

**MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
MEETING OF AUGUST 25, 2014**

At a regularly scheduled meeting of the Board of Supervisors of King William County, Virginia, held on the 25th day of August, 2014, beginning at 7:00 p.m. in the Conference Room of the County Administration Building, with the following present:

T. S. Stone, Vice-Chairman
C. T. Redd III
T. J. Moskalski
S. K. Greenwood

T. L. Funkhouser, County Administrator
Carla Hook, Acting County Attorney

RE: CALL TO ORDER

Vice-Chairman T. S. Stone called the Board of Supervisors meeting to order at 7:00 p.m. and asked for a roll call vote.

Those members voting:

T. S. Stone	Aye
T. J. Moskalski	Aye
S. K. Greenwood	Aye
C. T. Redd III	Aye

Chairman O. O. Williams joined the meeting at 7:05 p.m.

RE: REVIEW OF MEETING AGENDA

There was general discussion of the meeting agenda items.

The Board recessed and moved to the Board Meeting Room of the County Administration Building to continue the meeting.

Chairman Williams called the meeting back to order at 7:20 p.m. The Chairman introduced Carla Hook, Acting County Attorney, while Mr. Stuck is out of town.

RE: ADOPTION OF MEETING AGENDA

On motion by T. S. Stone, seconded by T. J. Moskalski, with the following roll call vote, the Board adopted the agenda for this meeting as presented by the County Administrator with the following change: item 9a under Presentations to the Board was moved and now becomes item 11c under New Business.

Those members voting:

T. J. Moskalski	Aye
S. K. Greenwood	Aye
T. S. Stone	Aye
C. T. Redd III	Aye
O. O. Williams	Aye

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

The Chairman opened the Public Comment Period.

1. Don Wagner, of the Mangohick district, spoke of county water and transportation plan. He feels a proposed townhouse complex in the Central Garage area would impact these two items. He suggested the county needs to move forward with a transportation plan to address some of the potential problems. Also, in his opinion, until the county adopts a water plan, reserved water should not be given away to just anyone. He feels we should be reserving the water to attract commercial or industrial development rather than giving away to a subdivision that does not bring in revenue to the county.

There being no other persons to appear before the Board the Chairman closed the Public Comment Period.

RE: CONSENT AGENDA

On motion by C. T. Redd III, seconded by T. J. Moskalski, with the following roll call vote, the Board approved the following items on its Consent Agenda:

S. K. Greenwood	Aye
T. S. Stone	Aye
C. T. Redd III	Aye
T. J. Moskalski	Aye
O. O. Williams	Aye

a. Minutes:

- i. Regular meeting of July 28, 2014
- ii. Special Meeting of August 12, 2014

b. Claims against the County for the month of August, 2014, in the amount of \$1,526,727.30 as follows:

(1) General Fund Warrants #79709-79803 in the amount of \$449,112.24, General Fund Warrants #79804-79852 in the amount of \$179,031.25, and General Fund Warrant #79859 in the amount of \$69,984.00; ACH Direct Payments #5324-5399 in the amount of \$91,105.54, ACH Direct Payments #5400-5401 in the amount of \$75,969.13, and ACH Direct Payments #5402-5441 in the

amount of \$37,347.02; Direct Deposits #19712-19812 in the amount of \$187,779.28; and Electronic Tax Payment in the amount of \$117,342.87.

(2) For informational purposes, Social Services expenditures for the month of July, 2014, Warrants #310176-310205 in the amount of \$23,795.72; ACH Direct Payments #1241-1262 in the amount of \$10,565.50; Direct Deposits #3282-3300 in the amount of \$31,337.17; and Electronic Tax Payment in the amount of \$19,541.20. Expenditures for the month of August, 2014, Warrants #310206-310247 in the amount of \$26,453.18; ACH Direct Payments #1263-1282 in the amount of \$10,230.10; Direct Deposits #3301-3318 in the amount of \$30,819.13; and Electronic Tax Payment in the amount of \$19,289.98.

(3) For informational purposes, Comprehensive Services Act Fund expenditures for the month of July, 2014, Warrants #79701-79708 in the amount of \$42,646.44; and ACH Direct Payments #5320-5323 in the amount of \$54,720.69. Expenditures for the month of August, 2014, Warrants #79853-79858 in the amount of \$20,919.96; and ACH Direct Payments #5442-5445 in the amount of \$28,554.66.

(4) Tax Refunds for the month of August, 2014 in the amount of \$182.24.

c. Resolution #14-57 as follows:

RESOLUTION #14-57
KING WILLIAM COUNTY, VIRGINIA
BOARD OF SUPERVISORS BUDGET CARRY FORWARD
MEETING OF AUGUST 25, 2014

WHEREAS, the King William County Board of Supervisors has reviewed the analysis of expenditures for FY14 and fund balance criteria recommended by staff; and

WHEREAS, the Board voted on the FY15 Budget on April 28, 2014 after a duly advertised public hearing on April 21, 2014;

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors does hereby budget and appropriate any unspent restricted funds in FY14 to the following budgets in FY15 to their respective funds (not to exceed the amount specified or availability):

\$ 12,821	Courthouse Maintenance
136,318	Courthouse Security
307	Spay and Neuter Fees
	Regional Animal Shelter Donations
297	Donation for Veterinarian Fee
3,210	Spay and Neuter Donations
2,762	Donations for Animal Medical Care
1,402	Donations for Animal Enrichment
1,706	Donations for Animal Adoption Events

15,901	Sheriff Asset Seizure
1,266	Commonwealth Attorney Asset Seizure
1,158	4 For Life
808	Fire Programs
152,950	Transportation Fund (Transfer to Capital Road Project)
125,139	Water Connection Fees (Transfer to Capital Water Project)
25,622	Park and Recreation Program Revenue
\$ 481,667	Total

BE IT FURTHER RESOLVED, that the King William County Board of Supervisors does hereby budget and appropriate any unspent capital project or grants funds in FY14 to their respective budgets and funds in FY15 (not to exceed the amount specified or availability):

\$ 416,225	SAFER Grant (\$200,000 set aside for new recruitment coordinator) Health and Human Services Bldg (Revenue Bond Covenant)
118,901	Transfer to Debt Service Fund
1,581	Vehicle Replacement Fund
772,659	800 Mhz Radio Project (VSP Tower & Courthouse Tower Phase)
316,509	McCauley Pumphouse
5,036	Recreation Park Improvements
150,000	E911 System Replacement (Grant Portion)
\$ 1,779,911	Total

BE IT FURTHER RESOLVED, that the King William County Board of Supervisors does hereby acknowledge any unspent funds in cooperative agencies in FY14 and budget and appropriate the following amount for any needed transfers to their new funds.

\$ 57,434	EMS Billings (KWVFD Revenue Recovery)
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BE IT FURTHER RESOLVED, that the King William County Board of Supervisors does hereby authorize the Financial Services Manager to adjust these budgets downward, if necessary, to accurately reflect the actual amounts available after all accruals and journal entries are complete for FY14.

d. Resolution #14-58 as follows:

RESOLUTION #14-58
KING WILLIAM COUNTY, VIRGINIA
BOARD OF SUPERVISORS
CLOSE OUT - BACKUP GENERATOR AT KING WILLIAM HIGH SCHOOL PROJECT
AND APPROPRIATION TO THE CAPITAL RESERVE

WHEREAS, the King William County Board of Supervisors approved the FY14 Carryover on June 24, 2013 and FY14 Budget and CIP Projects on April 22, 2013; and

WHEREAS, the Backup Generator at King William High School Project was completed under budget and on time;

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors does establish a capital reserve and appropriate the following project savings from the Backup Generator at King William High School Project to the capital reserve:

\$ 61,000.00	Project Budget
<u>(56,655.00)</u>	Project Expenditures
\$ 4,345.00	Project Budget Surplus

e. Resolution #14-59 as follows:

RESOLUTION #14-59
KING WILLIAM COUNTY, VIRGINIA
BOARD OF SUPERVISORS
CLOSE OUT - KING WILLIAM COUNTY ROOF REPAIR PROJECT AND
APPROPRIATION TO THE CAPITAL RESERVE

WHEREAS, the King William County Board of Supervisors approved the FY14 Carryover on June 24, 2013 and FY14 Budget and CIP Projects on April 22, 2013; and

WHEREAS, the King William County Roof Repair Project was completed under budget and on time;

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors appropriates the following project savings from the King William County Roof Repair Project to the capital reserve:

\$ 60,837.00	Project Budget
<u>(58,592.00)</u>	Project Expenditures
\$ 2,245.00	Project Budget Surplus

f. Resolution #14-60 as follows:

RESOLUTION #14-60
KING WILLIAM COUNTY, VIRGINIA
BOARD OF SUPERVISORS
CLOSE OUT - BACKUP GENERATOR AT WATER SITES
(FIRE SUPPRESSION) PROJECT AND
APPROPRIATION FROM THE CAPITAL RESERVE

WHEREAS, the King William County Board of Supervisors approved the FY14 Carryover on June 24, 2013 and FY14 Budget and CIP Projects on April 22, 2013; and

WHEREAS, the Backup Generator at Water Utility Sites (Fire Suppression) Project was completed on time;

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors appropriate the following from the capital reserve to the Backup Generator at Water Utility Sites (Fire Suppression) Project to cover the shortfall:

\$ 53,488.00	Project Budget
<u>(53,863.00)</u>	Project Expenditures
\$ (375.00)	Project Budget Shortfall

g. Resolution #14-61 as follows:

RESOLUTION #14-61
KING WILLIAM COUNTY, VIRGINIA
BOARD OF SUPERVISORS
CLOSE OUT – MCKENDREE GROUNDWATER MONITORING WELL NEST
PROJECT AND APPROPRIATION FROM THE CAPITAL RESERVE

WHEREAS, the King William County Board of Supervisors approved the FY14 Carryover on June 24, 2013 and FY14 Budget and CIP Projects on April 22, 2013; and

WHEREAS, the McKendree Groundwater Monitoring Well Nest Project was completed on time;

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors appropriate the following from the capital reserve to McKendree Groundwater Monitoring Well Nest Project to cover the shortfall:

\$ 224,047.00	Project Budget
<u>(224,355.00)</u>	Project Expenditures
\$ (308.00)	Project Budget Shortfall

RE: PRESENTATIONS TO THE BOARD

a. Middle Peninsula Northern Neck Community Services Board Performance Contract for FY15/16 – Charles “Chuck” Walsh, Jr., Executive Director –
Mr. Walsh thanked the Board for its continued support during the past year. He also recognized Anne Mitchell, the appointed King William representative to the MP-NN Community Services Board (CSB), and thanked her and said she serves King William citizens very well. He also recognized Sheriff Walton and his staff for their support in the efforts of the CSB.

In addition, Mr. Walsh provided an annual update on services provided to King William County residents by the CSB. He also presented and reviewed the FY 15/16 Biennium Operating Budget and Performance Contract with the Board and asked that they adopt a Resolution indicating its approval. He reported the CSB approved these documents at its August 25, 2014, meeting. Mr. Walsh stated the Performance Contract with the Department of Behavioral Health and Developmental Services stipulates each locality represented by the CSB must have an opportunity to review and approve the operating budget and contract annually. He stressed the restrictions Medicaid and the State have mandated on how the CSB operates and said these mandates could be the cause of some of the programs they offer to close.

Upon completion of the presentation C. T. Redd III moved to approve the resolution for the FY15/16 Biennium Performance Contract prepared by the Middle Peninsula Northern Neck Community Services Board; motion was seconded by T. J. Moskalski and approved by the following roll call vote:

T. S. Stone	Aye
C. T. Redd III	Aye
T. J. Moskalski	Aye
S. K. Greenwood	Aye
O. O. Williams	Aye

Resolution #14-62
Middle Peninsula-Northern Neck
Community Services Board
Approval of Performance Contract

WHEREAS, §37.2-508 of the *Code of Virginia* [1950] as amended, requires each Community Services Board to submit, to the governing body of each political subdivision that established it, a biennium Performance Contract for community mental health, intellectual disabilities, and substance use services for its approval prior to submission of the contract to the Virginia Department of Behavioral Health and Developmental Services; and

WHEREAS, the Middle Peninsula Northern Neck Community Services Board has put forward its proposed FY 15/16 Biennium Performance Contract for approval by the Boards of Supervisors of its governing counties of Essex, Gloucester, King and Queen, King William, Lancaster, Mathews, Middlesex, Northumberland, Richmond, and Westmoreland;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of King William County, Virginia, that the FY 15/16 Biennium Performance Contract prepared by the Middle Peninsula Northern Neck Community Services Board presented to the Board is hereby approved and may be forwarded to the Department of Behavioral Health and Development Services as further required.

Upon the arrival of Mr. W. Thomas Chisholm the Board proceeded with the following agenda item:

b. Resolution of Appreciation to W. Thomas Chisholm for his 25 years of serving on the King William County Board of Zoning Appeals – On motion by T. S. Stone, seconded by C. T. Redd III; by a the following roll call vote, Resolution #14-56 King William County Resolution of Appreciation was adopted.

C. T. Redd III	Aye
T. J. Moskalski	Aye
S. K. Greenwood	Aye
T. S. Stone	Aye
O. O. Williams	Aye

Resolution #14-56
KING WILLIAM COUNTY
RESOLUTION OF APPRECIATION
BOARD OF ZONING APPEALS MEMBER
W. THOMAS CHISHOLM

WHEREAS, Mr. W. Thomas Chisholm was appointed to the King William County Board of Zoning Appeals in August of 1989; and

WHEREAS, during Mr. Chisholm's more than 25 years on this board, he served with great commitment and distinction; and

WHEREAS, Mr. Chisholm served with distinction as both a member and most recently as Vice Chair of the Board of Zoning Appeals; and

WHEREAS, in his twenty five years of service on the Board of Zoning Appeals, Mr. Chisholm has earned the admiration and respect of his fellow board members for his commitment to the community of King William and his dedication to the work of the Board for a quarter of a century,

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors extends its sincere appreciation to Mr. W. Thomas Chisholm for his twenty five years of service as a member of the King William County Board of Zoning Appeals.

BE IT FURTHER RESOLVED, that a copy of this Resolution expressing the sense of this Board of Supervisors on this matter shall be conveyed to Mr. Chisholm, and shall be spread upon the meeting minutes of said Board of Supervisors.

T. S. Stone read and presented the resolution of appreciation to Mr. W. Thomas Chisholm for his 25 years of service to the King William County Board of Zoning Appeals. All Board members thanked him for his service to the county.

Mr. Chisholm thanked the Board for their recognition and expressed he has enjoyed serving the citizens of King William County. In closing, he said "God bless King William County and the people in it".

RE: OLD BUSINESS

No old business was brought before the Board

RE: NEW BUSINESS

a. Public Hearing Proposed Ordinance #14-04 – Z-03-14 – Owner: Judith K. Gwathmey – Request to rezone a portion of Tax Map Parcel 20-23 consisting of approximately 65 acres from A-C Agricultural Conservation to R-R Rural Residential (Conditional) – Chairman Williams asked if the applicant was present.

Mr. Schardein stated there is a representative present on behalf of the applicant as Ms. Gwathmey is currently out of the country.

Chairman Williams said he thought, in recent past, there were issues with the applicant not being present for a public hearing.

T. J. Moskalski stated he cannot recall a policy of this Board that requires the applicant to be present.

S. K. Greenwood stated she cannot attend if she is in another country.

C. T. Redd III clarified the public hearing has been advertised and suggested the Board continue with a public hearing.

Chairman Williams agreed.

i. Staff Presentation – Bret Schardein, Community Development Director, summarized the rezoning request before the Board for consideration. He said the applicant, Judith K. Gwathmey, has requested to rezone approximately 65 acres of parcel 20-23 from the existing A-C Agricultural Conservation to R-R Rural

Residential (Conditional). The property proposed for rezoning is the portion of parcel 20-23 which is on the north side of King William Road (Route 30), bounded by Upshaw Road (Route 608) to the northwest. The approximate 200 acre portion of parcel 20-23 to the south of King William Road (Route 3) is not part of the rezoning application and is to remain A-C Agricultural Conservation. He stated to date staff has received no comment from members of the public on this request. He noted the Planning Commission conducted a public hearing on this matter on August 5, 2014, and voted unanimously to recommend the Board of Supervisors approve the re-zoning as proposed by the applicant.

ii. Public Comment (3 minutes per individual; 5 minutes if representing an organization or group) – Chairman Williams declared the public hearing open to receive comments on the Intent to Adopt Proposed Ordinance #14-04.

There being no persons to appear for or against this matter Chairman Williams closed the public comment period.

iii. Consideration – Proposed Ordinance #14-04 – Chairman Williams called for any discussion.

T. S. Stone reiterated this matter was approved by the Planning Commission.

T. J. Moskalski feels this is a straight forward request, with good reason and adequate proffers offered and moved for approval of Ordinance #14-04; motion was seconded by T. S. Stone.

Chairman Williams called for any further discussion.

Chairman Williams stated he is still unclear of why the applicant is not present as this has been an issue in the past. He asked for clarification why this has changed.

The County Administrator stated he does not know that you can compel an applicant to appear.

Chairman Williams said he feels this is an issue.

Mr. Moskalski stated he can recall this Board has tabled a matter, not a zoning request, to request additional information from the applicant who was not present to answer. He said he sees no reason to delay action on this matter, as the

applicant has a representative present to answer any questions of the Board. He also stated to the best of his knowledge this Board is unable to compel applicants to be present to consider.

Mr. Redd added that several years ago a matter of this kind was tabled because the applicant was not present, Board members had additional questions and a representative was not in attendance. He also stated there have also been a number of cases heard when a representative was present for the applicant.

Chairman Williams asked what protection the county has since the applicant has asked for rezoning in hi-density. He is concerned if someone buys one of the larger lots and then wants to cut into smaller pieces.

The County Administrator clarified the rezoning request clearly states the number of lots and the limits; they would have to amend the proffers no matter what the ordinance says.

Chairman Williams addressed this because has seen this happen in other subdivisions and wanted to make sure everything is covered. He has no problem with this if this is really what is happening.

Ms. Stone asked Mr. Schardein for clarification that part of the approval is to proffer the maximum number of lots to five.

Mr. Schardein said that is correct and is what would be permitted if no action was taken and the A-C zoning was kept. He reviewed the procedures that would need to be followed should a rezoning request be submitted for consideration.

Ms. Stone asked for clarification the proffers that have been offered are more restrictive than the current zoning if the maximum number of lots were developed.

Mr. Schardein stated that is correct.

Upon completion of the discussions the following Ordinance #14-04 was adopted by the following roll call vote:

T. J. Moskalski	Aye
S. K. Greenwood	Aye
T. S. Stone	Aye
C. T. Redd III	Aye
O. O. Williams	Aye

ORDINANCE #14-04
ZONING CASE NO. Z-03-14
JUDITH K. GWATHMEY
REZONING FROM A-C, AGRICULTURAL CONSERVATION
TO R-R, RURAL RESIDENTIAL (CONDITIONAL)

WHEREAS, the Board of Supervisors of King William County, Virginia, has received a request (Case No. Z-03-14) by Judith K. Gwathmey to rezone approximately 65 acres of land being a portion of Parcel 20-23 from A-C, Agricultural Conservation to R-R, Rural Residential (Conditional); and

WHEREAS, the subject property is identified as a portion of Parcel 20-23, containing approximately 65.04 acres, and depicted on "Survey and Plat of 65.04 Ac. of Land Located on The North Line of State Route 30 & The East Line of State Route of 608" dated April 25, 2002, made by Tom Hardyman, Inc., stamped and signed by Tom Hardyman, Land Surveyor, a true copy of which plat of survey is attached to and recorded with Deed Book 304 Page 355, being zoned A-C, Agricultural Conservation with said property being within the Agricultural Conservation designation of the County's Land Use Plan Map; and

WHEREAS, the King William County Planning Commission conducted a public hearing on August 5, 2014, and voted unanimously to recommend the Board of Supervisors approve the request;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, that the Board of Supervisors of King William County does hereby rezone the portion of Parcel 20-23 from A-C, Agricultural Conservation to R-R, Rural Residential (Conditional) with the following eight (8) proffered conditions:

1. Number of lots. There will be no more than five total lots created through future subdivision of the property, including any residual parcel(s).
2. Access to Route 608. Any newly created lot(s) accessing Upshaw Road (Route 608) will share a single entrance. This condition will not apply to the home existing on the Property as of January 1, 2014 which may retain its existing entrance to Upshaw Road (Route 608).
3. Access to Route 30. Any newly created lot(s) accessing King William Road (Route 30) will share a single entrance.
4. Road standards. Any new road(s) serving the property will be constructed in compliance with the Virginia Department of Transportation's requirements and standards for public roads.
5. Dedication of right of way. The Owner will dedicate right of way to the Virginia Department of Transportation along the property's frontage on Upshaw Road (Route 608) to provide a total of 25' of right of way as measured from the existing centerline of Upshaw Road (Route 608) for public use for street purposes.
6. Setback from Route 30. No dwelling or detached garage may be located within 150' from the current edge of pavement of King William Road (Route 30).
7. Utility Lines. Utility lines serving any new lots developed from the Property will be installed underground, unless prohibited by the applicable utility company.
8. Natural buffer. There will be a buffer consisting of natural vegetation of at least fifty feet (50) in width around the perimeter of the property. The buffer area will remain undisturbed and no structures may be located within the buffer area except for the minimal disturbance necessary for entrances approved by the County. In the event the natural buffer is

disturbed, new evergreen plantings shall be established which accomplish an equivalent buffer.

b. Public Hearing Proposed Ordinance #14-05 – Z-04-14 – Owner: Aylett Lumber Co. – Request to rezone Tax Map Parcel 22-12 consisting of approximately 24.6 acres, the entire property, from M Industrial to B-2 General Business (Conditional) –

i. Staff Presentation – Bret Schardein, Community Development Director, summarized the rezoning request before the Board for consideration. He said the applicant, Robert Reece of the Aylett Lumber Company, has requested to rezone parcel 22-12 from the existing M Industrial to B-2 General Business (Conditional). The property proposed for rezoning is all of parcel 22-12 which is on the northwest side of Richmond Tappahannock Highway (Route 360). The applicant requests the rezoning to better market the property for the retail demand he has been seeing from prospective buyers and tenants, which the M Industrial zoning generally does not permit. He stated to date staff has received no comment from members of the public on this request. He noted the Planning Commission conducted a public hearing on this matter on August 5, 2014, and voted unanimously to recommend the Board of Supervisors approve the re-zoning as proposed by the applicant.

Ms. Stone asked for clarification the proposed rezoning would be more consist with what is currently around the property.

Mr. Schardein explained the industrial zoning of the property came from when the county originally adopted zoning. He added a lot has changed and this is more consistent with what the current comp plan recommends for the property.

Chairman Williams feels the big thing with businesses in this area is water and sewer.

Mr. Schardein confirmed this property would need to be served by private well and septic, unless the developer was to extend utilities to the location which would be a big cost.

Chairman Williams said this appears to be the hold up for growth in that area.

Mr. Greenwood asked for clarification of how far the property goes.

Mr. Schardein confirmed the property ends at Kennington.

ii. Public Comment (3 minutes per individual; 5 minutes if representing an organization or group) – Chairman Williams declared the public hearing open to receive comments on the Intent to Adopt Proposed Ordinance #14-05.

There being no persons to appear for or against this matter Chairman Williams closed the public comment period.

iii. Consideration – Proposed Ordinance #14-05 – C. T. Redd III moved for approval of Ordinance #14-05; motion was seconded by S. K. Greenwood.

Chairman Williams called for any further discussion.

Mr. Redd feels by approving this it gives the county more opportunity for business growth in this area; mainly because it opens up to retail and not just industrial.

Upon the completion of the discussions the following Ordinance #14-05 was adopted by the following roll call vote:

S. K. Greenwood	Aye
T. S. Stone	Aye
C. T. Redd III	Aye
T. J. Moskalski	Aye
O. O. Williams	Aye

ORDINANCE #14-05
ZONING CASE NO. Z-04-14
AYLETT LUMBER, CO.
REZONING FROM M INDUSTRIAL TO B-2, GENERAL BUSINESS (CONDITIONAL)

WHEREAS, the Board of Supervisors of King William County, Virginia, has received a request (Case No. Z-04-14) by Aylett Lumber, Co. to rezone approximately 24.6 acres of land being the entirety of Tax Map Parcel 22-12 from M, Industrial to B-2, General Business (Conditional); and

WHEREAS, the subject property is identified as Parcel 22-12, containing approximately 24.6 acres, and depicted on “Survey and Plat Combining Two Parcels of Land Located on the North Line of U.S. Route 360 Acquinton District King William County, Virginia” dated March 15, 2005 made by Tom Hardyman, Inc., stamped and signed by Tom Hardyman, Land Surveyor, a true copy of which plat of survey is attached to and recorded with Instrument #050001013, being zoned M, Industrial with said property being within the Commercial designation of the County’s Land Use Plan Map; and

WHEREAS, the King William County Planning Commission conducted a public hearing on August 5, 2014, and voted unanimously to recommend the Board of Supervisors approve the request; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, that the Board of Supervisors of King William County does hereby rezone Parcel 22-12 from M, Industrial to B-2, General Business (Conditional) with the following four (4) proffered conditions.

1. Access to Route 360. Development of the property will be limited to no more than one (1) entrance onto Route 360 for every 500' of road frontage.
2. Entrance standards. Any new entrance or the use of the existing entrance for new uses or new development will require a site plan, to be reviewed and approved by the Virginia Department of Transportation. Any recommendations by the Virginia Department of Transportation regarding traffic studies, plans or improvements will be completed, at the owner's expense.
3. Utility Lines. Utility lines serving any new development on the Property will be installed underground, unless prohibited by the applicable utility company.
4. Natural buffer. There will be a buffer consisting of natural vegetation of at least one hundred and fifty (150) feet in width along the entirety of the Property's border with Tax Map Parcel 22-10. There will be a buffer consisting of natural vegetation of at least fifty (50) feet in width along the entirety of the Property's border with Tax Map Parcel 22-10N. The buffer area will remain undisturbed and no structures or new drain fields may be located within the buffer area. The buffer requirement will not apply to the Property's border with any portion of Tax Map Parcels 22-10 or 22-10N which is rezoned to a commercial or industrial classification in the future. The buffer area may be encroached the minimal amount necessary to provide for inter-parcel access to adjacent properties as may be required by the Virginia Department of Transportation or the County. In the event the natural buffer is disturbed, new evergreen plantings shall be established which accomplish an equivalent buffer.

RE: ADMINISTRATIVE MATTERS – TRENTON L. FUNKHOUSER,

COUNTY ADMINISTRATOR

The County Administrator had no additional information to report.

RE: BOARD OF SUPERVISORS COMMENTS

Chairman Williams opened the Board of Supervisors comment period.

All Board members thanked citizens for attending and participating in the monthly meetings.

Mr. Moskalski said on a personal note his mother-in-law passed away suddenly earlier this month; he thanked the many that showed their support and sympathy during this difficult time. He noted this would be the last Board meeting Mr. Funkhouser will be in attendance for the county. He said we are sad to lose him but feels he will be a great asset to Essex County. He thanked him for his years of service to the county and to this Board. He commended Mr. Funkhouser for what he considers a job well done. Continuing, he said during his tenure some pressing projects have been completed and some long term solutions have been found to problems that have been plaguing the community for years. Although there is more

work to be done he thinks Mr. Funkhouser is leaving the county in better shape than it was when he came. He extended a heartfelt warm thank you to Mr. Funkhouser.

Mr. Greenwood thanked Mr. Chisholm for his years of service to the county on the BZA. He mentioned the county recently lost an icon, Mrs. B. W. White, and noted he only found out of her passing from the newspaper. He suggested maybe the Board could discuss having staff alert them of items of interest. He wished everyone a safe Labor Day holiday. He thanked Mr. Funkhouser for his assistance on a number of things he has helped him with, including the Chamber of Commerce; he is sad to see him go.

Ms. Stone also recognized Mr. Chisholm for his many years of serving the county. She thanked Mr. Eugene Campbell for being available to most county meetings to take pictures. She said he has compiled the history of King William County in the many pictures he has taken over the years. She wished Mr. Funkhouser best wishes and said she is sure he will do a wonderful job for Essex County. She wished everyone a happy and safe Labor Day.

Mr. Redd gave a special thank you to Mr. Funkhouser for the job he has performed for the last few years. He mentioned the difficult time he faced last year, as County Administrator, during the split levy issues and said he did a remarkable job during the process. He pointed out Trent is a town resident but also worked for the county during that time. He appreciates Mr. Funkhouser's input during the process and everything he did, along with some Board members, to work out the arrangement the Town and County arrived at. He wished Trent luck and feels Essex's gain is our loss.

Chairman Williams thanked Mr. Funkhouser for his years of service. He also thanked Mr. Chisholm for his years of service to the county. He stated he does not have an issue with the development presented tonight. He has seen many problems with builders when they find out changes have been made to zoning; they buy a lot and try to stretch the changes. He said he is more worried about that type of development than the projects going on. He wished everyone a safe and happy Labor Day.

RE: RECESS OF MEETING

C. T. Redd III moved to recess the meeting at 8:30 p.m. until September 8, 2014, at 7:00 p.m. when the Board will reconvene for a work session in the Conference Room of the County Administration Building located at 180 Horse Landing Road, King William, VA; motion was seconded by T. S. Stone, and carried with the following roll call vote:

T. S. Stone	Aye
C. T. Redd III	Aye
T. J. Moskalski	Aye
S. K. Greenwood	Aye
O. O. Williams	Aye

COPY TESTE:

O. O. Williams, Chairman
Board of Supervisors

B. L. Langston
Deputy Clerk of the Board