskalski	Aye
S. K. Greenwood	Aye

b. Fire and EMS Call Statistics – Mr. Wanner gave a brief summary of the October 2016 call statistics for fire and rescue. He noted the types of calls have been added to the report. He also noted the report will continue to be refined per Board direction.

Supervisor Hansen asked for clarification on the listed missed calls, particularly the time of day they occurred; Mr. Wanner said this information can be researched and reported to the Board. Supervisor Hansen is also interested in the status of the fire inspections for businesses in the County.

c. Mr. Wanner announced that County offices will be closed at noon on Wednesday, November 23rd through Friday, November 25th in observance of the Thanksgiving holiday; the County follows State holidays.

RE: APPOINTMENTS

No appointments were made by the Board.

RE: BOARD OF SUPERVISORS COMMENTS

Board members thanked all citizens for attending and participating in the meetings of the Board of Supervisors and wished everyone a happy and safe Thanksgiving holiday.

Supervisor Hodges said improving broadband services would be nice, noting that the Board has been working hard to reduce the tax rate and hopefully in doing so it will allow for a good mix and make the task easier.

Supervisor Moskalski addressed the matter of the conditions of the paving project on Route 30 raised by a speaker earlier. He noted Ms. McGowan, with VDOT, sent an email acknowledging receipt of the letter from the County, submitted by Mr. Wanner. She stated they are aware of the deficiencies and will work with the contractor to correct these as fast as possible. He said broadband has been a personal priority for him, the recent CIT study prepared for the County shows we have a long way to go. He said there are examples of other localities throughout the State taking other measures, noting cost may be prohibitive. He also noted regional efforts are being worked on for broadband access.

Supervisor Hansen feels the transitioning of government parties is going to be very challenging for everyone. He spoke of the recent meeting with legislators and the fragile economy of the State they reported and the expectation of unfunded mandates to be handed down to the local level.

Supervisor Ehrhart thanked the County Staff for keeping the County running. He speculated this is the first time we have been at full staff since this Board has been in place. He is hopeful there are some good candidates to choose from for the

permanent County Administrator position. He attended the VACo conference recently and reported economic projections are not good as far as money coming into local governments, this will be a factor when looking at the budget.

Chairman Greenwood thanked Mr. Horton and the Planning Commission for getting the Comprehensive Plan before the Board. He said work now needs to be directed to the Capital Improvement Plan and the review of zoning ordinances. He announced there is no scheduled work session for the month of December; the next scheduled meeting is the Regular Business Meeting on December 19, 2016.

RE: CLOSED MEETING

Motion was made by Supervisor Moskalski, seconded by Supervisor Hodges, that the Board enter Closed Meeting pursuant to § 2.2-3711(A)(1) of the Code of Virginia to consider a personnel matter involving the employment search for a permanent County Administrator. The members were polled:

R. W. Ehrhart II	Aye
W. L. Hodges	Aye
T. J. Moskalski	Aye
D. E. Hansen	Aye
S. K. Greenwood	Aye

Having completed the closed meeting, Chairman Greenwood called the meeting back to order in open session.

Chairman Greenwood 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 Moskalski 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; motion was seconded by Supervisor Ehrhart.

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

W. L. Hodges	Aye
T. J. Moskalski	Aye
D. E. Hansen	Aye
R. W. Ehrhart II	Aye
S. K. Greenwood	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 21st day of November, 2016, 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.

RE: ADJOURNMENT

There being no other business to come before this Board the Chairman adjourned the meeting at 9:25 p.m.

COPY TESTE:

Stephen K. Greenwood, Chairman
Board of Supervisors

Bobbi L. Langston
Deputy Clerk to the Board