

**MINUTES  
KING WILLIAM COUNTY  
BOARD OF SUPERVISORS  
MEETING OF AUGUST 28, 2017**

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 28<sup>th</sup> day of August, 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 <sup>st</sup> District: William L. Hodges – Vice Chairman	Aye
Supervisor, 2 <sup>nd</sup> District: Travis J. Moskalski – Chairman	Aye
Supervisor, 3 <sup>rd</sup> District: Stephen K. Greenwood	Aye
Supervisor, 4 <sup>th</sup> District: David E. Hansen	Aye
Supervisor, 5 <sup>th</sup> 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 Ehrhart 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:

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

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

Chairman Moskalski opened the public comment period.

1. John Hubbard, of the Courthouse District, spoke of his need for broadband internet and it's important to small business owners.
2. Jeanette Wagner spoke of the decline in programs for both younger and elderly citizens of King William County.
3. Yvonne Broaddus, spoke of support in pursuing broadband internet connectivity for King William County, and thanked the Board of Supervisors for supporting schools. She also noted the need for a litter prevention program in the County.
4. Michael Padgett, stated his displeasure in our Boards recent activities and suggested being more frugal with county tax dollars.

**RE: CONSENT AGENDA**

Supervisor Ehrhart stated he wished to strike Item 7 a.2.

Mr. Reeter, County Administrator, stated he'd like to add Item 11 c.

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

The Chairman called for any discussion.

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

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

**RE: PRESENTATIONS**

**a. Legislative Update from Delegate Keith Hodges**

Delegate Keith Hodges, presented updates on new laws within the Commonwealth and recent developments involving storm and ground water projects. He spoke of the importance of economic development to our area, as well as, continuing to pursue broadband internet connectivity. He also noted the

drug crisis that has arrived in our area, with hopes everyone will reach out and help our community.

Supervisor Hansen questioned Delegate Hodges about whether the Textbook Fund is appropriate to give 2% raises to our schools as they plan to use it.

Delegate Hodges stated he would have to look further into that matter.

Supervisors Hodges questioned Delegate Hodges on whether the new programs would actually be bringing money to our communities.

Delegate Hodges assured him they would.

**b. Presentation by Mangohick Volunteer Fire Department**

Andrea Jewell, Mangohick Captain, presented her departments recent grant approval and the vehicle gained with this grant. The County would be responsible for 20% of the cost which would be \$47,610. Additional items included a Lucas machine, a Stryker chair, radios and inventory items which would total another \$17,213.

The Board of Supervisors gave consensus to move forward with the needs requested.

**c. Update on Closing of Series 2017 Bond Refinancing**

Mark Reeter, County Administrator, presented the better than had been anticipated results of our recent bond refinancing. Our total VRA savings came to \$775,000.

Mr. Reeter stated he would soon need to advertise a Public Hearing.

The Board of Supervisors gave consensus to move forward.

**RE: OLD BUSINESS**

No old business was brought before the Board.

**RE: NEW BUSINESS**

**a. Public Hearing and Consideration of Adoption of Ordinance 05-17 to Rezone approximately 124.78 acres from R-R (Rural Residential) to A-C (Agricultural Conservation), addressed as 3149 Dorrell Road, Aylett, VA; 3147 Dorrell Road, Aylett, VA and 239 Old Way Lane, Aylett, VA., located in the 5<sup>th</sup> Election District (Owners/Applicants: Christopher Couch, Timothy Vaughan, and George Hinnet)**

Wally Horton, Director of Community Development, presented the request for the rezoning application of Tax Map Parcels 6-1-23, 6-1-22, and 5-

1-21 consisting of approximately 124.78 acres to be rezoned from R-R (Rural Residential) to A-C (Agricultural Conservation).

**Public Hearing:**

There being no speakers, the public hearing was closed.

The Chairman called for any discussion.

There being no discussion, upon the motion of Supervisor Ehrhart, seconded by Supervisor Greenwood, Ordinance 05-17 was approved by the following roll call

vote:

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

**ORDINANCE 05-17**

**AN ORDINANCE APPROVING REZONING APPLICATION Z-02-17  
(OWNERS/APPLICANTS: CHRISTOPHER COUCH, TIMOTHY VAUGHAN,  
AND GEORGE HINNANT)**

**WHEREAS**, Christopher Couch, Timothy Vaughan, and George Hinnant (the Owner/Applicants) submitted an application to change the designation of Tax Map Parcels 6-1-23, 6-1-22, and 5-1-21, consisting of approximately 124.78 acres, from R-R (Rural Residential) to A-C (Agricultural Conservation); and

**WHEREAS**, the Owner/Applicants wish to enlarge already existing farming activities on their properties; and

**WHEREAS**, the King William County Planning Commission, after study and review, conducted a public hearing on the application on July 11, 2017 and following such public hearing voted unanimously to recommend that the Board of Supervisors approve such application; and

**WHEREAS**, the Board of Supervisors conducted a public hearing on August 28<sup>th</sup>, 2017 to consider Rezoning Application Z-02-17;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, that the Board of Supervisors of King William County, Virginia, does this 28<sup>th</sup> day of August 2017, hereby amend the Zoning Map of King William County by rezoning Tax Map Parcels 6-1-23, 6-1-22, and 5-1-21 from Rural Residential (R-R) to Agricultural-Conservation (A-C).

**ADOPTED** this the 28<sup>th</sup> day of August, 2017.

**b. Public Hearing and Consideration of Adoption of Ordinance 06-17 to Amend Ordinance Z-03-03 with respect to Proffers applicable to Kennington Place, LLC, located in the 3<sup>rd</sup> Election District (Owner: Kennington Place, 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 22-20 consisting of approximately 23.2 acres of the 96.27 acre Parcel; all being part of the 317.98 acre Kennington Place, in order to amend the existing Proffers, as initially approved March 29, 2004 together with Rezoning Z-03-03, and amended November 24, 2008.

**Public Hearing:**

1. Don Wagner noted the traffic increase we'd need to prepare for as well as any additional students in our schools.

There being no further 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 06-17 was approved by the following roll call vote:

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

**ORDINANCE 06-17**

**AN ORDINANCE AMENDING PROFFERS ASSOCIATED WITH CONDITIONAL REZONING APPLICATION Z-03-03 - (OWNER: KENNINGTON 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 22-20 consisting of approximately 23.2 acres of the 96.27 acre Parcel; all being part of the 317.98 acre Kennington Place development, to amend the existing Proffers, initially approved March 29, 2004 with Rezoning Z-03-03, and amended November 24, 2008.

**WHEREAS**, the Applicant and Owner propose to amend the proffers as follows: (Changes *underlined and italicized*):

“The Owner (“Applicant”) of the Residential Family Area, appurtenant “Open Space,” and common areas denoted upon the *Original Plat* as Lots 1-229, Multi-family Area and Commercial Area, which are the subject of this Zoning Case (the “Property”), by its duly authorized representative, hereby submits these amended proffers that the development of the subject Property shall be in accordance with the conditions as set forth in this submission. References to the Property are to such parcels as shown on the plat entitled “Kennington-Preliminary Layout” prepared by Timmons Group dated March 25, 2003 and revised May 21, 2003 and June 27, 2003 (the “*Original Plat*”), along with the Single Family Area Plan, the Multi-Family Area Plan, and Commercial Area Plan, all as reflected upon those Certain plats prepared by Timmons Group dated

March 25, 2003 and revised May 21, 2003 and June 27, 2003, as modified by conceptual plan entitled "Kennington Carriage Homes" prepared by Balzer and Associates, Inc., dated June 1, 2017 (the "Carriage Homes Plat Amendment") (the Original Plat, as amended by the Carriage Homes Plat Amendment, collectively, the "Plat"), copies of which have been delivered previously are included as part of this application and incorporated herein by this reference and attached to this Ordinance as Exhibit 1, and which reflect the description of the Property and each portion of the Property to be rezoned.

Proffer B.1. of Case Z-03-03 is hereby amended and replaced with the following:

1. Single-Family Homes. A copy of the Plat, showing proposed development of the Property, has been provided to the Director of Planning. The Property will be developed in substantial conformity with the Schematic Plan; but the Owner reserves the right to adjust road and lot lines at the time of final site plan or subdivision review, to effectively design the subdivision following detailed engineering. Further, the Owner reserves the right to make final design adjustments, relative to the adjustment and/or re-configuration of the proposed on-site well lots, sewer treatment plant, common drainfields, and related sewer design features as set forth above. In particular, the number of single-family dwelling lots shall not exceed ~~229~~ 234. Roads constructed upon the Property shall be publically dedicated to VDOT.

Proffer E.1. of Case Z-03-03 is hereby amended and replaced with the following:

1. Residential attached uses are a permitted conditional use in the subject district. The Owner must obtain a Conditional Use Permit for this use. The total number of residential attached units proposed shall not exceed ~~472~~ 250 units in compliance with the density and related requirements of the zoning ordinance. Residential attached units shall consist of a combination of townhomes and carriage style homes as shown on the Plat. All driving lanes and parking areas developed as part of the proposed residential attached units shall be paved with asphalt. Driving lanes and parking areas on the Multi-family Parcel shall be constructed in substantial conformity with the conceptual plan set forth on the Plat. Further, the Owner shall construct a common area playground and pool amenities available for use in conjunction with all residential units as described upon the Multi-Family Area Plan attached. In the Condition Use Permit application submitted by the Owner, the proposed use and all improvements will meet or exceed the County's minimum standards and the requirements set forth in ~~Division 14~~ Article 10 and ~~Section 40-514~~ 86-702 of ~~Division 18~~ Article 16 of the Zoning Ordinance. Side elevations of buildings labeled A, B, and C on the Plat facing Kennington Parkway South and buildings M and N on the Plat facing Kennington Parkway North shall be in substantial conformity with the drawings entitled "Side Elevations for Main Roads – New Kennington Carriage Homes" prepared by Stephen A. Childrey, are included as part of this application and incorporated herein by this reference. The buffer shown on the Plat between buildings A, B, and C and Kennington Parkway South shall be planted in substantial conformance with the conceptual landscape plan entitled "Kennington Parkway South Landscape Buffer" prepared by Balzer and Associates, Inc., dated July 14, 2017, copies of are included as part of this application and incorporated herein by this reference and attached to this Ordinance as Exhibits 2 and 3.

A new proffer E.4. is hereby added to include the following:

Age Restriction. Except as otherwise prohibited by the Virginia Fair Housing Law, the Federal Fair Housing Act, and such other applicable federal, state or local legal requirements, the 78 residential attached units depicted southwest of Kennington Parkway S and southeast of Kennington Parkway N on the conceptual plan entitled "Kennington Carriage Homes" prepared by Balzer and Associates, Inc., dated June 1, 2017 shall be restricted to "housing for older

persons” as defined in the Virginia Fair Housing Law and no persons under 19 years of age shall reside therein.”

**WHEREAS**, all other conditions and proffers of Case Z-03-03 shall remain in full force and effect; and,

**WHEREAS**, the Board of Supervisors conducted a public hearing on August 28th, 2017 to consider the above proffer amendments associated with Conditional Zoning Application Z-03-03;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, that the Board of Supervisors of King William County, Virginia, does this 28th day of August 2017, approve the amended proffers as stated in the preambles above associated with Conditional Zoning Application Z-03-03 such amended proffers to be recorded in the Clerk’s Office of the Circuit Court of King William County.

**ADOPTED** this 28<sup>th</sup> day of August, 2017

**c. Public Hearing and Consideration of Adoption of Ordinance 07-17 to Approve Amendment of Conditional Use Permit (CUP) 02-03 (issued March 24, 2004) for the purpose of an additional 78 single-family attached housing units within the area currently approved for single-family detached housing units, located in the 3<sup>rd</sup> Election District (Owner: Kennington Place, LLC; Todd Rogers, Manager. Applicant: Jennifer D. Mullen, Esq. Roth Jackson, Gibbons, Conklin, PLC)**

Wally Horton, Director of Community Development, presented the request to approve a Conditional Use Permit amendment for a portion of Tax Map Parcel 22-20 consisting of approximately 23.2 acres of the 96.27 acre Parcel; all being a part of the 317.98 acre Kennington Place, in order to amend the existing Conditional Use CUP-02-03, as initially approved March 29, 2004 together with Rezoning Z-03-03, which proffers were amended November 24, 2008.

**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 Greenwood, seconded by Supervisor Hodges, Ordinance 07-17 was approved by the following roll call vote:

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

**ORDINANCE 07-17**

**AN ORDINANCE APPROVING AN AMENDMENT TO CONDITIONAL USE PERMIT CUP-02-03 - (OWNER: KENNINGTON 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 single family attached dwelling units associated with properties of the R-1, Residential zoning district following review and approval of a Conditional Use Permit; in accord with Sections 86-451 through 86-455 and Section 86-456(e) of the Zoning Ordinance; and

**WHEREAS**, the Planning Commission, after study and review, conducted a public hearing on July 11, 2017, to consider an application for amendment to CUP-02-03 submitted by the Applicant on behalf of the Owner, for the purpose of adding 78 single-family attached housing units within an area currently approved for 38 single-family detached housing units on a portion of Tax Map Parcel 22-20 consisting of approximately 23.2 acres of the 96.27 acre Parcel; all being part of the 317.98 acre Kennington Place development and, following such public hearing, voted unanimously to recommend that the Board of Supervisors approve such application; subject to the preparation of a Landscaping Plan to be reviewed by concerned members of the Kennington neighborhood; and

**WHEREAS**, the Board is informed that said Landscaping Plan has been prepared and reviewed by concerned residents of the Kennington Development on an individual basis with no issues expressed; and

**WHEREAS**, the Board of Supervisors conducted a public hearing on August 28<sup>th</sup>, 2017 to consider amendment of CUP-02-03;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, that the Board of Supervisors of King William County, Virginia, does this 28th day of August 2017, hereby approve the amendment of CUP-02-03 for the purpose of providing an additional 78 single-family attached housing units as shown on the plans:

1. The Kennington Townhomes Conceptual Plan, Pages 1 and 2, dated February 8, 2017, incorporated herein by this reference and attached to this Ordinance as Exhibit 1,
2. The Conceptual Plan entitled “Kennington Carriage Homes” prepared by Balzer and Associates, Inc., dated June 1, 2017, incorporated herein by this reference and attached to this Ordinance as Exhibit 2,
3. “Side Elevations for Main Roads – New Kennington Carriage Homes” prepared by Stephen A. Childrey, incorporated herein by this reference and attached to this Ordinance as Exhibit 3, and
4. The “Kennington Parkway South Landscape Buffer” prepared by Balzer and Associates, Inc., dated July 14, 2017 submitted with the application for amendment, incorporated herein by this reference and attached to this Ordinance as Exhibit 4.

**ADOPTED** this 28<sup>th</sup> day of August, 2017

**d. Public Hearing and Consideration of Adoption of Ordinance 08-17 as Initiated by the King William County Planning Commission to Amend Section 86-415(d) “Plan of Development Process” of the Code of the County of King William, Virginia, with respect to compliance with the requirements of the Virginia Department of Environmental Quality**

Wally Horton, Director of Community Development, presented the proposed amendment to Section 86-415(D) “Plan of Development Process” to include language required by the Department of Environmental Quality pursuant to its compliance review findings as part of its Compliance Review Report and Corrective Action Plan for King William County.

**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 08-17 was approved by the following roll call vote:

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

**ORDINANCE 08-17**

**AN ORDINANCE TO AMEND CHAPTER 86 – ZONING  
OF THE KING WILLIAM COUNTY CODE  
SECTION 86-415(D) “PLAN OF DEVELOPMENT PROCESS”**

**WHEREAS**, an amendment to existing Zoning Ordinance Section 86-415(d) “Plan of Development Process” is necessary to include language required by the Department of Environmental Quality pursuant to its compliance review findings as part of its Compliance Review Report and Corrective Action Plan for King William County; and

**WHEREAS**, the King William County Planning Commission initiated such amendment at its June 6, 2017 meeting; and

**WHEREAS**, the King William County Planning Commission, after study and review, conducted a public hearing on July 11, 2017 on the zoning text amendment to amend provisions for Section 86-415(d) - Plan of Development Process, and voted unanimously to recommend that the Board of Supervisors amend the Zoning Ordinance to amend those provisions; and

**WHEREAS**, after a duly advertised and held public hearing on August 28, 2017, the Board believes it appropriate to amend the King William County Code Chapter 86 to amend Section 86-415(d) of the Zoning Ordinance related to a Plan of Development pursuant to Chesapeake Bay Preservation Act requirements,

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, that the Board of Supervisors of King William County, Virginia, does this 28th day of August 2017,

hereby amend and readopt the following section of Chapter 86, of the King William County Code to read as follows:

**Sec. 86-415 – Plan of development process**

(d) Notations shall be required, as applicable, concerning provisions for maintenance of ~~the buffer area~~ an undisturbed and vegetated 100-foot buffer, ~~restrictions on development in the RPA,~~ and locations of reserve sewage disposal sites and the 5-year septic pump-out requirement, with respect to all construction plans, land disturbance permits, building permits, site plans and subdivision plats. The director shall also require those plans, permits and plats to include delineation of the buildable area allowed on each lot, based on the requirements of this article, zoning requirements and any other relevant easements or limitations regarding lot coverage, and a notation on plats stating that permitted development in the Resource Protection Area is limited to water-dependent facilities or redevelopment.

**BE IT FURTHER ORDAINED** that this amendment shall take effect immediately upon adoption of this Ordinance.

**ADOPTED** this the 28<sup>th</sup> day of August, 2017.

**e. Public Hearing and Consideration of Adoption of Resolution 17-43 Amending the King William County Operating Budget for Fiscal year 2017-18**

Bobbie Tassinari, Director of Finance, presented the budget amendment for fiscal year 2018, amended to incorporate \$735,000.00 of Textbook Fund (206) current year FY 2018 State revenue and prior year fund balance.

Supervisor Hansen requested tabling this item until Delegate Hodges can look further into the matter.

Upon the motion of Supervisor Hansen to table this item until further notice, seconded by Supervisor Ehrhart, Resolution 17-43 was not tabled by the following roll call vote:

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

**Public Hearing:**

There being no speakers, the public hearing was closed.

The Chairman called for any discussion.

There being no discussion, upon the motion of Supervisor Hodges, seconded by Supervisor Greenwood, Resolution 17-43 was approved by the following roll call vote:

Supervisor, 1 <sup>st</sup> District:	William L. Hodges – Vice Chairman	Aye
Supervisor, 2 <sup>nd</sup> District:	Travis J. Moskalski – Chairman	Aye
Supervisor, 3 <sup>rd</sup> District:	Stephen K. Greenwood	Aye

Supervisor, 4<sup>th</sup> District: David E. Hansen  
Supervisor, 5<sup>th</sup> District: Robert W. Ehrhart II

Nay  
Nay

## RESOLUTION 17-43

### AMENDMENT TO THE FISCAL YEAR 2018 COUNTY BUDGET

**WHEREAS**, the King William County Board of Supervisors wishes to amend its Fiscal Year (FY) 2018 Budget to reflect the aggregate amount to be appropriated to the King William County Public School Division; and

**WHEREAS**, the King William County Board of Supervisors wishes to appropriate funds from the Textbook Fund (206) for the King William County Public School Division FY 2018 use in the amount of \$735,000; and

**WHEREAS**, amendment of the FY 2018 Budget to reflect appropriations in the above amount requires a public hearing after due notice; and

**WHEREAS**, the public hearing has been held on this date;

**NOW, THEREFORE, BE IT RESOLVED** by the King William County Board of Supervisors that the FY 2018 Budget is amended to reflect an amended amount expected to be appropriated to the King William County Public School Division of \$23,224,944 from the original of \$22,939,944 as summarized below:

Total Budget Amendment: \$735,000

Appropriation of Current Year (FY 2018) State Revenues Within Textbook Fund (206): \$162,390

Reappropriate From Prior Year Balance Textbook Fund (206): \$572,610

Transfer From: Textbook Fund (206) \$285,000

Transfer To: School Operating Fund (205) \$285,000

Appropriate To: Textbook Fund (206) FY 2018 Budget \$450,000

Original Appropriation Budget for the KWPCS: \$22,939,944

Combined federal/state/local/other local revenue

Proposed Appropriation Budget for the KWPCS: \$23,224,944

Combined federal/state/local/other local revenue

Original Appropriation Budget for the KWPCS Textbook Fund: \$0

Proposed Appropriation Budget for the KWPCS Textbook Fund: \$450,000

**DONE** this the 28<sup>th</sup> day of August, 2017.

#### **f. Consideration of Resolution 17-44 Establishing Personnel Property Tax Relief Act (PPTRA) Rate for Calendar Year 2017**

Sally Pearson, Commissioner of the Revenue, presented Resolution 17-44 to set percentage of tax relief at 35% for the 2017 Personal Property Tax Book.

#### **Public Hearing:**

There being no speakers, the public hearing was closed.

The Chairman called for any discussion.

There being no discussion, upon the motion of Supervisor Hodges, seconded by Supervisor Greenwood, Resolution 17-44 was approved by the following roll call vote:

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

#### **RESOLUTION 17-44**

### **SETTING THE PERSONAL PROPERTY TAX RELIEF PERCENTAGE FOR THE PERSONAL PROPERTY 2017 BILLING IN ACCORDANCE WITH THE 2004-2005 CHANGES TO THE PERSONAL PROPERTY TAX RELIEF ACT OF 1998**

**WHEREAS**, the Personal Property Tax Relief Act of 1998, Virginia Code 58.1-3523, et seq. (“PPTRA”), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session 1 (Senate Bill 5005), and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2004-2006 Appropriations Act, hereinafter cited as the “2005 Appropriations Act”); and

**WHEREAS**, the Board of Supervisors (hereinafter Board) adopted King William County Code Sections 70-149 and 70-150 on December 12<sup>th</sup> 2005 implementing the 2004-2005 changes to the Personal Property Tax Relief Act of 1998, in response to these legislative enactments; and

**WHEREAS**, such County Code sections provide that the Board shall annually set the rate of tax relief on qualifying vehicles at a level that is anticipated to fully exhaust tax relief funds provided to the County by the Commonwealth; and

**WHEREAS**, County Code Section 70-150 provides that personal property tax relief shall be applied so as to eliminate personal property taxation on qualifying vehicles with an assessed value of One Thousand Dollars (\$1,000.00) or less; and

**WHEREAS**, the County Treasurer has received the amount of relief in the County’s block grant from the Commonwealth, and made a projection based upon the County’s historical growth in personal property tax values of the level necessary to fully exhaust the PPTRA relief fund provided to the County by the Commonwealth, as called for in the ordinance; and

**WHEREAS**, it is necessary for this Board to establish the allocation of tax relief for the first Twenty Thousand Dollars (\$20,000.00) in assessed value of other qualifying vehicles; and

**WHEREAS**, this Board has been informed that for the 2017 calendar year, the remaining relief funds available will be sufficient to provide a reduction of Thirty-Five Percent (35%) in the tax bill of such qualifying vehicles valued at greater than \$1,000;

**NOW THEREFORE BE IT RESOLVED**, this 28<sup>nd</sup> day of August, 2017, that for Calendar Year 2017, qualifying vehicles with assessed values of more than One Thousand Dollars (\$1,000.00) shall have their tax computed by reducing the amount otherwise owed on the first Twenty Thousand Dollars (\$20,000.00) of assessed value of such qualifying vehicle by a dollar amount equal to Thirty-Five Percent (35%) of the amount otherwise owed.

**DONE** this the 28<sup>th</sup> day of August, 2017.

**g. Consideration of Resolution 17-45 Amending King William County Personnel Policies and Procedures Manual**

Mark Reeter, County Administrator, presented Resolution 17-45 for consideration to amend the King William County Personnel Policies and Procedures Manual.

The Chairman called for any discussion.

There being no discussion, upon the motion of Supervisor Ehrhart, seconded by Supervisor Hodges, Resolution 17-45 was approved by the following roll call vote:

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

**RESOLUTION 17-45**

**APPROVING AMENDMENTS TO THE KING WILLIAM COUNTY PERSONNEL POLICIES AND PROCEDURE MANUAL**

**WHEREAS**, the Board of Supervisors adopted the King William County Personnel Policies and Procedures Manual (Manual) by Resolution 15-53 on December 14, 2015 effective January 1, 2016, and

**WHEREAS**, the Board has reviewed and discussed a number of proposed amendments to various chapters and sections of the Manual at its meeting of July 10, 2017, and

**WHEREAS**, the Board finds the proposed amendments appropriate and necessary for the proper administration of the County's personnel system:

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the County of King William, Virginia that the Board hereby approves and adopts the following amendments to the King William County Personnel Policies and Procedures Manual effective September 1, 2017 (deletions ~~struck through~~; amendatory language appearing in *italicized/underlined* font):

Section 3-8: Temporary Promotion

An employee who is temporarily promoted from one classified position to another shall receive an immediate salary increase of ~~5%~~ *not more than 10%* for the period of the temporary assignment, provided the assignment is expected to be thirty (30) or more calendar days. A temporary promotional assignment for less than thirty (30) calendar days shall not receive any additional compensation; however, a retroactive 5% increase is authorized should the assignment eventually be thirty (30) or more calendar days. Temporary promotions must be approved by the County Administrator.

Section 3-12: Administrative Increase and Adjustments

An administrative increase is one within the pay range of a grade that is awarded to an employee for successful completion of educational or training classes

pertaining to their position. In lieu of such increases, a one (1) pay period adjustment may be provided. Employees may receive an administrative increase or pay period adjustment upon recommendation of the Department Head and approval of the County Administrator.

#### Section 3-14: Pay Scale and Compression Adjustments

Periodically, as market conditions warrant, the Board of Supervisors may approve pay scale adjustments to the schematic list of titles. All employees will receive the same percentage increase on the same date as authorized by the Board with the exception of those who are above the maximum salary for their pay grade. In those cases, the salary of the affected employees is not changed until such time as the adjusted pay grade exceeds the individual's salary.

"Compression" refers to the situation that occurs when there is only a small difference in compensation between employees regardless of their skills or experience. Compression is often the result of the market-rate for a given job outpacing the increases historically given by the County to long-serving (tenured) employees. Therefore, new employees often may only be successfully recruited only by offering them as much or more than tenured employees.. It is the policy of the Board to undertake a compression study not more frequently than every three (3) years or as may be recommended by the designated personnel officer and County Administrator to achieve certain levels of internal equity so that people in relatively similar positions in the County receive equitable compensation.

#### Section 4-4: Life Insurance and Short Term Disability

Regular full-time employees are automatically enrolled in a group term life insurance program. Coverage is mandatory and managed by the Virginia Retirement System life insurance agency. Benefits for natural death are equal to the employee's annual salary rounded up to the next thousand and then doubled; benefits for accidental death are equal to four times the annual salary, rounded up to the next thousand.

The County also provides employee's with an option to purchase additional life and accidental death and dismemberment insurance to supplement the basic group insurance provided through VRS. All active employees currently covered by the VRS group life plan are eligible for this optional plan. Employees may purchase this additional insurance coverage for themselves and for their spouse and children.

Regular full-time employees are automatically enrolled in a short term disability program currently paid in full by the County. The benefit varies depending on the individual employee's status under the Virginia Retirement System. Hybrid Employees receive both short term and long term disability provided by VRS. Plan 1 and 2 employees are enrolled in a short term disability program automatically. The County provides a short term disability program with a 30 day wait period and total of 90 days coverage. For Plan 1 and 2 employees the County does not provide long term disability.

#### Section 6-3: Selection

When appropriate, skill assessments may be used which are written, oral, or a combination thereof and must relate to the duties and responsibilities of the position for which the applicant is being considered. Performance tests may also be required by the Department Head when appropriate. Testing may be done by the designated personnel officer, a person or panel designated by the County Administrator, the Virginia Employment Commission, or a qualified third party vendor.

The Department Head determines those applicants to be interviewed, conducts or causes the interviews to be conducted, makes a selection from among the applicants referred and notifies the designated personnel officer of the recommendation for selection. In making a selection, an individual's status as an

honorably discharged veteran of the armed forces of the United States, including those veterans with service connected disability ratings fixed by the U.S. Department of Veterans Affairs, shall receive due consideration provided that such veteran meets all of the knowledge, skills, and eligibility requirements of the available position. The designated personnel officer shall issue appropriate procedures as necessary for conduct of the selection process. Extraordinary recruitment, interviewing, or hiring efforts such as travel, overnight visits, accommodations, moving expenses, or increased annual or sick leave accrual or initial awards require the approval of the County Administrator. Upon selection, the designated personnel officer issues a letter of offer to the selected individual instructing them to report on a date mutually agreed to by the department and the designated personnel officer.

Employees who currently occupy a regular full-time position or regular part-time position with the County may be considered for any other regular part-time position or work-as-required position, however, in the case of the second regular part-time position, benefits will not be duplicated.

#### Section 6-5: Probationary Period – New Hires

New employees serve a probationary period of ~~six (6) months~~ one (1) year. The probationary period is regarded as an integral part of the evaluation process and is used to observe closely the employee's work, to insure the effective adjustment of a new employee to the assigned position, and to remove any employee not meeting expectations. Employees are released from probationary status upon receiving a formal evaluation and recommendation from the Department Head, and are then considered to be regular (non-probationary) employees of the County. The probationary period may not be extended except on those occasions when a period of approved absence exceeds 30 calendar days (for example, when a probationary employee is called to military duty). In such cases, the probationary period may, at the discretion of the Department Head, be extended one day for each day of authorized absence.

Before the end of the probationary period, if an employee is to be granted regular status, the Department Head shall indicate on a prescribed form to the designated personnel officer:

- a. That they have discussed the employee's accomplishments, strengths, and weaknesses with the employee;
- b. That the employee is performing satisfactory work;
- c. That the employee should be retained in County service and granted regular status.

Probationary employees may be terminated from employment at any time during the probationary period at the discretion of the Department Head. The provisions of the County's grievance procedure are not available to probationary employees. If a probationary employee is dissatisfied with the assigned position, the employee may resign from County service without prejudice.

The successful completion of the probationary period should not be construed as creating a contract or as guaranteeing employment for any specific duration. (See Chapter 1 and General Policy Statement in front of Chapter 1 in this Manual.)

#### Section 7-2: Rules for County Funding

The following policies determine when requests for training or education will be approved (assuming available funds) for County funding:

- (a) Job Required Training. The County will reimburse classified employees for approved training or education expenses when the subject matter is essential to proper performance of the employee's assigned position and the employee was not expected to have completed the training or education prior to employment. Attendance may be authorized during working hours. Undergraduate or graduate

education courses which fall into this category will be approved for reimbursement of the cost of tuition and books only when employees satisfactorily complete the course (completion of course with a grade of "C" or better). The fact that such courses are part of a degree program shall not disqualify them from reimbursement; however, the County will not pay for courses within the degree program which are not job essential.

(b) Job Related Training. The County will reimburse classified employees for approved expenses when the subject matter is job related and in the view of the County Administrator or Department Head should lead to improved performance on the job. Attendance may be authorized during working hours. This training generally consists of short courses, seminars, conferences, meetings, etc. coincident with the employee's routine responsibilities with the County. Undergraduate or graduate courses which fall into this category will be approved for reimbursement of the cost of tuition and books only when employees volunteer to attend classes on their own time and satisfactorily complete the course (completion of course with grade "C" or better). The fact that such courses are part of a degree program shall not disqualify them from reimbursement; however, the County will not pay for courses within the degree program which are not job related.

(c) Reimbursement for any training or education program that does not meet the conditions set forth in the preceding two subparagraphs is not authorized.

(d) Reimbursement for training or education programs that meet the conditions set forth may be reimbursed at a rate not to exceed \$600 per course with a maximum of three courses approved for reimbursement in any given fiscal year. The tuition reimbursement request must be pre-approved prior to enrollment and the employee is responsible for submitting the completed course documentation reflecting a "C" or better grade to receive reimbursement.

#### Section 13-21: Personal Appearance

A neat professional appearance – business casual - is a requirement of employment and it is expected that all employees will exercise good judgment and dress appropriately for their jobs. Department Heads are responsible for compliance within their departments.

**DONE** this the 28<sup>th</sup> day of August, 2017.

#### **h. Consideration of Resolution 17-46 Appropriating Funds From the Portion of the General Fund Balance to the Town of West Point as Part of the Split Levy vs Non-Split Levy FY2015 Reconciliation**

Bobbie Tassinari, Director of Finance, presented Resolution 17-46 to appropriate the funds owed to the Town of West Point.

The Chairman called for any discussion.

There being no discussion, upon the motion of Supervisor Ehrhart, seconded by Supervisor Hodges, Resolution 17-46 was approved by the following roll call vote:

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

**RESOLUTION 17-46**

**APPROPRIATING FUNDS FROM THE PORTION OF THE GENERAL FUND BALANCE TO THE TOWN OF WEST POINT AS PART OF THE SPLIT LEVY FY 2015 RECONCILIATION**

**WHEREAS**, the King William County Board of Supervisors desires to authorize the County Administrator to use a portion of the General Fund Balance to compensate the Town of West Point for their portion due of split levy tax revenues transferred to the King William County Public School Division in Fiscal Year (FY) 2015 ; and

**WHEREAS**, the King William Board of Supervisors intends to pay \$138,558.55 to the Town of West Point as part of the reconciliation of split levy tax revenue for FY 2015;

**NOW, THEREFORE, BE IT RESOLVED**, that the King William County Board of Supervisors hereby appropriates \$138,558.55 of the split levy tax revenue from the General Fund Balance for payment to the Town of West Point.

**DONE** this the 28<sup>th</sup> day of August, 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**

Mark Reeter, County Administrator, pointed out that we recently awarded with the Government Finance Office Association's Certificate of Achievement for Excellence in Financial Reporting.

The Board of Supervisors commended the Finance Department for this achievement.

**11. c. Operation Inasmuch**

Each year there is an "Appreciation" project and this year the five churches involved have chosen to show appreciation towards the EMTs and First Responders.

The Board chose to proceed with the event.

**RE: CLOSED MEETING**

There was no closed meeting.

**RE: BOARD MEMBER COMMENTS**

Supervisor Ehrhart thanked everyone for attending and noted his desire to make changes to the Vehicle License Tax.

Supervisor Hansen thanked everyone for attending and noted his concern for providing raises to a school system not currently achieving their goals.

Supervisor Hodges thanked everyone for attending and said a prayer for Texas during their time of need.

Supervisor Greenwood thanked everyone for attending, advised against believing all the media released involving the Board of Supervisors for King William County and also said a prayer for Texas.

Supervisor Moskalski thanked everyone for attending and made note of the surplus revenue.

**RE: APPOINTMENTS**

There we no appointments to be made.

**RE: ADJOURN**

The meeting was recessed at 8:30 pm by the following roll call vote:

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

COPY TESTE:

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Travis J. Moskalski, Chairman  
Board of Supervisors

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Olivia L. Schools  
Deputy Clerk to the Board