

**MINUTES  
KING WILLIAM COUNTY  
BOARD OF SUPERVISORS  
MEETING OF JULY 25, 2016**

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 25<sup>th</sup> day of July, 2016, beginning at 7:00 p.m. in the Board Meeting Room of the County Administration Building, with the following present:

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

K. Charles Griffin, County Administrator  
Daniel M. Stuck, County Attorney

**RE: CALL TO ORDER**

The Chairman called the meeting to order at 7:00 p.m. The members were polled:

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

**RE: REVIEW OF MEETING AGENDA**

There was general discussion of the meeting agenda items.

The Deputy Clerk noted that the minutes of the May 9, 2016 Work Session, page 16 of the Board packet, was amended to reflect revised language to a comment made by Supervisor Ehrhart with regards to existing restrictions on trading between watersheds.

**RE: MOMENT OF SILENCE**

Chairman Greenwood called for a moment of silence

**RE: PLEDGE OF ALLEGIANCE**

Chairman Greenwood led the pledge of allegiance

**RE: ADOPTION OF MEETING AGENDA**

Supervisor Moskalski moved for the adoption of the agenda for this meeting as presented by the County Administrator; motion was seconded by Supervisor Hodges and approved by the following roll call vote:

T. J. Moskalski	Aye
D. E. Hansen	Aye
R. W. Ehrhart II	Aye

W. L. Hodges      Aye  
S. K. Greenwood   Aye

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

Chairman Greenwood opened the Public Comment Period.

1. Ms. Jeanette Wagner, of the 5<sup>th</sup> District, praised Bret Schardein for the wonderful work he has done for the County. She is sorry he is leaving his position with the County.

**RE: CONSENT AGENDA**

Supervisor Moskalski moved for approval of the items on the amended Consent Agenda, motion was seconded by Supervisor Ehrhart.

Chairman Greenwood called for any discussion.

There being no discussions the amended consent agenda was approved by the following roll call vote:

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

a. Minutes:

- i. Work Session of May 9, 2016, amended
- ii. Regular Meeting of May 23, 2016
- iii. Work Session of June 13, 2016

b. Claims against the County for the month of July, 2016, in the amount of \$2,018,272.27 as follows:

(1) General Fund Warrants #82388-82429 in the amount of \$70,711.53 and #82435-82521 in the amount of \$524,270.98; ACH Direct Payments #7794-7831 in the amount of \$489,244.09 and #7836-7890 in the amount of \$429,764.91; Direct Deposits #22278-22385 in the amount of \$207,491.98; and Electronic Tax Payment in the amount of \$118,850.02.

(2) For informational purposes, Social Services expenditures for the month of July, 2016, Warrants #311010-311038 in the amount of \$43,633.34; ACH Direct Payments #1755-1771 in the amount of \$6,948.91; Direct Deposits #37582-

37802 in the amount of \$31,573.46; and Electronic Tax Payment in the amount of \$18,173.97

(3) For informational purposes, Comprehensive Services Act Fund expenditures for the month of July, 2016, Warrants #82430-82434 in the amount of \$9,546.90; and ACH Direct Payments #7832-7835 in the amount of \$65,529.37.

(4) Tax refunds for the month of July, 2016, in the amount of \$2,532.81.

c. Resolution 16-55 – Thomas Keith and Terry Lynn Modr, tax parcel 57-12, refund due to erroneous assessment, as follows:

RESOLUTION 16-55  
A RESOLUTION DIRECTING THE  
TREASURER OF KING WILLIAM COUNTY  
TO ISSUE A REAL ESTATE TAX REFUND  
DUE TO ERRONEOUS ASSESSMENT

WHEREAS, the Commissioner of the Revenue has determined an erroneous real estate tax assessment has been made related to Tax Parcel 57-12 due to a factual error that assessed a non-livable out building as a dwelling 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 real estate taxes paid for the year 2015, based on the corrected assessment as required by law, in the total amount of \$481.28 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 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 25<sup>th</sup> day of July, 2016, directs the Treasurer to issue a refund of \$481.28, together with interest to the time of refund, calculated in accordance with law, to the taxpayer(s) paying the same.

d. Resolution 16-56 – Jerry Jackson, tax parcel 54-3A (personal property), refund due to erroneous assessment, as follows:

RESOLUTION 16-56  
A RESOLUTION DIRECTING THE  
TREASURER OF KING WILLIAM COUNTY  
TO ISSUE A PERSONAL PROPERTY TAX REFUND  
DUE TO ERRONEOUS ASSESSMENT

WHEREAS, the Commissioner of the Revenue has determined an erroneous personal property tax assessment has been made related to Tax Parcel 54-3A due to a factual error that taxed the dwelling on the property as both real and personal property 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 personal property taxes paid for the year 2015, based on the corrected assessment as required

by law, in the total amount of \$171.31 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 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 25<sup>th</sup> day of July, 2016, directs the Treasurer to issue a refund of \$171.31, together with interest to the time of refund, calculated in accordance with law, to the taxpayer(s) paying the same.

**RE: BOARD PRESENTATIONS**

a. Presentation of Resolution 16-52 – A resolution of appreciation to outgoing member Mr. Carlyle P. Clements for his 26 years of serving on the King William County Planning Commission – Supervisor Moskalski read the resolution of appreciation aloud while Chairman Greenwood presented the resolution to Mr. Clements.

Supervisor Moskalski moved to approve Resolution 16-52; motion was seconded by Supervisor Ehrhart and adopted by the following roll call vote:

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

Resolution 16-52  
KING WILLIAM COUNTY  
RESOLUTION OF APPRECIATION

WHEREAS, Mr. Carlyle Clements was appointed to the King William County Planning Commission in 1990; and

WHEREAS, during Mr. Clements' more than two decades on the Commission, he served with great commitment and distinction. In the years since his appointment to the Planning Commission, Mr. Clements has overseen a period where the population of the County has grown by more than sixty percent, and Central Garage has grown from a single country store to a regional center for shopping and commerce; and

WHEREAS, during his tenure on the Planning Commission, Mr. Clements served as Vice Chair and as Chair of the Commission; and

WHEREAS, in his twenty-six years of service on the Planning Commission, Mr. Clements has earned the trust and admiration of his fellow commissioners for his fairness, integrity, knowledge and commitment to the citizens of King William and his dedication to the work of the Commission; and

WHEREAS, Mr. Clements is a life-long resident of King William County. He has been highly involved in the community as a former Trustee of Pamunkey Regional Library Board, regularly volunteering with the Feed More Mobile Food Pantry, serving as a substitute teacher with King William County Public Schools and is a retired dairy farmer who is still active in King William's agricultural economy through his family business; and

WHEREAS, Mr. Clements served his country in the 80th Division of US Army Reserves for 23 years where he retired as Chief Warrant Officer 4 and later served as a Counselor/Supervisor for the Hanover Learning Center, Department of Youth and Family Services.

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors extends its sincere appreciation to Mr. Carlyle Clements for his twenty-six years of service as a member of the King William County Planning Commission.

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. Clements, and shall be spread upon the meeting minutes of said Board of Supervisors.

**RE: OLD BUSINESS**

No old business was brought before the Board.

**RE: NEW BUSINESS**

a. Public Hearing on proposed Ordinance 16-03 – owner wishes to vacate a portion of subdivision plat after sale of lot and authorizing conveyance of the Marle Hill IV Well Lot (tax map parcel 28B-4-12) –

i. Staff Presentation – Bret Schardein, Director of Community Development – Mr. Schardein gave a brief history of this request explaining that the Marle Hill Section IV subdivision plat was approved in 2008. At that time the County was anticipating more expansion of growth west of that area. There was also a need for an additional well on the public water system and for monitoring wells due to a DEQ requirement to monitor ground water resources. Groundwater monitoring wells have since been installed satisfying that requirement. The original developer who dedicated the well lot eventually defaulted on the property, which was foreclosed on by Union Bank. There is little documentation on the purpose of the well lot, however the practice of staff at that time was to request well lots for most conditional use permits, rezonings and major subdivisions; today staff has no justification for a well lot in that area.

The owner/developer Manquin Properties (a subsidiary of Union Bank) requests the County release its interest in the property and vacate the property lines of the well lot to combine it with Lot 12. Other lots in the subdivision have been sold, which requires the Board pass an ordinance to vacate the lot lines pursuant to § 15.2-2272 of the Code of Virginia. Staff recommends the request of the developer that the lot be vacated.

Supervisor Hansen presumes the only benefit for the County for this site is the collection of taxes on future development.

Mr. Schardein feels that is an accurate summarization. Taxes will be collected on the property when transferred, but given the size this will be minimal. He added the County did not expend any funds for the lot to acquire.

Supervisor Hansen questioned the projected value of this property should a home be built on this site. He would like to see the County get something out of this rather than giving it away.

Mr. Schardein explained this site would be added to an already designated lot in this development. In his opinion, it would be questionable how this property was acquired should the County decide to keep or demand money for it, especially since today there is no public use for this property. He clarified there has been no testing or drilling for a well on this site.

Supervisor Ehrhart asked for clarification if the property could be used as a park or playground within the subdivision.

Mr. Schardein does not feel the property is large enough for that type of use given the houses already built and situated in the development.

ii. Public comments (3 minutes per individual; 5 minutes if representing an organization or group) – Chairman Greenwood opened the public hearing.

There being no one to speak for or against this matter Chairman Greenwood declared the public hearing closed.

iii. Consideration – Ordinance 16-03 – Chairman Greenwood called for any discussions.

Supervisor Moskalski moved for the adoption of Ordinance 16-03; motion was seconded by Supervisor Hodges.

Chairman Greenwood called for any further discussions.

Supervisor Hansen is reluctant to give County property away without a return.

Chairman Greenwood reiterated this property was given to the County and no funds were expended.

Supervisor Moskalski added the property was dedicated with the intent for a well to be put on this property and there are no plans for a well to be constructed there. He feels holding on to the property is not good governance.

There being no other discussions Ordinance 16-03 was adopted by the following roll call vote:

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

ORDINANCE 16-03  
ORDINANCE VACATING A PORTION OF  
SUBDIVISION PLAT AFTER SALE OF LOT AND  
AUTHORIZING CONVEYANCE OF THE MARLE HILL IV WELL LOT

WHEREAS, the Board of Supervisors of King William County, Virginia (“the County”), has received a request by Manquin Properties, LLC (“the Owner”) to vacate a lot shown on a certain subdivision plat and to release the County’s interest in the property; and

WHEREAS, the request concerns a certain parcel of land known as the Marle Hill Section IV Well Lot, described as Tax Map Parcel 28B-4-WL (“the Well Lot”), being a 0.230-acre parcel as shown on a certain plat titled “Marle Hill Section 4” recorded on March 22<sup>nd</sup> 2008, in Plat Book 21 at page 132 in the King William Circuit Court Clerk’s Office (“the Plat”); and

WHEREAS, the Owner wishes to vacate the boundary lines between the Well Lot and Lot 12 (Tax Map Parcel 28B-4-12) as shown on the Plat, and to have King William County’s interest in the Well Lot conveyed to Liberty Homes, Inc., the current owner of Lot 12; and

WHEREAS, a number of lots depicted on the Plat have been sold; and

WHEREAS, Section 15.2-2272(2) of the Code of Virginia requires that in approved subdivisions where any lot has been sold, the plat or part thereof may be vacated by ordinance of the governing body after notice has been given as required by § 15.2-2204.; and

WHEREAS, notice has been given as required by § 15.2-2204, together with due notice of the County’s intent to convey it’s interest in the Well Lot as required by law; and

WHEREAS, the intended use of the Well Lot by the County was for use for monitoring wells, or as a second public well to serve the expansion of the County’s public water system westward; and

WHEREAS, the Board finds that monitoring wells and additional supply wells have been constructed elsewhere, that there are no approved plans or appropriately zoned lands to make further expansion of the public water system westward feasible, and that there is no public purpose for the Well Lot as part of the public water system.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, this 25<sup>th</sup> day of July, 2016, that the Board of Supervisors of King William County does hereby vacate the boundary lines between the Well Lot and Lot 12 as shown on the Plat, and does further authorize the County Administrator to execute a quitclaim deed conveying any and all interest the County may have in the Well Lot to Liberty Homes, Inc., the current owner of Lot 12, such conveyance not to create a new lot or parcel but to incorporate the Well Lot within the revised boundaries of Lot 12.

**RE: ADMINISTRATIVE MATTERS**

Mr. Griffin thanked Mr. Schardein for his service to the County and wished him well in his endeavors. He informed the Board he intends to appoint Ms. Roya Pardis, current Environmental Compliance Officer, as the interim as the Director of Community Development, the Zoning Administrator, and the subdivision agent for King William County. He noted the vacant Director of Community Development position has been advertised. He mentioned he has several items prepared for the August 8<sup>th</sup> work session of the Board.

Supervisor Hansen proposed a compensatory salary adjustment be made for Ms. Pardis for filling in as the interim and for the additional responsibilities. Mr. Griffin noted the recommendation of Ms. Tassinari, the Director of Financial Services, is that a differential be offered to reflect the additional amount of work.

**RE: BOARD OF SUPERVISORS COMMENTS**

Chairman Greenwood opened the Board of Supervisors comment period.

Supervisor Ehrhart hopes an alternate EMS billing program is on the agenda for the work session in August. He feels the Board needs to wrap up some loose ends related to the County Administrator job description or work profile. He encouraged citizens to come out to the Board meetings and thanked all that attended tonight.

Supervisor Hansen stated he has had extensive background in law enforcement. He noted a citizen approached him tonight with a suggestion that the Fire Marshal for King William County be granted the power to arrest. In his opinion, there is a great deal of responsibility that goes with this power. He noted the ability to carry a concealed weapon would be included in these powers. He also thanked everyone for coming to the meetings.

Supervisor Hodges appreciates all the work done by Mr. Schardein and he wished him well. He feels the Chief of Fire and EMS needs to be working on getting Station 1 back on track so we have a viable service in that area. He feels the Chief has many things already on his plate and consideration of the powers to arrest can come later. He thanked everyone for coming out.

Supervisor Moskalski participated in the interview process when Mr. Schardein was hired and said is not disappointed in his performance. He wished him well in his endeavors and hopes he has the opportunity to work with him the future.



Chairman Greenwood asked for thoughts and prayers to be with the Rouse family that lost their historic home this morning to a fire. He thanked Mr. Schardein for all he has done for the County during his employment and his willingness to help in any area he was asked. Hopefully the overdue comprehensive plan will be completed very soon.

**RE: CLOSED MEETING**

No closed meeting was conducted

**RE: APPOINTMENTS**

a. Resolution 16-54 – Reappointing Mr. Carl R. Fischer as a member to the King William Historical Preservation and Architectural Review Board, for a term expiring June 30, 2021, was approved by the following roll call vote:

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

RESOLUTION 16-54  
Resolution of Appointment  
King William County  
Historic Preservation and Architectural Review Board

WHEREAS, it is appropriate for the Board of Supervisors of King William County to appoint one members to the King William County Historic Preservation and Architectural Review Board; and

WHEREAS, the term Mr. Carl R. Fischer expired June 30, 2016; and

WHEREAS, Mr. Fischer has expressed interest in reappointment.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of King William County, Virginia, that Mr. Carl R. Fischer, is hereby appointed to serve as a member of the King William County Historic Preservation and Architectural Review Board, for a term of five years; said term to expire June 30, 2021.

**RE: ADJOURNMENT**

Supervisor Moskalski moved to adjourn the meeting; motion was seconded by

Supervisor Hodges. The members were polled:

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

Chairman Greenwood adjourned the meeting at 7:36 p.m.

COPY TESTE:

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Stephen K. Greenwood, Chairman  
Board of Supervisors

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Bobbi L. Langston  
Deputy Clerk to the Board