

**MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
MEETING OF NOVEMBER 20, 2017**

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 20th day of November, 2017, beginning at 7:00 p.m. in the Board Meeting Room of the County Administration Building.

RE: CALL TO ORDER

Chairman Moskalski called the meeting to order.

RE: ROLL CALL

The members were polled:

Supervisor, 1 st District: William L. Hodges – Vice Chairman	Aye
Supervisor, 2 nd District: Travis J. Moskalski – Chairman	Aye
Supervisor, 3 rd District: Stephen K. Greenwood	Aye
Supervisor, 4 th District: David E. Hansen	Aye
Supervisor, 5 th District: Robert W. Ehrhart II	Aye

Also in attendance:

Mark K. Reeter, County Administrator
Daniel M. Stuck, County Attorney
Bobbie Tassinari, Director of Finance
Olivia Schools, Deputy Clerk to the Board

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 Hodges moved for the adoption of the agenda for this meeting as presented by the County Administrator; motion was seconded by Supervisor Greenwood.

The members were polled:

Supervisor, 1 st District: William L. Hodges – Vice Chairman	Aye
Supervisor, 2 nd District: Travis J. Moskalski – Chairman	Aye
Supervisor, 3 rd District: Stephen K. Greenwood	Aye
Supervisor, 4 th District: David E. Hansen	Aye
Supervisor, 5 th District: Robert W. Ehrhart II	Aye

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

Chairman Moskalski opened the public comment period.

1. Eugene Rivara, of District 3, complimented our Voter Registrar's Office and praised Bobbi Langston for her work during the recent election.
2. Jeanette Wagner, of District 5, stated her disappointment in the Board of Supervisors and would like to see issues with the volunteers of Fire and EMS be resolved.

RE: CONSENT AGENDA

Supervisor Ehrhart stated he would like to pull Item 7B.

Supervisor Ehrhart moved for approval of the items on the Consent Agenda with the changes mentioned above; motion was seconded by Supervisor Hodges.

The Chairman called for any discussion.

There being no discussion the Consent Agenda was approved by the following roll call vote:

Supervisor, 1st District: William L. Hodges – Vice Chairman Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman Aye
Supervisor, 3rd District: Stephen K. Greenwood Aye
Supervisor, 4th District: David E. Hansen Aye
Supervisor, 5th District: Robert W. Ehrhart II Aye

RESOLUTION 17-56

A RESOLUTION DIRECTING THE TREASURER OF KING WILLIAM COUNTY TO ISSUE A PROPERTY TAX REFUND DUE TO ERRONEOUS ASSESSMENT ON CERTAIN EQUIPMENT

WHEREAS, the Commissioner of the Revenue has determined an erroneous tax assessment has been made on certain equipment standing in the name of Simons Hauling Co., Inc. and certified the same to this Board; and

WHEREAS, the Commissioner of the Revenue has determined that the taxpayer paid all taxes due on the erroneous assessment and is entitled to a refund of excess taxes paid for the year 2014 in the amount of \$766.50, together with interest, and such refund has been consented to by the County Attorney, all as provided for in Section 58.1-3981 of the Code of Virginia; and

WHEREAS, the Board is required to direct the Treasurer to issue a property tax refund together with the appropriate amount of interest calculated to the time of refund on the overpayment;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of King William County this 20th day of November, 2017, directs the Treasurer to issue a refund of \$766.50, together with interest to the time of refund, calculated in accordance with law, to the taxpayer(s) paying the same.

DONE this the 20th day of November, 2017.

RE: PRESENTATIONS

There were no presentations.

RE: OLD BUSINESS

No old business was brought before the Board.

RE: NEW BUSINESS

a. **Public Hearing and Consideration of Adoption of Resolution 17-53 approving a Conditional Use Permit (CUP-02-17 – Applicant, Matthew Mears) to allow for a solar power station on a portion of the property known as Tax Map 33-17, and a portion of the property known as Tax Parcel 34-9, being an approximate 218-acre portion of the 1,113-acre parcels owned by John N. Mills & Sons, address of 289 Hollyfield Lane, Manquin VA 23106 and, at its closest point, is located approximately 0.4 mile southeast of the intersection of N. Carolina Road (Rt. 604) and Old Newcastle Road (Rt. 605). The affected property is zoned A-C Agricultural Conservation**

This is a request for a Conditional Use Permit (CUP-02-17) to allow for a solar power station. The applicant proposes to construct a 13 MW solar power station on the parcels owned by John N. Mills & Sons.

Public Hearing:

There being no speakers, the public hearing was closed.

The Chairman called for any discussion.

There being no discussion, upon the motion of Supervisor Hodges, seconded by Supervisor Greenwood, Resolution 17-53 was approved by the following roll call vote:

Supervisor, 1 st District: William L. Hodges – Vice Chairman	Aye
Supervisor, 2 nd District: Travis J. Moskalski – Chairman	Aye
Supervisor, 3 rd District: Stephen K. Greenwood	Aye
Supervisor, 4 th District: David E. Hansen	Aye
Supervisor, 5 th District: Robert W. Ehrhart II	Aye

RESOLUTION 17-53

**APPROVING CONDITIONAL USE PERMIT CUP-02-17
HOLLYFIELD II SOLAR POWER STATION**

WHEREAS, Section 86-456 of the King William County Code provides for the development of solar power stations associated with properties of the A-C, Agricultural- Conservation zoning district following review and approval of a Conditional Use Permit; and

WHEREAS, applicant, Matthew Mears of Virginia Solar, LLC submitted a Conditional Use Permit application, #CUP-02-17 on behalf of the Property Owner John N. Mills & Sons proposing to operate a solar power station on a portion of Tax Map 33-17, and a portion of the property known as Tax Parcel 34-9; and

WHEREAS, staff in the King William County Department of Community Development have proposed conditions to mitigate potential impacts of the use on the public; and

WHEREAS, the Planning Commission conducted a public hearing on October 3, 2017, to consider the application, and, following such public hearing, voted unanimously, with one member absent, to recommend the Board of Supervisors approve such application as proposed; and

WHEREAS, the Board of Supervisors conducted a public hearing on November 20, 2017 to consider CUP-02-17,

NOW, THEREFORE, BE IT RESOLVED, by the King William County Board of Supervisors this 20th day of November, 2017, that the Board hereby approves CUP-02-17, with the following five (5) conditions:

1. All required reviews and approvals must be obtained in accord with the County Zoning and Subdivision Ordinances and all other pertinent County requirements including but not limited to: (a). State Agency review and approvals.
2. Development Agreements/Bonding/Letter of Credit requirements shall be met. For all site improvements shown on the plans prior to issuance of Zoning and Building permits.
3. Traffic Management. The applicant shall comply with all Virginia Department of Transportation recommendations for traffic management, during construction of the site.
4. Conceptual Plan. The Property shall be developed in substantial conformity with the conceptual plan attached titled "Hollyfield II – Virginia Solar Conditional Use Permit Plan – max extents" prepared by "Timmons Group" dated "8/03/2017" provided the Property Owner may adjust engineering details subject to the approval of the Zoning Administrator, which adjustments are necessary to effectively design the Property based on final engineering.
5. Expiration. This CUP shall permit a solar power station for which a valid and current building permit is issued within five (5) years of conditional use permit approval. For any construction which does not have a valid and current building permit on December 31st 2022, the end of the initial five (5) year period; the applicant may seek an extension for the deadline of any remaining construction from the Zoning Administrator until December 31st 2027. A request for an extension shall be submitted in writing to the Zoning Administrator, no earlier than December 31st 2021 but no later than June 30th, 2022. The Zoning Administrator

shall consider the compliance history with these conditions and the Code of King William County and the capacity of existing facilities to serve the remaining construction in the decision to grant the request. If the Zoning Administrator does not grant the extension, the request shall be forwarded to the Board of Supervisors for consideration and action, following a public hearing, advertised as required by State Code § 15.2-2204.

DONE this 20th day of November, 2017

b. Consideration of Resolution 17-54 in Support of GO Virginia Region 6 Council Application for Funding of PamunkeyNet Project

Chairman Moskalski presented his request for the endorsement of one or both of the projects that the MPA will be submitting to the GO Virginia Region 6 Council. These projects will be submitted for funding through the GO Virginia program. With the support of GO Virginia, this project will capitalize on the Middle Peninsulas strongest economic driver, its coastal land and water assets (AKA blue/green infrastructure) in order to build a resiliency design technologies, products and services. The Rural Coastal Design Institute will address a global issue for which the Middle Peninsula is the rural nexus. The project will transform the Middle Peninsulas high vulnerability to flooding, shoreline erosion, storm surge and other resilience-related challenges, into the an economic innovative asset by 1) leveraging research capabilities at the Virginia Institute of Marine Science/Sea Grant College network to 2) create new technologies that can be commercialized into products and result in creation of technology- and engineering-based design and manufacturing jobs; and 3) which is train a technically-skilled workforce in business and entrepreneurial skills in order to spur business startups.

Public Hearing:

There being no speakers, the public hearing was closed.

The Chairman called for any discussion.

There being no discussion, upon the motion of Supervisor Ehrhart, seconded by Supervisor Hodges, Resolution 17-54 was approved by the following roll call vote:

Supervisor, 1 st District: William L. Hodges – Vice Chairman	Aye
Supervisor, 2 nd District: Travis J. Moskalski – Chairman	Aye
Supervisor, 3 rd District: Stephen K. Greenwood	Aye
Supervisor, 4 th District: David E. Hansen	Nay
Supervisor, 5 th District: Robert W. Ehrhart II	Aye

RESOLUTION 17-54
TO SUPPORT AND ENDORSE
SUBMITTAL OF THE PAMUNKEY PROJECT IN VIRGINIA REGION 6

WHEREAS, the Middle Peninsula Planning District Commission (of which King William County is an active member and in good standing) has diligently sought an effective and actionable course of action that will the availability of affordable, high speed broadband and internet services in the Middle Peninsula PDC region; and

WHEREAS, the Pamunkey Indian Tribe has indicated a significant interest and support of the PamunkeyNet proposal (“the proposed project”) as a regional economic development initiative worthy of support through the Go Virginia Region 6 project evaluation process; and

WHEREAS, the proposed project is envisioned to be incrementally developed over time across all 6 Middle Peninsula jurisdictions, with expansion capability to serve jurisdictions in the Northern Neck and George Washington planning districts; and

WHEREAS, access to reliable, affordable broadband is critical to support education, workforce development and economic development; and

WHEREAS, the proposed project seeks to build and operate a modern high performance wireless and fiber broadband infrastructure that provides the region with an economic development tool to retain existing businesses, attract new businesses, and help create jobs, incorporating connectivity between institutions of higher education across the Middle Peninsula; and

WHEREAS, approximately 71% of the Middle Peninsula workforce commutes out of the district in service to and/or in search of high wage employment opportunities; and

WHEREAS, the residents of King William County, being part of Go Virginia Region 6, stand to benefit from the creation of such employment opportunities anticipated to develop pending implementation of the proposed project; and

WHEREAS, a regional management and governance structure is anticipated that transparently allows the participation of all willing Middle Peninsula local government partners based on parameters to be mutually established;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of King William County, Virginia that the Board does hereby support and endorse submittal of the proposed project within GO Virginia Region 6.

DONE this the 20th day of November, 2017.

RE: ADMINISTRATIVE MATTERS FROM COUNTY ADMINISTRATOR

11. a. Fire and EMS Call Statistics for October 2017.

Andy Aigner, Chief of Fire & EMS, presented the call statistics for the Fire and EMS stations operating within King William County, and presented Station 1's new Chief, Whitt.

11. b. Board Information

No board information was discussed.

11. c. Tentative Fiscal Year 2018-19 County Budget Calendar

Mr. Reeter, County Administrator, noted he had a pressing item for December's work session.

The Board gave consensus to have the December work session on the 11th of December.

Board Members Moskalski, Hansen and Ehrhart spoke of their trip to the Omni Homestead Resort for the Annual VACo Meeting.

RE: BOARD MEMBER COMMENTS

Supervisor Hodges thanked everyone for attending and thanked Dr. White for their recent tours of the King William Schools where they learned the “Chicken Dance”.

Supervisor Greenwood stated he was sorry he had missed the opportunity to attend the Omni Homestead trip this year, as well as, the King William Schools tour due to some health issues. He wish every a happy thanksgiving.

Supervisor Ehrhart commented on a photo that has been circulated and noted yet again his goal to change the vehicle tax for King William County.

Supervisor Hansen noted he thought the current Board of Supervisors were doing much better and commented on the same photo being circulated.

Supervisor Moskalski complimented Supervisor Ehrhart on being such a great Board Member and thanked everyone who was involved in the recent luncheon he attended at the Rappahannock Restaurant.

RE: CLOSED MEETING

Motion was made by Supervisor Ehrhart, seconded by Supervisor Hodges, that the Board enter Closed Meeting pursuant to § 2.2-3711(A) (7) of the Code of Virginia to consider personnel matters involving the performance of the County Administrator and the appointment of specific individuals to authorities, boards and commissions. The vote on the motion was as follows:

Supervisor, First District: William L. Hodges – Vice Chairman	Aye
Supervisor, Second District: Travis J. Moskalski – Chairman	Aye
Supervisor, Third District: Stephen K. Greenwood	Aye
Supervisor, Fourth District: David E. Hansen	Aye
Supervisor, Fifth District: Robert W. Ehrhart II	Aye

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

Chairman Moskalski called for a motion to approve Standing Resolution 1 (SR- 1). In accordance with Section 2.2-3717(D) of the Code of Virginia, 1950, as amended, Supervisor Ehrhart moved that the King William County Board of Supervisors adopt the following SR-1 Resolution certifying that the Closed Meeting was conducted in conformity with the requirements of the Virginia Freedom of Information Act; the motion was seconded by Supervisor Greenwood.

Chairman Moskalski 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 vote in favor of this motion was as follows:

Supervisor, First District: William L. Hodges – Vice Chairman	Aye
Supervisor, Second District: Travis J. Moskalski – Chairman	Aye
Supervisor, Third District: Stephen K. Greenwood	Aye
Supervisor, Fourth District: David E. Hansen	Aye
Supervisor, Fifth District: Robert W. Ehrhart II	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 20th day of November, 2017, 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.

Upon motion of Supervisor Ehrhart, seconded by Supervisor Hodges, and after discussion with the County Administrator I move the Board express support in the creation of the position of the Deputy County Administrator and the promotion of Bobbie Tassinari to fill that position. Those actions to be taken by the County Administrator in accordance to the policies and procedures previously adopted by this Board.

The vote in favor of this motion was as follows:

Supervisor, First District: William L. Hodges – Vice Chairman	Aye
Supervisor, Second District: Travis J. Moskalski – Chairman	Aye
Supervisor, Third District: Stephen K. Greenwood	Aye
Supervisor, Fourth District: David E. Hansen	Nay
Supervisor, Fifth District: Robert W. Ehrhart II	Aye

RE: APPOINTMENTS

- a. **Consideration of Appointment/Reappointment to Wetlands Board – Alternate Member for a Five-Year Term Expiring September 30, 2022**

Upon motion of Supervisor Ehrhart, second by Supervisor Hodges, Mr. Charles F. Piersa was appointed to the Wetlands Board for a five year term expiring September 30, 2022.

RE: RECESS

The meeting was recessed at 9:20 pm to 7:00 PM November 30 by the following roll call vote:

Supervisor, 1 st District:	William L. Hodges – Vice Chairman	Aye
Supervisor, 2 nd District:	Travis J. Moskalski – Chairman	Aye
Supervisor, 3 rd District:	Stephen K. Greenwood	Aye
Supervisor, 4 th District:	David E. Hansen	Aye
Supervisor, 5 th District:	Robert W. Ehrhart II	Aye

COPY TESTE:

Travis J. Moskalski, Chairman
Board of Supervisors

Olivia L. Schools
Deputy Clerk to the Board