

**MINUTES  
KING WILLIAM COUNTY  
BOARD OF SUPERVISORS  
WORK SESSION OF MARCH 14, 2016**

A meeting of the Board of Supervisors of King William County, Virginia, was held on the 14<sup>th</sup> day of March, 2016, beginning at 7:00 p.m. in the Board Room of the County Administration Building, with the following present:

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

K. Charles Griffin, County Administrator  
Daniel M. Stuck, County Attorney  
Amanda Six, Director of Financial Services  
Chris Bruce, Emergency Management Coordinator  
Bobbi Langston, Deputy Clerk to the Board  
Victoria Rowsey, Executive Assistant – Operations

**RE: CALL TO ORDER**

The Chairman called the work session to order at 7:00 p.m. 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

**RE: PROPOSED WORK SESSION AGENDA**

a. Concurrence by Board of Supervisor members for Supervisor Ehrhart to attend a meeting of Government and Business Leaders on April 7<sup>th</sup>, reporting back to the Board in a future work session – By consensus the Board concurred that Supervisor Ehrhart should attend a scheduled meeting of Government and Business Leaders on April 7<sup>th</sup>, reporting back to the Board in a future work session.

b. Development of a County FOIA policy – Supervisor Ehrhart suggested the Board adopt a policy for Freedom of Information Act requests. He feels a standard policy should be considered to include fees for research and preparation of the requests. The policy should include general procedures for carrying out requests.

There was a brief discussion among the Board members, the County Administrator and the County Attorney on this subject.

The County Administrator noted the County currently follows the State policy. He recommended the development of a County policy should be discussed with the County Attorney for guidance.

The County Attorney suggested a policy that would consist of a written policy, such as the one Supervisor Ehrhart has shared, but less complicated for an organization of this size. He also suggested the policy be posted, with detailed instructions, on the County website that spells out the procedures for FOIA requests.

At the conclusion of the discussion, it was decided the County Attorney will work on this item sometime after the budget process.

c. Public Comment Period placement on meeting agendas – Chairman Greenwood noted Supervisor Ehrhart has an interest in moving the public comment period listed on the agenda, for regular business meetings of the Board, near the end. He explained in previous years the agenda allowed for two public comment periods; one near the beginning and one near the end of each meeting.

The opinion of Supervisor Ehrhart is if this item is listed at the end of the agenda it may allow someone to comment on items presented during the meeting. He also feels if someone has a comment this will facilitate them to stay until the end to do so, rather than making a comment and cutting out, this does not promote a good discourse.

Supervisor Hansen asked the opinion of Supervisor Moskalski, given his experience, if public comment changes an opinion on a vote, or is that an issue.

Supervisor Moskalski noted it very well depends on the issue, but feels public comment has played a role in decisions that he and other Board members have made on matters. He feels public comment is useful especially when trying to gather as much information as possible on matters before the Board. He is in favor of adding a second public comment period but not eliminating the first one in lieu of.

Chairman Greenwood feels public comments should make a difference in decisions made by the Board on matters brought before them, as they are here to serve the citizens.

The County Attorney clarified that during the agenda review the Board may direct the Clerk to move the public comment period for any given meeting.

Chairman Greenwood asked for clarification if the suggestion is to strike the public comment period from the agenda for the next regular business meeting, due to the issues that arose from the meeting in February.

Supervisor Ehrhart supports striking the public comment period for the March 28<sup>th</sup> regular business meeting. He added that a public comment period is not required to be held during Board meetings.

Supervisor Moskalski noted there are methods of enforcement to control how much time is allowed for public comment. Perhaps a time limit or sign-up restrictions can be put in place to control the amount of time spent on this agenda item. He does not feel it would be wise to strike from the agenda.

Supervisor Ehrhart noted there was a full house here last meeting and there is enough time to give advance notice before the next meeting of a change. He added that Sheriffs' Deputies were paid overtime for attending that meeting, using tax payer dollars. In his opinion, it did not provide any relevant information because it was all premature. He does not advocate having a house full of people coming in talking and then leaving. Again, he proposes the Board strike the public comment period from the agenda for the March 28<sup>th</sup> meeting.

Supervisor Hansen believes everyone should have the right to say what they believe about this government. He said this is a public government and a public council that serves the people. He supports always having a public comment period so the people can voice their concerns whether it is good, bad or ugly. He feels it is necessary to hear what they have to say.

Supervisor Hodges supports public comment period but with rules and the understanding that no derogatory comments are allowed. He does not support striking from the agenda.

Supervisor Moskalski shared that from experience the job of the Chairman is tough. He supports enforcement of the rules, for a certain level of decorum to be upheld, and a reasonable amount of time dedicated for comments to be heard.

Supervisor Hansen brought up qualifications of speakers and that the Board may want to look at this. Again, he firmly believes the public has the right to say what they want to say. He agrees with setting time limits. In his opinion, if a 12 year old youth wants to speak they should have the opportunity, and he is thankful they have

the interest in participating in local government. He said this is their future and opinions change over time, it takes a lot of courage for youngsters to stand up here in a room full of people and speak. He may not agree with them but he supports their right to do so.

Supervisor Moskalski agrees.

Supervisor Hodges also agrees and said he listened to the youth at the polls.

Supervisor Ehrhart said he did not listen if they were 12 years old.

Chairman Greenwood asked for clarification of why speakers are not required to state their address when speaking during public comment.

The County Attorney said address information is normally asked for to determine the district the speaker resides. He added it would be wise not to limit comments to people that specifically reside in the County. He also said generally comments are limited to matters subject to Board consideration. He gave an example that a time limit can be set to an hour and on a first come first serve basis.

Supervisor Hansen asked for clarification that a speaker can speak to public business but it is not appropriate to speak about a person's hair for instance.

Supervisor Moskalski again said the job rests on the Chairman to keep decorum.

Chairman Greenwood agreed he will be more forceful, when necessary, to notify the speaker their time is up. He asked for concurrence from the Board to add a second public comment period later in the year and not to eliminate or remove at this time.

Consensus of the Board is to leave the public comment period on the agenda as is, one time near the beginning of the meeting. The Board will consider adding a second public comment period sometime after budget season.

For further clarification, Chairman Greenwood stated one public comment period will be on the agenda for the upcoming meeting; with the understanding the Chairman will be stricter.

Mr. Griffin suggested at the start of the comment period the Chairman could indicate speakers are to address matters or topics that are considered by the Board. With further instructions that comments should be related to those topics and should not be personal in nature towards Board members, Staff or other interested parties.

d. Budget Work Session – Chairman Greenwood started the continuation of budget discussions. He asked Ms. Six, Director of Financial Services, if there has been time to come up with new figures for the draft budget.

Ms. Six said she ran all the numbers from the discussions during the meeting on Friday. For clarification purposes she said giving no raise to employees saves about \$80,000; giving a 1% raise saves about \$38,000; and added that a \$500 or \$750 bonus could be given for about the same as a raise.

Supervisor Hansen asked should a bonus be given to employees if FICA and social security taxes are deducted; Ms. Six stated yes.

Supervisor Hodges said a bonus does not affect retirement and does not increase the employee's salary.

Supervisor Ehrhart stated a one-time bonus does not increase the cost to the County for subsequent years.

Continuing, Ms. Six said approximately \$40,000 would be saved changing the open position in the Finance Department to a part-time position. She said there have been no updates from the State since last Friday. She said the handouts today have the line items of all of the funds such as Social Services; CSA; Parks and Recreation; Victim Witness; EMS billing; and water and sewer.

Chairman Greenwood asked Ms. Six if she came up with anything on what starting with like \$300,000 from the schools looks like, and if so did that change anything.

Ms. Six stated that would just be a cut, subtracted from the top.

Supervisor Hansen said that part of the consideration for the schools will be what happens in the General Assembly.

Ms. Six said she spoke with Ms. Stickley today and there have been no State updates or from the Compensation Board. It was mentioned during the meeting on Friday that it would be this Wednesday, at the earliest, before any updates would be expected from the State.

Supervisor Hansen feels a better number is needed and at this point it does not look like we have the numbers from the State that will give us a definitive number we can go by. He said if we say take a million dollars from the School Board when in fact that would be an over inflated number, or even \$300,000 if that would be an improper

inflated number. He speculated that the 5<sup>th</sup> grade class moving up is a large class so there needs to be consideration as to how to staff a new 6<sup>th</sup> grade class and wonders what will happen with those teachers when student population drops in that grade. He feels these are very important issues at the School Board level.

Ms. Six said based on the wording received, by Ms. Stickley, all the State did was cut the pie different. Preliminarily money was set up to provide additional instructors and it appears money was just shifted to cover a half year raise and it does not look like that the preliminary number is going to go up.

Supervisor Hansen asked if we know how much money the schools are going to be receiving from Federal, State, and County; Ms. Six stated no.

Supervisor Moskalski said a couple years ago when we were faced with an impasse we were well into April before we had State numbers to work with. He said this makes it difficult to discuss the school item. However, they were not considering either adding or subtracting from the schools. They worked their way down the County side where anticipated revenues would be more or less flat from the State.

Supervisor Hansen asked would he be comfortable with putting this off until better numbers are available.

Supervisor Moskalski said we could, we have some options, and we can certainly dive in now and work on that one assumption. He said these are all projections, we could certainly work off of projected numbers or we could wait, considering the fact that the Schools are going to be based off of that State number.

Supervisor Hansen feels this is a very important number.

Supervisor Hodges feels we should hold off on making a decision.

Moving on, Chairman Greenwood said they could discuss some of the other items such as the plans for fire and rescue.

Chris Bruce, Emergency Management Coordinator, said he reached out to the current contractor, LifeCare, for additional pricing information for 24/7 EMS services versus contract staffing. He said the pricing presented is a bit higher based on the preliminary numbers. He noted an RFP is required to move forward and noted that another company could come in with a lower number.

Supervisor Moskalski noted further discussions of the pros and cons are needed for this type of service.

Supervisor Hansen asked for clarification of what the liability and responsibility of the County is if 911 calls are not responded to.

The County Attorney clarified that in the State of Virginia the County does not have any legal obligation to provide fire or rescue services, at any level. In King William there is a volunteer program basically and supplementing with some contractor services. He said to the extent service is provided then you may get into reasonable care issues once you provide the services, if somebody shows up and is totally negligent then you may have some issues there.

Supervisor Hansen asked the County Attorney if there is a liability if we respond in some areas and not in others; Mr. Stuck said no.

The Board discussed whether some calls for an ambulance were not emergency in nature for convenience of transportation.

Mr. Griffin said in his experience dispatchers across the country do not try to make a decision on whether the call is an actual emergency.

Mr. Bruce added that a responder is not licensed to practice medicine and if they advise the person an injury does not look that bad, and something arises later that potentially could be serious, this could affect the license of the physician the volunteer is working under.

Supervisor Ehrhart does not advocate hiring staff for this service. He feels a contract option is a better option because of future intangibles.

Mr. Griffin said the total number to go to a 24/7 contract is estimated at \$529,000, a difference of \$207,000 over current budget, that could be covered with a tax rate of 94 cents and projected collections of other taxes and fees.

Supervisor Moskalski said two things staff needs consensus on is does the Board want to make the move to 24/7 staffing at the King William station and secondly, if so, do we want to use a contractor as the primary option or do we want to hire staff.

Supervisor Hansen stated 24/7 staffing requires one penny on the tax rate.

Supervisor Moskalski asked do we really want to do this.

Supervisor Hodges asked do we really have a choice.

Supervisor Ehrhart said the County Attorney advised we are not legally obligated to provide this, so we do have a choice.

Supervisor Moskalski agrees you always have a choice, the question might not be one of legally obligations but other obligations you may or may not feel. He said the only way this affects the 2<sup>nd</sup> District is if West Point or Mattaponi has to respond to those areas, if calls are not met. He has been working on this with Station 1 for almost three years now. He feels 24/7 is the only way to make it work to the level that he thinks people are expecting.

Mr. Griffin said simply put, this is the right thing to do, to provide 24/7 service.

Supervisor Hodges clarified this is not in his district either. He thinks it is a mistake not to do this because this is slowly deteriorating. He noted that if calls are not being answered at 6 a.m. on a Sunday morning, what is being covered. He hopes it will not be him in need.

Supervisor Moskalski stated other county's are on this model. In his opinion, this is a challenge that needs to be addressed. Other counties have done it and he thinks it is time King William does it.

Mr. Bruce said in comparison, King William gets dispatched to more calls than West Point, not by a lot. He said West Point has responded to more calls because they have the better staffing, however King William has more area to cover.

Supervisor Hodges asked for clarification that if it is decided do this with this budget is an RFP required; Mr. Griffin said Staff can speed the process up.

Supervisor Hansen is not in favor of this and said we do not have the money. He said if we change some tax categories the money will be there. He does not support raising or keeping the taxes at the rate they are at currently.

Supervisor Ehrhart does not feel we have the money to support this type of service.

Chairman Greenwood asked should this item be tabled. He said everyone is saying the money is not there and the budget is so tight we cannot find anything to cut, anywhere. He asked if money can be transferred from the unassigned fund balance for this type of service.

Ms. Six does not recommend using one time money to run the Fire and EMS budget.

Supervisor Hansen said if the forestry exemption is done away with we will have the money to do this and more, another subject for another time.



Moving on to other discussions, Ms. Six noted the advertisements for the budget and the tax rate are required to be run prior to conducting public hearings. She explained that the adoption of a tax rate below the advertised rate is allowed; however in order to raise the tax rate above the advertised rate you must re-advertise and conduct another public hearing. She recommended advertising the tax rate at 94 cents.

Supervisor Hansen said in a previous meeting he believes Staff was directed to reduce this budget by a million dollars.

Mr. Griffin noted a number of things were mentioned for review both during the March 11<sup>th</sup> meeting, and subsequent to the meeting, and a lot of the analysis has been done. He said there are some items such as training and travel that can be reduced but Staff has certainly have not found a million dollars in such cuts.

Supervisor Hansen asked the County Administrator if he is willing to state how much can be cut at this time.

Mr. Griffin stated we are prepared to go category by category in terms of some of the requests made for review by Board members.

Ms. Six stated everything that was directed by consensus of the Board has been done.

Supervisor Hansen asked for a final amount from the County Administrator.

Mr. Griffin stated he is not prepared to provide a final number until the Board reviews what Staff has analyzed in preparation for the meeting tonight which has been the focus.

Supervisor Hodges recommended increasing the Sheriff's budget to cover the qualification costs for the deputies. He suggested less than \$2,000 would be sufficient to make this effective.

Supervisor Hansen stated if we do away with our economic development and tourism then that would be \$10,000 you could put in the Sheriff's budget. He personally feels the Sheriff can use the funds for training purposes more than we need an economic development and tourism person.

Chairman Greenwood said it is hard to find cuts when everybody keeps adding things, like giving to the teachers and the Sheriff's office, you can't rob Peter to pay

Paul. He said moving money around does not fix this. He said taking 2% off whatever the budget was last year, that is the only way we are going to get to cut anything.

Supervisor Hansen agrees. He said as we move forward this year and see where the revenues are he has no issue with departments coming back and asking for more. He said hold fast that we want to reduce this budget and if the revenue picture changes during the year, because of a new revenue stream that might come in, we can certainly go back and help the others gain more dollars in their budgets.

Chairman Greenwood said if that does not come about and departments or agencies come up with needs, like an extra \$100,000 dollars that we had to pay for juvenile detention, where are we going to get it, we can't raise the taxes mid-year.

Supervisor Moskalski said that is why there is a contingency fund; Hansen agrees.

Chairman Greenwood said we need to come up with something because we need to decide a certain amount to cut, or not cut; sounds like we do not want it to be the same.

Supervisor Hansen believes at a previous meeting a reduction of 5 cents was discussed.

Chairman Greenwood said that equals \$630,000 and it does not look like Staff is going to be able to do that; unless we do not do raises; the Sheriff's department gets cut; and all the other stuff gets cut.

Supervisor Hansen said if we do not give a raise that saves \$80,000. How are we going to fund a health insurance rate increase?

Ms. Six said the health insurance rate increase is built in the budget, explaining that the renewal premium is 19.1% higher, 10% is built in the budget to be covered by the employer, and the remainder is passed onto the employee.

Supervisor Hansen asked for clarification that 9% is being passed on the employee with a proposed a 2% pay raise.

Ms. Six explained it works out to be \$9.85 for subscriber only on the low plan; about \$120 for family. A total of eleven employees are on the family plan, the majority are on the subscriber only low plan.

Supervisor Hansen asked if the Board wants to direct the County Administrator to find 1 to 2%, and said it is there, and added that some people will have a difficult time making it.

Chairman Greenwood noted if there is a consensus of 5 cents, we are not going to be able to find \$630,000. He said staff did not show us anything different, they cannot come up with something magically that we did not see in our last meeting. He said you can make it up, you can cut six positions, you can cut all the raises, you can cut all training, you can cut all to come up with it, then what are you left with, a County that nobody wants to live in.

Supervisor Hodges asked how much the County, itself, has been asked to cut in the last few budget years.

Chairman Greenwood said we never ask them to cut, he has always been the one to ask for cuts, nobody ever wants to make cuts, never, any cuts. He said that is why he said, maybe \$300,000 from the schools, he agrees with a cut but not 5 cents, maybe 2 cents, but he does not think Staff is going to be able to come up with 2 cents.

Supervisor Hodges said in an essence, to operate the County, there have been cuts due to rising costs.

Supervisor Hansen said the previous Board took over \$600,000 out of reserves because they could not make budget with the money they had on hand and with revenues coming in. He feels that is one of the reasons some of those Board members are no longer here.

Chairman Greenwood said those reserves have not been used and we may not use any of it, in that case we will have an extra \$630,000 in the contingency fund.

Supervisor Hansen again said there is a different revenue source we can draw from. He asked Ms. Six what it looks like at this point with regards to the \$630,000 contingency funds.

Ms. Six said as discussed on Friday, she would be surprised if half of it was used. Real estate has not been billed out for the second half, a considerable amount was added from 2014 to 2015, and we are still going to have more money at the end of 2017 than we had at the end of 2014; even spending every penny in the 2016 budget and what is recommend in the 2017 budget.

Supervisor Hansen said so that would give us the two cents there.

Chairman Greenwood said if that is what the Board wants to do. We do not want to take it and then give it back next year, we can do it, it just doesn't look good.

Supervisor Hansen said he would support that.

Supervisor Hodges and Supervisor Moskalski asked for clarification.

Supervisor Hansen clarified cutting two cents and see how the revenues stream as of January. We can always change if the revenue stream increases, and we can do more to help people. He said emergency services can be back on line, if we have additional revenue streams coming in. He thinks the tax payers are looking for at least some response from us to bring the tax rate down to a 92 or 93 cents, as opposed to the 94 cents it is at now.

Supervisor Ehrhart said that is not enough for him, but he is just one.

Supervisor Hansen asked him what he wants.

Chairman Greenwood stated he wants 5 cents.

Supervisor Hodges will not support 5 cents.

Chairman Greenwood asked if they would agree to 2 cents, or is that too much.

Supervisor Hodges feels that is a bad idea this year. He said next year he would be willing to agree to a cut but so many things that are popping up like the rescue issues. In his opinion, that issue is going to come back and we are going to have to do something.

Supervisor Ehrhart said next year the West Point agreement is going to pop up.

Supervisor Hodges clarified that will be in 2019.

Chairman Greenwood confirmed 2019, so we have a while yet.

Supervisor Hodges said the 1<sup>st</sup> District wants a tax cut but they do not want us to turn around and come back next year and ask for 2 cents back, or 3 cents maybe. He would love to give it to them, but look where we are at, anything would help but he does not feel that is good business.

Supervisor Moskalski suggested for advertising purposes to advertise 93 cents, and continue with our work.

Mr. Griffin strongly recommended the Board address the fire and rescue service. He feels it is not where it needs to be, the consequences are significant, this is an important service that the County needs to provide, and needs to provide better service; at least to the one station where the largest population is in the County.

Supervisor Moskalski agrees with Mr. Griffin but feels in this budget we are creating choices, we have created a choice from the gentlemen who are most affected by that decision decided that their constituents would rather have a tax cut.

Chairman Greenwood said that is also affects his district. He asked for the cost to prepare an RFP, saying we do not have to accept it, the outcome may be that the cost is less.

Supervisor Moskalski said we cannot do this at 93 cents, this is off the table.

Ms. Six said the contract has to be managed and depending on what you get is what you pay for.

Mr. Griffin said the number could be a little bit better. He said as a general principle, for credibility for the County, when you advertise for an RFP you should be prepared to award.

Supervisor Hansen again said we have two other revenue sources, we do not know what the numbers will be for the school system, and the forestry tax exemption.

Ms. Six explained to go through the process we would have to write the RFP; legal review and approval; put it out to bid; select a selection committee; have vendors come in for a question period on the scope of work submission of the documents; and then company selection negotiations

Supervisor Moskalski said you cannot do this in hopes they come in lower, you are putting County staff through a lot and the vendors. If it turns out we are just out there testing the waters people are going to laugh at us.

Supervisor Hansen said not necessarily, vendors do that all the time.

Supervisor Moskalski said then when they find out we were not serious.

Supervisor Hansen said that is a very good point.

Chairman Greenwood said we have some time if we decide to do this at the end of the year; we can look at it after this particular budget session.

Continuing, Chairman Greenwood asked if there are any other big items to cover.

Supervisor Hansen said he did some more research on the forestry exemption. He made copies of how the Commissioner's office does some bundles so you get an idea of what they look like, it is complicated. He does not advocate touching the elderly exemption.

Chairman Greenwood noted staff was directed to look at this item and to come up with a number when they have time, which will probably be after budget.

Supervisor Hansen said he talked with Staff and he was far low on the number in the forestry exemption plan, there are about 460 parcels. He agrees there is a lot for the Staff to do. He noted \$908,000 was a preliminary number.

Chairman Greenwood asked Staff to advise the Board whenever numbers come through from the State for the Schools. He noted the next meeting of the Board will be the regular business meeting on March 28<sup>th</sup>. He called for any other discussions.

Supervisor Ehrhart discussed a couple of general areas, in line with what was talked about earlier. He said if we wanted to look at in terms of a half a percent reduction in operational costs. He feels the amount we have in memberships is too much, and suggested \$500 per person, versus \$2,000 or \$3,000 we have in there. Discussions on Friday regarding the potential jail savings of about \$20,000 to \$25,000 have not been addressed tonight.

Ms. Six said that membership number is not across the board, there are few departments that have that much.

Supervisor Moskalski said essentially we are dealing with a projected number for the jails, to the extent we are comfortable cutting that line item then we are basically vetting that the bill is going to come in.

Ms. Six said it is all in your risk tolerance and noted the last time this was done it cost \$230,000.

Supervisor Hodges said as long as we are not cutting the jails, the numbers are down right now, but they could very easily go up.

Supervisor Moskalski said to the extent you want to have a conservative budget you do not want to find or create those surprises, risk tolerance and his experience with that, it is not the best idea to go ahead with that.

Supervisor Hodges suggested having the departments weigh in on the amount they can cut from memberships.

Supervisor Ehrhart asked what does VDOT do, State agencies.

Chairman Greenwood stated they do not pay for anything.

Supervisor Ehrhart said considering the State does not pay for anything, he feels \$500 per person is more than sufficient.

Chairman Greenwood said to get the 2% maybe just get rid of that line item for everybody.

Supervisor Moskalski and Supervisor Hodges feels we need to find out how that affects each department.

Supervisor Hansen agrees that department managers should be asked for input on dues and memberships.

Supervisor Ehrhart asked for clarification on how we are on collecting outstanding taxes.

Supervisor Moskalski said projections for collections are at 96%.

Ms. Six said we have bumped everything to 97% and the Treasurer is higher than that, we are collecting penalty and interest. The Treasurer is very aggressive and the personal property collection rate is excellent.

Chairman Greenwood asked for any other discussion topics.

By consensus, the Board authorized the advertisement to conduct public hearings for the proposed FY 2017 Budget and a proposed tax rate of 93 cents for the calendar year 2016.

**RE: ADJOURNMENT**

There being no other business to come before this board Chairman Greenwood adjourned the meeting at 8:35 p.m.

COPY TESTE:

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Stephen K. Greenwood, Chairman  
Board of Supervisors

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Bobbi L. Langston  
Deputy Clerk to the Board