

**MINUTES  
KING WILLIAM COUNTY  
BOARD OF SUPERVISORS  
MEETING OF DECEMBER 15, 2014**

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 15<sup>th</sup> day of December, 2014, beginning at 7:00 p.m. in the Conference Room of the County Administration Building, with the following present:

Otto O. Williams, Chairman  
Terry S. Stone, Vice-Chairman  
C. Thomas Redd III  
Travis J. Moskalski  
Stephen K. Greenwood

Daniel M. Stuck, County Attorney and Interim County Administrator

**RE: CALL TO ORDER**

The Chairman called the Board of Supervisors meeting to order at 7:00 p.m. and asked for a roll call vote.

C. T. Redd III	Aye
T. J. Moskalski	Aye
S. K. Greenwood	Aye
T. S. Stone	Aye
O. O. Williams	Aye

**RE: REVIEW OF MEETING AGENDA**

There was general discussion of the meeting agenda items.

The Board recessed and moved to the Board Meeting Room of the County Administration Building to continue the meeting.

The Chairman called the meeting back to order at 7:30 p.m.

**RE: ADOPTION OF MEETING AGENDA**

C. T. Redd III moved for the adoption of the agenda for this meeting as presented by the Interim County Administrator with the following changes: item 11c was added under New Business – Resolution #14-94, a resolution in support of House Bill HB 1364 Industrial Wastes, Fees for Testing and Monitoring of Land Application; item 13 Closed Meeting now becomes item 15; item 14 Appointments now becomes item 13; and item 15 Board of Supervisors' Comments now becomes item 14; item 13d was added under Appointments – Resolution #14-95, a resolution of Appointments to the Economic Development Authority, agenda items were renumbered accordingly; motion was seconded by T. J. Moskalski and approved by the following roll call vote:

T. J. Moskalski     Aye  
S. K. Greenwood    Aye  
T. S. Stone         Aye  
C. T. Redd III      Aye  
O. O. Williams     Aye

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

The Chairman opened the Public Comment Period.

1. Donald Wagner, of the Mangohick district, spoke of the public meeting he recently attended, held by the State Water Control Board, regarding residual permits. He noted that interested citizens plan to follow and support the legislation Delegate Peace has introduced asking for the DEQ to study the impacts on the environment and the public. He said if necessary the supporters will look into possible legal actions. In closing, he said the fight will go on and he hopes the Board will join in those actions.

There being no other persons to appear before the Board the Chairman closed the Public Comment Period.

**RE: CONSENT AGENDA**

T. S. Stone moved for approval of the following items on the Consent Agenda, motion was seconded by S. K. Greenwood and approved by the following roll call vote:

S. K. Greenwood    Aye  
T. S. Stone         Aye  
C. T. Redd III      Aye  
T. J. Moskalski     Aye  
O. O. Williams     Aye

a. Minutes:

- i. Work Session of November 12, 2014
- ii. Regular Meeting of November 24, 2014

b. Claims against the County for the month of December, 2014, in the amount of \$1,175,034.40 as follows:

(1) General Fund Warrants #80297-80360 in the amount of \$51,402.26, and General Fund Warrants #80366-80420 in the amount of \$377,713.52; ACH Direct Payments #5787-5852 in the amount of \$119,509.65, and ACH Direct Payments #5856-5901 in the amount of \$182,659.36; Direct Deposits #20158-20263

in the amount of \$191,367.17; and Electronic Tax Payment in the amount of \$117,779.14.

(2) For informational purposes, Social Services expenditures for the month of December, 2014, Warrants #310364-310374 in the amount of \$5,509.00, and Warrants #310375-310393 in the amount of \$11,678.62; ACH Direct Payments #1354-1375 in the amount of \$12,559.00; Direct Deposits #3384-3409 in the amount of \$33,479.71; and Electronic Tax Payment in the amount of \$19,072.91.

(3) For informational purposes, Comprehensive Services Act Fund expenditures for the month of December, 2014, Warrants #80361-80365 in the amount of \$33,955.20; and ACH Direct Payments #5853-5855 in the amount of \$17,799.00.

(4) Tax refunds for the month of December, 2014, in the amount of \$549.86.

c. Resolution #14-87 as follows:

RESOLUTION #14-87  
BUDGET AMENDMENT – KING WILLIAM SOCIAL SERVICES OFFICE  
APPROPRIATION OF FEDERAL/STATE FUNDS FOR  
ADOPTION INCENTIVE – FY15

WHEREAS, the Board of Supervisors wishes to amend the FY 14-15 County Budget to provide funds to the Social Services Office for providing incentives to prospective and existing adoptive parents who adopt children through the King William Social Services agency; and

WHEREAS, there are children in the custody of King William County Social Services who are available for adoption; and

WHEREAS, there are approved adoptive parents who are willing to adopt children through the foster care system and others who have already adopted through the foster care system; and

WHEREAS, there is a need to recruit additional families to find permanent homes for children in the foster care system who are currently waiting to be adopted; and

WHEREAS, Federal/State Adoption Incentive Funds are awarded to local Departments of Social Services based on their history of successful adoptions and require no local match from the County, but does require budget authority from the County to act,

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of King William County hereby amends the FY 14-15 County Budget to establish the following revenue and expenditure:

REVENUE:	Proceeds from Commonwealth	\$ 1,000.00
EXPENDITURE:	Adoption Incentive Funds	\$ 1,000.00

and \$1,000.00 is hereby appropriated and is directed to be transferred to the above referenced line items for the above stated purposes.

d. Resolution #14-88 as follows:

RESOLUTION #14-88  
BUDGET AMENDMENT – KING WILLIAM SOCIAL SERVICES OFFICE  
APPROPRIATION OF STATE FUNDS FOR EDUCATION AND TRAINING  
PURCHASES TO AID OLDER FOSTER CHILDREN IN THE INDEPENDENT LIVING  
PROGRAM – FY15

WHEREAS, the Board of Supervisors wishes to amend the FY 14-15 County Budget to provide funds to the Social Services Office for special payments to provide EDUCATION AND TRAINING services to older children in foster care; and

WHEREAS, there are children in the custody of the King William County Social Services who are of the age to use these special funds; and

WHEREAS, there are education and training services that can be accessed through these funds to make these children more prepared to live independent and productive lives as adults; and

WHEREAS, State Independent Living Education and Training Vouchers require no local match from the County, but does require budget authority from the County to act,

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of King William County hereby amends the FY 14-15 County Budget to establish the following revenue and expenditure:

REVENUE:	Proceeds from Commonwealth	\$ 817.00
EXPENDITURE:	Education and Training Vouchers ILP	\$ 817.00

and \$817.00 is hereby appropriated and is directed to be transferred to the above referenced line items for the above stated purposes.

**RE: PRESENTATIONS TO THE BOARD**

a. Resolution of Appreciation – Department of Social Services retiring staff member, Belinda Shew – Presentation of Resolution by Anne Mitchell, Social Services Director – Brenda Clements, Social Services Board member, presented the resolution of appreciation to Ms. Shew.

C. T. Redd III moved for a copy of the resolution of appreciation, presented to Ms. Shew, be added to the minutes of the Board of Supervisors of King William County; motion was seconded by T. J. Moskalski and adopted by a unanimous vote.

Chairman Williams thanked Ms. Shew for her service.

KING WILLIAM COUNTY  
BOARD OF SOCIAL SERVICES  
RESOLUTION

WHEREAS, Ms. Shew has served the citizens of the Commonwealth of Virginia for a total of 30 years in the Social Services Departments of Hanover County, Richmond City and has been a faithful, dedicated and motivated member of the King William Social Services staff for 14 of those 30 years; and

WHEREAS, Ms. Shew has provided services to the aged and disabled population, as well as providing services to participants of the VIEW program and the Child Day Care program and children in the foster care system; and

WHEREAS, Ms. Shew has sought solutions for those who are underserved without wanting recognition; and

WHEREAS, Ms. Shew has been diligent in her commitment to the citizens of King William County and to the administration of the King William County Department of Social Services; and

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Social Services expresses its appreciation to Belinda S. Shew for her valuable contributions to the well-being of the citizens of King William County and to the Staff of the King William County Department of Social Services; and

BE IT FURTHER RESOLVED, that a copy of this Resolution expressing the sense of this Board of Social Services on this matter shall be conveyed to Ms. Shew, and shall be spread upon the meeting minutes of said Board of Social Services.

Adopted this 15<sup>th</sup> day of December 2014

Brenda H. Clements, Chair  
Thasia B. Bradley, Vice Chair  
Anita H. Overman  
Charles T. Redd, III  
Mary P. Washington

b. Comprehensive Annual Financial Report – FY14 – Mike Garber, with PBMares – Mr. Garber recognized his staff, Shannon Winslow and Betsy Hedrick, for all of the hard work they have performed on the audit for King William County. He noted an audit committee meeting was held earlier this evening. He said several items were reviewed and discussed during the meeting such as findings and recommendations. He said the County received an unmodified opinion, which is a clean opinion, on financial statements. He offered to answer any questions the Board may have at this time.

Ms. Stone confirmed that the audit committee met and walked through the findings and the management letter by item. In her opinion, the meeting was positive and there are no concerns at this time.

**RE: OLD BUSINESS**

No old business was brought before the Board

**RE: NEW BUSINESS**

a. Public Hearing on Proposed Ordinance #14-08 (Zoning Text Amendment #TXT-13-04) – Proposed Amendment to the Zoning Ordinance, Transportation Corridor Overlay (“TCO”) district

i. Staff Presentation - Director of Community Development, Bret Schardein, gave details of proposed Ordinance #14-08 (Zoning Text Amendment

#TXT-13-04), proposed amendment to the Zoning Ordinance, Transportation Corridor Overlay (“TCO”) district. The details presented covered the history, development, and elements of the draft ordinance. In summary, staff believes these revisions represent the best balance between articulating a clear set of standards to developers while allowing more design flexibility and remove some barriers to development. The revisions will expedite the permitting process for commercial development, eliminate requests for exceptions and should lead to more viable development, reducing vacant properties and encouraging attractive development along the major highway corridors. The Planning Commission, at their November meeting, voted 5 to 1 to recommend approval of the proposed ordinance. Staff recommends approval as well.

ii. Public Comments (3 minutes per individual; 5 minutes if representing an organization or group) - Chairman Williams declared the public hearing open to receive comments on proposed Ordinance #14-08.

There being no persons to appear for or against this matter Chairman Williams closed the public comment period.

iii. Consideration – Ordinance #14-08

Chairman Williams called for any discussion.

Mr. Redd complimented Mr. Schardein on the hard work of the Planning Commission and staff on this project.

S. K. Greenwood moved for approval of Ordinance #14-08 as presented; motion was seconded by T. J. Moskalski.

Ms. Stone thanked Mr. Schardein and his staff, the Planning Commission and community members for their efforts in this project.

Mr. Moskalski also complimented Mr. Schardein on working with the Planning Commission throughout this process and the outstanding job done on this ordinance.

There being no other discussions the following Ordinance #14-08 was adopted by the following roll call vote:

T. S. Stone	Aye
C. T. Redd III	Aye
T. J. Moskalski	Aye
S. K. Greenwood	Aye
O. O. Williams	Nay

ORDINANCE #14-08  
ZONING ORDINANCE TEXT AMENDMENT TXT 13-04

An Ordinance to Amend Chapter 86 – Zoning  
of the King William County Code  
to Amend Sections 86-131 “Zoning districts established,”  
86-291 “Applicability of PUD-M district provisions,”  
86-492 “Projects that require,” 86-493 “Reviews” and  
to Repeal and Replace Division 3 “TCO Transportation Corridor Overlay District” of  
Article IX “Overlay Zoning Districts”  
of Chapter 86 “Zoning” of the Code of the County of King William  
to Revise TCO Requirements

WHEREAS, King William County is permitted to regulate orderly development through its zoning ordinance by the authority granted in the State Code of Virginia Section § 15.2-2280; and

WHEREAS, the King William County Planning Commission conducted a public hearing on October 7, 2014 on the zoning text amendment, and voted unanimously on November 18, 2014 to recommend the Board of Supervisors approve the amendment; and

WHEREAS, after a duly advertised and held public hearing on December 15, 2014, the Board believes it appropriate to amend the King William County Code Chapter 86 as recommended by the Planning Commission,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, that the Board of Supervisors of King William County, Virginia, does this 15<sup>th</sup> day of December, 2014, amend and reenact the following sections of Chapter 86, of the King William County Code to read as follows:

**Sec. 86-131. Zoning districts established.**

In order to regulate and restrict the location and use of buildings and land for trade, industry, residence and other purposes in accordance with the objectives of the comprehensive plan; to regulate and restrict the location, height and size of buildings hereafter erected or structurally altered, the size of yards and other open spaces and the density of population, the following zoning districts are hereby established:

- (1) *Primary zoning districts.* The entire territory under the jurisdiction of the county is hereby classified into one of the following primary zoning districts to be known and cited as indicated:
  - A-C agricultural conservation district
  - R-R rural residential district
  - R-C rural conservation district
  - R-1 suburban residential district
  - B-1 local business district
  - B-2 general business district
  - M industrial district
  
- (2) *Special purpose zoning districts.* In addition to the primary zoning classifications, special purpose zoning districts are established to be known and cited according to the following:
  - PUD planned unit development district
  - HP historic preservation district
  - TCO transportation corridor overlay district
  - RPA resource protection area

RMA resource management area.

Special purpose district regulations supplement, rather than replace, the regulations of the primary zoning districts that otherwise apply to the same land.

**Sec. 86-291. Applicability of PUD-M district provisions.**

(a) The PUD-M district is created as a separate district exclusive of other districts in these regulations. The use, height, and yard requirements shall be determined by the requirements and procedures set forth in this article, and shall prevail over conflicting requirements of other zoning regulations.

(b) Every PUD-M shall be served either by a public water and sewer supply in accordance with the county's policies regarding public utility service or by a central water and sewer system, if public facilities are not available.

(c) The PUD-M may also involve subdivisions of land. Subdivisions of land are subject to the applicable requirements of chapter 66 of this Code, and other development ordinances. Nothing in this article shall exempt an owner from meeting the requirements of such other ordinances; however, the master plan may also serve as the preliminary plat requirements of chapter 66, subdivisions. Accordingly once a master plan has been approved under this article, such application may serve as an approved preliminary subdivision plat under chapter 66

(d) An application for a PUD-M may be accompanied by a preliminary site plan for the commercial areas, which must conform to the site plan requirements of article XVII of this chapter. The plan shall include all of the area to be developed and shall show the proposed development for any and all commercial areas.

(e) The planned unit development zoning district applies only to the special categories of projects described in this subsection, and then only to the specific land upon which such developments are planned and approved pursuant to procedures set forth in this chapter for planned unit developments. Regulations established through the approval of a planned unit development district by the board of supervisors shall have the following characteristics:

- 1) a. They shall supplement and/or modify, but not replace, the regulations of the underlying primary zoning district to the extent approved by the board of supervisors at the time the PUD zoning district is created.
- 2) b. They shall be established for the purpose of approving a specific community development plan as an integral unit within the spirit and intent of the primary zoning district in which it is located and within the development goals in the county's comprehensive plan.
- 3) c. Subsequently, should the project for which the PUD zoning district was established be terminated for any reason, such district may be terminated upon the initiative of the planning commission or board of supervisors and after proper notices and hearings.
- 4) d. In cases where a special purpose zoning district's boundaries are identified and adopted by reference to federal or state maps and associated regulations, such maps and/or regulations adopted by reference shall be considered to be part of the county zoning district map.

**Sec. 86-492. Projects that require.**

Projects that require site plans are as follows:



- (1) Conditional use permits;
- (2) Applications for conditional zoning where buildings, structures or site improvements are included as proffered conditions;
- (3) Multiple-family dwelling and townhouse projects;
- (4) Public and institutional buildings and facilities, including such uses as: churches, schools, hospitals, nursing homes and public buildings and facilities including parks and playgrounds;
- (5) Any use within the TCO district;
- (6) Any use for which a site plan is required under the Chesapeake Bay Preservation Overlay District;
- (7) Planned unit development (PUD).

**Sec. 86-493. Reviews.**

- (a) *Site plan submission.* Unless otherwise provided in another article of this chapter, every site plan required by this article shall be submitted to the zoning administrator who shall take the following actions:
  - (1) Review the plans for conformity with the comprehensive plan and applicable development regulations.
  - (2) Determine whether the site plan requires review by the planning commission, board of supervisors, or both.
  - (3) Place the plan on the agenda of the planning commission and/or the board of supervisors and arrange for public notices as required by law.

For projects which are required to be referred to the planning commission and/or the board of supervisors, the zoning administrator shall prepare an analysis of the plan and a brief report stating whether the site plan is in conformity with applicable plans, regulations and policies of the county. This report shall be submitted to the planning commission, through the director of planning who may make additional analysis and recommendations concerning whether the proposed site plan is consistent with the county's comprehensive plan and general development policies. Either the zoning administrator's or the director of planning's report may recommend actions that would enable the plan to meet county requirements, should it not meet such requirements as submitted.

- (b) *Plans requiring actions of the planning commission.* The commission is required to review and make a recommendation to the board of supervisors on site plans associated with the following:
  - (1) Applications that require a change of zoning classification.
  - (2) Applications for conditional use permits.
- (c) *Plans requiring actions of the board of supervisors.* The board of supervisors is required to review site plans associated with the following:
  - (1) Applications that require a change of zoning classification.
  - (2) Applications for conditional use permits.

**DIVISION 3. – TCO TRANSPORTATION CORRIDOR OVERLAY DISTRICT**

- Section 86-371 – Purpose of district
- Section 86-372 – Establishment
- Section 86-373 – Boundaries
- Section 86-374 – Applicability
- Section 86-375 – Permitted uses
- Section 86-376 – Standards of development
- Sections 86-377-400 – Reserved

**Sec. 86-371. - Purpose of district.**

- (1) The purpose of this division is to create a special overlay zoning district to be known as the transportation corridor overlay (TCO) district as part of the zoning regulations of the county. It is the intent of the TCO district to provide for the orderly development of properties along primary highway frontages within the county, to

- reduce or prevent congestion in the public streets, provide convenience of access and to facilitate the creation of a convenient, attractive and harmonious community.
- (2) The TCO district shall be in addition to and shall overlay all other zoning districts so that any parcel of land lying in the district shall also lie in one or more of the other zoning districts provided for by this chapter. All other district regulations that apply to such zoning district map shall apply to the TCO district unless modified by this division.
  - (3) The following sections of this division establish regulations and guidelines for the construction, reconstruction and use of land and structures within the TCO. The regulations of the TCO supplement, modify, extend and/or restrict the regulations in other parts of this chapter. Whenever a conflict occurs between the regulations or guidelines in this chapter and other chapters of the King William County Code, the stricter or more stringent standard shall apply.

**Sec. 86-372. - Establishment.**

For the purposes enumerated in section 86-371, a special overlay zoning district is hereby established to be known as the transportation corridor overlay (TCO) district.

**Sec. 86-373. - Boundaries.**

The boundaries of the TCO district are hereby established on the county's zoning district map and made a part of the applicable regulations for all properties shown on the zoning district map. The TCO district boundaries are defined as follows:

- (1) *Route 360.* Properties with frontage on Route 360 for its entire length through the county and extending 750 feet on either side from the centerline of such highway or to the depth of the property, whichever is less; and
- (2) *Route 30.* Properties with frontage on Route 30, for its entire length through the county and extending 500 feet on either side from the centerline of Route 30, or to the depth of the property, whichever is less.

**Sec. 86-374. - Applicability.**

Regulations in the TCO district shall apply to all sites developed, redeveloped or expanded after the establishment of the district. The district shall not apply to those sites developed prior to its establishment, unless there is an expansion of floor area in excess of a cumulative total of 50 percent or 5,000 square feet, whichever is less. A one-time expansion consisting of 1,200 square feet or less of additional floor area shall be exempt from the requirements of the TCO district.

**Sec. 86-375. - Permitted uses.**

Permitted uses in the TCO district are uses permitted in the underlying primary zoning.

**Sec. 86-376. – Standards of development.**

All applications for development or redevelopment in the TCO district except those exempted by Sec. 86-374 must satisfy the following standards as well as applicable provisions of article XI of this chapter (Site Plans).

- a. *Frontage landscape buffer.* Along the property's border on Route 360 or Route 30, a buffer shall be provided as follows:
  1. A landscape buffer of at least 10' in width shall be landscaped with at least one deciduous tree, at least two inches in caliper measured six inches from the ground when planted, with branching no closer than five feet to the ground, or one evergreen tree, at least six feet in height when planted, for each 50 feet of lineal frontage; as well as at least one shrub, at least 18 inches in spread when planted, for each 30 feet of lineal frontage, planted and maintained at 24 inches in height or lower; and other ground cover reasonably dispersed throughout the buffer.

2. Vegetation planted in the buffer shall be of a type and/or positioned so as to not interfere with overhead or underground utility lines when fully grown.
  3. All landscaping shall be installed in accord with good horticultural practices. The owner of the property shall be responsible for the maintenance, repair, and replacement of all required landscaping materials. All plant materials shall be maintained in a healthy, growing condition and free from refuse and debris at all times. All unhealthy, dying or dead plant materials shall be replaced during the next planting season.
  4. The buffer shall adhere to all sight distance requirements as determined by the Virginia Department of Transportation.
  5. An additional buffer of 10' along the property's frontage shall be preserved for future road or pedestrian improvements.
- b. *Side and rear buffers.* Buffers fifteen feet in width shall be provided in the side and rear yards of properties zoned B-1, B-2 or M that adjoin properties zoned A-C, R-R, R-C or R-1. Screening shall be comprised of either an opaque fence at least six feet in height or trees at least six feet in height at the time of planting which shall be placed eight feet on center, in two rows six feet apart. Side and rear yard buffers need not be located on the property line, but shall be located in between any primary structures, accessory structures or parking areas on the B-1, B-2 or M property.
  - c. *Screening.* When viewed from ground level at the property line, there shall be effective structural and/or vegetative screening of all heating and air conditioning units, ventilation units, loading docks, recycling containers, trash containers, grease containers and mechanical or electrical equipment. Loading docks shall be provided at the side or rear only. All outside storage shall be located only in the rear or side yard, and shall be screened from view at the property line from a public road or adjoining A-C, R-R, R-C or R-1. Access to all grease containers, recycling containers and trash containers and other outside storage shall be through gates capable of closure when not in use. All gates shall be closed when not in use.
  - d. *Installation of landscaping.* Required landscaping shall be installed prior to the issuance of a Certificate of Occupancy. When the planting of landscaping is in conflict with the planting season, a Certificate of Occupancy may be issued subject to the owner or developer providing surety in an amount approved by the Zoning Administrator for any remaining plantings. The owner or developer shall provide a development agreement which sets a deadline by which the plantings will be installed to be approved by the Zoning Administrator. The surety and agreement must both be in a form approved by the County Attorney.
  - e. *Access.* Each B-1, B-2 or M development site shall be limited to one point of access for every 500 feet of frontage on Route 360 or Route 30. Parking areas shall be arranged to the extent feasible so that circulation among or between various businesses can be accomplished without reentering a primary public highway. A-C, R-R, R-C or R-1 parcels subdivided after the effective date of this section shall be required to share a single entrance on Route 360 or Route 30.
  - f. *Building exteriors.* Building exteriors visible from Route 30 or Route 360 shall not consist of metal, plywood or T-111 siding. Trim and fascia may consist of metal, but shall not account for more than 10% of the total façade area.
  - g. *Roofs.* Roofing materials shall consist of wood, tin, copper, slate, terra cotta, standing seam metal or dimensional fiberglass shingles. Pitched roofs shall be provided wherever practicable, and any flat

roof shall have a parapet wall to screen from view at ground level at the property line the flat roof and any roof mounted equipment.

- h. *Architectural.* All principal buildings within a single development project shall have a complementary architectural appearance with the use of similar building materials, scale, color and other architectural features.
- i. *Signs.* All business identification signs shall be either ground mounted or building mounted with ground-mounted signs not to exceed 15 feet in height for individual businesses and 20 feet in height for businesses with multiple tenants. Pole signs shall be prohibited. Electronic or digital signage shall be equipped with a device to automatically dim the brightness during night or low-light conditions.
- j. *Lighting.* Any on-site lighting shall be "shoe-box" style lighting fixtures, or equivalent, to conceal the lighting source and minimize spillover or glare on adjoining properties. Any lighting used under canopies shall be recessed to minimize glare. Lighting shall be reduced to no more than a security level following close of daily operations.
- k. *Underground utilities.* Utility lines including, but not limited to, electric, CATV, and telephone, shall be placed underground. This requirement applies to lines serving individual sites within the development as well as utility lines providing service to the development. Existing overhead utility lines may be extended to a terminal pole at the property line, as needed, and thence placed underground.

**Secs. 86-377 to 86-400. - Reserved.**

b. Resolution #14-89 – State Budget Reductions – Impact on King William County – Mr. Stuck addressed the Board and said as they have been aware for several months now, the State was going to reduce some State funding to the County in this current fiscal year. He stated the reduction amount for King William County is \$19,787. He briefly explained his proposed recommendations for the reductions. He said all affected agencies have been notified of these proposed reductions.

Ms. Stone stated she has reviewed the information and feels this proposal is a very reasonable approach. She proposed adjusting the stated amount for the Treasurer's office to the State recommendation and offset the adjustment with the State recordation taxes.

Mr. Moskalski agreed with the recommended change proposed by Ms. Stone.

Mr. Williams asked for clarification of how the Board can pick and choose which to reduce.

Mr. Redd clarified the funds reduced from the Treasurer's office goes towards mailing past due tax bills and those collections generate income for the County.

Mr. Moskalski agrees with Mr. Redd and added that the Treasurer is the only Constitutional Officer that raised concerns on this matter.

Ms. Stone added that Mr. Stuck notified the interested parties in advance to give them the opportunity to address concerns with the Board.

Mr. Stuck clarified the proposed reduced amount for the Treasurer's office and the proposed additional amount to be added to recordation taxes with Ms. Stone.

T. S. Stone moved for approval of Resolution #14-89(R); motion was seconded by T. J. Moskalski and approved by the following roll call vote:

C. T. Redd III	Aye
T. J. Moskalski	Aye
S. K. Greenwood	Aye
T. S. Stone	Aye
O. O. Williams	Nay

RESOLUTION #14-89(R)  
BUDGET AMENDMENT – STATE BUDGET  
REDUCTION – IMPACT ON KING WILLIAM COUNTY

WHEREAS, the Board of Supervisors approved the FY2015 budget of \$62,934,228 by Resolution #14-24 on April 28, 2014; and

WHEREAS, the General Assembly passed HB5010 on November 10, 2014 to reduce state aid to localities by \$30 million; and

WHEREAS, the Virginia Department of Planning and Budget has stated that King William County's portion of the reduction is \$19,787; and

WHEREAS, County Administration provided a recommendation that allocates the reduction with the least amount of impact to the citizens of King William County,

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of King William County hereby reduces revenue expectations and corresponding appropriations as follows:

REVENUE:

State Categorical Aid	(10,345)
State Recordation Taxes	<u>( 9,442)</u>
	(19,787)

EXPENDITURES:

Voter Registration	( 629)
Board of Elections	( 3,652)
Commissioner of Revenue	( 1,200)
Treasurer	( 266)
Commonwealth's Attorney	( 789)
Clerk of the Courts	<u>( 3,809)</u>
	(10,345)

c. Resolution #14-94 – A Resolution in Support of House Bill HB 1364 Industrial Wastes, Fees for Testing and Monitoring of Land Application – Ms. Stone introduced proposed Resolution #14-94 for consideration. She stated several have been contacted by Delegate Chris Peace asking for support in some of his introduced

legislation. Particularly, House Bill 1364, which proposes to enable localities to adopt local testing and monitoring programs for industrial residuals consistent with the existing local monitoring options permitted for the land application of biosolids.

T. S. Stone moved for approval of Resolution #14-94; motion was seconded by T. J. Moskalski and approved by the following roll call vote:

T. J. Moskalski	Aye
S. K. Greenwood	Aye
T. S. Stone	Aye
C. T. Redd III	Aye
O. O. Williams	Aye

RESOLUTION #14-94  
A RESOLUTION IN SUPPORT  
OF HOUSE BILL HB 1364  
INDUSTRIAL WASTES; FEES FOR TESTING AND  
MONITORING OF LAND APPLICATION

WHEREAS, King William County has a proud tradition of agriculture and silviculture that is as old as the County itself; and

WHEREAS, King William County has a natural environment, including its streams, tributaries, wetlands and rivers, that is a public benefit to citizens of the County and the Commonwealth of Virginia alike; and

WHEREAS, the land application of industrial residuals, without proper testing and monitoring, poses a threat to the public health and welfare of its citizens, as well as the natural environment; and

WHEREAS, localities are not permitted to carry out testing or monitoring of industrial residuals; and

WHEREAS, the Commonwealth does not have a fee structure in place to fund the testing and monitoring of industrial residuals; and

WHEREAS, House Bill HB 1364 “the Bill” proposes to enable localities to adopt local testing and monitoring programs for industrial residuals, consistent with the existing local monitoring options permitted for the land application of biosolids; and

WHEREAS, the Bill proposes a fee structure be developed for reimbursement to localities for testing and monitoring activities, consistent with existing fees and reimbursements for biosolids,

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors supports HB 1364 and hereby urges members of the Virginia General Assembly to pass the Bill; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the King William County Board of Supervisors requests members of the State Water Control Board and the Department of Environmental Quality develop options for local testing and monitoring of industrial residuals which supplements State and Federal regulations; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the King William County Board of Supervisors requests members of the State Water Control Board and the Department of Environmental Quality develop a fee and reimbursement structure which fully funds local testing and monitoring programs and does not place a financial burden on localities.

**RE: ADMINISTRATIVE MATTERS – DANIEL M. STUCK, INTERIM**

**COUNTY ADMINISTRATOR** – Mr. Stuck stated he received a phone call from Mr. Scott Haley, with DEQ, late this afternoon to inform the County that biosolids permits up for renewal will be issued tomorrow; these are existing permits that are being updated to current regulations.

He said the reassessment has been completed and submitted to the State. We are at the point where the Board of Equalization will hold hearings; the assessor completed hearings last week. He said citizens who have concerns about their reassessment need to file an application with the Board of Equalization by January 23<sup>rd</sup>; this is the deadline. He noted applications are available online or they can be picked up at the Administration Building. He expects the Circuit Court Judge to sign the order appointing the BOE members this week.

He updated the Board on the deed of easement to the McKendree Church well nest and noted the deed has been completed and recorded. He said he appreciates Mr. Eugene Campbell's assistance with this project.

Continuing, he said staff met with RCI representatives and their attorneys, regarding the situation up at Central Garage and the water and sewer system, a couple of weeks ago. He stated the meeting was very positive and feels it is possible to come up with some sort of solution to resolve contract issues and to move on. He said he will apprise the Board of any new developments.

In closing, he gave updates on the sewage disposal problems at the Animal Shelter, the Courthouse tower project, and the McCauley well project.

**RE: APPOINTMENTS**

a. Resolution #14-90 – Appointment to the Historical Preservation & Architectural Review Board – appointing Mr. John Freimarck to an unexpired term ending June 30, 2019, was approved by the following roll call vote:

S. K. Greenwood	Aye
T. S. Stone	Aye
C. T. Redd III	Aye
T. J. Moskalski	Aye
O. O. Williams	Aye

RESOLUTION #14-90  
Resolution of Appointment  
King William County  
Historic Preservation and Architectural Review Board

WHEREAS, it is necessary for the Board of Supervisors of King William County to appoint one member to the King William County Historic Preservation and Architectural Review Board to fill an unexpired term; and

WHEREAS, Mr. John Freimarck has expressed interest in appointment to this Board,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of King William County, Virginia, that John Freimarck, is hereby appointed to serve as a member of the King William County Historic Preservation and Architectural Review Board, for an unexpired term ending June 30, 2019.

b. Resolution #14-91 – Authorizing the Fire Marshal of King William County to Appoint Assistants, was approved by the following roll call vote:

T. S. Stone	Aye
C. T. Redd III	Aye
T. J. Moskalski	Aye
S. K. Greenwood	Aye
O. O. Williams	Aye

RESOLUTION #14-91  
A RESOLUTION AUTHORIZING  
THE FIRE MARSHAL OF KING WILLIAM COUNTY  
TO APPOINT ASSISTANTS

WHEREAS, the Board of Supervisors of King William County appointed Christopher L. Bruce to serve King William County as its Fire Marshal by Resolution #14-74 on October 27, 2014; and

WHEREAS, Code of Virginia § 27-36 provides that the governing body of a county, or its designee, may appoint one or more assistants, who, in the absence of the fire marshal, shall have the powers and perform the duties of the fire marshal,

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of King William County hereby gives the Fire Marshal the authority to appoint one or more assistants in order to perform the duties in his absence.

c. Resolution #14-92 – Appointment of Board of Supervisor member, Otto O. Williams, to serve the King William County Planning Commission for a one year term to begin January 1, 2015 and end December 31, 2015, was approved by the following roll call vote:

C. T. Redd III	Aye
T. J. Moskalski	Aye
S. K. Greenwood	Aye
T. S. Stone	Aye
O. O. Williams	Aye

RESOLUTION #14-92  
Appointment of Board of Supervisor Member  
to the King William County  
Planning Commission



WHEREAS, the term of Otto O. Williams, the Board of Supervisor representative, serving on the King William County Planning Commission, expires on December 31, 2014,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of King William County, Virginia, that Otto O. Williams, Board of Supervisor representative, is hereby appointed to serve the King William County Planning Commission, for a term of one year, with said term to begin January 1, 2015 and to expire December 31, 2015.

d. Resolution #14-95 – Appointments to the Economic Development Authority – appointing Christopher C. Couch to a vacated term ending June 30, 2016 and appointing Benjamin Schumaker to an unexpired term ending June 30, 2017, was approved by the following roll call vote:

T. J. Moskalski	Aye
S. K. Greenwood	Aye
T. S. Stone	Aye
C. T. Redd III	Aye
O. O. Williams	Aye

RESOLUTION #14-95  
Resolution of Appointment  
King William County  
Economic Development Authority

WHEREAS, it is necessary for the Board of Supervisors of King William County to appoint members to the King William County Economic Development Authority to fill unexpired terms; and

WHEREAS, Mr. Christopher C. Couch and Mr. Benjamin Shumaker have expressed interest in appointment to this Authority,

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of King William County, Virginia, hereby appoints Benjamin Shumaker, to serve as a member of the King William County Economic Development Authority, for an unexpired term ending June 30, 2017.

BE IT FURTHER RESOLVED, the Board of Supervisors of King William County, Virginia, hereby appoints Christopher C. Couch, to serve as a member of the King William County Economic Development Authority, for a vacated term ending June 30, 2016.

**RE: BOARD OF SUPERVISORS COMMENTS**

Chairman Williams opened the Board of Supervisors comment period.

All Board members thanked citizens for attending and participating in the monthly meetings. They also wished everyone a Merry Christmas and Happy New Year.

Mr. Greenwood thanked Mr. Schardein for all his hard work on the TCO ordinance.

Mr. Redd reminded everyone of the deadline for filing an application for a reassessment hearing before the Board of Equalization is January 23, 2015.

Ms. Stone also encouraged everyone to file an application with the Board of Equalization if they have any concerns with their reassessment.

Mr. Williams thanked everyone for their support while he has chaired this Board in 2014; he feels it has been an exciting and wonderful year.

**RE: CLOSED SESSION**

Motion was made by C. T. Redd III, seconded by T. J. Moskalski, that the Board enter Closed Meeting pursuant to § 2.2-3711(A)(1) of the Code of Virginia, to consider a personnel matter involving the performance of a specific public employee.

Those members voting on roll call:

S. K. Greenwood	Aye
T. S. Stone	Aye
C. T. Redd III	Aye
T. J. Moskalski	Aye
O. O. Williams	Aye

Having completed the Closed Meeting, Chairman Williams called the meeting back to order in open session.

Chairman Williams called for a motion to approve Standing Resolution 1 (SR-1).

In accordance with Section 2.2-3717(D) of the Code of Virginia, 1950, as amended, C. T. Redd III moved that the King William County Board of Supervisors adopt the following SR-1 resolution certifying that the closed meeting was conducted in conformity with the requirements of the Virginia Freedom of Information Act; motion was seconded by S. K. Greenwood.

Chairman Williams announced the motion was properly moved and properly seconded; he called for any discussion. There being no discussion among Board members the SR-1 was adopted by a unanimous vote.

**STANDING RESOLUTION – 1 (SR-1):**

**A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT REGARDING MEETING IN CLOSED MEETING**

WHEREAS, the King William County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and,

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the King William County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law,

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors on this 15<sup>th</sup> day of December, 2014, hereby certifies that, to the best of each member's knowledge:

1. Only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were heard, discussed, or considered in the closed meeting to which this certification resolution applies, by the King William County Board of Supervisors.
2. Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the King William County Board of Supervisors.

**RE: RECESS OF MEETING**

Chairman Williams recessed the meeting at 9:27 p.m. until Monday, January 5, 2015, at 7:00 p.m. when the Board will reconvene and then enter a closed session in the Conference Room of the County Administration Building located at 180 Horse Landing Road, King William, VA.

COPY TESTE:

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Otto O. Williams, Chairman  
Board of Supervisors

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Bobbi L. Langston  
Deputy Clerk of the Board