

**MINUTES  
KING WILLIAM COUNTY  
BOARD OF SUPERVISORS  
MEETING OF OCTOBER 23, 2017**

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 23<sup>rd</sup> day of October, 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	Absent
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 Greenwood arrived at 7:03 p.m.

Supervisor Hodges moved for the adoption of the agenda for this meeting as presented by the County Administrator; motion was seconded by Supervisor Ehrhart.

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. Mr. Charles Richards, of District 3, stated his support for having a paid Fire and EMS Department.
2. Mr. Gene Campbell, of District 2, stated his support for having a paid Fire and EMS Department.
3. Mr. Don Wagner, of District 4, stated his support for having a paid Fire and EMS Department.
4. Ms. Jennifer Shelton stated her support for having a paid Fire and EMS Department.
5. Mr. Chris Hubbard, of District 4, stated his support for having a paid Fire and EMS Department.
6. Mr. Martin Darby, of District 4, stated his support for having a paid Fire and EMS Department.
7. Mr. Jeff Walton, Sheriff of King William County, stated his support for having a paid Fire and EMS Department.
8. Mr. Benjamin Shumaker, of District 4, stated his support for having a paid Fire and EMS Department.
9. Ms. Tori Rowsey, of District 5, stated her concerns for the Board of Supervisors, county staff, and county citizens.
10. Ms. Whitney Lipscomb, representing the Citizens for a Better King William, stated her concerns for our Board of Supervisors and expressed her support for having a paid Fire and EMS Department.

11. Ms. Jeanette Wagner, of District 5, stated her support for having a paid Fire and EMS Department.

12. Ms. Kristy Martel, of District 5, stated her support for having a paid Fire and EMS Department.

**RE: CONSENT AGENDA**

Supervisor Ehrhart stated he would like County Chief of Fire & EMS Andy Aigner's presentation from the October work session to be included with the Minutes of that work session.

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. Update on King William County Public Schools**

Dr. David White, School Superintendent, presented recent activities King William Schools have partaken in including photos from pep rallies and updated enrollment numbers.

**RE: OLD BUSINESS**

No old business was brought before the Board.

**RE: NEW BUSINESS**

**a. Public Hearing and Consideration of Adoption of Ordinance 20-17 to Amend the King William County Code, Chapter 70, Taxation, Article II. Real Property Tax, Division 2. Special Assessment for Land Preservation, Section 70-72, To Alter Application and Revalidation Requirements, and to impose Late Application and Revalidation Fees**

Mr. Dan Stuck, County Attorney, noted changes made including now allowing late applications to be filed and late fees to be issued.

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, Ordinance 20-17 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 20-17**

### **AN ORDINANCE TO AMEND THE KING WILLIAM COUNTY CODE, CHAPTER 70. TAXATION, ARTICLE II. REAL PROPERTY TAX, DIVISION 2. SPECIAL ASSESSMENT FOR LAND PRESERVATION, SECTION 70-72, TO ALTER APPLICATION AND REVALIDATION REQUIREMENTS, AND TO IMPOSE LATE APPLICATION AND REVALIDATION FEES.**

**WHEREAS**, pursuant to the Virginia Code Section 58.1-3231 the King William County Board of Supervisors is authorized to adopt an ordinance to provide for a program of use value assessment and taxation of certain qualifying real estate; and

**WHEREAS**, the County has had such a program in effect since at least 1987; and

**WHEREAS**, in 2015 the Board substantially amended the program by the adoption of Ordinance #15-05R and now the Board finds it appropriate to make further adjustments to modify the program,

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, that the Board of Supervisors of King William County, Virginia, does this 23<sup>rd</sup> day of October, 2017, amend Division 2, Special Assessment for Land Preservation, of the King William County Code by amending Section 70-72 to read as set forth herein:

#### **DIVISION 2. SPECIAL ASSESSMENT FOR LAND PRESERVATION**

##### **Sec. 70-72. - Initial application, revalidation, qualification and valuation generally; fees.**

- (a) The owner of any real estate devoted to agricultural or forest use and meeting the criteria set forth in Code of Virginia, §§ 58.1-3230 and 58.1-3233(2) may, not later than November 1 of the year immediately preceding the tax year for which such taxation is sought, apply to the commissioner of revenue for the classification, assessment and taxation of such property for the next succeeding tax year on the basis of its use. In any year in which a general reassessment is being made, the

property owner may submit such application until 30 days have elapsed after his notice of increase in assessment is mailed in accordance with Code of Virginia, § 58.1-3330, or November 1 of the year immediately preceding the tax year for which such taxation is sought, whichever is later. ~~No application shall be accepted after the dates specified in this section.~~ Applications filed after the specified due dates will be accepted, upon payment of a late filing fee as specified in subparagraph (d) this section, if filed with the commissioner of revenue not later than December 31 of the year immediately preceding the tax year for which such taxation is sought. The commissioner of revenue shall determine whether the statutory criteria have been met by the use of the real estate and if so, shall value the qualifying property using the methodology set forth in Code of Virginia, § 58.1-3236. In valuing the property, the commissioner shall specifically consider available evidence of the agricultural or forest capability of the real estate and the recommendations of value of such real estate as made by the state land evaluation advisory council.

- (b) In determining whether the subject property meets the criteria set forth in this division and in Code of Virginia, § 58.1-3230 to qualify for agricultural or forest use, the commissioner of revenue may request an opinion from the commissioner of agriculture and consumer services or the state forester.
- (c) A separate application shall be filed for each parcel of land for which qualification is sought together with a nonrefundable application fee of \$150.00 plus \$0.10 per acre for each parcel. Contiguous parcels under the same ownership shall pay the application fee specified in the preceding sentence for the first parcel and a nonrefundable application fee of \$25.00 plus \$0.10 per acre for each additional contiguous parcel for which qualification is sought.
- (d) ~~An individual who is owner of an undivided interest in a parcel may apply under this section on behalf of himself and the other owners of such parcel, upon submitting an affidavit that such other owners are minors or cannot be located.~~ Any application filed after the specified due date, in addition to the regular application fee, shall pay a late fee in an amount equal to ten (10) percent of the real estate tax assessed on each parcel for the tax year in which the application is made.
- (e) ~~A new application shall be submitted under this section whenever the use or acreage of the land previously approved changes, except when a change in acreage occurs solely as a result of a conveyance necessitated by governmental action or condemnation of a portion of any land previously approved for taxation on the basis of use assessment.~~ An individual who is owner of an undivided interest in a parcel may apply under this section on behalf of himself and the other owners of such parcel, upon submitting an affidavit that such other owners are minors or cannot be located.
- (f) ~~In order to retain land use taxation for subsequent years, in 2015 and annually thereafter, all owners shall file an application for revalidation on or before December 5. No application for revalidation shall be accepted after such date. Revalidations shall require the same documentation as initial applications, provided that if information and documentation previously provided to, and on file with, the commissioner of revenue remains current, valid, and sufficient to meet all requirements of this division, the commissioner may permit revalidation without duplication of existing information. In every sixth year, a nonrefundable fee as specified in subsection (c) of this section for initial applications shall be paid and all required documentation must be updated for each revalidation sought. Contiguous parcels under the same ownership and use shall pay a revalidation fee in the same manner and amount as specified in subsection (c) of this section. Parcels that have previously been applied for and qualified for the program in 2015 must revalidate in 2015 and annually thereafter. Revalidation fees as set forth herein shall not be due until the sixth anniversary of the most recent application or revalidation fee paid for the parcel.~~ A new application shall be submitted under this section whenever the use or acreage of the land previously approved changes, except when a change in acreage occurs solely as a result of a conveyance necessitated by governmental action or condemnation of a portion of any land previously approved for taxation on the basis of use assessment.

- (g) In order to retain eligibility for land use taxation in every sixth year after the initial application is filed, all owners shall file an application for revalidation on or before December 5 of such year Applications for revalidation filed after the due date will be accepted, upon payment of a late filing fee as specified in subparagraph (h) this section, if filed with the commissioner of revenue not later than December 31 of the year due. A nonrefundable revalidation fee, equal to that specified in subsection (c) of this section for initial applications, shall be paid and all required documentation must be updated for each revalidation sought. Parcels that have previously been applied for and qualified for the program shall not be charged revalidation fees as set forth herein until the sixth anniversary of the most recent application or revalidation fee paid for the parcel.
- (h) Any application for revalidation filed after the specified due date, in addition to the regular revalidation fee, shall pay a late fee in an amount equal to ten (10) percent of the real estate tax assessed on each parcel for the tax year in which the application is made.

**ADOPTED** this the 23<sup>rd</sup> day of October, 2017.

**b. Public Hearing and Consideration of Adoption of Ordinance 21-17 to Delay General Reassessment of Real Estate in King William County Until January 2021**

Mr. Dan Stuck, County Attorney, presented Ordinance 21-17 delaying general reassessment of real estate for two years in King William County to allow for more research and deliberation.

Public Hearing:

There being no 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 Hodges, Ordinance 21-17 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 21-17**

**AN ORDINANCE TO DELAY THE GENERAL REASSESSMENT OF REAL ESTATE IN KING WILLIAM COUNTY UNTIL JANUARY 1, 2021**

**WHEREAS**, Section 70-45 of the King William County Code provides for the general reassessment and equalization of assessments of all real property in the county on a four-year cycle, with the next such general reassessment being effective on January 1, 2019, and

**WHEREAS**, Virginia Code Section 58.1-3252 authorizes the King William County Board of Supervisors to select a reassessment interval of four, five or six

years, and Virginia Code Section 58.1-3254 authorizes the Board to order a reassessment in any year, and

**WHEREAS**, two attempts have been made to procure a qualified firm to conduct the 2019 general reassessment and the Board is not satisfied with the number of firms that have responded to the County's procurement solicitations and the resulting lack of competition for the work, and

**WHEREAS**, the Commissioner of Revenues has provided real estate sales data that indicates the current assessed valuation of real property in the County is generally in line with market prices, and

**WHEREAS**, the Board has directed County staff to explore alternatives for conducting general reassessments in the County and wishes to provide adequate time for staff to analyze the options and present the information to the Board for consideration, and

**WHEREAS**, if January 1, 2020 is established as the effective date of the next general reassessment, it is estimated that the Board will need to choose an alternative no later than January 1, 2018, and if January 1, 2021 is established as the effective date of the next general reassessment, a decision will be needed no later than January 1, 2019, if adequate time is to be provided to hire necessary staff and acquire supplies, or to contract for services, and

**WHEREAS**, the Board finds that it is more reasonable and realistic to establish January 1, 2021 as the effective date of the next reassessment in order to allow for more thorough research and deliberation;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, that the Board of Supervisors of King William County, Virginia, does this 23<sup>rd</sup> day of October, 2017, establish January 1, 2021 as the effective date of the next general reassessment for King William County in the place of January 1, 2019 established by Section 70-45 of the King William County Code.

**ADOPTED** this the 23<sup>rd</sup> day of October, 2017.

**c. Consideration of Resolution 17-51 Approving Agreement with Virginia Department of Transportation (VDOT) Regarding Placement of Sanitary Sewer Utilities under Pavements in VDOT Right-of-Way**

Mr. Mark Reeter, County Administrator, presented Resolution 17-51 permitting sewer utilities to be under the paved section within VDOT maintained secondary right-of-ways in all developments with lot sizes less than 30,000 square feet subject to various conditions.

The Chairman called for any discussion.

There being no further discussion, upon the motion of Supervisor Greenwood, seconded by Supervisor Hodges, Resolution 17-51 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 17-51(R)**

**APPROVING AGREEMENT BETWEEN COUNTY AND VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) PERTAINING TO SANITARY SEWER LINES WITHIN THE PAVED PORTIONS OF VDOT RIGHT-OF-WAYS**

**WHEREAS**, King William County (“the County”) accepts developer- constructed sanitary sewer utilities into its system for ownership, operation and maintenance; and

**WHEREAS**, the Virginia Department of Transportation (“VDOT”) accepts developer-constructed streets into its secondary systems of highways for operation and maintenance, and has requested that the County enter into an agreement setting forth the County’s responsibilities when sanitary sewer facilities are to be located under paved sections within secondary road system rights-of-way to maintained by VDOT;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County, Virginia that the Board hereby approves the AGREEMENT BETWEEN KING WILLIAM COUNTY AND THE VIRGINIA DEPARTMENT OF TRANSPORTATION REGARDING THE PLACEMENT OF SANITARY SEWER UTILITIES UNDER PAVEMENTS IN VDOT RIGHT-OF-WAY and Addendum 1 to the County design standards, said Agreement and Addendum being attached hereto as Exhibit 1.

**DONE** this the 23rd day of October, 2017.

**d. Consideration of Resolution 17-52 Designating King William County Voting Representative to Attend Virginia Association of Counties Annual Conference, November 12-14**

Mr. Mark Reeter, County Administrator, noted the upcoming VACo Annual Conference will need a designated voter for King William County.

Supervisor Hodges nominated Chairman Moskalski to be the voting representative for King William County at the 2017 VACo Annual Conference.

The Chairman called for any discussion.

There being no further discussion, upon the motion of Supervisor Hodges, seconded by Supervisor Greenwood, Resolution 17-52 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 17-52**

**APPROVING VOTING CREDENTIALS FOR  
2017 VIRGINIA ASSOCIATION OF COUNTIES ANNUAL CONFERENCE**

**BE IT HEREBY RESOLVED** by the Board of Supervisors of King William County, Virginia that the Board hereby designates Travis J. Moskalski as King William County's voting representative to the 2017 Virginia Association of Counties Annual Conference Business Meeting, November 14, 2017.

**DONE** this the 23rd day of October, 2017.

**RE: ADMINISTRATIVE MATTERS FROM COUNTY ADMINISTRATOR**

**11. a. Fire and EMS Call Statistics for September 2017.**

Mr. Andy Aigner, Chief of Fire & EMS, presented the call statistics for the Fire and EMS stations operating within King William County.

**11. b. Joint Board of Supervisors – Economic Development Authority Work Session Meeting October 26, 7:00 p.m.**

Mr. Mark Reeter, County Administrator, reminded everyone of the first Joint Board of Supervisors and Economic Development Authority Meeting which will be held at the King William Ruritan building.

**11. c. Board Information**

No Board information was discussed.

**RE: BOARD MEMBER COMMENTS**

Supervisor Ehrhart thanked everyone for attending and noted the importance of cost savings for our community.

Supervisor Hansen apologized for recent unpleasantries with the Deputy Clerk.

Supervisor Hodges thanked everyone for attending and stated he planned to move slowly with changes to Fire and EMS.

Supervisor Greenwood thanked everyone for attending and noted he agreed with speaker Tori Rowsey.

Supervisor Moskalski thanked everyone for attending and agreed we are in need of some changes.

**RE: CLOSED MEETING**

There was no closed meeting.

**RE: APPOINTMENTS**

There we no appointments to be made.

**RE: ADJOURN**

The meeting was adjourned at 8:39 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