

**MINUTES  
KING WILLIAM COUNTY  
BOARD OF SUPERVISORS  
MEETING OF MARCH 27, 2017**

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 27<sup>th</sup> day of March, 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:

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

Also in attendance:

Mark K. Reeter, County Administrator  
Daniel M. Stuck, County Attorney  
Charles 'Wally' Horton, Director of Community Development  
Bobbie Tassinari, Director of Finance  
Victoria Rowsey, Acting Recording Clerk

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

The members were polled:

S. K. Greenwood	Aye
D. E. Hansen	Aye
R. W. Ehrhart II	Aye
W. L. Hodges	Aye
T. J. Moskalski	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. Yvonne Broaddus, of the 4<sup>th</sup> District voiced her support for the school budget, and wants the county to work on Economic Development.
2. Joe Bartos, of the West Point Volunteer Fire Department (WPVFD) stated that he hasn't seen the budget but has heard the WPVFD is being cut, and expressed that he did not have a say so in the matter but Public Safety is his main concern. He said that West Point is 1/3 of the revenue of the county and the WPVFD should get that amount. Supervisor Hansen asked Mr. Bartos what role Andy Aigner, King William Chief of Fire and Emergency Services had at WPVFD.
3. Roger Spangler, of the 5<sup>th</sup> District provided the Board an update on the Broadband Initiative, mentioning that he had been in touch with Liz Povar on a regional level.
4. Chris Simmons, of the 4<sup>th</sup> District expressed his frustrations with the Commerce Park road issues and asked the Board to try and find a resolution to the matter. Supervisor Hansen said he would make a motion to have the county pay to fix the road issues.
5. Ben Shumaker, of the 4<sup>th</sup> District voiced concerns about a letter to the editor of the Tidewater Review newspaper from Supervisor Hansen.

**RE: CONSENT AGENDA**

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

The Chairman called for any discussion.

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

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

a. Claims against the County for the month of February, 2017, as set forth in Exhibit 01 of these Minutes:

**RE: OLD BUSINESS**

No old business was brought before the Board.

**RE: NEW BUSINESS**

**10.a. Public Hearing and Consideration of Zoning Ordinance Text Amendment 17-01(TXT), Initiated by the Planning Commission: An Ordinance to Amend Existing Sections 86-5 - "Definitions", 86-171 - "Permitted use table established", 86-571 - "off-street parking", and any other Necessary Adjustments to Accommodate the Proposed Uses in Chapter 86 - "Zoning" of the Code of the County of King William. The Purpose of the Amendment is to Include "brew pubs" and "craft breweries/microbreweries" as By-Right Uses in the B-2 General Business and M Industrial Districts.**

Wally Horton, Director of Community Development explained the need for the amendment to the text of the County zoning ordinance in order to include "brew pubs" and "craft breweries/microbreweries" as By-Right uses in B-2, General Business and M, Industrial Districts of County Code Chapter 86, "Zoning".

**Public Hearing:**

1. Jeanette Wagner, of the 5<sup>th</sup> District expressed support for the brew pub and thinks if it will assist with economic development to bring it on. Mentioned that a stop light may need to be looked at in that intersection. Chairman Moskalski mentioned that a stoplight would be a VDOT issue, but he would look into the idea.
2. Otto William, of the 5<sup>th</sup> District opposes the brew pub because he feels it would increase the work load on the Sheriff's Department with DUI arrests.
3. Eugene Campbell, of the 2<sup>nd</sup> District supports the brewery for economic development purposes. He also expressed a concern for a stop light to be added at the intersection.
4. Roger Spangler, of the 5<sup>th</sup> District expressed support for the brew pub. Karen Richardson, of the 4<sup>th</sup> District supports this business addition to the county, but asked for a traffic study at that intersection. She also mentioned

that she lives near the property in question and was not notified about a possible business coming in and found out when she read about it in the paper.

There being no further speakers, the Public Hearing was closed.

Chairman Moskalski asked the Dragon Run Brewery applicant, Tommy Adkins to come forward and provide some additional information.

Mr. Adkins thanked the local community for the support they have received so far and that he wanted to continue to support the community by bringing in the business. Mr. Adkins touched on a comment during the public hearing in regards to drunk driving and said that craft breweries do their best to not overserve. Supervisor Hansen asked if classes were taken to train servers, so that this does not happen. Mr. Adkins responded that there is a course that all of his staff will take part in prior to working at the brewery. Supervisor Ehrhart asked about the number of employees he expects to have in the building at one time. Mr. Adkins said it is hard to estimate at this time but he would guesstimate no more than 7-8 at one time. Supervisor Moskalski thanked him for coming to speak. Supervisor Greenwood reiterated that the traffic light would be a VDOT issue, but bringing in a brewery may give them a reason to look at the idea. Supervisor Moskalski asked Mr. Horton to please notify neighboring properties in the future when matter like this arise.

There being no further discussion, upon motion of Supervisor Hansen, second by Supervisor Hodges, Zoning Ordinance Text Amendment 17-01(TXT) was adopted.

The vote on this motion was as follows:

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

#### **ORDINANCE 17-01(TXT)**

#### **An Ordinance to Amend Chapter 86 – Zoning of the King William County Code to add Brewpubs and Craft/Micro Breweries**

**WHEREAS**, King William County is permitted to regulate Brewpubs and Craft/Micro Breweries through its zoning ordinance by the authority granted in the State Code of Virginia Sections § 15.2-2280 and § 15.2-2286; and

**WHEREAS**, the King William County Planning Commission, after study and review, conducted a public hearing on March 7, 2017 on the zoning text amendment to add provisions for brewpubs and Craft/Micro Breweries, and voted 4 - 0 to recommend that the Board of Supervisors amend the Zoning Ordinance to add provisions for brewpubs and Craft/Micro Breweries; and

**WHEREAS**, after a duly advertised and held public hearing on March 27, 2017, the Board believes it appropriate to amend the King William County Code Chapter 86 to add provisions for Brewpubs and Craft/Micro Breweries,

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, that the Board of Supervisors of King William County, Virginia, does this 27th day of March 2017, hereby amend the following sections of Chapter 86, of the King William County Code as follows:

**ARTICLE I. IN GENERAL**

Sec. 86-5. *Definitions* is amended to add the following definitions.

**Craft/Micro brewery: A facility that produces and sells no more than 15,000 barrels of beer or other malt liquors per year and which requires a license from the Virginia Department of Alcoholic Beverage Control. For the purposes of this definition, a barrel shall mean a container designed to hold thirty-one gallons. Permitted accessory uses shall include retail sales, tasting rooms for beverages produced on-site, restaurants, reception halls, and live entertainment.**

**Brewpub: A craft/micro brewery that operates in conjunction with a retail tavern or pub / restaurant on the premises.**

**ARTICLE V. PERMITTED USES IN PRINCIPAL ZONING DISTRICTS**

Sec. 86-171. *Permitted use table established* is amended to add the following use in the Table of Permitted Uses setout following Sec. 86-173.

Description of Uses	A-C	R-R	R-1	B-1	B-2	M	R-C
MANUFACTURING							
<b><u>Craft/Micro Brewery</u></b>					<b><u>R</u></b>	<b><u>R</u></b>	
COMMERCIAL/RETAIL/FINACE/PERSONAL SERVICES							
<b><u>Brewpub</u></b>					<b><u>R</u></b>	<b><u>R</u></b>	

**ARTICLE XIII. OFF STREET PARKING AND LOADING**

Sec. 86-571. - Off-street parking is amended to add the following in the Table of Off-Street Parking Requirements for Individual Uses.

- (a) Specific parking requirements by use. Except as otherwise provided in this chapter, when any building or structure is hereafter erected or structurally altered, or any building or structure hereafter erected is converted, accessory off-street parking spaces shall be provided according to the requirements for individual uses in the following Table:

TABLE OF OFF-STREET PARKING REQUIREMENTS FOR INDIVIDUAL USES

Use or Use Category	Spaces Required
<b><u>Craft/Micro Brewery</u></b>	<b><u>Brewery/Kitchen: One (1) space per each two employees on maximum working shift; plus space for storage of trucks or other vehicles used in connection with the business or industry</u></b> <b><u>One (1) space per 100 square feet of gross floor area dedicated to accessory tasting rooms, restaurants (including outdoor dining areas).</u></b>

	<u>or retail sales.</u>
<u>Brewpub</u>	<u>One (1) space per 100 square feet of total gross floor area used for a bar or tavern type use, including outdoor bar or tavern area;</u> <u>1 per 100 square feet of dining area including outdoor dining</u> <u>Brewery/Kitchen: One space per two employees on maximum working shift plus space for storage of trucks or other vehicles used in connection with the business or industry.</u>

**10.b. Consideration of Resolution Approving Amendment of Middle Peninsula Juvenile Detention Commission Service Agreement.**

Mrs. Bobbie Tassinari, Finance Director explained the need for the resolution and asked for the board to approve and accept the agreement.

There being no further discussion, upon motion of Supervisor Ehrhart, second by Supervisor Hodges, Resolution #-17 was adopted.

The vote on this motion was as follows:

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

**RESOLUTION #-17**  
**AMENDING THE MIDDLE PENINSULA JUVENILE DETENTION COMMISSION SERVICE AGREEMENT**

**WHEREAS**, the Service Agreement (“Agreement”) was signed by the Member Jurisdictions in December 1994 to govern the parties’ respective obligations before, during, and after the construction of the Middle Peninsula Detention Center (“Center”); and

**WHEREAS**, because the Agreement has been in effect for 23 years, and because the Center has been constructed and placed in service, the Commission and Member Jurisdictions realize that portions of the Agreement are no longer applicable or are no longer efficient; and

**WHEREAS**, the Commission and Member Jurisdictions desire to revise the Agreement by

1. Replacing the original “per diem” formula with a rolling 5-year member utilization method in order to improve predictability of the Member Jurisdictions’ and the Commission’s respective annual budget process beginning with Fiscal Year 2018;
2. Replacing “Per diem” with “Member Usage Fee” to better represent the new funding method;
3. Removing obsolete provisions that applied only during pre-construction and construction of the facility;
4. Removing references to King George County, which is no longer a member; and
5. Other technical revisions as set out in the amended Agreement attached hereto and incorporated herein.

**WHEREAS**, other than as amended hereby, the Agreement as originally adopted remains in effect; now therefore

**NOW, THEREFORE, BE IT RESOLVED**, the King William County Board of Supervisors does hereby approve of the amended and readopted agreement as set for in the attached Agreement.

**10.c. Presentation of Proposed King William County Operating Budget for Fiscal Year 2017-2018.**

Mr. Mark Reeter, County Administrator presented an overview of the proposed budget through a PowerPoint presentation. Once completed Board members asked questions. Supervisor Hodges asked Mr. Reeter if he had approached Constitutional Officers or Department Heads to get an idea of their needs. Mr. Reeter explained that he had not had budget discussions, but had met with each. Supervisor Hodges asked why the Budget for West Point Volunteer Fire Department (WPVFD) was cut and how many years the V-STOP grant to be sought by the Commonwealth Attorney was for. Mr. Reeter explained that the WPVFD was cut to match what the Town of West Point gives them each year and he wasn't sure about the V-STOP grant, it could be a year or it could be more. Supervisor Hansen asked about the split-levy and how it will be affected. Chairman Moskalski responded and explained that the West Point Public Schools get zero dollars from county budget. Supervisor Ehrhart asked fellow board members to gather a list of questions for Mr. Reeter. Supervisors Greenwood and Hansen expressed their desire to lower the tax rate. Mr. Reeter reminded the Board that the proposed budget and tax rates will be subject to public hearings on April 3, with budget work sessions scheduled for April 10 and April 14.

**RE: ADMINISTRATIVE MATTERS FROM COUNTY ADMINISTRATOR**

**11.a. Fire and EMS Call Statistics for February 2017.**

Mr. Reeter drew Board members attention to the document as part of their agenda packet. Supervisor Hansen asked about the station responses and Mr. Andy Aigner, Chief of Fire and Emergency Services addressed these questions.

**RE: CLOSED MEETING**

No closed meeting was conducted by the Board.

**RE: BOARD MEMBER COMMENTS**

Supervisor Ehrhart brought up the Commerce Park road matter and the fact that the County's hands are tied due to the General Assembly. He stated that King William is not like other localities and we are not able to have all the things other localities do.

Supervisor Hansen asked for clarification about an issue on the Broadband Committee and Chairman Moskalski clarified his concerns, stating that no money can be spent without Board approval. He expressed that he feels the County has let the people of the Commerce Park down and not lived up to its obligations. He made a motion for the County to pick up the cost of the road maintenance. There was no second, so the motion dies.

Supervisor Hodges thanked everyone for attending. He wants citizens to know that the County Courier newspaper is not always 100% accurate and that West Point is part of King William County.

Supervisor Greenwood followed up to Supervisor Hodges and stated that the yellow signs in the County are not factual either. The Board votes as a whole.

Supervisor Moskalski provided an update on the Middle Peninsula Economic Development Resource Organization (MPEDRO) and the meetings he attended last week. He met the new Chief Executive Office of the Virginia Economic Development Partnership, Mr. Stephen Moret, and that the Middle Peninsula region was in his sights which he felt good about.

**RE: ADJOURNMENT**

The meeting was adjourned at 9:30 pm by the following roll call vote:

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

COPY TESTE:

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Travis J. Moskalski, Chairman  
Board of Supervisors

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Mark K. Reeter  
County Administrator  
Clerk to the Board