

**MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
MEETING OF MARCH 24, 2014**

At a regularly scheduled meeting of the Board of Supervisors of King William County, Virginia, held on the 24th day of March, 2014, beginning at 7:00 p.m. in the Conference Room of the County Administration Building, order was called with the following present:

O. O. Williams, Chairman
T. S. Stone, Vice-Chairman
C. T. Redd III - Absent
T. J. Moskalski
S. K. Greenwood

T. L. Funkhouser, County Administrator
D. M. Stuck, County Attorney

RE: CALL TO ORDER

Chairman O. O. Williams called the Board of Supervisors meeting to order at 7:00 p.m.

RE: CLOSED MEETING

Motion was made by T. S. Stone, to convene in a Closed Meeting in accordance with § 2.2-3711(A)(7), of the Code of Virginia, to consult with legal counsel on a specific legal matter requiring the provision of legal advice regarding the execution of documents for tax exempt lease financing presented as agenda item 11a – Resolution #14-16 and Resolution #14-17 – Authorization of the County Administrator to Execute Documents for Tax Exempt Lease Financing for Engine 1 and Tanker 1 of the King William Volunteer Fire Department. The motion was seconded by T. J. Moskalski, with the following roll call vote:

Those members voting:

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

Upon completion of the Closed Meeting, Chairman Williams reconvened the meeting in open session. Chairman Williams called for a motion and roll call vote certifying the closed session.

On motion of T. S. Stone, seconded by S. K. Greenwood, the following resolution was adopted:

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 2.2-3712(D) 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 this the 24th day of March, 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.

Those members voting:

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

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

RE: ADOPTION OF MEETING AGENDA

On motion by T. S. Stone, seconded by T. J. Moskalski, with the following roll call vote, the Board adopted the agenda for this meeting as presented by the County Administrator, with the following change: item 11a – Resolution #14-16 and Resolution

#14-17 – Authorization of the County Administrator to Execute Documents for Tax Exempt Lease Financing for Engine 1 and Tanker 1 of the King William Volunteer Fire Department was removed from the agenda; the remaining agenda items were renumbered accordingly.

Those members voting:

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

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

RE: CONSENT AGENDA

On motion by T. J. Moskalski, seconded by T. S. Stone, with the following roll call vote, the Board approved the following items on its Consent Agenda:

- a. Minutes:
 - i. Regular meeting of February 24, 2014
 - ii. Joint Budget Work Session with King William County Schools of March 13, 2014
- b. Claims against the County for the month of March, 2014, in the amount of \$808,162.54 as follows:
 - (1) General Fund Warrants #79090-79127 in the amount of \$27,689.12; and ACH Direct Payments #4749-4810 in the amount of \$73,841.94; and General Fund Warrants #79128-79172 in the amount of \$213,055.51; ACH Direct Payments #4811-4849 in the amount of \$110,681.08; Direct Deposits #19159-19268 in the amount of \$185,364.02; and Electronic Tax Payment in the amount of \$74,092.37 for March, 2014.
 - (2) For informational purposes, Social Services expenditures for the month of February, 2014, Warrants #310008-310037 in the amount of \$31,402.48;

ACH Direct Payments #1116-1139 in the amount of \$11,634.34; Direct Deposits #3182-3199 in the amount of \$30,782.93; and Electronic Tax Payment in the amount of \$12,008.60.

(3) For informational purposes, Comprehensive Services Act Fund expenditures for the month of February, 2014, Warrants #79088-79089 in the amount of \$19,753.66; and ACH Direct Payments #4747-4748 in the amount of \$15,412.81.

(4) Tax Refunds for the month of March, 2014, in the amount of \$2,443.68.

c. Resolution #14-15 – Grant Acceptance – EMS Laptops; was approved.

Those members voting:

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

RE: PRESENTATIONS TO THE BOARD

There were no presentations to the Board.

RE: OLD BUSINESS

No old business was brought before the Board.

RE: NEW BUSINESS

a. Resolution #14-18 – Budget Amendment – King William County Capital Improvement Plan, Acceptance of State Grant Funds and Appropriation for E-911 System Replacement – FY14 – the County Administrator explained Resolution #14-18 is before the Board for consideration to authorize the acceptance of state grant funds and creation of a capital project to pursue E-911 system replacement options. He noted the Sheriff's office was notified in August 2013, by Verizon, that certain E-911 system equipment was reaching end of life and would no longer be supported by Verizon maintenance contracts; this information was presented to the Board at that time by the Sheriff. He said Staff will proceed with defining a more specific request for proposals to bring back to the Board for future consideration.

T. J. Moskalski moved approval of Resolution #14-18; motion was seconded by S. K. Greenwood. The following Resolution #14-18 Budget Amendment King William County Capital Improvement Plan, Acceptance of State Grant Funds and

Appropriation for E-911 System Replacement – FY14; was approved with the following roll call vote:

**RESOLUTION # 14-18
BUDGET AMENDMENT
KING WILLIAM COUNTY CAPITAL IMPROVEMENT PLAN,
ACCEPTANCE OF STATE GRANT FUNDS AND APPROPRIATION FOR
E-911 SYSTEM REPLACEMENT - FY14**

WHEREAS, the Board of Supervisors wishes to amend the FY 13-14 County Budget to provide funds to the Capital Improvement Plan for the purposes of replacing the E-911 system (VESTA) at an estimated cost of up to \$300,000; and

WHEREAS, the current E-911 system (VESTA) has approached end of life and annual maintenance will no longer be available after June 30, 2014 from Verizon for its proprietary VESTA; and

WHEREAS, the Board of Supervisors was advised by the King William County Sheriff on August 27, 2013 of the urgent need to replace this portion of the E-911 system and the potential expense associated with this project and such notice was provided to the Board as promptly as practicable given the unexpected notice from Verizon; and

WHEREAS, proprietary equipment of Verizon is no longer required and County staff has been working with the King William County Sheriff's office to determine equipment specifications and related items to enable the County to pursue procurement that will, hopefully, result in lower costs than those identified by Verizon to date; and

WHEREAS, the Commonwealth of Virginia has an E-911 Services Board that offers Public Safety Answering Point (PSAP) grant funds to assist localities with funding the improvement and/or replacement of Customer Premises Equipment (CPE) and the King William County Sheriff applied to that Board for financial assistance using such grant funds and the County will also pursue other possible sources of financial assistance for this project; and

WHEREAS, the County has been awarded \$150,000 from the FY 15 PSAP Grant Program for a CPE project (Grant ID 026) and funding will be available for payment reimbursement beginning July 1, 2014; and

WHEREAS, no local cash match is required for the PSAP grant, but total system replacement cost could be \$200,000 to \$350,000 depending on final project specifications and procurement and selection of a vendor and, therefore, future additional local funding will be required prior to final procurement; and

WHEREAS, establishing a Capital Improvement Plan project is required to provide a basis for accepting grant funds and authorizing staff to proceed with potential procurement should the Board of Supervisors choose to replace the E-911 system as contemplated at this time,

NOW, THEREFORE BE IT RESOLVED, the Board of Supervisors of King William County hereby accepts the PSAP grant (Grant ID 026) for a CPE project and hereby amends the FY 13-14 County Budget to establish the following revenue, expenditure, and corresponding project budgets:

REVENUE:	Proceeds from Commonwealth	\$ 150,000
EXPENDITURE:	E-911 System Replacement	\$ 150,000

and \$150,000 is hereby appropriated and is directed to be transferred to the above-referenced line items for the above-stated purposes.

Those members voting:

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

b. Resolution #14-19 – A Resolution Encouraging the Governor of Virginia and the Virginia General Assembly to Pass a Clean Budget in a Timely Manner – the County Administrator stated Delegates Peace and Hodges have requested consideration of Resolution #14-19 by the governing bodies of the localities of their respective districts. He noted the resolution essentially asked the General Assembly to pass what is referred to as a clean budget. Delegates Peace and Hodges are referring to decoupling budget discussions from any expansion of Medicare/Medicaid.

T. S. Stone moved for approval of Resolution #14-19; motion was seconded by Chairman O. O. Williams.

Discussion:

T. J. Moskalski stated for every day the General Assembly refuses a budget that includes expansion of the Medicaid program five million dollars is lost that would otherwise be used by the state to expand coverage to 400,000 Virginians that are otherwise dependent on emergency room care. He encourages a no vote on Resolution #14-19.

T. S. Stone suggested that the information provided by Mr. Moskalski is based on an assumption that the federal government is going to put in their share of over 90%; as we have seen with sequestration and other things that can happen with the federal government that can certainly change in the future. She said it is very difficult on local governments, since they rely on the state budget in order to pass their budget and know what to expect. She stated 8 or 9 years ago local governments were very close to July 1st before approving budgets and was up in arms in terms of what they were going to do with constitutional officers and school funding; there was a great uncertainty of what to do with local government budgets. She stated from this perspective she supports having a clean budget and separating the two issues; let them both be considered based upon their merits.

Upon the completion of discussions Resolution #14-19 – A Resolution Encouraging the Governor of Virginia and the Virginia General Assembly to Pass a Clean Budget in a Timely Manner was defeated with the following roll call vote:

Those members voting:

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

**RE: ADMINISTRATIVE MATTERS – TRENTON L. FUNKHOUSER,
COUNTY ADMINISTRATOR**

Mr. Funkhouser noted he received a phone call recently from a resident on Upshaw Road with complaints of trash, particularly beer bottles and things of that nature, along the roadway. He said these are difficult enforcement issues. He stated his plans are to discuss with the Sheriff and make a visit to the area to see what can be done.

He also noted he was made aware of a noise issue today; and will follow up with the Sheriff as this matter as well. He added noise ordinances are particularly problematic in terms of their development and enforcement.

Chairman Williams asked for an update on Transportation Corridor Overlay (TCO) ordinance information.

The County Administrator stated he recently sent an email to Board members on this matter but has not received a consensus on how to proceed. He said the issue is relatively straight forward; if the Board would like to proceed with the Planning Commission's recommendations. He said the County Attorney has seen the proposed changes but has not taken any action. He feels additional work needs to be done to capture the essence of what the commission was intending to accomplish. Proposed information can be put in legal form for Board consideration. He noted it might be better to repeal the ordinance and then work on any issues related to the TCO the Board feels needs to be added into portions of the ordinance.

Chairman Williams asked for clarification if a public hearing is required for this matter.

The County Administrator stated a public hearing is required to repeal the current TCO ordinance. He asked if the consensus of the Board is to direct Staff to proceed in that direction and then follow up with the Planning Commission.

Chairman Williams asked if the consensus of the Board is to move forward with procedures to repeal the TCO ordinance.

Mr. Moskalski feels this warrants further conversation with the County Attorney for a better understanding before he consents to either option.

Mrs. Stone suggested adding as an agenda item for discussion next month.

By consensus of the Board discussion of the TCO ordinance options will be added to the agenda for the regular monthly meeting of April 28, 2014.

Mrs. Stone noted item 11a, Resolution #14-16 and Resolution #14-17 – Authorization of the County Administrator to Execute Documents for Tax Exempt Lease Financing for Engine 1 and Tanker 1 of the King William Volunteer Fire Department was removed from the agenda. She suggested two Board members meet with EVB Staff on this topic to gather more information. Mrs. Stone and Chairman

Williams volunteered to participate in a meeting; Mr. Moskalski volunteered as an alternate if needed.

By consensus of the Board, County Staff was directed to schedule a meeting with EVB Staff to discuss this matter as soon as possible.

RE: CLOSED SESSION

Motion was made by T. S. Stone, to convene in a Closed Meeting in accordance with § 2.2-3711(A)(7), of the Code of Virginia, to consult with legal counsel on a specific legal matter requiring the provision of legal advice involving the Land Use Program in King William County; and in accordance with Section 2.2-3711(A)(1) of the code of Virginia, to consider a personnel matter involving the employment of a specific individual as Director of Parks & Recreation. The motion was seconded by T. J. Moskalski, with the following roll call vote:

Those members voting:

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

The Board recessed and moved to the Administration Conference Room of the County Administration Building to conduct the closed meeting. Upon exiting the Closed Meeting, Chairman Williams reconvened the meeting in open session. Chairman Williams called for a motion and roll call vote certifying the closed session.

On motion of T. J. Moskalski, seconded by T. S. Stone, the following resolution was adopted:

STANDING RESOLUTION -1 (SR-1)

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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.

Those members voting:

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

T. J. Moskalski stated by consensus of the Board the County Administrator is authorized to establish and fill a management position in the Parks & Recreation Department. He also stated by consensus of the Board the County Attorney is directed to review and update the existing land use assessment ordinance. He noted no votes were taken on these matters; simply directives to Staff.

RE: APPOINTMENTS

There were no appointments considered.

RE: BOARD OF SUPERVISORS COMMENTS

Chairman Williams opened the Board of Supervisors comment period.

Mrs. Stone noted Mr. Redd was not present at the meeting because he is in the hospital due to surgery. She reminded everyone of the budget work session this Saturday, March 29, 2014 at 8:30 a.m.

Mr. Moskalski noted the King William Democratic Committee will be conducting a meeting on April 8th, beginning at 7:00 p.m. in the Board meeting room of the Administration Building. He stated members of the Sierra Club will be in attendance at the meeting with a presentation on biosolids and its implications for applications, not only in King William County but surrounding counties as well. He also mentioned the following night, April 9th; the Department of Environmental Quality (DEQ) will conduct a public hearing on biosolids at the same location.

Mr. Greenwood also invited citizens to attend the budget meeting on Saturday, March 29th beginning at 8:30 a.m.

Mr. Williams thanked everyone for attending the Board meeting and for their participation.

RE: RECESS OF MEETING

There being no other business to come before this Board the meeting was recessed at 8:45 p.m. The Chairman announced the Board of Supervisors will reconvene on Saturday, March 29, 2014, at 8:30 a.m., to conduct the rescheduled work session to consider the draft budget; said meeting will be held in the Board Meeting room of the Administration Building located at 180 Horse Landing Road, King William, Virginia.

COPY TESTE:

O. O. Williams, Chairman
Board of Supervisors

T. L. Funkhouser,
County Administrator
Clerk of the Board