

**MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
MEETING OF SEPTEMBER 25, 2017**

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 25th day of September, 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

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.

RE: CONSENT AGENDA

Supervisor Ehrhart stated he still disapproves of the Minutes for July.

Supervisor Greenwood 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, 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	Nay

RE: PRESENTATIONS

a. Consideration and Presentation of Resolution 17-46 in Honor of Gerald W. Morgan, Electoral Board Chairman

Chairman Moskalski presented Resolution 17-46 to Mr. Morgan's representative.

RE: OLD BUSINESS

No old business was brought before the Board.

RE: NEW BUSINESS

a. Public Hearing and Consideration of Adoption of Ordinance 18-17 to Amend Ordinance Z-02-01 with respect to Proffers applicable to McCauley Park, LLC, located in the 4th District (Owner: McCauley Park, LLC; Todd Rogers, Manager. Applicant: Jennifer D. Mullen, Esq. Roth Jackson, Gibbons, Condlin, PLC)

Wally Horton, Director of Community Development, presented the request for approval of a Proffer amendment for a portion of Tax Map Parcel 21-50 consisting of approximately 62 acres of the McCauley Place Tract, which contains a total of approximately 266 acres, in order to amend the existing Proffers, as initially approved June 25, 2001 together with Rezoning Z-02-01. The property is zoned to the R-1 District (with Proffers) and the Future Land Use Map in the 2016 Comprehensive Plan indicates Multi Family Land Use for the property. The property is in the Manquin (4th) voting district.

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 Greenwood, seconded by Supervisor Hodges, Ordinance 18-17 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

ORDINANCE 18-17

**AN ORDINANCE AMENDING PROFFERS ASSOCIATED WITH
CONDITIONAL REZONING APPLICATION Z-02-01 - (Z-02-01 AMENDMENT) -
(OWNER: MCCAULEY PLACE, LLC; TODD ROGERS, MANAGER. APPLICANT:
JENNIFER D. MULLEN, ESQ. ROTH JACKSON, GIBBONS, CONDLIN, PLC).**

WHEREAS, Jennifer D. Mullen, Esq. Roth Jackson, Gibbons, Condlin, PLC) submitted an application for a Proffer amendment for a portion of Tax Map Parcel 21-50 consisting of approximately 62 acres of the McCauley Place Tract, which contains a total of approximately 266 acres, in order to amend the existing Proffers, initially approved on June 25, 2001 with Rezoning Z-02-01.

WHEREAS, the Applicant and Owner propose to amend the proffers as follows: (Changes underlined, deletions in strikethrough):

Proffer C.1. of Case Z-02-01 is hereby amended and replaced with the following:

1. Density Restriction. No more than one hundred and eight (100 108) dwelling units may be developed within Parcel Two as in substantial conformance with the plans shown on the Zoning Plat, as such Zoning Plat is modified by the conceptual plan entitled "MCCAULEY PARK CONCEPTUAL PLAN RENDERING" prepared by

Timmons Group, copies of which are included as part of this application and incorporated herein by this reference and attached to this Ordinance as Exhibit 1.

Proffer C.4. of Case Z-02-01 is hereby deleted as follows.

~~4. Age Restriction. Any dwelling units constructed on Parcel Two shall provide residential living accommodations only for the elderly (exclusive of management personnel) and their spouses, brothers, sisters or aides. For purposes hereof, the term "elderly" shall mean persons fifty five (55) years of age or older. In addition, persons under the age of nineteen (19) shall not be housed or domiciled and shall not reside on Parcel Two (except with management personnel). If this proffer is amended to allow school age children to reside on Parcel Two in the future, the portion of the cash proffer applicable to capital costs for schools then in effect, shall become payable (subject to any appropriate modifications as permitted under the cash proffer policy).~~

Proffer C.5. of Case Z-02-01 is hereby deleted and replaced as follows:

~~5. Architectural Matters~~

~~(a) Exterior Walls. At least twenty five percent (25%) of the visible portions of exterior wall surfaces (exclusive of windows) of multi-family rental buildings (if any) shall be of brick construction.~~

~~(b) Roofs. Any residence buildings constructed on Parcel Two shall have pitched roofs, to maintain a residential character for each building.~~

5. Exterior Walls. Visible portions of exterior wall surfaces (exclusive of windows) above the foundation of multi-family rental buildings shall be of fiber cement board (Hardiplank) siding, brick or brick veneer construction. Visible portions of exposed foundations of multi-family rental buildings shall be of brick or brick veneer construction.

Building construction shall be in accord with the five (5) page "Conceptual Elevations", to be altered as needed to meet County requirements, copies of which are included as part of this application and incorporated herein by this reference and attached to this Ordinance as Exhibit 2.

WHEREAS, All other conditions and proffers of Case Z-02-01 shall remain in full force and effect; and,

WHEREAS, the Board of Supervisors conducted a public hearing on September 25th, 2017 to consider the above proffer amendments associated with Conditional Zoning Application Z-02-01;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, that the Board of Supervisors of King William County, Virginia, does this 25th day of September 2017, approve the amended proffers as stated in the preambles above associated with Conditional Zoning Application Z-02-01 such amended proffers to be recorded in the Clerk's office of the Circuit Court of King William County.

ADOPTED this the 25th day of September, 2017.

b. Public Hearing and Consideration of Adoption of Ordinance 19-17 to Approve Amendment of Conditional Use Permit (CUP) 01-01 (issued July 23, 2001) for the purpose of an additional 8 multi-family attached housing units (apartments) within an area currently approved for 100 multi-family attached housing units, located in the 4th Election District (Owner: McCauley Place, LLC; Tood Rogers, Manager. Applicant; Jennifer D. Mullen, Esq. Roth Jackson, Gibbons, Condlin, PLC)

Wally Horton, Director of Community Development, presented a request for a Conditional Use Permit amendment for a portion of Tax Map Parcel 21-50 consisting of approximately 62 acres of the McCauley Place tract, which contains a total of approximately 266 acres, in order to amend the existing Conditional Use Permit CUP-01-01, as initially approved on July 23, 2001, with six (6) conditions. This followed approval of Rezoning Z-02-01, initially approved June 25, 2001, with associated Proffers. The current Conditional Use amendment is for the purpose of adding an additional 8 multiple –family dwelling units, for a total of 108 units, within an area formerly approved for 100 multiple-family dwelling units. This request would amend the CUP, as required in order to authorize the 108 multiple-family dwelling units and updates on building and the site design. The property is zoned to the R-1 District (with Proffers) and the Future Land Use Map in the 2016 Comprehensive Plan indicates Multi Family Land Use for the property. The property is in the Manquin (4th) voting district.

Public Hearing:

There being no speakers, the public hearing was closed.

The Chairman called for any discussion.

There being no further discussion, upon the motion of Supervisor Ehrhart, seconded by Supervisor Greenwood, Ordinance 19-17 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

ORDINANCE 19-17

**APPROVING AN AMENDMENT TO CONDITIONAL USE PERMIT CUP-01-01 -
(OWNER: MCCAULEY PLACE, LLC; TODD ROGERS, MANAGER. APPLICANT:
JENNIFER D. MULLEN, ESQ. ROTH JACKSON, GIBBONS, CONDLIN, PLC)**

WHEREAS, Section 86-171 of the King William County Code provides for the development of multi-family attached dwelling units associated with properties of the R-1, Residential zoning district following review and approval of a Conditional Use Permit (CUP); in accord with Sections 86-451 through 86-455 of the Zoning Ordinance; and

WHEREAS, the Planning Commission, after study and review, conducted a public hearing on September 5, 2017, to consider an application for amendment to CUP-01-01 submitted by the Applicant on behalf of the Owner, for the purpose of adding an additional eight (8) multi-family housing units within an area currently approved for 100 multi-family housing units on a portion of portion of Tax Map Parcel 21-50 consisting of approximately 62 acres of the McCauley Place Tract, which contains a total of approximately 266 acres, and, following such public hearing, voted 4-0 to recommend that the Board of Supervisors approve such application; subject to the itemization of prior water and sewer provision agreements; and

WHEREAS, the Board has been provided that information; and

WHEREAS, the Board of Supervisors conducted a public hearing on September 25, 2017 to consider amendment of CUP-01-01;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, that the Board of Supervisors of King William County, Virginia, does this 25th day of September 2017, hereby approve the amendment of CUP-01-01 for the purpose of providing an additional eight (8) multi-family attached housing units as shown on the Zoning Plat, as such Zoning Plat is modified by the conceptual plan entitled "MCCAULEY PARK CONCEPTUAL PLAN RENDERING" prepared by Timmons Group, and the "Conceptual Elevations" for McCauley Park Apartments, copies of which are included as part of this application and incorporated herein by this reference, and attached to this Ordinance as Exhibits 1 and 2, and subject to the following conditions:

1. All required reviews and approvals must be obtained in accord with the County Zoning and Subdivision Ordinances, (including provisions of the Transportation Corridor Overlay District) and all other pertinent County requirements to include:

- (a). State Agency review and approvals,
- (b). Hampton Roads Sanitation District review and approval
- (c). Other as Required.

2. Development Agreements/Bonding/Letter of Credit requirements shall be met. As an alternative, improvements, as required, can be constructed prior to any building permits being issued.

3. All previous conditions shall be retained as follows:

(a). Applicant shall receive written approval from the Virginia Department of Transportation and the King William County Health Department for the multi-family housing development in accordance with the Conditional Use Permit (CUP) and Site Plan criteria included in the King William County Zoning Ordinance.

(b). Applicant shall develop the subject project and properties substantially in conformance with the building elevations and schematic site plan presented to the Board of Supervisors during the public hearings on June 25, 2001, as amended on September 25, 2017.

(c). Applicant shall provide and maintain wooded buffers of a minimum 25-foot width and of sufficient density to screen the multi-family housing development from surrounding residential and commercial uses.

(d). Applicant shall provide and maintain a landscaped median in the divided entranceway to the multi-family housing portion of the project.

(e). Public water (County) and public sanitary sewer systems (Hampton Roads Sanitation District) shall be provided and may receive credits in accordance with the Modification and Settlement Agreement recorded in the Circuit Court of King William County on September 22, 2015, Instrument #150001953.

(f). Applicant's failure to comply with the conditions above and those portions of the proffers applicable to the multi-family housing section of the subject project may result in the revocation of the CUP.

ADOPTED this the 25th day of September, 2017.

c. Public Hearing and Consideration of Resolution 17-47 Authorizing the Issuance of \$13,655,000 in General Obligation School Bonds of the County of King William, Virginia to be Sold to the Virginia Public School Authority for Financing of Hamilton-Holmes Middle School Project

Stephen Johnson and James Sanderson, with Davenport & Company, presented their request for the adoption of Resolution 17-47 which states the bonds will be sold to the Virginia Public School Authority to finance a portion of the costs of capital projects for school purposes for the King William County Public Schools, more specifically renovations to Hamilton-Holmes Middle School. The Bonds will be issue in a principal amount not to exceed \$13,655,250 to finance such project and pay the costs of issuance.

Public Hearing:

There being no speakers, the public hearing was closed.

The Chairman called for any discussion.

There being no discussion the motion of Supervisor Ehrhart, seconded by Supervisor Hodges, Resolution 17-47 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 17-47

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$13,655,000 GENERAL OBLIGATION SCHOOL BOND OF THE COUNTY OF KING WILLIAM, VIRGINIA, TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF.

WHEREAS, the Board of Supervisors (the "Board") of the County of King William, Virginia (the "County"), has determined that it is necessary and expedient to borrow an amount not to exceed \$13,655,000 and to issue its general obligation school bond (as more specifically defined below, the "Local School Bond") for the purpose of financing a portion of the costs of capital projects for school purposes for the King William County Public Schools, more specifically the renovation and

expansion of Hamilton Holmes Middle School (the "Project"), as well as financing costs of issuance;

WHEREAS, the County held a public hearing, duly noticed, on September 25, 2017, on the issuance of the Local School Bond in accordance with the requirements of Section 15.2-2606, Code of Virginia 1950, as amended (the "Virginia Code");

WHEREAS, the School Board of the County has, by resolution, requested the Board to authorize the issuance of the Local School Bond and consented to the issuance of the Local School Bond;

WHEREAS, Virginia Public School Authority ("VPSA") has offered to purchase the Local School Bond along with the local school bonds of certain other localities with a portion of the proceeds of certain bonds to be issued by VPSA in the fall of 2017 (the "VPSA Bonds");

WHEREAS, the Bond Sale Agreement (as defined below) shall indicate that \$13,005,000 is the amount of proceeds requested (the "Proceeds Requested") from VPSA in connection with the sale of the Local School Bond;

WHEREAS, VPSA's objective is to pay the County a purchase price for the Local School Bond which, in VPSA's judgment, reflects the Local School Bond's market value (the "VPSA Purchase Price Objective"), taking into consideration of such factors as the amortization schedule the County has requested for the Local School Bond relative to the amortization schedules requested by other localities, the purchase price to be received by VPSA from the sale of the VPSA Bonds and other market conditions relating to the sale of the VPSA Bonds; and

WHEREAS, such factors may result in the Local School Bond having a purchase price other than par and consequently (i) the County may have to issue the Local School Bond in a principal amount that is greater than or less than the Proceeds Requested in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested, or (ii) if the maximum authorized principal amount of the Local School Bond set forth in section 1 below does not exceed the Proceeds Requested by at least the amount of any discount, the purchase price to be paid to the County, given the VPSA Purchase Price Objective and market conditions, will be less than the Proceeds Requested.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF KING WILLIAM, VIRGINIA:

Authorization of Local School Bond and Use of Proceeds. The Board hereby determines that it is advisable to contract a debt and issue and sell its general obligation school bond in an aggregate principal amount not to exceed \$13,655,000 (the "Local School Bond") for the purpose of financing the Project. The Board hereby authorizes the issuance and sale of the Local School Bond in the form and upon the terms established pursuant to this Resolution.

Sale of the Local School Bond. The sale of the Local School Bond, within the parameters set forth in paragraph 4 of this Resolution, to VPSA is authorized. Given the VPSA Purchase Price Objective and market conditions, the County acknowledges that the limitation on the maximum principal amount of the Local School Bond set forth in paragraph 1 of this Resolution restricts VPSA's ability to generate the Proceeds Requested, however, the Local School Bond may be sold for a purchase price not lower than 100% of the Proceeds Requested. The Chairman and Vice Chairman of the Board and the County Administrator, any of whom may act (each a "Delegate"), and such other officer or officers of the County as a Delegate may designate, are hereby authorized and directed to enter into an agreement with VPSA providing for the sale of the Local School Bond to VPSA (the "Bond Sale Agreement"). The Bond Sale Agreement shall be in substantially the form submitted to the Board at this meeting, which form is hereby approved, with such completions, insertions, omissions and

changes not inconsistent with this Resolution as may be approved by the Delegate executing the Bond Sale Agreement.

Details of the Local School Bond. The Local School Bond shall be dated 16 days prior to the date of its issuance and delivery or such other date designated by VPSA; shall be designated "General Obligation School Bond, Series 2017"; shall bear interest from its dated date payable semi-annually on each January 15 and July 15 beginning July 15, 2018 (each an "Interest Payment Date"), at the rates established in accordance with paragraph 4 of this Resolution; and shall mature on July 15 in the years (each a "Principal Payment Date") and in the amounts acceptable to a Delegate (the "Principal Installments"), subject to the provisions of paragraph 4 of this Resolution.

Interest Rates and Principal Installments. Each Delegate is hereby authorized and directed to accept the interest rates on the Local School Bond established by VPSA, provided that each interest rate shall be five one-hundredths of one percent (0.05%) over the interest rate to be paid by VPSA for the corresponding principal payment date of the VPSA Bonds, a portion of the proceeds of which will be used to purchase the Local School Bond, and provided further that the true interest cost of the Local School Bond does not exceed five and fifty one-hundredths percent (5.50%) per annum. The Interest Payment Dates and the Principal Installments are subject to change at the request of VPSA. Each Delegate is hereby authorized and directed to accept changes in the Interest Payment Dates and the Principal Installments at the request of VPSA based on the final term to maturity of the VPSA Bonds, requirements imposed on VPSA by the nationally-recognized rating agencies and the final principal amount of the Local School Bond; provided, however, that the principal amount of the Local School Bond shall not exceed the amount authorized by this Resolution and the final maturity of the Local School Bond shall not exceed twenty-one (21) years from the date of the issuance and delivery of the Local School Bond. The execution and delivery of the Local School Bond as described in paragraph 8 hereof shall conclusively evidence the approval and acceptance of all of the details of the Local School Bond by the Delegate as authorized by this Resolution.

Form of the Local School Bond. The Local School Bond shall be initially in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A.

Payment; Paying Agent and Bond Registrar. The following provisions shall apply to the Local School Bond:

For as long as VPSA is the registered owner of the Local School Bond, all payments of principal, premium, if any, and interest on the Local School Bond shall be made in immediately available funds to VPSA at, or before 11:00 a.m. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next succeeding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption.

All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Local School Bond.

U.S. Bank National Association, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Local School Bond. The County may, in its sole discretion, replace at any time the Bond Registrar with another qualified bank or trust company as successor Bond Registrar and Paying Agent for the Local School Bond. The County shall give prompt notice to VPSA of the appointment of any successor Bond Registrar and Paying Agent.

Prepayment or Redemption. The Principal Installments of the Local School Bond held by VPSA coming due on or before July 15, 2027, and the definitive bond for which the Local School Bond held by VPSA may be exchanged that mature on or before July 15, 2027, are not subject to prepayment or redemption prior to their stated

maturities. The Principal Installments of the Local School Bond held by VPSA coming due on or after July 15, 2028, and the definitive bond(s) for which the Local School Bond held by VPSA may be exchanged that mature on or after July 15, 2028, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2027, upon payment of the prepayment or redemption prices (expressed as percentages of Principal Installments to be prepaid or the principal amount of the Local School Bond to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
July 15, 2027 through July 14, 2028	101%
July 15, 2028 through July 14, 2029	100½
1. July 15, 2029 and thereafter	100

Provided, however, that the Principal Installments of the Local School Bond shall not be subject to prepayment or redemption prior to their stated maturities as described above without first obtaining the written consent of VPSA or other registered owner of the Local School Bond.

Notice of any such prepayment or redemption shall be given by the Bond Registrar to VPSA or other registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

If VPSA refunds the VPSA Bonds in the future and such refunding causes the Local School Bond to be deemed refunded, the prepayment or redemption of the Local School Bond will be subject to VPSA approval and subject to similar prepayment or redemption provisions as set forth above that correspond to the call period of the VPSA bonds issued in part to refund the Local School Bond.

Execution of the Local School Bond. The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the Board are each authorized and directed to execute and deliver the Local School Bond and to affix the seal of the County thereto.

Pledge of Full Faith and Credit. For the prompt payment of the principal of, premium, if any, and the interest on the Local School Bond as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any portion of the Local School Bond shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of and premium, if any, and the interest on the Local School Bond as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

Use of Proceeds Certificate and Tax Compliance Agreement. Each Delegate and such other officer or officers of the County or the School Board as a Delegate may designate are hereby authorized and directed to execute and deliver on behalf of the County a Use of Proceeds Certificate and Tax Compliance Agreement (the "Tax Compliance Agreement") setting forth the expected use and investment of the proceeds of the Local School Bond and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable regulations relating to the exclusion from gross income of interest on the VPSA Bonds. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Local School Bond will be invested and expended as set forth in such Tax Compliance Agreement and that the County shall comply with the other covenants and representations contained therein and (ii) the County shall comply with the provisions of the Code so that interest on the VPSA Bonds will remain excludable from gross income for federal income tax purposes.

State Non-Arbitrage Program; Proceeds Agreement. The Board hereby determines that it is in the best interests of the County to authorize and direct each Delegate and the County Treasurer and Director of Financial Services to participate in the State Non-Arbitrage Program in connection with the Local School Bond. Each Delegate, the County Treasurer, the Director of Financial Services and such officer or officers of the County as a Delegate or the County Treasurer or the Director of Financial Services may designate are each hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Local School Bond by and among the County, the other participants in the sale of the VPSA Bonds, VPSA, the investment manager and the depository.

Continuing Disclosure Agreement. Each Delegate and such other officer or officers of the County as a Delegate may designate are each hereby authorized and directed to execute a Continuing Disclosure Agreement, as set forth in Appendix D to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12, under the Securities Exchange Act of 1934, as amended, and directed to make all filings required by Section 3 of the Bond Sale Agreement should the County be determined by VPSA to be a MOP (as defined in the Bond Sale Agreement).

Refunding. The Board hereby acknowledges that VPSA may issue refunding bonds to refund any bonds previously issued by VPSA, including the VPSA Bonds issued to purchase the Local School Bond, and that the purpose of such refunding bonds would be to enable VPSA to pass on annual debt service savings to the local issuers, including the County. Each Delegate is authorized to execute and deliver to VPSA such allonge to the Local School Bond, revised debt service schedule, IRS Form 8038-G or such other documents reasonably deemed necessary by VPSA and VPSA's bond counsel to be necessary to reflect and facilitate the refunding of the Local School Bond and the allocation of the annual debt service savings to the County by VPSA. The Clerk to the Board of Supervisors is authorized to affix the County's seal on any such documents and attest or countersign the same.

Filing of Resolution. The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.

Election to Proceed under Public Finance Act. In accordance with Section 15.2-2601 of the Virginia Code, the Board elects to issue the Local School Bond pursuant to the provisions of the Public Finance Act of 1991, Chapter 26 of Title 15.2 of the Virginia Code.

Further Actions. The members of the Board and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Local School Bond and otherwise in furtherance of this Resolution and any such action previously taken is hereby ratified and confirmed.

Effective Date. This Resolution shall take effect immediately.

DONE this the 25th day of September, 2017.

d. Consideration of Adoption of Resolution 17-48 Authorizing Repurposing of Funds Appropriated to Mangohick Volunteer Fire Department

Andy Aigner, Chief of Fire & EMS, presented Mangohick Volunteer Fire and Rescue Department's request to repurpose capital funds allocated to the station

in the FY2018 budget. In addition the station is requesting supplemental one-time operational funds for needed equipment and supplies.

The Chairman called for any discussion.

There being no discussion, upon the motion of Supervisor Ehrhart, seconded by Supervisor Greenwood, Resolution 17-48 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 17-48

APPROPRIATION OF SUPPLEMENTAL FUNDS AND REPURPOSING OF CAPITAL FUND COMMITMENT FOR MANGOICK VOLUNTEER FIRE AND RESCUE

WHEREAS, Mangohick Volunteer Fire and Rescue was appropriated \$30,000 in capital funding during the FY 2018 budget session for the purchase of a SCBA refill station; and

WHEREAS, Mangohick Volunteer Fire and Rescue has been awarded a grant from the Regional Squad Assistance Fund (RSAF) to purchase a new ambulance; and

WHEREAS, Mangohick Volunteer Fire and Rescue is requesting to repurpose the use of the capital funds in the amount of \$30,000 and requesting an additional supplemental funding of \$17,213 to defray the cost of outfitting the newly acquired ambulance; and

WHEREAS, the funding to Mangohick Volunteer Fire and Rescue is currently appropriated to the station from the Capital Fund and the supplemental funds would be expended from the available General Fund balance;

NOW, THEREFORE, BE IT RESOLVED, the King William County Board of Supervisors does hereby authorize the repurposing of the Capital Funds of \$30,000 and appropriate \$17,213 from the General Fund balance in support of Mangohick Volunteer Fire and Rescue.

DONE this the 25th day of September, 2017.

e. Consideration of Resolution 17-49 Authorizing Repurposing of FY2018 Capital Equipment Funds for Courthouse Parking Lot Maintenance

Bobbie Tassinari, Director of Finance, presented her request to repurpose \$19,000 identified in the FY2018 Capital Funds for resealing, repaving and restriping of the Public Safety and Courts Building lane and parking lot.

The Chairman called for any discussion.

There being no discussion, upon the motion of Supervisor Ehrhart, seconded by Supervisor Greenwood, Resolution 17-49 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 17-49

APPROVAL TO REPURPOSE CAPITAL FUNDS TO ADDRESS DEFERRED MAINTENANCE

WHEREAS, the General Properties Department was appropriated \$19,000 in capital funding during the FY 2018 budget session for the purchase of a zero turn mower; and

WHEREAS, the Maintenance Division has identified a deferred maintenance need at the Courts and Public Safety Building; and

WHEREAS, the Maintenance Division is requesting to repurpose the use of the capital funds in the amount of \$19,000 to address paving, resealing and restriping of the Courthouse Lane and parking lots surround the building; and

NOW, THEREFORE, BE IT RESOLVED, the King William County Board of Supervisors does hereby authorize the repurposing of the Capital Funds of \$19,000 in support of addressing deferred maintenance needs at the Courts and Public Safety Building.

DONE this the 25th day of September, 2017.

f. Consideration of Resolution 17-50 Declaring October, 2017 as Domestic Violence Awareness Month

Dr. Jack Lanier and Sarah Okolita with Quin Rivers presented their request to declare October Domestic Violence Awareness Month. They presented their statistics for citizens helped in King William County and expressed the importance of their programs.

The Chairman called for any discussion.

There being no discussion, upon the motion of Supervisor Hodges, seconded by Supervisor Ehrhart, Resolution 17-50 was approved by the following roll call vote:

Supervisor, 1 st District: William L. Hodges – Vice Chairman	Aye
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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 17-50

DECLARING OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH

WHEREAS, domestic violence is a serious crime that affects people of all races, ages, gender, and income levels; and

WHEREAS, Domestic violence is widespread and affects over four million Americans each year; and

WHEREAS, one in three Americans have witnessed an incident of domestic violence; and

WHEREAS, children that grow up in violent homes are believed to be abused and neglected at a rate higher than the national average; and

WHEREAS, domestic violence costs the nation billions of dollars annually in medical expenses, police and court costs, shelters, foster care, sick leave, absenteeism, and non-productivity; and

WHEREAS, only a coordinated community effort will put a stop to this heinous crime; and.

WHEREAS, Domestic Violence Awareness Month provides an excellent opportunity for citizens to learn more about preventing domestic violence and to show support for the numerous organizations and individuals who provide critical advocacy, services, and assistance to victims.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of King William County, Virginia, that the month of October, 2017 be proclaimed as Domestic Violence Awareness Month and ask the citizens of King William County to work together to eliminate domestic violence from our community.

DONE this the 25th day of September, 2017.

RE: ADMINISTRATIVE MATTERS FROM COUNTY ADMINISTRATOR

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

Andy Aigner, Chief of Fire & EMS, presented the call statistics for the Fire and EMS stations operating within King William County.

11. b. Board Information

Mr. Reeter, County Administrator, made note of the upcoming joint meeting between the Board of Supervisors and the Economic Development Authority on

October 26th. He stated a member of the EDA's request to change the date to the 25th instead.

Chairman Moskalski stated that would be not possible due to prior obligations on that date.

RE: CLOSED MEETING

There was no closed meeting.

RE: BOARD MEMBER COMMENTS

Supervisor Hodges thanked everyone for attending and noted the upcoming Crab Carnival being held in West Point.

Supervisor Greenwood thanked everyone for attending.

Supervisor Hansen thanked everyone for attending.

Supervisor Ehrhart thanked everyone for attending and noted his recent consortium meeting.

Supervisor Moskalski thanked everyone for attending and requested prayers for his wife due to the recent passing of her father.

RE: APPOINTMENTS

There we no appointments to be made.

RE: ADJOURN

The meeting was adjourned at 8:12 pm 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