



County of King William, Virginia

**BOARD OF SUPERVISORS
WORK SESSION MEETING OF AUGUST 8, 2022 - 7:00 PM
KING WILLIAM COUNTY ADMINISTRATION BUILDING
KING WILLIAM, VIRGINIA**

A M E N D E D A G E N D A

1. **Call to Order**
2. **Roll Call**
3. **Review and Adoption of Meeting Agenda**
4. **Presentation**
 - a. Adopting **Resolution 22-60** - Congratulating the King William Little League State Softball Champions (updated attachment)
 - b. Presentation of **Resolution 22-60** to King William County Little League Softball Champions
5. **Work Session Matters**
 - a. Virginia Risk Sharing Association (VRSA) Presentation - Nora Pierre, Account Executive & Peter Stephenson, Local Government Specialist (attachment added)
 - b. Online Budget Tracking Software - Vendor Demo (Clear Gov) (Zoom)
 - c. **Draft Ordinance 22-XX** - Amend Property Tax Levies Upon Tangible Personal Property for the Classifications of Vehicles Created by House Bill 1239 - Natasha Joranlien, Director of Financial Services (updated attachment)

~~Update Property Maintenance Ordinance to Comply with State Code – Sherry Graham, Director of Planning~~

~~Budget Amendment – State Salary Adjustments – Natasha Joranlien, Director of Financial Services~~

~~DSS Budget Amendment – Natasha Joranlien, Director of Financial Services~~

~~Sheriff's Deputy Starting Salaries – Jeff Walton, Sheriff~~

~~Exercising the Renewal Term Agreement for Middle Peninsula Solid Waste System Operating Agreement Between VPPSA and KWC – Steve Hudgins, Deputy County Administrator~~

- d. CIP Adjustments (Parking Lot Improvements) - Steve Hudgins, Deputy County Administrator
- e. Open Burning Regulations - Percy C. Ashcraft, County Administrator
- f. Amend King William County Code Chapter 34 - Fire Prevention and Protection - Percy C. Ashcraft, County Administrator
- g. Youth Sports Facility Upgrades at Hamilton-Holmes Middle School - Percy C. Ashcraft, County Administrator

6. Board of Supervisors' Requests

7. Closed Meeting

- a. Motion to Convene Closed Meeting in accordance with Section 2.2-3711 (A)(7) of the Code of Virginia to consult with staff on a matter of actual litigation in which the County is involved, and in accordance with Section 2.2-3711 (A)(1) of the Code of Virginia to consider a personnel matter involving the performance of a specific public officer, appointee, or employee.
- b. Motion to Reconvene in Open Session
- c. Certification of Closed Meeting
- d. Action on Closed Meeting (if necessary)

8. Adjourn or Recess

NOTES REGARDING AGENDA:

This agenda is tentative only and subject to change by the Board of Supervisors.

There is no Public Comment Period during Work Sessions.

During any Public Hearings, speakers shall be provided one opportunity of three minutes per individual or five minutes per group. Speakers shall provide their name, district of residence, and if applicable, the group they are representing. The Board of Supervisors may modify and/or set other rules governing the conduct of Public Hearings.

Detailed instructions for viewing live-streams of meetings, signing up to speak via Zoom (registration required by noon on the day of the meeting), and general guidelines for Public Comment & Public Hearings are available from the [King William County website](#).

AGENDA ITEM 4.a.

Adopting **Resolution 22-60** - Congratulating the King William Little League State Softball Champions (updated attachment)

RESOLUTION 22-60

**HONORING THE KING WILLIAM LITTLE LEAGUE 8-10 YEAR-OLD GIRLS SOFTBALL
TEAM ON WINNING THE 2022 STATE CHAMPIONSHIP TITLE**

WHEREAS the King William County Board of Supervisors commends exceptional athletic achievement and gives special honor and commendation to those athletic teams who pursue such excellence that they become examples for the youth of this County; and

WHEREAS the King William Little League 8-10 year-old girls softball team achieved such excellence on June 24, 2022 by defeating Westmoreland Little League to earn the District 15 championship title, allowing them to advance to the state tournament, and again on July 19, 2022 when they defeated Richlands Little League to win the 2022 Virginia 8-10 Year Old Division Softball Championship in Coeburn, Virginia; and

WHEREAS the team earned the first State Championship Title in King William Little League's 43 year history and the first 8-10 Softball State Championship in the history of District 15; and

WHEREAS each member of the King William Little League 8-10 year-old softball team is an excellent young athlete, and together, they have demonstrated remarkable energy, enthusiasm, teamwork, and dedication in the pursuit of their goals; and

WHEREAS many contributed to the team's outstanding success including their coaches, parents, and the King William County community as a whole; and

WHEREAS in an educational system that seeks to teach the future leaders of our County, State, and Nation the fundamentals of self-reliance and the rewards of individual and

22 group effort, athletic competition has become a valuable tool. Through their participation in
23 sports, the members of the King William Little League 8-10 year-old softball team have
24 learned lessons of good sportsmanship that will undoubtedly be of great benefit to them
25 throughout their lives;

26 **NOW, THEREFORE, BE IT RESOLVED** that the members of the King William County Board
27 of Supervisors, both individually and collectively, hereby commend and congratulate the
28 King William Little League 8-10 year-old softball team upon their 2022 Virginia District 15
29 8-10 Year Old Division Softball Championship triumph and congratulate each member of the
30 team and their coaches; and

31 **BE IT FURTHER RESOLVED** that a copy of this Resolution expressing the sense of this Board
32 of Supervisors shall be conveyed to King William Little League and shall be spread upon the
33 meeting minutes of said Board of Supervisors.

34 **DONE** this 8th day of August, 2022.

AGENDA ITEM 5.a.

Virginia Risk Sharing Association (VRSA) Presentation - Nora Pierre, Account Executive & Peter Stephenson,
Local Government Specialist (attachment added)



VRSA

Virginia Risk Sharing Association

King William County

Presented by:
Nora Pierre, Senior Account Executive

Peter Stephenson, Local Government
Specialist

1

VRSA



2

- VRSA is the first and largest group self-insurance pool in the Commonwealth of Virginia
- We are a member-owned and governed self-insurance risk pool through which a group of local political subdivisions – members – contribute to a shared fund that in turn pays claims and provides risk management services to the participating members.

2

VRSA



3

VRSA is here to protect our members and their employees so they may effectively serve their communities. We do this with our financial strength, commitment to service and transparency.

- Characteristics & Statistics
 - ❖ 475 members
 - ❖ ~\$60M annual contributions
 - ❖ \$144M surplus
 - ❖ 55 staff members

3

VRSA Coverages



4

- Comprehensive coverages provided for King William County FY23
 - ❖ Automobile
 - ❖ Crime
 - ❖ Cyber
 - ❖ Excess
 - ❖ General Liability
 - ❖ Line of Duty Act
 - ❖ Property
 - ❖ Public Officials Liability
 - ❖ Workers' Compensation
 - ❖ Workers' Compensation Plus

4

VRSA Training & Resources



5

- Online University & Multimedia Library
- Risk Management Grant
- Business Continuity
- Contract Review, Property Appraisals and Tenant Users Liability Insurance Program (TULIP)
- Online Tools and applications such as member dashboards with peer analysis and OSHA 300 Log Reporting
- Webinars, workshops and round table discussions
- Cyber defense attorney and online resources
- Member Portal

5

VRSA Consulting



6

- ❖ Human Resources
- ❖ Risk Services
- ❖ Communications
- ❖ Local Government
- ❖ Public Safety

6

AGENDA ITEM 5.c.

Draft Ordinance 22-XX - Amend Property Tax Levies Upon Tangible Personal Property for the Classifications of Vehicles Created by House Bill 1239 - Natasha Joranlien, Director of Financial Services (updated attachment)



Natasha L. Joranlien
Director of Financial Services

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

MEMORANDUM

DATE: July 27, 2022
TO: Percy Ashcraft, County Administrator
Karena Funkhouser/Commissioner of Revenue
FROM: Natasha L. Joranlien, Director of Financial Services
SUBJECT: 2022 Vehicle Tax Rate Options

The Commissioner of Revenue and I have reviewed the below Options for the King William County Board of Supervisors Vehicle Tax Rate:

	<u>Tax Rate Option</u>	<u>Additional Revenue More than Anticipated</u>
Districts 2-5	\$ 3.00/\$100	\$ 990,506
District 1	\$ 1.35/\$100	\$ 83,641
Districts 2-5	\$ 2.80/\$100	\$ 600,156
District 1	\$1.26/\$100	\$ 50,075
Districts 2-5	\$2.66/\$100	\$ 326,911
District 1	\$1.20/\$100	\$ 27,697

When comparing the count of vehicles from 2021 to 2022, please note below:

Districts 2-5 Increase of 446 vehicles at \$20,000 per vehicle results in tax increase of \$ 325,580 that would need to be captured in the overall Revenue for 2022 Vehicle tax
District 1 Increase of 92 vehicles at \$20,000 per vehicle results in tax increase of \$ 30,360 that would need to be captured in the overall Revenue for 2022 Vehicle tax

New Class & Different Rates - West Point

Property Class	2021 Values	2021 Tax Assessed	Count	2022 Values	Tax Rate per				Count
					\$100				
					Current				
		0.0165			0.0165	0.0135	0.0126	0.012	
WPBK - Bike (WP)	\$ 456,978.00	\$ 7,540.14	76	\$ 566,879.00	\$ 9,353.50	\$ 7,652.87	\$ 7,142.68	\$ 6,802.55	85
WPCR - Car (WP)	\$ 7,074,045.00	\$ 116,721.74	1205	\$ 25,282,859.00	\$ 417,167.17	\$ 341,318.60	\$ 318,564.02	\$ 303,394.31	2,140
WPTK - Truck (WP)	\$ 17,029,528.00	\$ 280,987.21	1605	\$ 10,844,548.00	\$ 178,935.04	\$ 146,401.40	\$ 136,641.30	\$ 130,134.58	791
WPVN - Van (WP)	\$ 885,462.00	\$ 14,610.12	151	\$ 602,055.00	\$ 9,933.91	\$ 8,127.74	\$ 7,585.89	\$ 7,224.66	113
Totals:	\$ 25,446,013.00	\$ 419,859.21	3,037	\$ 37,296,341.00	\$ 615,389.63	\$ 503,500.60	\$ 469,933.90	\$ 447,556.09	3,129
				additional revenue	\$ 195,530.41	\$ 83,641.39	\$ 50,074.68	\$ 27,696.88	

Additional Tax Rate	Split	\$ Result
\$ 2.70	1.22	35,156.15
\$ 2.68	1.21	31,426.51

Amount of PPTRA 2021 \$ 96,048.14
Amount of PPTRA 2022 \$ 91,795.64

Increase in number of Vehicles 92 **1,840,000.00** **30,360.00** average \$20k per vehicle tax revenue

Increase in Value from 2021 to 2022 \$ 11,850,328.00

Increase in Tax from 2021 to 2022 \$ 195,530.42
at rate of \$1.65 per \$100

Split Ratio	1.65	1.35	1.26	1.20
45%	3.65	3	2.8	2.66

ORDINANCE XX-22

AN ORDINANCE TO AMEND PROPERTY TAX LEVIES UPON TANGIBLE PERSONAL PROPERTY FOR THE CLASSIFICATIONS OF VEHICLES AS LISTED IN § 58.1-3503(A)(3-5, 9-10) OF THE CODE OF VIRGINIA FOR THE CALENDAR YEAR 2022

WHEREAS the King William County Board of Supervisors passed Ordinance 04-22R establishing real estate and personal property tax levies for King William County for calendar year 2022 on April 25, 2022 with the intention to provide additional tangible personal property relief; and

WHEREAS, effective March 22, 2022, House Bill 1239 (Chapter 30, 2022 Acts of Assembly) creates a new class of tangible personal property for local personal property tax purposes which includes the following types of vehicles:

- a. Automobiles as described in Va. Code 58.1-3503(A)(3);
- b. Passenger trucks as described in Va. Code 58.1-3503(A)(4)-(5);
- c. Motor vehicles with specially designed equipment for use by the handicapped as described in Va. Code 58.1-3503(A)(9); and
- d. Motorcycles, mopeds, all-terrain vehicles, and off-road motorcycles, campers, and other recreational vehicles as described in Va. Code 58.1-3503(A)(10).; and

WHEREAS the Board of Supervisors desires to assign a rate of tax to this class different from the rate applicable to the general class of tangible personal property for the taxable year beginning January 1, 2022 and ending December 31, 2022, as allowed by House Bill 1239; and

WHEREAS, the Board duly advertised and held a public hearing on August 22, 2022 on the subject of such tax levies;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the King William County Board of Supervisors that the following County tax levies be, and they hereby are, imposed on all tangible personal property for the above-referenced classifications of vehicles, as listed in House Bill 1239 and described in Va. Code 58.1-3503(A)(3-5, 9-10), not exempted by law and located within King William County for the calendar year 2022; and

29 **General Fund Levy**

30 **TAX RATES PER \$100 OF ASSESSED VALUES**
31 **FOR ALL DISTRICTS**

		<u>General Fund</u>
Real Estate	\$	0.375
Mobile Home	\$	0.375
Mines and Minerals	\$	0.375
Public Service Real Estate	\$	0.375
Public Service Personal Property	\$	1.65
Personal Property	\$	1.65
Machinery & Tools	\$	1.00
Aircraft	\$	N/A
Vehicles as listed in § 58.1-3506(A)(48) of the Code of Virginia and named above.	\$	

32 **School Fund Levy** - (Applies only to geographic areas of the County within the King William
33 County School Division - does not include the Town of West Point)

34 **TAX RATES PER \$100 OF ASSESSED VALUES**

		<u>School Fund</u>
Real Estate	\$	0.46
Mobile Home	\$	0.46
Mines and Minerals	\$	0.46
Public Service Real Estate	\$	0.46
Public Service Personal Property	\$	2.00
Personal Property	\$	2.00
Machinery & Tools	\$	1.25
Aircraft	\$	1.30
Vehicles as listed in § 58.1-3506(A)(48) of the Code of Virginia and named above.	\$	

35 **BE IT FURTHER ORDAINED AND ENACTED** by the King William County Board of
36 Supervisors that the County tax levies imposed via Ordinance 04-22R remain in effect for all
37 other classes of tangible personal property, real estate, mobile homes, public service
38 corporation property, machinery and tools, and aircraft other than those listed herein.

39 **ADOPTED** this the 22nd day of August, 2022.

AGENDA ITEM 5.d.

CIP Adjustments (Parking Lot Improvements) - Steve Hudgins, Deputy County Administrator



King William County
Est. 1702

Board of Supervisors

Deputy County Administrator
Steven G. Hudgins

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

DATE: August 8, 2022
TO: King William County Board of Supervisors
FROM: Steve Hudgins, Deputy County Administrator
SUBJECT: CIP Adjustment for Parking Lot Resurfacing

REQUEST FOR ACTION

Staff requests the King William Board of Supervisors considers adjusting the CIP to allow for the resurfacing of the parking lots of the Administration Building and the McAllister Building in the current fiscal year.

SUMMARY

Currently, there is an FY23 CIP allocation of \$50,000 for renovation and repairs at the McAllister Building. Parking lot repairs at the Administration Building is included in the CIP for FY24 in the amount of \$100,000. Staff requests utilizing the \$50k approved for the McAllister Building to address the parking lots of both buildings this year and removing the \$100k request for next year. The McAllister building needs will be reassessed for FY24.

Staff has recently received a recommendation and quote of \$36,800 to address the needs of the parking lots at both the Administration Building and the McAllister Building. This price is not guaranteed for next year, and conditions of the lots may worsen. This quote includes heated rubber crack filling, patching existing gravel trenches, sealing, and striping and painting of all pavement markings.

ATTACHMENTS

- FY23 CIP

KING WILLIAM COUNTY
FY2023 CAPITAL IMPROVEMENT PLAN REQUEST updated April 13, 2022

<u>GENERAL DESCRIPTION</u>	<u>FY2023</u>	<u>FY2024</u>	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>	<u>JUSTIFICATION</u>
GENERAL REQUESTS						
Constitutional Officer - Courts and Public Safety Building Wing Build Out			500,000			Build out of unfinished area in Courts and Public Safety Building. Will be built as a Sheriff's Office Training Area.
MOTOROLA RADIO REPLACEMENT	230,000	230,000				roll forward \$230k from FY22
Constitutional Officer - Sheriff's Office - Impound Lot		50,000				Build out fenced lot with pad back of Sheriff's Office behind New Courthouse
Emergency Battery Backup Power @Courthouse	19,500					critical batteries to be replaced
VPPSA CONVENIENCE CENTER SOLUTION	400,000					\$175,000 PROFFERS/\$225,000 UNASSIGNED FUND
Key Card Security at Courthouse, Administration, Historic Bldg., & Juvenile Bldg.	123,261					
BROADBAND INIATIVE	2,500,000					2M ARPA/225,000 EDA CIP ROLL FORWARD/275,000 INFRUST CIP ROLL FORWARD
WELCOME SIGN AT ENTRANCES OF COUNTY & COURTHOUSE SIGNAGE	20,000					50/50 WITH HISTORICAL SOCIETY
FIRE AND EMERGENCY SERVICES						
TURN OUT GEAR	30,000					\$6K EACH
WPVFR	50,000					sorely needed to medic replacement & repair issues
MANGOHICK VFR	30,000					Level Funding - Balance Rolls Forward
BRUSH/FR TRUCK	30,000					County to match10% of total cost AFG grant (230k)
LIFEPACKS & LUCAS DEVICES	25,000					County to match 50/50 - total cost \$50,000
SCBA	280,000					attempt to receive AFG grant/replace out of date, out of service and out of compliance (\$280k-county share 10%)
PARKS AND RECREATION						
BALL PARK/ BALLFIELD IMPROVEMENTS	50,000					Scoreboards, Roofing for dug outs, press boxes, signage, bleachers
RECREATION PARK EXPANSION	25,000					TO INCLUDE TRAILS AND WATER IMPROVEMENT
RECREATION PLAN & INITIAL IMPROVEMENTS	100,000					Riverfront, Recreation Park, and Recreation Fields @ Schools
MINI GOLF COURSE -Operated by Parks & Rec		25,000				RECOMMEND IMPROVEMENT PER COMP PLAN-AMMENTIES/Desgn & partnership with private developer
VEHICLES						
Vehicle Replacement - Sheriff	52,000					Purchase one (1) vehicle and upfit
Vehicle Replacement Animal Control	49,000					Purchase one (1) vehicle and upfit
Vehicle Replacement - Utilities	60,000					Current truck is past life expectancy- Upgrade to heavy duty
Vehicle Purchase - DSS	3,875					Rotate DSS vehicle to Park & Rec. / Purchase new DSS vehicle for \$25k (84.5% reimb w/local match 15.5%)
INFORMATION TECHNOLOGY						
County Administration - Servers, Software, Computer Equipment	25,000	25,000	25,000	25,000		
Servers, Software, Computer Equipment	35,000	30,000	30,000	45,000	30,000	New Cloud based phone System. Current system is seven years old.
Cybersecurity Initiatives	20,000	20,000	20,000	20,000	20,000	Any tool set for remediation, implementation access controls, such as software, risk assessment
Security Cameras - Admin	5,000					
PRESERVE & IMPROVE CIP ASSETS						
FOUNTAINBLEAU WELL&PUMP HOUSE	904,000					Ongoing project -Utility Bond
CENTRAL GARAGE WATER TOWER		175,000				Estimate provided in 2016; Proposed to extend the life of the water tower and maintain efficiencies.
HVAC REPLACEMENT	100,000	100,000	100,000	100,000		Replace units at Facility Complexes. 4-5/year @\$20k-25k ea.
CARPET REPLACEMENT IN ADMIN		20,000				final stage of project
MCALLISTER -(CARPET, WINDOWS, PAINTING;GEN	50,000	50,000				Renovation required; flooring, windows, paint
ROOFING PROJECTS	175,000	175,000	175,000	175,000		Remaining buildings that need roof replacement: Courthouse, RAS, 360 Complex
GENERATOR AT REGIONAL ANIMAL SHELTER	46,000					
GENERATOR AT ADMINISTRATION BLDG	46,000					
COUNTY ADMIN - PARKING LOT REPAIRS		100,000				
WATER PROJECTS IDENTIFIED IN M.U.P	8,200,000					Master Utility Plan needs (600,000g elevated water tank, water tank & related infrastructure, water main extension on rt360)
GRAND TOTAL	13,683,636	1,000,000	850,000	365,000	50,000	

COUNTY OF KING WILLIAM

FY2023

PROPOSED CIP FUNDING STRUCTURE- updated 4/13/22

<u>FUNDING SOURCE</u>		<u>CIP</u>		
DEPARTMENT FUNDS				
FUND 501	60,000	VEHICLE -UTILITIES	<u>60,000</u>	60,000
PROFFERS	200,000	VPPSA CONVENIENCE SITE	175,000	
		RECREATION PARK EXPANSION	<u>25,000</u>	200,000
CIP ROLL FORWARD				
RADIOS	230,000	RADIOS REPLACEMENT	230,000	
EDA	225,000	BROADBAND	225,000	
BRUSHTRUCK	30,000	BRUSH/FR TRUCK	30,000	
WELL/PUMP HOUSE	535,190	FOUNTAIN BLEU WELL&PUMP	<u>535,190</u>	1,020,190
CIP "INFRASTRUCTURE" FUNDS ON HOLD				
	275,000	BROADBAND	<u>275,000</u>	275,000
ARPA	2,000,000	BROADBAND	<u>2,000,000</u>	2,000,000
UNASSIGNED FUND	1,559,636	ACCESS SECURITY FOR COURTHOUSE, ADMIN, JUVENILE BLDG., AND HISTORIC COURTHOUSE	123,261	
		VPPSA CONVENIENCE SITE SOLUTION	225,000	
		EMERGENCY BACKUP BATTERIES@ COURTHOUSE	19,500	
		WELCOME & COURTHOUSE SIGNAGE	20,000	
		KWC FIRE/EMS TURN OUT GEAR	30,000	
		WPVFR CIP	50,000	
		MANGOICK VFR CIP	30,000	
		LIFEPACKS&LUCAS DEVICES	25,000	
		SCBA	280,000	
		BALL PARK/BALLFIELD IMPROVEMENTS	50,000	
		RECREATION PLAN & INITIAL IMPROVEMENTS	100,000	
		VEHICLE W/UPFITTING - SHERIFF	52,000	
		VEHICLE W/UPFITTING - ANIMAL CONTROL	49,000	
		VEHICLE/DSS	3,875	
		INFORMATION TECHNOLOGY	85,000	
		HVAC REPLACEMENT	100,000	
		MCALISTER	50,000	
		ROOFING PROJECTS	175,000	
		GENERATOR@ ADMINISTRATION	46,000	
		GENERATOR@REGIONAL ANIMAL SHELTER	<u>46,000</u>	1,559,636
UTILITY BOND	8,568,810	FOUNTAIN BLEU WELL&PUMP	368,810	
		WATER PROJECTS -M.U.P	<u>8,200,000</u>	8,568,810
TOTAL	<u><u>13,683,636</u></u>		<u><u>13,683,636</u></u>	

AGENDA ITEM 5.e.

Open Burning Regulations - Percy C. Ashcraft, County Administrator

Allowed - No Permit Required

In King William County, open burning is allowed without a permit for the items listed below provided three conditions are met:

1. The burning takes place on private property.
 2. The location of the burning is at least 300 feet away from any occupied building unless the occupants have given prior written permission.
 3. The party responsible for the burning notifies King William Dispatch (804-769-0999) of the date, time, and location of the open burning. Failure to notify Dispatch may result in a Class 1 misdemeanor.
- Camp fires or other fires used solely for recreational purposes, ceremonial occasions, outdoor noncommercial food preparation, and for warming outdoor workers provided prohibited materials are not burned.
 - On-site destruction of leaves, tree, yard, and garden trimmings, provided no regularly scheduled collection service is available.
 - On-site destruction of household waste by homeowners or tenants, provided no regularly scheduled collection service is available.

King William County complies with the provisions of the Virginia Statewide Fire Prevention Code (SFPC) in its entirety. The Board of Supervisors has authorized the County Fire Official to enforce the SFPC as provided for by §27-37.1 of the Code of Virginia.

Contact firemarshal@kingwilliamcounty.us with any questions and for more information.

Information Updated: August 1, 2022

What is Open Burning?

Open Burning is the burning of unwanted materials, such as paper, trees, brush, leaves, grass, and other debris, where smoke and other emissions are released directly into the air. During open burning, air pollutants do not pass through a chimney or stack, and/or combustion of the solid waste is inadequately controlled.

Open burning pollutes the air and poses a forest fire hazard. The air pollution created by open burning can irritate eyes and lungs, obscure visibility, create annoying odors, or pose other nuisance or health threats.

Because of the problems created by this activity, state and local laws prohibit open burning of many materials. Many people are unaware of the regulations or unsure about which regulations apply to them. The information in this brochure will help identify the problems, regulations, sources of information, and alternatives to open burning.

Alternatives to Open Burning

- **Compost organic waste** and use for mulch to produce valuable soil fertilizer through the natural process of decomposition. Compost piles are simple to begin and maintain, and take up relatively little space. Learn what items are suitable for composting by contacting the [Extension Office](#) or visit kingwilliam.ext.vt.edu.
- **Recycle or dispose of unwanted items** at a [VPPSA](#) Convenience Center, Transfer Center, or the Landfill rather than burning them. Visit kingwilliamcounty.us for locations and hours.
- **Donate** reusable items to family members, friends, or charitable organizations.



COUNTY OF KING WILLIAM, VIRGINIA

Open Burning Regulations

King William County
180 Horse Landing Road #4
King William, VA 23086
www.kingwilliamcounty.us

Dept. of Fire & EMS - (804) 769-4961
Non-Emergency Dispatch - (804) 769-0999
Fire Official
firemarshal@kingwilliamcounty.us

Allowed - Permit Required

In King William County, a Burn Permit is required for debris piles and bonfires greater than 2,400 cubic ft. (approx. 20'x20'x6'). The full conditions for such fires are provided on the burn permit application. Some conditions include:

- The fire consists of brush, stumps, and similar debris waste and shall not include demolition or construction waste or any of the prohibited items listed herein.
- The fire must be attended at all times.
- The fire must be at least 500 feet from any occupied building unless the occupants have given written permission.
- The respective power company must be contacted for written approval if power lines are near the burn site.
- Burning shall be conducted only when the prevailing winds are away from any city, town, or built-up area.

The burn permit application must be submitted at least three days prior to the planned date of the burn. Applications can be completed online or downloaded from kingwilliamcounty.us.

Open burning for forestry and agricultural purposes are regulated by the Department of Forestry and Virginia Air Pollution Control Board and do not require a King William County Burn Permit. Check with those authorities for any permits or conditions they may require.

No permits are required by homeowners for the open burning of grass clippings, leaves, and limbs. Homeowners are required to notify King William Dispatch (804-769-0999) when burning. Failure to notify Dispatch may result in a Class 1 misdemeanor. If you live in a subdivision, open burning may be prohibited. Check with your HOA or other neighborhood association for any regulations.

Forestry Burning Laws

Open burning may be used for the following forest management practices provided the burning is conducted in accordance with the Department of Forestry's smoke management plan: To

1. Reduce forest fuels and minimize the effect of wild fires.
2. Control undesirable growth of hardwoods.
3. Control disease in pine seedlings.
4. Prepare forest land for planting or seeding.
5. Create a favorable habitat for certain species.
6. Remove dead vegetation for maintenance of railroad, highway, and public utility right-of-way.

Open burning for forestry is regulated by the Department of Forestry and does not require a King William County Burn Permit. The party responsible for the burning must notify King William Dispatch (804-769-0999) when burning. Failure to notify Dispatch may result in a Class 1 misdemeanor. Check with the Virginia Department of Forestry for any permits or conditions they may require - dof.virginia.gov.

Prohibited Items to Burn

The following items are always prohibited from open burning in King William County:

- | | |
|---------------------------------------|---|
| ✗ Tires | ✗ Animal waste |
| ✗ Used oil | ✗ Petroleum based materials |
| ✗ Coated wires | ✗ Impregnated or chemically treated wood and lumber |
| ✗ Asphaltic materials | ✗ Batteries |
| ✗ Roofing shingles | ✗ Synthetic and painted building materials containing high concentrations of hazardous compounds that produce toxic emissions when burned |
| ✗ Construction & demolition waste | |
| ✗ Hazardous wastes & waste containers | |
| ✗ Animal carcasses | |

Agricultural Burning Laws

Open burning for agricultural practices is allowed for the following agricultural practices: To

1. Destroy undesirable or diseased vegetation.
2. Clear orchards and orchard prunings.
3. Destroy empty fertilizer and chemical containers.
4. Denature seed and grain that may no longer be suitable for agricultural purposes.
5. Prevent loss from frost or freeze damage.
6. Create a favorable habitat for certain species.
7. Destroy strings and plastic ground cover remaining in the field after being used in growing staked tomatoes.

Open burning for agriculture is regulated by the Virginia Air Pollution Control Board and does not require a King William County Burn Permit. The party responsible for the burning must notify King William Dispatch (804-769-0999) when burning. Failure to notify Dispatch may result in a Class 1 misdemeanor. Check with the Control Board for any permits or conditions they may require - deq.virginia.gov.





COUNTY OF KING WILLIAM, VIRGINIA

KING WILLIAM COUNTY, VIRGINIA

FIRE OFFICIAL'S OFFICE

180 Horse Landing Road #4

King William, VA 23086

(804) 769-4969

firemarshal@kingwilliamcounty.us



BURN PERMIT INFORMATION

In King William County, a Burn Permit is required for debris piles and bonfires greater than 2,400 cubic ft. (approx. 20'x20'x6'). Debris piles consist of brush, stumps, and similar debris waste.

No permits are required by homeowners for the open burning of grass clippings, leaves, and limbs. Homeowners are required to notify King William Dispatch (804-769-0999) when any burning begins. Failure to notify Dispatch may result in a Class 1 misdemeanor. If you live in a subdivision, open burning may be prohibited. Check with your HOA or other neighborhood association for any regulations.

Open burning for forestry and agricultural purposes are regulated by the Department of Forestry and Virginia Air Pollution Control Board and do not require a King William County Burn Permit. Check with those authorities for any permits or conditions they may require. The party responsible for the burning must notify King William Dispatch (804-769-0999) when any burning begins. Failure to notify Dispatch may result in a Class 1 misdemeanor.

- Process:**
1. Complete the attached application and site plan, sign and date where indicated, and submit to the King William County Building Department at least three business days prior to the planned burn date. Applications may be submitted in person, by mail at the above address, or online at kingwilliamcounty.us.
 2. Once received, the applicant will be contacted by the Department of Fire and EMS.
 3. Burn permits remain valid through the completion of the planned burn.

Regulations and Conditions:

- Debris piles shall not include any of the following prohibited items: tires; used oil, coated wires, asphaltic materials, roofing shingles, construction & demolition waste, hazardous wastes & waste containers, animal carcasses, animal waste, petroleum based materials, impregnated or chemically treated wood and lumber, batteries, synthetic and painted building materials containing high concentrations of hazardous compounds that produce toxic emissions when burned.
- The fire must be attended at all times and conducted to ensure the best possible combustion with a minimum of smoke being produced.
- **The party responsible for the burning must notify King William Dispatch (804-769-0999) when any burning begins. Failure to notify Dispatch may result in a Class 1 misdemeanor.**
- The immediate area around the burn piles must be free from any flammable or combustible materials.
- The fire must be at least 500 feet from any occupied building unless the occupants have given written permission. Any such written permission must be included with this application.
- All reasonable effort shall be made to minimize the amount of debris burned and the number and size of the burn piles.
- The respective power company must be contacted for written approval if power lines are near the burn site. Any such written permission must be included with this application.
- Burning shall be conducted only when the prevailing winds are away from any city, town, or built-up area.
- No burning shall be allowed before 4pm from February 15th-April 30th.
- If the applicant is burning a structure, a certificate or letter stating the structure is free from asbestos must be provided with this application. This can be obtained from a licensed asbestos removal contractor.

Applicant - Keep This Page for Your Reference



COUNTY OF KING WILLIAM, VIRGINIA

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BURN PERMIT APPLICATION

Page 1 of 2

Submit application at least three business days prior to the planned burn date.

ALL INFORMATION MUST BE CLEARLY PRINTED IN INK OR TYPEWRITTEN

Applicant Name (Full Name):	Applicant Mobile Phone #:
Applicant Email Address:	Alternate Phone #:
Business Name (if applicable):	Business Phone # (if applicable):
Applicant Mailing Address (No., Street, City, Zip Code):	
Location of Burn Site (911 Address and Description of Area)	
Fire Department Closest to Burn Site:	

The open burning is planned to occur:

Begin Date: ____/____/____

End Date: ____/____/____

Begin Time: ____:____ am / pm

End Time: ____:____ am / pm

Due to the need to conduct burns only when wind and other environmental factors allow, permits remain valid through the completion of the planned burn regardless of any delays necessary to ensure safety. The party responsible for the burning must notify King William Dispatch when any burning begins.

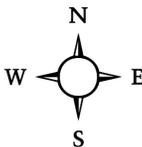
OPERATOR - Full name of person in responsible charge of the open burning:	Mobile Phone #:
ASSISTANTS - Full name(s) of any assistants to the Operator:	Mobile Phone #:
Describe the material to be burned and the number of piles.	
Describe the fire extinguishing method and/or equipment to be used.	

BURN PERMIT APPLICATION

Page 2 of 2

Attach a site diagram or use the space below to:

- 1) Illustrate the burn pile location(s) and indicate the distance relative to: structures, adjacent property lines, vegetation, transportation routes, utilities (above and below ground), storage tanks, or any other potential exposure hazards.
- 2) Indicate the estimated size of each pile (length, width, and height).



By my signature below, I certify that the answers provided on and as part of this application are true, correct, and complete. I also certify that I am familiar with the Virginia Statewide Fire Prevention Code, Commonwealth of Virginia and Federal laws relating to open-air burning and will comply with same. I understand that non-compliance can result in being charged with a Class 1 misdemeanor. I understand I may be held liable for all firefighting costs incurred if a failure to maintain control of the fire by Applicant, Operator, or any Assistants results in any fire department or the Virginia Department of Forestry intervening in order to control and extinguish the fire. I acknowledge that if a permit is issued it shall be valid only at the location and area listed and illustrated in the site diagram.

Signature of Applicant: _____ **Date:** _____

Attach any written approval by occupants, power companies, or asbestos removal contractors if applicable.

For Internal Use:

County Fire Chief or Designee Authorization Signature: _____ Date: _____

County Fire Official or Designee Authorization Signature: _____ Date: _____

AGENDA ITEM 5.f.

Amend King William County Code Chapter 34 - Fire Prevention and Protection - Percy C. Ashcraft, County Administrator



County of King William, Virginia

BOARD OF SUPERVISORS

Stacy G. Reaves
Fire Chief

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

MEMORANDUM

DATE: August 8, 2022
TO: King William County Board of Supervisors
FROM: Stacy G. Reaves, Fire Chief
SUBJECT: Recommended Changes to County Code Chapter 34 - Fire Prevention and Protection

REQUEST FOR ACTION

- Provide approval to move forward in advertising a Public Hearing for recommended changes to County Code Chapter 34 – Fire Prevention and Protection on August 22, 2022.

SUMMARY

Section 34-2 is outdated and must be amended.

It is recommended Section 34-3 be updated for clarity and conciseness and to prevent the Code from having to be changed again in the future if the State laws change, similar to what was recently done for the Dangerous Dog Ordinance.

ATTACHMENTS

- Revised Recommended Changes to County Code

180 Horse Landing Road #4 • King William, VA 23086
(804) 769-4961 • sreaves@kingwilliamcounty.us
kingwilliamcounty.us

Chapter 34 FIRE PREVENTION AND PROTECTION
Revised Recommended Ordinance Changes
August 8, 2022

Black text – current code

~~Black strikethrough text~~ – recommended for deletion

Highlighted red text – recommended additions

Blue text – note to the Board, not part of Ordinance

Sec. 34-1. Violations of chapter.

Unless otherwise specifically provided in this chapter, a violation of any provision of this chapter shall constitute a class 1 misdemeanor, as provided in section 1-7.

Sec. 34-2. Findings.

King William County Fire and Emergency Services, Mangohick Volunteer Fire Department, West Point Volunteer Fire and Rescue Department, and Walkerton Community Fire Association are recognized as an integral part of the official safety program of this county.

~~The Mattiponi Rescue Squad, the King William Volunteer Fire Department, including the King William Volunteer Rescue Squad, the West Point Volunteer Fire Department, including the West Point Volunteer Rescue Squad, and the Mangohick Volunteer Fire Department including the Mangohick Volunteer Rescue Squad are recognized as an integral part of the official safety program of this county.~~

Sec. 34-3. Statewide fire prevention code.

~~The county fire marshal department is authorized to enforce the provisions of the statewide fire prevention code pursuant to chapter 9 of title 27 of the Code of Virginia (Code of Virginia, § 27-94 et seq.)~~

- (a) King William County complies with the provisions of the Virginia statewide fire prevention code (SFPC) in its entirety and assigns enforcement responsibility to the King William County Fire Official, who shall be a certified Fire Marshal with the Commonwealth of Virginia.
- (b) As per SFPC Section 107, operational permits may or may not be required by the fire official as permitted under the SFPC in accordance with Table 107.2. The county may or may not charge a fee for such permits as provided for by §15.2-1125 of the Code of Virginia. The amount of any such fees will be as established from time to time by resolution of the Board of Supervisors. (Note: this means that the fire official is the one who decides if a permit is required as authorized by the SFPC. For the fee, it is saying that if the Board does not pass a resolution expressly establishing SFPC permit fees, by default there are no SFPC permit fees. For example, upon adoption of this Ordinance, the burn permit fee will be \$0.00 unless the Board also passes a resolution establishing a fee amount for such permit. The first two sentences are informational and simply restate state codes. The last sentence gives the Board the ability to change fees by a resolution. The language used allows for future flexibility by the Board without having to amend the Ordinance again.)

AGENDA ITEM 7.a.

Motion to Convene Closed Meeting in accordance with Section 2.2-3711 (A)(7) of the Code of Virginia to consult with staff on a matter of actual litigation in which the County is involved, and in accordance with Section 2.2-3711 (A)(1) of the Code of Virginia to consider a personnel matter involving the performance of a specific public officer, appointee, or employee.

CLOSED MEETING MOTIONS

✗ PERSONNEL – In accordance with Section 2.2-3711 (A)(1) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to consider a personnel matter involving the (choose from below):

1. appointment of individuals to Boards and Commissions.

2. interview of a prospective candidate for employment.

(or the)

3. Employment

6. Promotion

9. Salary

4. Assignment

✗ 7. Performance

10. Discipline

5. Appointment

8. Demotion

11. Resignation

of a specific public officer / appointee / employee.

PUBLIC PROPERTY – In accordance with Section 2.2-3711 (A)(3) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting regarding real property used for a public purpose, specifically pertaining to (choose from below):

1. the acquisition of real property for a public purpose.

2. the disposition of (name publicly held real property involved).

because discussion in an open meeting may adversely affect the bargaining position or negotiating strategy of the Board.

PROTECTION OF PRIVACY OF INDIVIDUALS – In accordance with Section 2.2-3711 (A)(4) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting regarding a personal matter not related to public business in order to protect the privacy of individuals.

PROSPECTIVE BUSINESS OR INDUSTRY OR EXPANSIONS OF EXISTING BUSINESS OR INDUSTRY – In accordance with Section 2.2-3711 (A)(5) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to discuss a prospective business or industry or expansion of an existing business or industry where no previous announcement has been made.

INVESTING OF PUBLIC FUNDS – In accordance with Section 2.2-3711 (A)(6) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to discuss the investing of public funds where competition or bargaining is involved and where discussion in open session would adversely affect the financial interest of the County.

LEGAL MATTERS – In accordance with Section 2.2-3711 (A)(7) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to (choose from below):

- 1. consult with legal counsel, consultants, and/or staff on a matter of actual litigation in which the County is involved.
- 2. consult with legal counsel, consultants, and/or staff on a matter of probable litigation in which the County may become involved.

because discussion in an open meeting may adversely affect the litigation position or negotiating strategy of the Board.

LEGAL MATTERS – In accordance with Section 2.2-3711 (A)(8) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to consult with legal counsel on a specific legal matter (identify matter in general terms at a minimum) requiring the provision of legal advice by counsel.

HAZARDOUS WASTE SITING – In accordance with Section 2.2-3711 (A)(14) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to discuss the terms, conditions, and provisions of a hazardous waste siting agreement after a finding in open meeting that an open meeting will have an adverse effect upon the negotiating position of the Board or the establishment of the terms, conditions, and provisions of the siting agreement, or both.

TERRORIST ACTIVITY – In accordance with Section 2.2-3711 (A)(19) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to (choose from below):

- 1. discuss plans to protect public safety relating to terrorist activity or specific cybersecurity threats or vulnerabilities and briefings by staff members, legal counsel, law-enforcement, or emergency service officials concerning actions taken to respond to such activity or a related threat to public safety.
- 2. discuss reports or plans related to the security of any governmental facility, building, or structure, or the safety of persons using such facility, building, or structure.

PUBLIC CONTRACTS – In accordance with Section 2.2-3711 (A)(29) of the Code of Virginia, because discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board, I move that the Board of Supervisors convene in Closed Meeting to (choose from below):

- 1. discuss the award of a public contract involving the expenditure of public funds.
- 2. interview bidders or offerors.
- 3. discuss the terms or scope of a public contract.

CERTIFICATION OF CLOSED MEETING

Mr. Chairman, I move that the King William County Board of Supervisors approve Standing Resolution 1 (SR-1) in accordance with Section 2.2-3712 (D) of the Code of Virginia, 1950, as amended, certifying that the Closed Meeting was conducted in conformity with the requirements of the Virginia Freedom of Information Act.

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 on this _____ day of _____, 2022, 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 by the King William County Board of Supervisors in the Closed Meeting to which this certification resolution applies; and
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.

[ROLL CALL VOTE]