

**MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
WORK SESSION OF MAY 9, 2016**

A meeting of the Board of Supervisors of King William County, Virginia, was held on the 9th day of May, 2016, beginning at 7:00 p.m. in the Board 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
Bobbi Langston, Deputy Clerk to the Board
Victoria Rowsey, Executive Assistant – Operations

RE: CALL TO ORDER

The Chairman called the work session 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: PROPOSED WORK SESSION AGENDA

a. Reduction in days of operation at King William County's four convenience centers (Central Garage Transfer Site; Epworth; King William Landfill Site; VFW Road Site) – recommend eliminating one day each from two stations to achieve the \$17,331 cut in the FY 17 Budget as adopted by the Board - discussion by the Board with direction for Ken Griffin to convey to VPPSA the Board's preference for reduced hours – Mr. Griffin noted the cut in funding for VPPSA in the recently adopted budget. He has met with staff at VPPSA and the only place cuts can be made is the hours of operation at the centers. He reminded the Board that the centers expect to receive the same amount of tonnage even with reduced hours, and that the individuals that work at the centers are not highly paid. He stated the necessary cuts needed to meet the reduced funding equals two days of operations. He further explained the reduced hours can be assigned to one location, or split between two or more locations. He recommended one day, Sunday, be taken from Epworth, the less busy of the two sites in the northern end of the County. He also recommended one day, Wednesday,

be taken from the Landfill site in the southern end of the county. He noted the Recycle Road site takes in approximately 300 tons per day and is in need of expansion of the layout. Board direction is necessary in order for VPPSA to move forward with the desired changes that ultimately affects their employees.

Discussions included the tonnage received at each location; three of the four sites are currently closed on Thursday; changing all sites to open later for all days of operation; busiest times for individual sites; reduction in hours of operations and possible impact on citizens; fair distribution of reductions throughout the county; and the need for citizen input.

Consensus of the Board is to formally consider this item during their business meeting of May 23, 2016, in order to give citizens the opportunity to speak on this matter.

b. Presentation of King William County Broadband Study – Sandie Terry, Vice President of Broadband Programs, the Virginia Center of Innovative Technology (VA CIT) – Overview, Study and Cost Estimates; Question and comments from the Board – Mr. Griffin introduced Ms. Sandie Terry, Vice President of Broadband Programs for the Virginia Center of Innovative Technology, to address a very significant problem experienced throughout King William County. He noted the broadband study was prepared by Ms. Terry and Mr. Peter Sforza, with Virginia Tech, at no cost to the county.

Ms. Terry started by saying that broadband is an incredibly important tool as it touches almost everything in our lives. Demand for healthcare is going to continue to proliferate throughout the years to come, in-home monitoring has proven to save costs and improves patient healthcare, so having broadband is going to be a critical component. Areas that already rely heavily on the internet, or are predicted to, is public safety and education. More and more devices require internet connection such as appliances, security, heating and air systems to name a few; video streaming is very popular these days. Networks are focused on profit and they are not thinking of what the county needs in terms of access to the rest of the world and capacity.

Continuing, she said basically broadband is supplied by a wired or wireless service. She explained wired service has limited capabilities with respect to speed and capacity, demands are increasing and infrastructure is becoming obsolete. Fiber

is at the top and everybody desires because of the unlimited capacity and the quality of service, however it is expensive. Cellular is a wireless example, we all have it and depend on it for mobility. Some of the drawbacks to wireless are data caps, affordability, and long term solutions for homes and businesses. Satellite technology is another wireless solution that has improved over the years and continues to advance, but latency is a problem and it is impacted by weather, has data caps, and is very expensive.

Fixed wireless is not regulated, it is not impacted by weather, technology has advanced tremendously in the past few years and continues to advance daily. Some of the positives of fixed wireless includes delivery of greater speeds and it will support any business or home. Typically service is delivered at a good price point, because it is wireless it makes sense for rural area, and it has a much lower cost of entry for initial deployment. The service is line of site and typically uses a tower, capacity is beamed from tower to tower, and then finally to multi-points with service to several customers. The service area has to be planned, however everyone will not have coverage if obstacles are blocking the view, such as huge trees. You can build your own but since fixed wireless runs over unlicensed spectrum it is recommended to have one provider, more than one provider can interfere with one another.

In closing, her recommendation to all rural localities is to build a partnership with a fixed wireless provider. She pointed out that this is the only technology that you can introduce that is not regulated and can deliver internet service. Neighboring King and Queen County has already built a network with a private partner, and has done a really good job. The larger a network gets the better it is for everybody, more revenues are received, so upgrades are kept up and sustainability increases. She said it makes sense to tag on to an existing network rather than build and try to compete. Her big message is that localities can leave this to providers, but that is not taking control of the future. In her opinion, there is a golden opportunity with King and Queen County.

Brief discussions were had on the service currently provided by King and Queen via their current provider Cox; poor service in some areas; they have reached their capacity; and improvements to current towers for better service is underway.

There was also a discussion of how authorities are formed. It was explained that local governments in the State of Virginia are not allowed to become broadband providers.

Mr. Peter Sforza, with Virginia Tech, joined the meeting by conference call. He explained that the study prepared for King William County includes a propagation study to support infrastructure planning for wireless coverage gaps in current and future priority development areas. The study identifies tower and antenna locations that would provide the best coverage and cost; and a cost estimate for fixed wireless broadband infrastructure. In addition, it provides a review of existing infrastructure, telecommunication policies, best practice recommendations, and implementation process guidelines. He explained this recommendation is a planning study based on best available data and information. Further engineering studies may reveal better data or make different conclusions than what is presented in this document.

The summary of findings includes a recommendation that King William County considers utilization of two towers with fiber backhaul to provide a fixed wireless system throughout the County. Micro cells or repeaters may be beneficial to reach the low lying areas impacted by terrain effects. Some broadband coverage is available leveraging fixed wireless providers based in King and Queen County. There is a substantial distribution of pine trees throughout the County which may result in signal weakness. Therefore, it may be beneficial to provide a combination of fixed wireless and whitespace frequencies to mitigate the scattering impact of pine trees on effective signal. He recommends that King William County should seek a private partner with fixed wireless and/or whitespace experience to design and deploy a broadband solution for the County. The Center for Innovative Technology can provide contacts and connect the County with resources for the broadband network design and deployment.

He explained the broadband geodesign study overview is intended to be an iterative process in collaboration with King William County and CIT. Due to the limited resources available for the project, the entire geodesign process will be completed once, with smaller iterations at each step. These steps provide the County and CIT a chance to provide feedback to adjust the course of the study as necessary.

The goal of this project is to provide King William County with materials that will aid in broadband planning for the County and help bring the County into eligibility for

federal funding. Virginia Tech Center for Geospatial Information Technology (CGIT) also wishes to gain experience with the broadband geodesign framework and use this opportunity to further develop the Integrated Broadband Toolbox. The deliverables and results of this study include an RF propagation analysis, which will focus on providing coverage for areas that are currently underserved or unserved and takes into account future development areas. This study will utilize existing tower and antenna locations in order to provide the best coverage for the best cost. The process follows geodesign principles and uses the Integrated Broadband Toolbox and includes a review and update of King William vertical assets in CGIT's Vertical Assets Database as needed. CGIT also validated King William County's policy information in the Broadband Policy Database and current broadband coverage for the County. The study will require from King William County current availability of backhaul information, target areas for broadband coverage, and any speed test or survey results from previous studies. King William County will also provide any feedback necessary to selecting alternative designs, prospective sites, and available resources.

In order to assist King William County in strengthening and adding broadband infrastructure within the area, CGIT has compiled a short report with information on telecommunications guidelines. This report includes the County's ordinances regarding telecommunications, some helpful tools from CGIT and the Office of Telework Promotion and Broadband Assistance, and maps summarizing the surrounding area's policies and resources. These resources include maps, policies, and tools that assess broadband speeds that can be used to study the broadband needs in your locality.

The initial phase of broadband optimization for the King William County Broadband Geodesign Study, entails an evaluation of line of sight coverage based on existing vertical assets. A visibility analysis was performed for each of the vertical assets located within King William County. Visibility is calculated according to the height of the given asset and a digital terrain model from the National Elevation Dataset. The assets used in this study are an export from the Vertical Assets Inventory Tool developed and maintained by CGIT. All possible combinations of the resulting visible areas were evaluated in order to identify the optimal scenario with the

highest percentage of area covered. This analysis was developed in a parallel python environment using a combination of proprietary and open source geospatial libraries.

The next phase of this study will be conducted based on feedback from King William County administrative staff. An authoritative inventory of vertical assets within the County, along with the necessary attributes, will provide higher quality coverage estimations and guide the optimization strategy. Radio frequency propagation estimation will be generated according to available vertical assets and will incorporate desired antenna design scenarios. If target coverage areas are defined, the evaluation of the optimization strategy will be more directed. Along with user feedback, the next phase of the geodesign study will feature high fidelity digital terrain and digital surface models with increased spatial resolution. The steps in the implementation process begins with the decision to proceed and fund implementation; final network design; accept bids, interview firms and award contract; procure materials, establish project and construction management services; network construction; and finally testing, corrections and project completion.

He has worked with Mr. Griffin recently looking at the Pamunkey Indian Reservation as an option where there may be some great opportunities to partner with them. He said Indian tribal lands, in general, have access to quite a bit more funds for telecom and maybe some other grant areas. A scenario was performed for this location and he noted the map prepared shows that quite a bit of their boundaries are made up of protected lands, for the most part wetlands. He spoke about the existing towers nearby the reservation and gave some scenarios of range and coverage areas.

In closing, he stated this document, prepared for King William County, is for planning purposes and should not be used for cost proposals. He said fixed wireless is a rapidly evolving technology that is continually improving in power and coverage, it is a moving target. He reviewed some cost scenarios with various options of equipment. Some additional information has been gathered and will be included in the final report, a summary of cost estimates will also be included.

There was brief discussions on maintenance costs for a fixed wire service; detailed demographic population coverage using a two tower scenario and how a service provider is more capable of providing this type of information; any possible opportunity for partnering with another neighboring locality; serious consideration of

joining King and Queen County should be discussed with their provider for more specific details; and engaging in exploratory meetings.

Mr. Griffin thanked Ms. Terry and Mr. Sforza for preparing and presenting the report for King William County. He feels the information provided has given him an idea of how to proceed to come up with a viable solution.

c. Next Steps (6) for Implementation of a King William County Broadband System, meetings with: Robert Gray, Chief, Pamunkey Indian Tribe; US Department of Agriculture (USDA); Verizon (Wired); Tom Swartzwelder, King & Queen County Administrator; Gamewood Technology Group, Inc. (Danville, VA); and Cox Communications. Discussion by Ken Griffin re these future meetings – Mr. Griffin offered to have exploratory conversations on this subject and report back to the Board.

d. West Liberty Farms subdivision – Request to amend proffered conditions of rezoning case Z-03-06, relating to minimum house sizes, lot density and landscaping. Discussion of the request and consideration of setting it for public hearing at a future meeting – Mr. Schardein, Director of Community Development, explained the West Liberty Farms project was introduced in 2006 by a previous property owner and developer; shortly after that the recession started the project defaulted. Union Bank took over the project that had been stalled and partially completed. Water lines and roads were incomplete but the bank worked with the County, and other agencies, and completed the infrastructure for Section 1 and Section IV. The bank does not believe the original proffer conditions have been kept up with since the recession. To complete this project and build it out the proposal is to amend some of those proffers and conditions, they are not proposing to amend the cash proffer amount. They are asking to amend the minimum house sizes and reduce the number of lots significantly. The original proposal was for 30 lots, they are proposing only 20 lots and increasing the lot sizes. He explained most of these lots are in farm fields, clear cut, and flat areas. Since the 2006 proffered conditions they proposed adding landscaping to these lots to try make them more attractive. Otherwise the proffered conditions and cash proffers proposed in 2006 are unchanged.

Continuing, Mr. Schardein noted the Planning Commission reviewed this information and held a public hearing in late 2015, with a recommendation of approval.

Mr. Meade Spotts, attorney representing Union Bank, is present to answer questions. A public hearing on this matter is proposed to be advertised and conducted during the next regular business meeting of the Board.

Discussions included cash proffers; lot yield; house size; construction materials; architecture; driveways; restrictive covenants; establishment of homeowner's association; road standards and right-of-way dedication; transportation; entrances; tree preservation; and landscaping.

e. Middle Peninsula Economic Development Authority (EDO) – discussion of King William County becoming a charter member and making the required contribution of \$5,000 – discussion by Ken Griffin, Dan Stuck and the Board and scheduling item for the May 23, 2016, Regular Board Meeting – Mr. Griffin noted the Middle Peninsula Planning District Commission has an interest in reforming a regional economic development organization for the Middle Peninsula. Draft documents for the proposed organization are complete for consideration of the localities involved. He said most of the counties and towns have expressed interest in joining as charter members, King William County has not expressed interest in joining. He noted there has been expressed concerns with the request for a \$5,000 contribution to join. Costs that may occur down the road have also been a concern by some. He noted should a perspective project arise in the future additional dollars may be requested of the charter members; but most likely would be tied to revenue sharing among the charter members generated by a potential future project.

Discussions were had regarding future costs to charter members; the need for language in the charter related to revenue sharing; and whether King William County should become a charter member, or wait to see any value in joining.

The County Attorney noted that section 3.06 of the proposed charter spells out that any member jurisdiction may withdraw membership in the corporation by resolution or ordinance of its governing body. Provided that no member jurisdiction, that has incurred any unsatisfied obligation, shall be permitted to withdraw its membership without the unanimous consent of all other member jurisdictions. He further explained if a project comes along that a member jurisdiction does not want to get involved in they are not required to do so and can withdraw at that time.

Discussions continued that included environmental regulatory authority; term limits and compensation for officers; advisory board compensation; recent and past economic development tools used by the County; and value in participating in a regional economic development effort.

This item is expected to be included on the agenda for the May 23rd regular business meeting for Board consideration.

f. Board of Supervisors Bylaws and Rules of Procedures – discussion by the Board of potential additions and changes – Mr. Griffin noted changes presented are offered by the County Attorney. He noted that Supervisor Ehrhart also offered some edits to the language to the subsequent document.

Discussions included expected Board member interaction with County staff and transparency with fellow Board members; disclosure of privileged information; comparison of the language of other locality rules; and time frame for submitting additional agenda topics. The proposed changes to the language were also reviewed.

Proposed changes to the Board of Supervisors Bylaws and Rule of Procedures are expected to be included on the agenda for the May 23rd regular business meeting for Board consideration.

g. Discussion of amending the King William County Board of Supervisors adopted monthly meeting schedule for 2016, specifically the policy of the meeting room location for regular meetings and work sessions of the Board – proposed Resolution 16-29 – The County Administrator explained that the agenda review for regular business meetings of the Board are currently conducted in the Administration Conference room and upon conclusion the meeting is moved to the Board Meeting Room. The work sessions of the Board are also typically conducted in the Administration Conference room. The monthly meeting schedule for 2016, adopted by the Board, lists the meeting room locations as such.

Consensus of the Board is that all meetings of the Board of Supervisors, except those portions lawfully closed under the Virginia Freedom of Information Act, will be conducted in the Board Meeting Room of the Administration Building.

Proposed changes to King William County Board of Supervisors adopted monthly meeting schedule for 2016 are expected to be included on the agenda for the May 23rd regular business meeting for Board consideration.

h. Appointment of Citizen Member on the Middle Peninsula Planning District Commission – discussion of appointment starting July 1, 2016 of King William County’s Citizen Member. Eugene Rivara is the County’s current Citizen Member – Mr. Griffin announced the appointment of Mr. Eugene Rivara, serving on the Middle Peninsula Planning District Commission, expires on June 30, 2016.

The Deputy Clerk explained that the advertising protocol for available positions for boards and commissions includes: advertising with the Tidewater Review, posting on the County website, inclusion in the e-informer, and sharing on the County Facebook page. She also noted several appointments for various boards and commissions will be presented to the Board for consideration during their regular business meeting in June.

i. Update on Middle Peninsula Planning District Commission consideration of storm water quality credits for forestry/agriculture land owners – Supervisor Hansen noted the MPPDC has been working on this issue for some time. In his opinion, this is going to be very important in the future to agricultural and forestry land owners. He perceives this to be similar to pollution credits and those that have large amounts of land can get cash credits. The ability to use the land for forest and agriculture purposes will be allowed. The credits will be a real financial gain, you will be able to keep your land and use for purposes intended. He considers this one of the benefits that land owners will see from the MPPDC.

Supervisor Moskalski said this is in the very beginning stage of discussions that have included partnering with other regions and the benefits. In his opinion, the Middle Peninsula is entitled to some type of economic consideration, to acknowledge the fact that local governments that exist under the Chesapeake Bay Act and other layers of regulations, and that economic development hopes are largely tied to those regulations. Economic development opportunities are limited and this is an incentive. Another potential tool in the tool box that has not happened but is a conception.

Mr. Griffin stated this is a work in progress and a lot of work still needs to be done, however, he is encouraged.

Mr. Stuck is not aware of any enabling legislation for this item.

Supervisor Ehrhart pointed out that there are existing restrictions on trading between watersheds.

j. Update on recruitment of new King William County Chief of Fire and Emergency Services (four interviews on May 18) and new Director of Financial Services (two interviews on May 10/11) – Ken Griffin – Mr. Griffin noted interviews are scheduled in the next coming weeks for the open positions of a Director of Financial Services and a King William County Chief of Fire and Emergency Services.

Some discussions were had regarding the funding for the salary for the Chief of Fire and Emergency Services; finding qualified people to fill the open positions; background check process and proper level of checks; and the small number of applications received to date for the Director of Financial Services position.

Supervisor Ehrhart advised the Department of Social Services will soon be presenting to the Board, for consideration, changing to a twelve month probation period for all newly hired employees, currently practiced by the State.

Mr. Stuck explained, since the recent adoption of the County personnel policy, there has been ongoing discussions with the Social Services Department about the extent and nature of the employees that are within in the County pay system. He stressed there needs to be a full understanding of what policy those employees are under. The Director, Ms. Mitchell, has made a number of suggested changes for the department. He has a tentative meeting scheduled in two weeks with her to come up with something to present to the Social Services Board. He noted the Local Social Services Board also needs to be involved. The Board of Supervisors need to understand and then a request can be made to the State. He suggested the Board of Supervisors consider adopting a resolution to at least confirm current practice. More information should be available soon for Board review.

RE: ADJOURNMENT

There being no other business to come before this board Chairman Greenwood adjourned the meeting at 10:25 p.m.

COPY TESTE:

Stephen K. Greenwood, Chairman
Board of Supervisors

Bobbi L. Langston
Deputy Clerk to the Board