



County of King William, Virginia

**BOARD OF SUPERVISORS  
REGULAR MEETING OF JANUARY 24, 2022 - 7:00 PM  
KING WILLIAM COUNTY ADMINISTRATION BUILDING  
KING WILLIAM, VIRGINIA**

**A G E N D A**

- 1. Call to Order**
- 2. Roll Call**
- 3. Moment of Silence**
- 4. Pledge of Allegiance**
- 5. Review and Adoption of Meeting Agenda**
- 6. Public Comment Period** *One Opportunity of Three Minutes per Individual or Five Minutes per Group on Non-Public Hearing Matters*
- 7. Consent Agenda**
  - a. Approval of Minutes:
    - i. December 27, 2021 Regular Meeting Draft Minutes
    - ii. January 10, 2022 Organizational and Work Session Meeting Draft Minutes
  - b. Approval of Payment of Bills - December 2021
  - c. **Resolution 22-08** - Honoring the King William County High School Football Team
- 8. Presentations**
  - a. Honoring the 2021 King William High School Football Team
- 9. Public Hearing**
  - a. **Ordinance 01-22** - Approving Proffer Amendment 01-2022: McCauley Park LLC - Sherry Graham, Director of Planning

**10. New Business**

- a. Real Estate Assessment - Karena L. Funkhouser, Commissioner of Revenue
- b. Financial Overview and Capital Needs - Natasha Joranlien, Director of Financial Services
- c. Authorizing the County Attorney to Petition the Court for a Special Election - Steve Hudgins, Deputy County Administrator
- d. Marijuana Retail Referendum - Steve Hudgins, Deputy County Administrator
- e. Redistricting Report - Steve Hudgins, Deputy County Administrator

**11. Administrative Matters from County Administrator**

- a. Administration Report - Percy C. Ashcraft, County Administrator
- b. Board Information
  - i. Animal Activities Report - December 2021
  - ii. Building Department Report - December 2021
  - iii. Utilities Department Report - December 2021
  - iv. Sheriff's Office Activity Report - December 2021

**12. Board of Supervisors' Comments**

**13. Closed Meeting**

- a. Motion to Convene Closed Meeting in accordance with Section 2.2-3711 (A)(1) of the Code of Virginia to consider a personnel matter involving the appointment of individuals to Boards and Commissions and to consider salaries of specific public employees.
- b. Motion to Reconvene in Open Session
- c. Certification of Closed Meeting
- d. Action on Closed Meeting (if necessary)

**14. Appointments**

- a. **Resolution 22-07R-2** - Appointments to the King William County Redistricting Advisory Committee

## **15. Adjourn or Recess**

### NOTES REGARDING AGENDA:

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

During the Public Comment Period and Public Hearing periods, speakers shall be provided one opportunity of three minutes per individual or five minutes per group. Speakers shall provide their name, address, 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.

**Those wishing to speak via Zoom or other electronic means must preregister by noon on the day of the meeting at <https://www.kingwilliamcounty.us/>.**



# AGENDA ITEM 7.a.

Approval of Minutes:



# AGENDA ITEM 7.a.i.

December 27, 2021 Regular Meeting Draft Minutes

**DRAFT MINUTES  
KING WILLIAM COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING OF DECEMBER 27, 2021**

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 27th day of December 2021, beginning at 7:00 p.m. in the Board Meeting Room of the County Administration Building and via Zoom.

**Agenda Item 1. CALL TO ORDER**

Vice Chair Moren called the meeting to order.

**Agenda Item 2. ROLL CALL**

The members were polled:

Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Absent

**Agenda Item 3. MOMENT OF SILENCE**

The Vice Chair called for a moment of silence. Supervisor Hodges mentioned Rodney Williams, a longtime member of the Mattaponi Volunteer Rescue Squad, had been involved in an accident. He also mentioned that his sister and her family were all ill with COVID.

**Agenda Item 4. PLEDGE OF ALLEGIANCE**

The Vice Chair led the pledge of allegiance.

**Agenda Item 5. REVIEW AND ADOPTION OF AMENDED MEETING AGENDA**

Supervisor Hodges moved for the adoption of the agenda for this meeting as presented; motion was seconded by Supervisor Garber. The Vice Chair called for any discussion. The members were polled:

Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Absent

**Agenda Item 6. PUBLIC COMMENT**

No one registered to speak via Zoom by noon on the day of this Public Comment period.

Lisa Mason of Roane Oak Trail in the 2<sup>nd</sup> District gave an “attaboy” to the Regional Animal Shelter staff saying they do a phenomenal job matching animals with families and caring for the animals. She mentioned she has used their services multiple times and her daughter is a veterinarian and appreciate the great job the RAS staff do.

Bob Ehrhart of the 5<sup>th</sup> District mentioned King William Emergency Mission which is funded by area churches and helps local families in need. The last time they were able to meet was in 2019 at Beulah Church but they continue to serve and help those in need. Mr. Ehrhart read the definition of the word “sleepy” from Webster’s dictionary and said the word is not profane or prohibited by the Bylaws of the Board of Supervisors. He said six people were blocked from a private Facebook group on February 8 which he believes is in direct conflict of Davidson vs. Randall.

There being no further speakers, the Vice Chair closed the Public Comment period.

**Agenda Item 7. CONSENT AGENDA**

Consent Agenda items included:

- a. Approval of Minutes:
  - i. Draft Minutes of the November 23, 2021 Special Called Joint Work Session with the King William County Public School Board
  - ii. Draft Minutes of the November 29, 2021 Regular Meeting
  - iii. Draft Minutes of the December 13, 2021 Work Session
- b. Approval of Payment of Bills – October and November 2021

Supervisor Garber moved for approval of the Consent Agenda; motion was seconded by Supervisor Hodges. The Vice Chair called for any discussion. The members were polled:

Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Absent

## **Agenda Item 8. ADMINISTRATIVE MATTERS FROM COUNTY ADMINISTRATOR**

### **8.a. Administration Report – Percy C. Ashcraft, County Administrator**

Mr. Ashcraft provided the Board an updated copy of his report (Attachment A) and noted the addition of three meetings in January as well as a change to the January 19<sup>th</sup> meeting which had been listed as a Wetlands Board Meeting but is actually a meeting of the Board of Zoning Appeals.

Mr. Ashcraft noted that the County has received an extension from the state to complete the annual audit. Public announcements have been posted and the Treasurer estimates the audit will be complete by February 28, 2022.

Mr. Ashcraft said that Congressman Wittman is sponsoring legislation to help counties and towns have more flexibility with federal money they receive.

He noted the County's COVID rates have been rising. Supervisor Greenwood asked if the County was under the President's mandate for mandatory vaccination and asked how many County staff members were not vaccinated. Mr. Ashcraft said he did not believe the County was under that mandate. County Counsel, Andrew McRoberts, said the mandate is currently being reviewed by the Supreme Court. Deputy County Administrator, Steve Hudgins, said there is no way to know exactly how many staff are unvaccinated but there are some.

Mr. Ashcraft said the County Newsletter was launched December 17<sup>th</sup> to complement the website, Facebook, Twitter, and his BLOG to increase public awareness and help keep people informed. Residents can subscribe to the newsletter from the County website. Vice Chair Moren thanked Mr. Ashcraft for his writing and communication efforts. Mr. Ashcraft said he enjoys writing and likes to communicate. He wants people to have every opportunity to know what's going on in their community.

Mr. Ashcraft mentioned that Board members and County staff will be attending a meeting in Richmond on January 24<sup>th</sup> with State officials and representatives from All Points Broadband to discuss next steps with the project.

Mr. Ashcraft told the Board staff is discussing restoring the old conference room next to the County Administrator's office and would like their blessing to proceed. Because of the way the room was divided, there will be no expense in removing the walls and restoring it to one room. The conference table which was previously in the room has been located and will be reused however, some chairs may need to be purchased. Supervisor Hodges asked where the chairs were that used to be in there. Mr. Hudgins said he believes they are in storage and some may have been discarded because they were broken. Supervisor Greenwood said the room used to also be the Board's and County Counsel's library and asked if the books and bookshelves could be returned to the room. Mr. Hudgins said they would look into finding where those items have been stored. The Board gave general consensus for staff to pursue restoring the space to a conference room.

**8.a.i. Proposed Budget Work Sessions – Monday, January 31, 2022 and Tuesday, February 22, 2022**

Mr. Ashcraft said the Board has normally held an all-day Budget Work Session and he believes adding additional evening Work Sessions is a more efficient use of the Board’s time. He proposes adding two Work Sessions on January 31 and February 22 and eliminating the all-day session on April 15. Since both the Board’s meeting schedule and Budget meeting schedule will be approved at the January 10 Work Session, this information is being provided now for the Board to consider at that time.

**8.b. Board Information**

The following information was provided to the Board without comment:

- i. Animal Activities Report - November 2021
- ii. Building Department Report – November 2021
- iii. Utility Activity Report – November 2021
- iv. Synopsis of MPPDC Meeting of November 2021
- v. Proposed 2022 Board of Supervisors Meeting Schedule
- vi. Sheriff’s Office Activity Report – November 2021

**Agenda Item 9. PUBLIC HEARING**

**9.a. Resolution 21-91 – CUP 10-21: Owner/Applicant – McCauley Park LLC – Sherry Graham, Director of Planning**

Ms. Graham said that questions had come up regarding CUP 10-21 which the Planning Department has not had an opportunity to address and they are therefore asking that the Board table this discussion until such time as those questions can be answered. Supervisor Greenwood asked how tabling affects the advertisement and timing of holding a Public Hearing in January. Ms. Graham said they would find out before moving forward with advertising the Public Hearing.

Supervisor Garber made a motion to table Resolution 21-91. Supervisor Hodges seconded the motion. The Vice Chair called for any discussion. The members were polled:

Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Absent

Resolution 21-91 was tabled.

**9.b. Resolution 21-92 - CUP-11-21: Owner - Maude E. Holmes / Applicant - Vernon Holmes, Jr. - Sherry Graham, Director of Planning**

**9.c. Resolution 21-93 - CUP-12-21: Owner - Gertrude Quarles / Applicant - Vernon Holmes, Jr. - Sherry Graham, Director of Planning**

**9.d. Resolution 21-94 - CUP-13-21: Owner - Bony Quarles / Applicant - Vernon Holmes, Jr. - Sherry Graham, Director of Planning**

Because of the similarity in content, Ms. Graham presented Resolutions 21-92, 21-93, and 21-94 together. The Planning Commission recommended denial of the three CUPs for the same reasons – roads are too small to handle the increase in traffic, lack of utility infrastructure, negative community feedback, and others. VDOT estimates building the townhomes requested in these CUPs would add 600-700 more trips daily on the roads which are unable to handle that type of traffic.

Supervisor Garber asked if Mr. Holmes owns the properties. Ms. Graham said no.

Supervisor Hodges asked if there were wetlands on these properties. Ms. Graham said yes and said the purple lines on the plat show where the wetlands are. Supervisor Hodges asked if the builder was allowed to get as close to them as it appeared they were on the map. Ms. Graham said they would have to stay away from those areas as required and noted the elevations on the parcels are also very steep.

Supervisor Greenwood asked if the applicant was present. Ms. Graham said no.

Supervisor Hodges asked about water and sewers and where the turnaround was. Ms. Graham said there was no water or sewer or turnaround.

Supervisor Hodges asked if the three Public Hearings could be held as one. Mr. McRoberts said it is allowable but it is cleaner to do it as three and he does not recommend doing it as one unless it is made clear that the hearings are open for all three matters.

Ms. Graham said the applicant was proposing public sewer through HRSD however, they have provided no information to her. Vice Chair Moren asked who paid for that – the County, HRSD, or the developer. Ms. Graham said it would be on HRSD. Supervisor Hodges asked if the applicant expected HRSD to expand their facility for this. Ms. Graham said she believed he did but did not think HRSD was in agreement to do so.

Vice Chair Moren opened the Public Hearing Periods for any who wished to speak on CUP 11-21, CUP 12-21, or CUP 13-21.

Robert Gray of the 2<sup>nd</sup> District spoke on behalf of the Pamunkey Indian Tribe and said the Tribe opposes all three CUPs. He said the roads involved provide egress from the Tribe's Reservation and the proposed CUPs would change the landscape, create dangerous driving conditions, place a burden on volunteer emergency services, and negatively affect the

environment. There is also a lack of public water in the area. If the County were to approve these CUPs, the Tribe would exercise their right to appeal to the federal government.

Roth Jackson with Old Town LLC spoke on behalf of the LLC's members. They are opposed to all three CUPs and noted the proposed properties are in an agricultural conservation district. The area has been used by Old Town LLC for agricultural and conservation purposes since 1974. Part of their 400 acres contains a no-shoot migratory bird preserve. The land is used to host Wounded Warrior and Boy Scout camps. There is no buffer and no ability to create a wildlife corridor. He noted that some Old Town LLC members are their owners of these properties.

Michael Quarles of Winchester Road spoke on behalf of his family members who oppose all three CUPs. He said the families living in the area do not want the townhomes built as they would create a nuisance, increase traffic, and destroy their peace and quiet. He said the infrastructure can't support the townhomes and current residents fear their property values may decrease. In addition, residents are concerned they may be forced to connect to HRSD services if they are brought there which would result in another bill for homeowners to pay. Approving these CUPs would devastate the wildlife refuge area and add too many people and too much traffic.

Anthony Quarles said he is not a King William County resident but pays the taxes on the Gertrude Quarles property. He said he believes the applicant should also be the owner of the property and Mr. Holmes is not the owner nor is he related to those that do own the property. He said the applicant should have come to the owners first before making this request and Mr. Holmes did not do that.

James Thomas Brown of Union Hope Road said he is an adjacent property owner and doesn't see that the area can handle this addition of houses. The roads are not adequate and it would be a burden on police and emergency services. He is opposed to all three CUPs.

There being no further speakers, the Public Hearing Periods for CUP 11-21, CUP 12-21, and CUP 13-21 were closed.

Supervisor Garber asked if the applicant should be the owner. Ms. Graham said the Planning Department has now changed the form to require the signature of both the applicant and the owner. Supervisor Garber asked if the property owners were living. Ms. Graham said she believed Ms. Holmes and Mr. Quarles were but that Ms. Gertrude Quarles was not.

Supervisor Hodges made a motion to deny CUP 11-21 by approving Resolution 21-92. Supervisor Garber seconded the motion. The Vice Chair called for any discussion. The Deputy Clerk clarified that the approving the Resolution denies the CUP.

The members were polled:

Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Absent

**RESOLUTION 21-92  
DENYING CONDITIONAL USE PERMIT (CUP) 11-21  
TAX MAP PARCEL 52-60B – WINCHESTER ROAD  
OWNER: MAUDE E. HOLMES / APPLICANT: VERNON HOLMES, JR.**

**WHEREAS**, the applicant, Vernon Holmes, Jr., is requesting a Conditional Use Permit in order to construct 7 townhouses on property located at 209 Winchester Road, tax map parcel 52-60B, which is zoned A-C (Agricultural-Conservation), consists of 1.5 acres, and contains a single-family home which the applicant is proposing be demolished; and

**WHEREAS**, there are no deed restrictions barring the proposed use of the property and townhouses are permitted in the A-C district with approval of a conditional use permit; and

**WHEREAS**, the goals of the 2016 King William County Comprehensive Plan include to providing a variety of safe, decent, affordable, and quality housing opportunities, and to encourage the development of a variety of housing types to accommodate current and future citizens of varying ages, stations in life, and income levels; and

**WHEREAS**, the King William County Planning Commission held a duly advertised public hearing on December 7, 2021 and voted 5-0 to recommend denial of the Conditional Use Permit to the Board of Supervisors; and

**WHEREAS**, the King William County Board of Supervisors conducted a duly advertised public hearing on December 27, 2021 to consider CUP 11-21,

**NOW, THEREFORE, BE IT RESOLVED**, the King William County Board of Supervisors hereby approves the recommendation of the Planning Commission to deny CUP 11-21.

**DONE** this 27th day of December, 2021.

Supervisor Greenwood made a motion to deny CUP 12-21 by approving Resolution 21-93. Supervisor Garber seconded the motion. The Vice Chair called for any discussion. The members were polled:

Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Absent

**RESOLUTION 21-93  
DENYING CONDITIONAL USE PERMIT (CUP) 12-21  
TAX MAP PARCEL 52-15 – WINCHESTER ROAD  
OWNER: GERTRUDE QUARLES ET AL / APPLICANT: VERNON HOLMES, JR.**

**WHEREAS**, the applicant, Vernon Holmes, Jr., is requesting a Conditional Use Permit in order to construct 93 townhouses on property located at 209 Winchester Road, located on tax map parcel 52-15, zoned A-C (Agricultural-Conservation), and consisting of 20 acres upon which exists a single family dwelling which applicant proposes to demolish if necessary; and

**WHEREAS**, there are no deed restrictions barring the proposed use of the property and townhouses are permitted in the A-C district with approval of a conditional use permit; and

**WHEREAS**, the goals of the 2016 King William County Comprehensive Plan include to providing a variety of safe, decent, affordable, and quality housing opportunities, and to encourage the development of a variety of housing types to accommodate current and future citizens of varying ages, stations in life, and income levels; and

**WHEREAS**, the King William County Planning Commission held a duly advertised public hearing on December 7, 2021 and voted 5-0 to recommend denial of the Conditional Use Permit to the Board of Supervisors; and

**WHEREAS**, the King William County Board of Supervisors conducted a duly advertised public hearing on December 27, 2021 to consider CUP 12-21,

**NOW, THEREFORE, BE IT RESOLVED**, the King William County Board of Supervisors hereby approves the recommendation of the Planning Commission to deny CUP 12-21.

**DONE** this 27th day of December, 2021.

Supervisor Hodges made a motion to deny CUP 13-21 by approving Resolution 21-94. Supervisor Greenwood seconded the motion. The Vice Chair called for any discussion. The members were polled:

Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Absent

**RESOLUTION 21-94  
DENYING CONDITIONAL USE PERMIT (CUP) 13-21  
TAX MAP PARCEL 52-23 – UNION HOPE ROAD  
OWNER: BONY QUARLES / APPLICANT: VERNON HOLMES, JR.**

**WHEREAS**, the applicant, Vernon Holmes, Jr., is requesting a Conditional Use Permit in order to construct twenty-three townhouses on property located at 1779 Union Hope Road, located on tax map parcel 52-23, zoned A-C (Agricultural-Conservation), and consisting of 5.37 acres; and

**WHEREAS**, there are no deed restrictions barring the proposed use of the property and townhouses are permitted in the A-C district with approval of a conditional use permit; and

**WHEREAS**, the goals of the 2016 King William County Comprehensive Plan include to providing a variety of safe, decent, affordable, and quality housing opportunities, and to encourage the development of a variety of housing types to accommodate current and future citizens of varying ages, stations in life, and income levels; and

**WHEREAS**, the King William County Planning Commission held a duly advertised public hearing on December 7, 2021 and voted 5-0 to recommend denial of the Conditional Use Permit to the Board of Supervisors; and

**WHEREAS**, the King William County Board of Supervisors conducted a duly advertised public hearing on December 27, 2021 to consider CUP 13-21,

**NOW, THEREFORE, BE IT RESOLVED**, the King William County Board of Supervisors hereby approves the recommendation of the Planning Commission to deny CUP 13-21.

**DONE** this 27th day of December, 2021.

**Agenda Item 10. BOARD OF SUPERVISORS' COMMENTS**

Supervisor Garber thanked everyone for coming to the meeting and speaking. He said that COVID is exploding again and urged people to be safe.

Supervisor Greenwood thanked people for coming and thanked the families for coming to speak regarding the Public Hearing matters. He hoped people had a Merry Christmas.

Supervisor Hodges wished everyone a Happy New Year. He asked the Board to remember during budget discussions that there are other fire stations besides Station One. He said his sister is in the hospital and her other family members are ill.

Vice Chair Moren thanked staff for the meeting preparations and wished everyone a Happy 2022.

As he was not needed for the Closed Meeting discussions, Mr. McRoberts left the meeting at this time.

**Agenda Item 11. CLOSED MEETING**

**11.a. Motion to Convene Closed Meeting**

Supervisor Hodges made a motion to convene in Closed Meeting in accordance with Section 2.2-3711 (A)(1) of the Code of Virginia to consider a personnel matter involving the appointment of individuals to Boards and Commissions. Supervisor Greenwood seconded the motion. The Vice Chair called for any discussion. The members were polled:

Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Absent

**11.b. Motion to Reconvene in Open Session**

Having completed the Closed Meeting, Vice Chair Moren reconvened the meeting in Open Session.

**11.c. Certification of Closed Meeting**

Supervisor Hodges moved for adoption of Standing Resolution 1 (SR-1) in accordance with Section 2.2-3712 (D) of the Code of Virginia, 1950, as amended; the motion was seconded by Supervisor Greenwood. The Vice Chair called for any discussion.

The members were polled:

Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Absent

**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 27th day of December, 2021, 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.

**DONE** this the 27th day of December, 2021.

**11.d. Action on Closed Meeting (if necessary)**

No action was taken as a result of the Closed Meeting.

**Agenda Item 12. APPOINTMENTS**

**a. Resolution 21-95 Appointment to the MPPDC**

Supervisor Greenwood made a motion to approve Resolution 21-95 reappointing Otto O. Williams to the Citizen Representative position on the Middle Peninsula Planning District Commission for a one-year term ending December 31, 2022. Supervisor Garber seconded the motion. The Vice Chair called for any discussion.

The members were polled:

Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Absent

**RESOLUTION 21-95  
APPOINTMENT/REAPPOINTMENT TO THE  
MIDDLE PENINSULA PLANNING DISTRICT COMMISSION CITIZEN REPRESENTATIVE**

**WHEREAS**, Otto O. Williams' term as Citizen Representative on the Middle Peninsula Planning District Commission expires December 31, 2021; and

**WHEREAS**, Otto O. Williams has expressed interest in reappointment to the Citizen Representative position on the Middle Peninsula Planning District Commission; and

**WHEREAS**, there are currently no others who have expressed interest in appointment to the Citizen Representative position on the Middle Peninsula Planning District Commission; and

**WHEREAS**, the Board of Supervisors now desires to make an appointment or reappointment to this position;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County, Virginia that Otto O. Williams be reappointed to the Citizen Representative position on the Middle Peninsula Planning District Commission for a one-year term ending December 31, 2022.

**DONE** this 27<sup>th</sup> day of December, 2021.

**Agenda Item 13. ADJOURN OR RECESS**

Supervisor Hodges made a motion to adjourn the meeting; seconded by Supervisor Greenwood. The Vice Chair called for any discussion.

The members were polled:

Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Absent

COPY TESTE:

---

Edwin H. Moren, Jr., Vice Chair  
Board of Supervisors

---

Christine H. Branch  
Deputy Clerk to the Board of Supervisors

## ATTACHMENT A



# County Administrator's Report (revised)

## *December 27, 2021 meeting of the Board of Supervisors*

### Meetings & Special Dates

#### December

1. New Year's Eve (County Offices Closed) – December 31.

#### January

2. Planning Commission – January 4, 7 p.m.; Board Room.
3. Recreation Commission – January 6, 7 p.m.; Parks & Recreation Community Center.
4. Economic Development Authority (EDA) – January 12, 7 p.m.; Board Room.
5. DEQ Public Meeting – January 13, 6 p.m.; Biosolids Permit.
6. Middle Peninsula Planning District Committee – January 14, 8 a.m.
7. VPPSA Oversight Committee – January 14, 11 a.m.
8. Rev. Martin Luther King's Birthday (County Offices Closed) – January 17.
9. King William School Board Meeting – January 18, 6 p.m.; Hamilton Holmes School.
10. West Point School Board Meeting – January 18, 5 p.m.; West Point High School.
11. Board of Zoning Appeals Meeting – January 19, 6:30 p.m.; Board Room.
12. West Point Town Council Meeting – January 25, 6:30 p.m.; Town Hall Chambers.

### Notes & Updates

1. Personnel
  - a. Hannah Rice hired as part-time Animal Care Tech for the Animal Shelter.
  - b. Briana Rappold hired as full-time Deputy Treasurer.
  - c. Jeannie Conner transferred from 9-1-1 Dispatch to Full-Time Custodian.
  - d. Kelsey Duke & Deborah Ball hired as part-time temporaries for the Commissioner of the Revenue's Office.
  - e. Donna Wilson resigned as employee in the Commissioner of the Revenue's office.
2. Treasurer Mary Sue Bancroft has asked for an extension to complete the FY '22 audit. Public announcements have been posted. Estimated completion is February 28, 2022.
3. King William Ruritan Club donated \$600 to King William Fire & EMS on December 14.

4. At the urging of the administrations in West Point and King William County, Congressman Rob Wittman will sponsor legislation that will help counties and towns have more flexibility with federal money they receive.
5. County Staff is discussing restoring the former conference room next to the County Administrator's office for multiple uses that include larger staff meetings, BOS conversations with constituents and also Closed Sessions after BOS meetings. This would take the pressure off the continued use of the Board Room for meetings not related to the BOS and Boards and Commissions.
6. Deputy County Administrator Hudgins and I met with Chief Robert Gray and Debra Hansen of the Pamunkey Tribe on December 16 to discuss ways the County and the Tribe can improve relations.
7. COVID-19 Update:
  - a. King William County is averaging 11 new cases per the most recent seven-day average as of December 26.
  - b. King William County residents have experienced 2,348 cases of COVID-19 since February, 2020 as of December 26. A total of 71 required hospitalization and 27 passed away.
  - c. County Government continues to follow a mask policy when dealing with the public and non-vaccinated personnel.
  - d. COVID-19 Antigen at-home test kits are available at no cost.
8. King William County School Board member Steven Tupponce recently announced he is stepping down effective January 1, 2022.
9. Parks & Recreation is seeking more people to utilize the Community Center.
10. County newsletter was launched December 17 to complement the website, Facebook, Twitter and County Administrator's blog to increase public awareness of matters happening within King William County. Residents can get on the distribution list by emailing County Administration or filling out the form on the website, or they can read it from our webpage.
11. Members of the BOS and County Staff will be attending a meeting in Richmond on January 24 with State officials and representatives from All Points to discuss next steps with the broadband project.



# AGENDA ITEM 7.a.ii.

January 10, 2022 Organizational and Work Session  
Meeting Draft Minutes

**DRAFT MINUTES  
KING WILLIAM COUNTY BOARD OF SUPERVISORS  
ORGANIZATIONAL AND WORK SESSION MEETING OF JANUARY 10, 2022**

An organizational and work session meeting of the Board of Supervisors of King William County, Virginia, was held on the 10th day of January 2022, beginning at 7:00 p.m. in the Board Meeting Room of the County Administration Building and via Zoom.

**Agenda Item 1. CALL TO ORDER**

Chairman Moskalski called the meeting to order.

**Agenda Item 2. ROLL CALL**

The members were polled:

Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Aye

**Agenda Item 3. REVIEW AND ADOPTION OF AMENDED MEETING AGENDA**

Supervisor Garber moved for the adoption of the amended agenda for this meeting as presented; Supervisor Hodges seconded motion. The Chairman called for any discussion. The members were polled:

Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Aye

**Agenda Item 4. ORGANIZATION OF THE BOARD OF SUPERVISORS FOR CALENDAR YEAR 2022**

**4.a. Election of Board Chairman**

Supervisor Greenwood nominated Supervisor Moren for the position of Board Chairman. Supervisor Hodges seconded the motion. Supervisor Moren accepted the nomination. The Chairman called for any discussion.

Supervisor Garber made a motion to elect Supervisor Moren as Board Chairman. Supervisor Hodges seconded. The Chairman called for any discussion. The members were polled:

Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Aye

Supervisor Moskalski recessed the meeting at 7:02pm.  
 Chairman Moren called the meeting to order at 7:03pm

**4.b. Election of Board Vice-Chairman**

Supervisor Garber nominated Supervisor Hodges for the position of Board Vice-Chairman. Supervisor Greenwood seconded the motion. Supervisor Hodges accepted the nomination. Chairman Moren called for any discussion.

Supervisor Moskalski made a motion to elect Supervisor Hodges as Board Vice-Chairman. Supervisor Greenwood seconded. Chairman Moren called for any discussion. The members were polled:

Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Chairman	Aye

**4.c. Adoption of Board of Supervisors By-Laws and Rules of Procedure for Calendar Year 2022**

Supervisor Greenwood asked about the proposed change of requiring Public Comment and Public Hearing speakers to provide District of Residence rather than their address since people who live outside the County are also welcome to speak at these times. Supervisor Moskalski said people in that situation could simply state they live outside the County and noted that it doesn't happen often.

Supervisor Greenwood asked what the purpose was of the proposed change from "annual meeting" to "organizational meeting" throughout the document. County Administrator, Percy Ashcraft, said he believed it was a recommendation by the Deputy Clerk. The Deputy clerk proposed the change to address confusing language in Section 1-3.

Supervisor Moskalski made a motion to adopt the amended By-Laws as presented. Supervisor Garber seconded. Chairman Moren called for discussion. The members were polled:

Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges – Vice Chair	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye

Supervisor, 2nd District: Travis J. Moskalski Aye  
Supervisor, 5th District: Edwin H. Moren, Jr. – Chairman Aye

#### **4.d. Adoption of Board of Supervisors 2022 Meeting Calendar**

Mr. Ashcraft asked if the Board had any objection to February 14<sup>th</sup> as a Work Session date since it was Valentine’s Day. The consensus of the Board was that the meeting should occur. Mr. Ashcraft said the Planning Commission would like to hold a joint meeting with the Board and the Economic Development Authority on that date to discuss the Comprehensive Plan and have Hill Studio bring an update. The general consensus of the Board was to hold that joint meeting on February 14<sup>th</sup> as long as the Hill Group was available.

Supervisor Moskalski made a motion to adopt the 2022 Meeting Calendar as presented with the possibility of a joint session being added to the February 14<sup>th</sup> agenda with the Planning Commission and Economic Development Authority. Vice Chair Hodges seconded. The Chairman called for discussion. The members were polled:

Supervisor, 1st District: William L. Hodges – Vice Chair Aye  
Supervisor, 4th District: C. Stewart Garber, Jr. Aye  
Supervisor, 2nd District: Travis J. Moskalski Aye  
Supervisor, 3rd District: Stephen K. Greenwood Aye  
Supervisor, 5th District: Edwin H. Moren, Jr. – Chairman Aye

#### **4.e. Adoption of Fiscal Year 2023 Budget Schedule**

Mr. Ashcraft said staff is recommending the addition of three additional evening Budget Work Sessions to take the place of the usual all-day Budget Session. Mr. Ashcraft said he feels it is more efficient to handle the budget in this manner.

Chairman Moren asked if staff were on schedule with the other milestones presented in the schedule. Mr. Ashcraft said yes, except for the Director of Financial Services presentation which was supposed to occur at this Work Session and has been cancelled due to illness.

Vice Chair Hodges asked what the latest time is the evening Work Sessions could last. Supervisor Moskalski said 11:00pm per the By-Laws.

Supervisor Moskalski expressed concern that the budget release date was after the publication date of the Public Hearing Notice. He said the budget should be ready for inspection by the public at the time the notice is given. In order to give proper notice of the Public Hearing scheduled for April 4<sup>th</sup>, the publication date must be March 23<sup>rd</sup> (due the County’s paper of record, The Tidewater Review, being published on Wednesdays). In order to facilitate this, the Budget Release date would have to be moved to March 14<sup>th</sup>.

Vice Chair Hodges asked if that would work for the School Board since their meeting is scheduled for March 8<sup>th</sup>. Mr. Ashcraft said staff will make it work.

Supervisor Garber made a motion to adopt the Fiscal Year 2023 Budget Schedule with one change – moving the Budget Release from March 28<sup>th</sup> to March 14<sup>th</sup>. Vice Chair Hodges seconded. The Chairman called for discussion. The members were polled:

Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges – Vice Chair	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Chairman	Aye

#### **4.f. Board Appointments to Boards & Commissions**

Chairman Moren said he would like to see the appointments switched up. The consensus of the Board members was that everyone is happy working with the Boards & Commissions they are currently serving.

#### **4.f.i. Resolution 22-01 – Appointment to Historic Preservation & Architectural Review Board (HPARB)**

Supervisor Moskalski made a motion to approve Resolution 22-01 reappointing Vice Chair Hodges as the Board representative on the HPARB for a one-year term ending December 31, 2022. Supervisor Greenwood seconded. The Chairman called for discussion. The members were polled:

Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges – Vice Chair	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Chairman	Aye

### **RESOLUTION 22-01 BOARD APPOINTMENT/REAPPOINTMENT TO THE HISTORIC PRESERVATION AND ARCHITECTURAL REVIEW BOARD (HPARB)**

**WHEREAS**, William L. Hodges term as Board of Supervisors Representative on the Historic Preservation and Architectural Review Board (HPARB) expires December 31, 2021; and

**WHEREAS**, the Board of Supervisors now desires to make an appointment or reappointment to this position;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County, Virginia that William L. Hodges be reappointed as the Board of Supervisors Representative on the Historic Preservation and Architectural Review Board (HPARB) for a one-year term ending December 31, 2022.

DONE this 10<sup>th</sup> day of January, 2022.

**4.f.ii. Resolution 22-02 – Appointment to Middle Peninsula Planning District Commission (MPPDC)**

Supervisor Moskalski noted there are two Board appointees for this Commission which are currently him and Chairman Moren.

Supervisor Moskalski made a motion to approve Resolution 22-02R reappointing himself and Chairman Moren to the MPPDC for a one-year term ending December 31, 2022. Supervisor Garber seconded. The Chairman called for discussion. The members were polled:

Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges – Vice Chair	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Chairman	Aye

**RESOLUTION 22-02R  
BOARD APPOINTMENT/REAPPOINTMENT TO THE  
MIDDLE PENINSULA PLANNING DISTRICT COMMISSION (MPPDC)**

**WHEREAS, Edwin H. Moren, Jr. and** Travis J. Moskalski's terms as Board of Supervisors Representatives on the Middle Peninsula Planning District Commission (MPPDC) expires December 31, 2021; and

**WHEREAS,** the Board of Supervisors now desires to make an appointment or reappointment to this position;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County, Virginia that Edwin H. Moren, Jr. and Travis J. Moskalski be reappointed as the Board of Supervisors Representatives on the Middle Peninsula Planning District Commission (MPPDC) for one-year terms ending December 31, 2022.

DONE this 10<sup>th</sup> day of January, 2022.

**4.f.iii. Resolution 22-03 – Appointment to Planning Commission**

Supervisor Moskalski made a motion to approve Resolution 22-03 reappointing Supervisor Greenwood as the Board representative on the Planning Commission for a one-year term ending December 31, 2022. Vice Chair Hodges seconded. The Chairman called for discussion. The members were polled:

Supervisor, 1st District: William L. Hodges – Vice Chair	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski	Aye

Supervisor, 3rd District: Stephen K. Greenwood Aye  
Supervisor, 5th District: Edwin H. Moren, Jr. – Chairman Aye

**RESOLUTION 22-03  
BOARD APPOINTMENT/REAPPOINTMENT TO THE  
KING WILLIAM COUNTY PLANNING COMMISSION**

**WHEREAS**, Stephen K. Greenwood’s term as Board of Supervisors Representative on the King William County Planning Commission expires December 31, 2021; and

**WHEREAS**, the Board of Supervisors now desires to make an appointment or reappointment to this position;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County, Virginia that Stephen K. Greenwood be reappointed as the Board of Supervisors Representative on the King William County Planning Commission for a one-year term ending December 31, 2022.

**DONE** this 10<sup>th</sup> day of January, 2022.

**4.f.iv. Resolution 22-04 – Appointment to Recreation Commission**

Supervisor Greenwood made a motion to approve Resolution 22-04 reappointing Supervisor Garber as the Board representative on the Recreation Commission for a one-year term ending December 31, 2022. Vice Chair Hodges seconded. The Chairman called for discussion. The members were polled:

Supervisor, 4th District: C. Stewart Garber, Jr. Aye  
Supervisor, 2nd District: Travis J. Moskalski Aye  
Supervisor, 3rd District: Stephen K. Greenwood Aye  
Supervisor, 1st District: William L. Hodges – Vice Chair Aye  
Supervisor, 5th District: Edwin H. Moren, Jr. – Chairman Aye

**RESOLUTION 22-04  
BOARD APPOINTMENT/REAPPOINTMENT TO THE  
KING WILLIAM COUNTY RECREATION COMMISSION**

**WHEREAS**, C. Stewart Garber, Jr.’s term as Board of Supervisors Representative on the King William County Recreation Commission expires December 31, 2021; and

**WHEREAS**, the Board of Supervisors now desires to make an appointment or reappointment to this position;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County, Virginia that C. Stewart Garber, Jr. be reappointed as the Board of Supervisors Representative on the King William County Recreation Commission for a one-year term ending December 31, 2022.

DONE this 10<sup>th</sup> day of January, 2022.

**4.f.v. Resolution 22-05 – Appointment to Social Services Board**

Supervisor Moskalski made a motion to approve Resolution 22-05 reappointing Supervisor Garber as the Board representative on the Social Services Board for a one-year term ending December 31, 2022. Supervisor Greenwood seconded. The Chairman called for discussion. The members were polled:

Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges – Vice Chair	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Chairman	Aye

**RESOLUTION 22-05  
BOARD APPOINTMENT/REAPPOINTMENT TO THE  
KING WILLIAM COUNTY SOCIAL SERVICES BOARD**

**WHEREAS**, C. Stewart Garber, Jr.’s term as Board of Supervisors Representative on the King William County Social Services Board expires December 31, 2021; and

**WHEREAS**, the Board of Supervisors now desires to make an appointment or reappointment to this position;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County, Virginia that C. Stewart Garber, Jr. be reappointed as the Board of Supervisors Representative on the King William County Social Services Board for a one-year term ending December 31, 2022.

DONE this 10<sup>th</sup> day of January, 2022.

**4.f.vi. Resolution 22-06 – Appointment to Virginia Career Works (Bay Consortium) Chief Elected Officials Consortium**

Mr. Ashcraft noted that the Board had appointed the previous County Administrator and an alternate of her choosing in 2020. Since this person is no longer employed by the County, and since the Bay Consortium prefers the County’s representative be an elected official, this appointment needs to be made. Supervisor Moskalski suggested Chairman Moren would be a good fit because the Consortium meets during the day and he may have wider availability. Chairman Moren said he would serve if the other Board members felt this was a good fit for him. The consensus of the Board was that it was. Mr. Ashcraft said he would provide contact information to Chairman Moren.

Supervisor Moskalski made a motion to approve Resolution 22-06 appointing Chairman Moren as the Board representative on the Virginia Career Works (Bay Consortium) Chief

Elected Officials Consortium for a one-year term ending December 31, 2022. Vice Chair Hodges seconded. The Chairman called for discussion. The members were polled:

Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges – Vice Chair	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Chairman	Aye

**RESOLUTION 22-06  
BOARD APPOINTMENT TO THE  
VIRGINIA CAREER WORKS (BAY CONSORTIUM)  
CHIEF ELECTED OFFICIALS CONSORTIUM**

**WHEREAS**, the Board of Supervisors appointed Bobbie Tassinari, County Administrator, and a designee of her choosing as alternates to the Bay Consortium Local Elected Officials Consortium via Resolution 20-06 on January 27, 2020; and

**WHEREAS**, those designated via Resolution 20-06 are no longer employed by King William County; and

**WHEREAS**, the Bay Consortium Local Elected Officials Consortium has stated their preference for a member of the Board of Supervisors to serve in this capacity; and

**WHEREAS**, the Board of Supervisors now desires to make an appointment to this position;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County, Virginia that Edwin H. Moren, Jr. be appointed as the Board of Supervisors Representative on the Virginia Career Works (Bay Consortium) Local Elected Officials Consortium for a one-year term ending December 31, 2022.

**DONE** this 10<sup>th</sup> day of January, 2022.

**Agenda Item 5. WORK SESSION MATTERS**

**5.a. Treasurer's Office Update**

Ms. Bancroft said she talked with the auditor on December 15, 2020 and asked for a delay until February 28, 2022. Notice was provided to the auditor and posted on the County website and front door of the Administration Building as required.

Ms. Bancroft said her office is making progress on the reconciliations but the process is tedious. Chairman Moren asked where she felt she was in the process percentage wise. Ms. Bancroft said they are 60% finished and her goal is to have everything completed by January 31, 2022.

Chairman Moren asked if her staff were healthy. Ms. Bancroft said no. The Treasurer's office was closed for a day and a half due to staff illnesses. One person was able to come back for ½ day and she now has two staff members out sick.

Supervisor Greenwood said he thinks people have forgotten their personal property taxes are due on January 15<sup>th</sup>. Ms. Bancroft said they've had a good turnout beforehand of people paying their personal property taxes. Her office is handling all payments and they are no longer using a third-party dropbox. People can pay their taxes online, at the Treasurer's office, by mail, by phone, and by dropping them in the designated box at the front doors of the County Administration Building. They can also pay at C&F Bank, Essex Bank, and Atlantic Union Bank. She said there are not a lot of tax payments still outstanding – only about 30% have not yet paid. She also said that because the 15<sup>th</sup> falls on a Saturday, people have until Monday to pay. However, Monday is a state holiday and the offices are closed so they actually have until Tuesday, January 18<sup>th</sup>, to pay without incurring a late fee.

Vice Chair Hodges said his check hasn't cleared. Ms. Bancroft said it's possible that it's still in the mail and noted that some postal items are taking a long time to get to their destination.

Supervisor Moskalski asked about progress with the Edmunds software product. Ms. Bancroft said she likes it and finds it user-friendly for the purposes she uses – mainly reporting. However, her Deputies are having problems with the day-to-day entry. She said the Commissioner of Revenue's office does not like it either.

Supervisor Moskalski asked if they had experienced any improvement in response times. Ms. Bancroft said they have seen some improvement. She said they found about 1,000 accounts from 2018 which Edmunds missed but they have since fixed the problem.

Ms. Bancroft said her Deputies are amazing and have been doing an outstanding job.

**5.b. Financial Overview and Capital Needs – Natasha Joranlien, Director of Financial Services** (postponed due to illness)

**5.c. Fire & EMS Department Update – Stacy Reaves, Fire Chief**

Chief Reaves said COVID numbers have doubled in the past week and today the Governor declared a State of Emergency for hospitals.

The new recruits began January 4<sup>th</sup> and the EMT class began today. Administration orientation has been rescheduled.

The department continues to work on procedures and tactical guidelines. Chief Reaves said call volume has been increasing. ESO reporting is now live for all stations and ESO scheduling is live for KWFEMS. The remaining modules will be implemented over the next several weeks. West Point and Mangohick have gone live and any kinks they experienced have been quickly corrected.

Chairman Moren asked if they can see Station Two's numbers. Chief Reaves said they can pull reports and monitor for discrepancies. They can also now build historical data which they've not had in the past.

The SAFER grant has reopened and the Department is seeking the Board's approval on moving forward to apply again. Supervisor Moskalski said yes, they should apply again for the remaining six positions. Supervisor Garber asked if the six positions would be filled even if we did not get the SAFER grant. Chief Reaves said a development plan would have to be implemented to fill them in a stepped process. Supervisor Garber asked when the grant will sunset. Chief Reaves said it was up to the federal government. The current grant period is open now and closes February 14<sup>th</sup>. They don't get advance notice and don't know until it's announced.

Vice Chair Hodges confirmed this is not an additional six positions but the same that were requested before in the last grant. Chief Reaves said yes. Thirteen positions were included in the last grant which was not won. Seven of those positions have been filled with recruits using funds from ARPA. They would like to apply for the SAFER grant again for the remaining six positions.

Chairman Moren asked if the latest census information changes any plans for the department. Chief Reaves said the original plan in asking for thirteen positions was to catch up and put the department a little ahead. They factored the County's potential growth into their request. This would give the department time to continue developing a long-range plan.

Vice Chair Hodges asked about coverage in the center of the County. Chief Reaves said their thought process is to have a fully staffed unit staged somewhere to decrease service times to the center of the County. They can look at call severity ranges and distance and put a unit where response times can be cut down. The statistical data they'll be able to get through ESO will allow them to have the information they need to make these decisions.

Vice Chair Hodges asked about the difficulty due to equipment needs. Chief Reaves said the third ambulance will be here soon and they have two engines out of the firehouses. They'll have the capacity to run three calls at the same time without having to call for outside help. Vice Chair Hodges asked the age of the current ambulances. Chief Reaves said they have a 2019 and a 2018.

Chief Reaves said the current staffing gives the department a solid foundation to stop being reactive and be able to plan and set goals for the future.

Supervisor Garber asked if they were using the same outside group to apply for the SAFER grant since they pretty much guaranteed we'd get it and we didn't. Chief Reaves said yes. The reason the County did not receive the SAFER and AFG grants in the past was because our application was rejected before it was ever looked at. As part of the process, the grant awarders look at call rate. Because we are a small County, our application was thrown out for this reason alone before ever being considered. The awarders have rectified this by

putting the call rate factor to the very end of the determination process. This will enable the County's applications to be considered on their merit and need and not summarily dismissed due to the size of the County. The County will be submitting the same grant as last year because the grants require using the figures from 2020.

Chairman Moren asked if they had looked at successful grants submitted by similar communities. Chief Reaves said they spoke with New Kent and Hanover. He said it was impossible to measure the quality of the grant submitted because it was never even looked at so no feedback was given.

Supervisor Garber asked if the brush truck being applied for under the AFG Grant would be an additional vehicle. Chief Reaves said no, it would replace the old one. The new one will have a tank, pump, and other capabilities the current one does not have.

A regional AFG grant has been applied for to replace the compressor at Station One. King William and West Point have applied for a regional grant for the replacement of all the SCBA for both departments. Applying for a regional grant greatly increases the likelihood of being awarded a grant. The County's SCBA equipment is in worse shape than West Point's but they are right behind us in terms of age. King William currently has fourth generation equipment and the FDA says not to use past the third generation. West Point has had better procurement along the years which is why their equipment is slightly better.

Supervisor Garber said a lot of the equipment expires this year and asked if it could be used if we don't get the grant. Chief Reaves said no because parts for the equipment are no longer available plus it increases the County's liability if something were to go wrong.

Vice Chair Hodges asked why Mangohick didn't participate in the regional grant as well. Chief Reaves said they replaced their SCBA last year.

Supervisor Garber asked if someone was aware that all this equipment would sunset at the same time. Chief Reaves said yes, it was discussed during budget time last year and was put off due to budget constraints. Supervisor Garber asked if there was enough equipment for the new hires. Chief Reaves said yes. The equipment is for seat positions, not per person.

Chairman Moren asked if there will be supply problems in getting the equipment. Chief Reaves said the equipment is built out after it's ordered. The last update he'd heard was that it is taking about a year to get supplies after it's ordered. He said if they'd known this they would have pushed harder during last year's budget discussions but he doesn't see where they would have found the funds in the budget.

Vice Chair Hodges asked when we'd know about the grant award. Chief Reaves said August but we will need to purchase it before then.

Chairman Moren said the second tranche of ARPA funds were possibly coming in July and urged Chief Reaves to have a Plan B as soon as possible.

Supervisor Garber asked if it were an all or nothing grant with West Point. Chief Reaves said yes, it's a regional grant so they'd either get it for both entities or none.

Vice Chair Hodges asked if West Point's compressor was in good shape. Chief Reaves said yes and the County can use it if they have to. He said the County's compressor does not have a gas monitor which is now a requirement on all new equipment. They can stockpile tanks by filling them at West Point or Mangohick.

Chief Reaves said the third ambulance is out of service permanently but is being kept on the insurance in case they need to move it. The plan is to sell it. The final inspection of the new ambulance is January 13-14 in Pennsylvania. The engine build is on schedule and should be delivered sometime in June.

The department has received feedback on the EOP workshop and is going through it.

Chief Jones retired in December but continues to work part-time. He is heading up the development of a Citizens Emergency Response Team (CERT) for the County. This will be a great resource for the County. One meeting has taken place but the second was cancelled due to illness.

Supervisor Greenwood said a citizen asked him why they received a bill from the Board of Supervisors for an ambulance call. Chief Reaves said the service is billed if users don't have insurance and that anyone struggling to pay a bill should contact him. This is done through a third-party service which is why the bill says it comes from the Board of Supervisors. Chairman Moren said users with health insurance should turn the bill in to their insurance company. He asked if the volunteer agencies also bill users. Chief Reaves said yes. Vice Chair Hodges asked if it was passive billing. Chief Reaves said yes, it was soft billing. He said it is better to hire a third party company to do the billing because they align the rates with Medicare/Medicaid. The volunteer agencies also use third party billing.

#### **5.d. Motorola Radio Update – Travis Wolfe, Systems Engineer**

Mr. Wolfe said he has recently gone back on the project as Project Manager. Six of the seven towers are complete. Only the VSP tower continues to remain outstanding due to delays in getting the State Attorney General to sign the County's lease agreement. This caused the project to be pushed back from 2021 to going live in June 2022 because the opportunity to perform the necessary foliage test was missed. The foliage test must be complete before Motorola will turn the system over.

Chairman Moren asked what would happen if you don't pass the foliage test. Mr. Wolfe said it is not a pass/fail type of test but more of a percentage. They must have close to 90% transmission success with full foliage.

Regarding the County's contract for shared services with Hanover County, Mr. Wolfe said he had discussions with the Director of Emergency Management at Hanover County who has since retired. He will meet with them again and any changes to the current contract

would have to be voted on by both County's Board of Supervisors. He suggested negating or expiring the current contract and having both County Administrators approve a new one to be taken to both Boards of Supervisors.

Supervisor Garber asked if we would no longer need Hanover. Mr. Wolfe said no, we use their core plus two towers in Hanover. He tentatively estimates a drop in the contract price with Hanover of \$112,046 in the first year which would become a drop of \$187,642 in years 2-5. Currently we are paying \$362,642/year which Mr. Wolfe estimates could fall to \$250,000 in year one and \$175,000 in year two. Mr. Wolfe reiterated these are tentative figures which have not been agreed to by either County.

Chairman Moren asked how much having our own core would cost. Mr. Wolfe said \$8-10 million.

Supervisor Garber asked if we have an agreement with West Point. Mr. Wolfe said yes, he will get more information about it to the Board.

Vice Chair Hodges asked if we had any satellite for news or other communications at the County Administration Building since it is a proposed backup EOC site. Mr. Wolfe said not yet, they are working on it.

#### **5.e. Broadband Update – Steve Hudgins, Deputy County Administrator**

Mr. Hudgins said County staff, All Points Broadband (APB), and the Department of Housing and Community Development (DHCD) have a meeting scheduled on January 24<sup>th</sup> for contract negotiation and to kick-off the project. APB and the County will enter into a Grant Administration Agreement stating the project will be built as described in the grant application. The County and DHCD will enter into a separate grant agreement which will make the VATI grant funding available. Once the DHCD agreement is in place, APB can begin low level design and other preconstruction activities. Four months after the DHCD agreement is in place, citizens will see what the construction activity will look like. Seven months after the DHCD agreement is in place, the first customers will be eligible to be installed. Approximately 18 months after the DHCD agreement is in place, the County's broadband network should be substantially complete.

Mr. Hudgins displayed a map of the County presented by APB in November. The blue areas on the map represent areas under a separate agreement with Atlantic Broadband, which is now called Breezeline. These areas are not part of the APB buildout. Supervisor Garber asked how many are already being served by Breezeline. Mr. Hudgins said he did not know. Breezeline has up to six years to complete this area under the RDOF grant they received. Mr. Hudgins will contact them to get their projected timeline for those areas and to make sure they are not left behind the APB additions. West Point is not included in the Breezeline or APB projects as they are covered by Cox.

Chairman Moren asked about service to the County Administration building. Mr. Hudgins said it is hard-wired to SEGRA. Station One is covered by Breezeline and the Parks & Rec

building uses their connection. Mr. Wolfe is currently working with Breezeline about providing service for the EOC.

Chairman Moren pointed out the County is only paying 14% of the total project cost of \$17,730,631 due to government funded grants.

Supervisor Greenwood asked if the six year timeline for Breezeline includes Central Garage. Mr. Hudgins said he would double-check the map.

Supervisor Moskalski said he'd like clarification on this as well and said people not in the APB areas will be anxious if they think they'll be left behind waiting for Breezeline.

Chairman Moren said he'd heard it estimated that 50% of people in the covered area will not sign up for service.

#### **5.f. Smart Scale – Sherry Graham, Director of Planning**

Ms. Graham provided information on potential Smart Scale projects identified with the assistance of the Middle Peninsula Planning District Commission (MPPDC) and crash history information and recommendations from VDOT. Preapplications have to be submitted by April 1<sup>st</sup> and staff is seeking guidance from the Board on whether to move forward. Ms. Graham and Mr. Ashcraft have met with West Point regarding these projects as well.

Smart Scale is a prioritization process for funding to transportation projects that generate the greatest benefit. After maintenance and other programs and needs are financed, remaining construction funding goes to SMART SCALE and is distributed according to a funding formula. Localities submit projects to be scored through the SMART SCALE process. Projects are scored according to key factors. After the projects are scored, the Commonwealth Transportation Board (CTB) selects which projects are included in the six-year improvement program. Once the projects are in the program, they are fully funded through construction.

The top five projects identified are:

1) 15<sup>th</sup> Street intersection in West Point: improvement ideas include access management, traffic signal improvements, and pedestrian accommodations. Vice Chair Hodges said they have to be very careful in considering implications to Walgreens as they are the last pharmacy still operating in the County and we don't want them to leave.

2) Route 30 and Choctaw Ridge to Central Crossing Shopping Center: improvement ideas include modifying/reconfiguring entrances and providing protected turning movements. A VDOT traffic study would have to be completed.

3) Route 360 and Mt. Pleasant Road intersection: improvement ideas include accommodating more capacity/storage/deceleration for turning movements and additional

signage. Supervisor Garber asked if VDOT would have to purchase additional right-of-way land. Ms. Graham said she didn't think so as there is a sufficient amount available.

4) Venter and Walnut Lane intersection: improvement ideas include extending turn lanes, consolidating/relocating/removing driveways for improved access management, and increasing signage for motorist awareness.

5) Route 647, Mill Road intersection with Route 360: improvement ideas include access management, extending turning movement lanes, additional dedicated turning movements, increased signage, and pavement markings along with possible stop signs and/or stop bars. A VDOT traffic study would be required.

Chairman Moren asked if there were more than five projects considered. Ms. Graham said yes, they narrowed it down to the top five.

Supervisor Garber said some of the projects were in the areas where grass cutting complaints were received. He asked how much funding was provided through Smart Scale. Ms. Graham said 100% for 2-3 years.

Supervisor Garber said many of the crashes that occur are caused by speeding. He asked how you get the speed limit reduced in an area. Ms. Graham said a VDOT study is required and they've already told them they'd like the speed limit looked at in some areas. Chairman Moren said he recalled someone trying to get the speed limit reduced from 45 to 35 on Route 360 and asked what became of it. Ms. Graham said she'd look into it. Vice Chair Hodges said there are several cases each month in the courts where people have been recklessly speeding, some going 97 mph. Supervisor Moskalski said VDOT is reluctant to drop speed limits once they've been set. It took New Kent county three years to get the speed limit dropped. Supervisor Garber said lowering the limit could save lives.

Chairman Moren asked which department takes the lead on this. Ms. Graham said Planning & Zoning with assistance from the MPPDC and VDOT. The Board's consensus was to proceed in the Smart Scale application process with these five projects.

Vice Chair Hodges asked what sort of information is on the preapplication. Ms. Graham said basically the same information as was provided to the Board in this meeting agenda packet. They also will get assistance with mapping from the MPPDC and VDOT.

### **5.g. VACo 2022 Legislative Program and Priorities – Percy C. Ashcraft, County Administrator**

Mr. Ashcraft said the Virginia Association of Counties (VACo) had released their Legislative Program and Priorities for 2022. He highlighted some of the new laws which took effect January 1<sup>st</sup> including: minimum wage raised to \$11/hr. which effected seven part-time County employees; an increase in the minimum insurance coverage requirement; protection against surprise billing with health insurance companies; and moving all municipal elections to November beginning in 2022.

Mr. Ashcraft said he'd like to get our Legislators here to create a legislative program for the County in the Fall of 2022. He wants to create relationships between the County and legislators and other groups. VACo is holding a legislative Local Government Day on February 3<sup>rd</sup> and Mr. Ashcraft asked the Board members to let him know if they were interested in attending. He plans to go along with some staff members.

Supervisor Moskalski said he thinks VACo has covered all the big issues. He said we are in a season of change and he believes the biggest flashpoint is going to be the surplus.

Mr. Ashcraft said there have been some challenges to the redistricting maps which may cause changes to the County.

Chairman Moren asked if we could anticipate any major changes in Senator Norment or Delegate Hodges' strategies. Supervisor Moskalski said both know West Point very well. Delegate Hodges has focused on coastal issues including flooding. He said the County may benefit from having a seasoned legislator covering the entire county unless the Supreme Court changes the maps. For now, it looks like it will stay the same at least until the next election.

Chairman Moren asked Mr. Ashcraft to put together a package of information about the County to give to Delegate Hodges.

#### **Agenda Item 6. BOARD OF SUPERVISORS' REQUESTS**

Chairman Moskalski said he looks forward to getting into the budget.

Supervisor Garber had nothing to add.

Supervisor Greenwood said he'd like to have VDOT come to the meetings more often. Mr. Ashcraft said Mr. McKnight with VDOT is scheduled to come to the February or March meeting and will come at least once per quarter. Chairman Moren noted he met Mr. McKnight at the Route 360/30 intersection and they will be evaluating why the traffic lights don't line up with the lanes.

Vice Chair Hodges said COVID has ramped up and we are under another State of Emergency. He said his sister is still in the hospital but improving. He said people don't realize the damage COVID does to their heart and lungs and urged people to get vaccinated. He also asked people not to speed – slow down and be safe. Protect yourself.

Chairman Moren asked if the State of Emergency effects the County in any way. Mr. Ashcraft said there were no new guidelines given other than for hospitals. Chairman Moren said he'd like an update on the Sweet Sue solar facility. Ms. Graham said they have not submitted a site plan yet. Mr. Ashcraft said he had heard from them today with issues and he will reach back out to them. Supervisor Garber said he thought they were looking to start early in the second quarter of 2022.

**Agenda Item 7. CLOSED MEETING**

**7.a. Motion to Convene Closed Meeting**

Vice Chair Hodges made a motion to convene in Closed Meeting in accordance with Section 2.2-3711 (A)(1) of the Code of Virginia to consider a personnel matter involving the appointment of individuals to Boards and Commissions and the resignation of a specific public employee. Supervisor Greenwood seconded the motion. The Chairman called for any discussion. The members were polled:

Supervisor, 1st District: William L. Hodges – Vice Chair	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Chairman	Aye

**7.b. Certification of Closed Meeting**

Having completed the Closed Meeting, Chairman Moren called the meeting into Open Session.

Vice Chair Hodges moved for the adoption of Standing Resolution 1 (SR-1) in accordance with Section 2.2-3712 (D) of the Code of Virginia, 1950, as amended; the motion was seconded by Supervisor Garber. The chairman called for any discussion. The members were polled:

Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges – Vice Chair	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Chairman	Aye

**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 10th day of January, 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 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.

**DONE** this the 10th day of January, 2022.

**7.c. Action on Closed Meeting (if necessary)**

No action was taken as a result of the Closed Meeting.

**Agenda Item 8. APPOINTMENTS**

**8.a. Resolution 22-07 – Appointments to the King William County Redistricting Advisory Committee**

Supervisor Moskalski made a motion to approve Resolution 22-07R appointing Rev. William Palmer (District 1), Mr. Eugene L. Campbell, Jr. (District 2), Mr. Steve Adams (District 3), and Mrs. Jeanette Wagner (District 5) to the King William County Redistricting Advisory Committee for a term which shall end at the adoption of the new election district map and leaving vacant the position for a member of District 4 until such time as one has been found. Supervisor Garber seconded the motion. The Chairman called for any discussion. The members were polled:

Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges – Vice Chair	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Chairman	Aye

**RESOLUTION 22-07R  
APPOINTMENTS TO THE KING WILLIAM COUNTY  
REDISTRICTING ADVISORY COMMITTEE**

**WHEREAS**, the Board of Supervisors established a King William County Redistricting Advisory Committee via Resolution 21-80R on October 25, 2021 to advise the Board regarding the required redistricting of the year 2021; and

**WHEREAS**, the Board of Supervisors now desires to make appointments to the Redistricting Advisory Committee of one citizen from each of the County's five election districts;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County, Virginia that the following individuals are appointed to the Redistricting Advisory Committee for a term which shall end at the adoption of the new election district map.

1<sup>st</sup> District    Rev. William Palmer

2<sup>nd</sup> District    Mr. Eugene L. Campbell, Jr.

3<sup>rd</sup> District    Mr. Steve Adams

4<sup>th</sup> District    **VACANT**

5<sup>th</sup> District    Mrs. Jeanette Wagner

**DONE** this 10<sup>th</sup> day of January, 2022.

**Agenda Item 7. ADJOURN OR RECESS**

Supervisor Garber made a motion to adjourn the meeting; seconded by Vice Chair Hodges. The chairman called for any discussion. The members were polled:

Supervisor, 1st District: William L. Hodges – Vice Chair	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Chairman	Aye

COPY TESTE:

---

Edwin H. Moren, Jr., Chairman  
Board of Supervisors

---

Christine H. Branch  
Deputy Clerk to the Board of Supervisors

# AGENDA ITEM 7.b.

Approval of Payment of Bills - December 2021



Natasha L. Joranlien  
 Director of Financial Services

Board of Supervisors  
 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

**MEMO**

DATE: January 24, 2022  
 TO: King William County Board of Supervisors  
 FROM: Natasha Joranlien, Director of Financial Services  
 SUBJECT: Monthly Expenditures - December 2021

**County Administration Expenditures (excluding Payroll)**

Checks and ACH processed	<b>4,456,991.89</b>
Transfer from Treasurer to Schools	<b>805,940.58</b>

**County Administration Payroll**

Payroll Net	352,114.33
Employer Benefit Portion	127,581.37
Employer State Unemployment	294.95
Employer FICA/Med Portion	35,889.35
County Costs	<b>515,880.00</b>
<i>Employee Portion of Taxes</i>	<i>98,558.19</i>
<i>Employee Portion of Benefits</i>	<i>54,049.46</i>
	<b>668,487.65</b>

<b>CARES Funds (Fund 202)</b>	<b>127.95</b>
<b>ARPA Funds (Fund 215)</b>	<b>5,501.57</b>
<b>Comprehensive Services Act</b>	<b>105,033.20</b>

**Department of Social Services Expenditures (excluding Payroll)**

Checks and ACH processed	<b>13,316.89</b>
--------------------------	------------------

**DSS Payroll**

Payroll Net	42,338.59
Employer Benefit Portion	16,862.65
Employer State Unemployment	102.60
Employer FICA/Med Portion	4,357.49
DSS Costs	<b>63,661.33</b>
<i>Employee Portion of Taxes</i>	<i>10,532.90</i>
<i>Employee Portion of Benefits</i>	<i>7,718.97</i>
	<b>81,913.20</b>

**TREASURER MANUAL CHECKS ISSUED**

<i>Expenses</i>	-
<i>Refunds</i>	
<i>Pass Thru</i>	601.22
	<b>601.22</b>

Total County Administration, CARES, Social Services, CSA, & Treasurer Manual Checks	<b>5,967,054.63</b>
-------------------------------------------------------------------------------------	---------------------

# AGENDA ITEM 7.c.

**Resolution 22-08** - Honoring the King William  
County High School Football Team

**RESOLUTION 22-08**

**HONORING THE KING WILLIAM HIGH SCHOOL CAVALIERS FOOTBALL TEAM**

**ON WINNING THE VIRGINIA HIGH SCHOOL LEAGUE (VHSL)**

**CLASS 2 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 High School Cavaliers football team achieved such excellence on December 11, 2021, when they defeated Graham High School 48-21 to win the 2021 VHSL Class 2 State Championship at Salem City Stadium in Salem, Virginia thereby earning their first State Championship Title since 2000; and

**WHEREAS**, each member of the King William High School football team is an excellent young athlete, and together, they have demonstrated remarkable energy, enthusiasm, and dedication in the pursuit of their goals; and

**WHEREAS**, the Cavaliers' outstanding success is due largely to the guidance of their coach, Scott Moore, and his coaching staff. In leading the team to victory, Coach Moore not only helped his players develop their talents to the fullest, but also instilled in them a valuable sense of determination, discipline, hard work, perseverance, and camaraderie; and

**WHEREAS**, the Board also recognizes the valuable contributions to the team's overall success made by the King William High School Cheerleading Squad as well as by staff, students, parents, and the King William County community as a whole; and

*Proposed for Adoption by King William County Board of Supervisors  
January 24, 2022 Regular Meeting*

---

22           **WHEREAS**, in an educational system that seeks to teach the future leaders of our  
23 County, State, and Nation the fundamentals of self-reliance and the rewards of individual and  
24 group effort, athletic competition has become a valuable tool. Through their participation in  
25 sports, the members of the King William High School Cavaliers football team have learned  
26 lessons of good sportsmanship that will undoubtedly be of great benefit to them throughout  
27 their lives;

28           **NOW, THEREFORE, BE IT RESOLVED** that the members of the King William County Board  
29 of Supervisors, both individually and collectively, hereby commend and congratulate the  
30 King William High School Cavaliers football team upon its 2021 VHSL Class 2 State  
31 Championship triumph and congratulate each member of the team, Head Coach Scott Moore  
32 and his staff, Principal Corey M. McConville, and the entire King William High School  
33 community; and

34           **BE IT FURTHER RESOLVED** that a copy of this Resolution expressing the sense of this Board  
35 of Supervisors shall be conveyed to King William High School and shall be spread upon the  
36 meeting minutes of said Board of Supervisors.

37           **DONE** this 24th day of January, 2022.



# AGENDA ITEM 8.a.

Honoring the 2021 King William High School  
Football Team



# AGENDA ITEM 9.a.

**Ordinance 01-22** - Approving Proffer Amendment  
01-2022: McCauley Park LLC - Sherry Graham,  
Director of Planning



King William County  
Est. 1702

Board of Supervisors

County Administrator

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:** January 24, 2022  
**TO:** King William County Board of Supervisors  
**FROM:** Sherry Graham, Director of Planning  
**SUBJECT:** Proffer Amendment – 01-2022 For McCauley Park, LLC

### **SUMMARY**

McCauley Park, LLC applied for a CUP, 10-2021 to construct 120 Townhouses on tax map parcel 21-50, Section 2. The Board of Supervisors would need to approve a Proffer Amendment for Tax Map Parcel 21-50, Section Two, to amend the existing Proffers initially approved on June 25, 2001, with re-zoning Z-02-1 and amended on September 25, 2017. The property is located on tax map parcel 21-50 which is located on Shelton Place off of Route 30, King William Road and across from the park. The property is currently served by public water and sewer. The property consists of approximately 29.4 acres with 6.3 acres being incorporated in lots. The density would consist of four units per acre.

The applicants, McCauley Park, LLC are requesting the following two Proffer Amendments:

**Proffer C.1. of Case Z-02-01 to hereby be amended and replaced with the following:**

Density Restriction. No more than 120 (120) townhouse units may be developed within Parcel Two as shown on the McCauley Park Townhomes Preliminary Plan dated September 30, 2021.

**Proffer C.5. of Case Z-02-01 to hereby be amended and replaced with the following:**

Exterior Walls. Visible portions of the exterior wall surfaces (Exclusive of windows) about the foundation of multi-family buildings shall be of fiber cement board (Hardiplank) siding, brick, or brick veneer construction, vinyl siding, or cement siding.



King William County  
Est. 1702

Board of Supervisors

County Administrator

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:** January 24, 2022  
**TO:** King William County Board of Supervisors  
**FROM:** Sherry Graham, Director of Planning  
**SUBJECT:** Proffer Amendment – 01-2022 For McCauley Park, LLC

**SUMMARY**

McCauley Park, LLC applied for a CUP, 10-2021 to construct 120 Townhouses on tax map parcel 21-50, Section 2. The Board of Supervisors would need to approve a Proffer Amendment for Tax Map Parcel 21-50, Section Two, to amend the existing Proffers initially approved on June 25, 2001, with re-zoning Z-02-1 and amended on September 25, 2017. The property is located on tax map parcel 21-50 which is located on Shelton Place off of Route 30, King William Road and across from the park. The property is currently served by public water and sewer. The property consists of approximately 29.4 acres with 6.3 acres being incorporated in lots. The density would consist of four units per acre.

The applicants, McCauley Park, LLC are requesting the following two Proffer Amendments:

**Proffer C.1. of Case Z-02-01 to hereby be amended and replaced with the following:**

Density Restriction. No more than 120 (120) townhouse units may be developed within Parcel Two as shown on the McCauley Park Townhomes Preliminary Plan dated September 30, 2021.

**Proffer C.5. of Case Z-02-01 to hereby be amended and replaced with the following:**

Exterior Walls. Visible portions of the exterior wall surfaces (Exclusive of windows) about the foundation of multi-family buildings shall be of fiber cement board (Hardiplank) siding, brick, or brick veneer construction, vinyl siding, or cement siding.



King William County  
Est. 1702

Board of Supervisors

County Administrator

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

Building construction shall be in accord with the five (5) page “Conceptual Elevations” to be altered as needed to meet County requirements, copies of which are included as part of this application and incorporated herein by this reference and attached to this as Exhibit 2.

If the Board of Supervisors approves the Proffer amendments, then the public hearing for the CUP to allow the townhomes in the R-1 (Suburban-Residential) District can be heard.

## **BACKGROUND**

On June 25, 2001, the King William County Board of Supervisors approved rezoning case Z-02-01 with proffers for the property for the applicant, Rogers-Chenault, Inc. On July 23, 2001, the King William County Board of Supervisors approved CUP 01-01 with conditions for the construction of the apartments on this property for applicant, Rogers-Chenault, Inc. The property located on tax map number 21-50 was divided into four parcels. Parcels One and Two were re-zoned to R-1 (Suburban Residential). Parcel One to be for single family dwellings, Parcel Two to be for one-hundred dwelling units to be designed for senior housing apartments, Parcel Three was re-zoned to M (Industrial Development) and Parcel Four was re-zoned to B-1 (Local Business). On September 25, 2017, the Board of Supervisors approved Ordinance 18-17, amending Proffers associated with the Conditional Rezoning Application Z-02-01. The amended proffers changed the Density Restriction from one hundred dwelling units on Parcel Two to 108. The age restriction was also deleted. The exterior walls and building construction were also changed in the amended proffers. All other conditions and proffers of Case Z-02-01 were to remain in full force and effect.

At their December 7, 2021, meeting, the Planning Commission voted 5-0 to recommend approval of the conditional use permit for one hundred and twenty (120) townhouses with the following condition:

1. The developer will need to meet all requirements listed in Section 86-162.

## **ANALYSIS**

There are no deed restrictions barring the proposed use of the property. Townhouses are permitted in the R-1 district with approval of a conditional use permit. The area surrounding the subject property is high density residential and single-family dwellings. The Future Land Use Map shows high density housing for this area.



King William County  
Est. 1702

Board of Supervisors

County Administrator

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

## **2016 COMPREHENSIVE PLAN**

On pages 17 through 20 of the 2016 Comprehensive Plan, it talks about the need for affordable housing. It is stated in the "Goals and Implementation Strategies:

### **Goals:**

To provide a variety of safe, decent, affordable, and quality housing opportunities for all current and future citizens of the County.

To encourage the development of a variety of housing types to accommodate current and future citizens of varying ages, stations in life, and income levels.

### **Implementation Strategies:**

Identify areas suitable for future residential development.

Encourage diversity in housing stock to provide for a range in the type, size, and cost of housing available.

Develop an appropriate mix of affordable owner and rental housing opportunities to accommodate economic growth and various personal preferences, including single family detached, duplex, and multifamily housing units.

As it stands, this application is in compliance with the 2016 Comprehensive Plan direction as indicated above.

## **CONDITIONAL USE PERMIT ANALYSIS**

The designation of a use as a conditional use in a zoning district means that the use may not be appropriate in all cases, depending upon whether CUP conditions can be met. Article X, Section 86-452 provides a general guide and standards for obtaining a Conditional Use Permit.

Section 86-456 states that a conditional use should be approved if it is found that:

1. The location is appropriate and not in conflict with the comprehensive plan.



King William County  
Est. 1702

Board of Supervisors

County Administrator

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

Staff Comment: Complies. Property is zoned R-1 and is designated High Density Residential in the 2016 Future Land Use Map of the Comprehensive Plan.

2. The public health, safety, morals, and general welfare will not be adversely affected.  
Staff Comment: There appears to be no issues posed by this application.
3. Adequate utilities and off-street parking facilities will be provided.  
Staff Comment: The conceptual layout depicts the main location will be located off King William Road and would not be out of place with the adjacent properties. Adequate area for parking will be provided on the proposed site plans and reviewed for approval. Public water and sewer will be available to the proposed project.
4. Necessary safeguards will be provided for the protection of surrounding property, persons, and the neighborhood values.  
Staff Comment: The Conceptual Layout depicts the location of a fifty-foot buffer along King William Road.

The Zoning Ordinance, Section 86-162 regarding Townhouse and Single Family Attached Dwellings state the following:

1. No more than eight units shall be constructed contiguously.
2. The facades of individual units within any contiguous row shall be sufficiently varied in their materials, design, or appearance as to visually distinguish them as individual dwelling units.
3. Any provided open space shall be owned and maintained by the developer, until such time as it is turned over to the ownership and maintenance of an approved homeowners' association.
4. Public water and public sewer service shall be provided.
5. Each unit shall be erected or placed on a specifically designated land area or on a lot containing not less than 2,000 square feet. The remaining area required to meet minimum district lot area requirements shall be incorporated into useable and accessible common open space or spaces and/or private vehicular access or parking areas.
6. The development or project shall be designed to promote harmonious relationships with surrounding adjacent and nearby developed properties and to this end may employ such design techniques as may be appropriate to a particular case.



*King William County*  
*Est. 1702*

Board of Supervisors

---

County Administrator

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

## **ATTACHMENTS**

- Application
- Public Hearing Notice
- Adjacent Property Owner List and Letters
- Property Owner Letters
- Preliminary Plan
- Zoning Map
- GIS View
- Future Land Use Map
- CUP 01-01
- Z-02-01
- Amendment
- Ordinance 18-17
- Pictures



**King William County  
Public Hearing Notice**

The Board of Supervisors of King William County, Virginia will hold a Public Hearing on Monday, January 24, 2022, at 7:00 p.m., or as soon thereafter, in the Board Meeting Room of the County Administration Building, 180 Horse Landing Road, King William, Virginia, and via Zoom to receive public comments on the following matter:

**Proffer Amendment 01-2022: Owner – McCauley Park, LLC**

A request for a Proffer amendment for Tax Map Parcel 21-50, Parcel Two, to amend the existing Proffers initially approved on June 25, 2001, with re-zoning Z-02-1 and amended on September 25, 2017. The following Proffers will need to be amended and replaced with the following:

**Proffer C.1 of Case Z-02-01**

Density Restriction. No more than one hundred and twenty (120) dwelling units may be developed within parcel two as in substantial conformance as shown on the McCauley Park Townhomes Preliminary Plan dated September 30, 2021.

**Proffer C.5. of Case Z-02-01**

Exterior Walls. Visible portions of the exterior wall surfaces (exclusive of windows) above the foundation of multi-family buildings shall be of fiber cement board (Hardiplank) siding, brick or brick veneer construction, vinyl siding, or cement siding.

Building construction shall be in accord with the five (5) page “Conceptual Elevations” to be altered as needed to meet County requirements, copies of which are included as part of this application and incorporated herein by this reference and attached to this as Exhibit 2.

All interested persons may appear and present their views in person or via Zoom as applicable. Those attending via Zoom must preregister at [kingwilliamcounty.us](http://kingwilliamcounty.us) by noon on the day of the meeting. If a member of the public cannot attend, comments may be submitted by mail to 180 Horse Landing Road, #4, King William, VA 23086; by email to [sgraham@kingwilliamcounty.us](mailto:sgraham@kingwilliamcounty.us) or by calling 804-769-4980. Comments received by 12:00 noon on the day of the hearing will be distributed to Board Members and made a part of the public record. All records pertaining to this matter may be viewed in the Office of Community Development at 180 Horse Landing Road, King William, VA during regular business hours. Anyone needing assistance or accommodations under the provisions of the American with Disabilities Act should contact the Office of Community Development at (804)769-4978 or [sgraham@kingwilliamcounty.us](mailto:sgraham@kingwilliamcounty.us).

By Authority of  
Sherry L. Graham  
Director of Community Development  
Ad to run January 12<sup>th</sup> and 19<sup>th</sup>, 2022

Jack D. and Maryann G. Bailey  
101 McCauley Parkway  
Aylett, VA 23009  
R-1, 1.12 acres  
21-11-B-1

Charles B. Ammons  
Kimberly R. Wheatley  
91 McCauley Court  
Aylett, VA 23009  
R-1, 1.75 acres  
21-11-B-6

Barbara Despas  
93 McCauley Court  
Aylett, VA 23009  
R-1, 2.21 acres  
21-11-B-7

David W. Goff, Jr.  
94 McCauley Court  
Aylett, VA 23009  
R-1, 1.79 acres  
21-11-B-8

Christine M. Dulgher  
102 Carlton Court  
Aylett, VA 23009  
R-1, 3.57 acres  
21-11-B-19

Britten Hottel  
103 McCauley Parkway  
Aylett, VA 23009  
R-1, .99 acres  
21-11-B-2

Louis J. Sterlacci  
104 Carlton Court  
Aylett, VA 23009  
R-1, 2.71 acres  
21-11-B-18

Jack D. Meriwether  
105 McCauley Park  
Aylett, VA 23009  
R-1, 1.12 acres  
21-11-B-3

Jerome M. Newbill  
107 McCauley Parkway  
Aylett, VA 23009  
R-1, 1.32 acres  
21-11-B-4

David Spivey  
109 McCauley Parkway  
Aylett, VA 23009  
R-1, 1.55 acres  
21-11-B-5

Kelly Radke  
305 Madison Court  
Aylett, VA 23009  
R-1, .67 acres  
21-11-3-74

Princess A. Sawyer  
307 Madison Court  
Aylett, VA 23009  
R-1, .94 acres  
21-11-3-75

Glen K. Dobbins  
309 Madison Court  
Aylett, VA 23009  
R-1, 1.61 acres  
21-11-3-72

William Ryan Jones  
314 Brooking Terrace  
Aylett, VA 23009  
R-1, 1.83 acres  
21-11-3-11

Michael A. Treadway  
316 Abbey Court  
Aylett, VA 23009  
R-1, 1.87 acres  
21-11-3-8

Michael J. Galgono  
316 Brooking Terrace  
Aylett, VA 23009  
R-1, 4.01 acres  
21-11-3-12

McCauley Park  
9235 Shady Grove Road  
Mechanicsville, VA 23116  
21-11-3-CAA  
21-11-3-CAC  
21-13-55  
21-13-56  
21-13-64

Darrell Kellum, Inc.  
662 Sharon Road  
King William, VA 23086  
R-1, 8.98 acres  
21-50B

Lawrence A. Lipscomb, III  
3808 Middletown Way  
Glen Allen, VA 23060  
R-1  
21D-2-C-29

King William County  
Park  
P.O. Box 215  
King William, VA 23086  
44.73 acres  
21-52 and 21-50A  
28-41A – R-1, 41.5 acres



King William  
County  
Est. 1702

Board of Supervisors

Office of  
Community Development

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

January 14, 2022

**RE: Notice to Adjacent Property Owners  
Request for Conditional Use Permit 10-2021  
Tax Map Parcel: 21-50  
Owner/Applicant: McCauley Park, LLC**

Dear Property Owner:

The King William County Board of Supervisors will hold a Public Hearing on Monday, January 24, 2022, at 7:00 p.m., or as soon thereafter, in the Board Meeting Room of the County Administration Building, 180 Horse Landing Road, King William, Virginia and via Zoom to receive public comment on the following matter:

A request for two Proffer Amendments for property located on tax map parcel 21-50 which is located on Rt. 30, King William Road, across from the park. The property consists of approximately 29.4 acres with 6.3 acres being incorporated in lots. The density will consist of four units per acre. The property is zoned R-1, (Suburban-Residential).

**Proffer C.1. of Case Z-02-01 to hereby be amended and replaced with the following:**

Density Restriction. No more than 120 (120) townhouse units may be developed within Parcel Two as shown on the McCauley Park Townhomes Preliminary Plan dated September 30, 2021.

**Proffer C.5. of Case Z-02-01 to hereby be amended and replaced with the following:**

Exterior Walls. Visible portions of the exterior wall surfaces (Exclusive of windows) about the foundation of multi-family buildings shall be of fiber cement board (Hardiplank) siding, brick, or brick veneer construction, vinyl siding, or cement siding.

You are being notified of this hearing because your property is adjacent to or in close proximity to the above-stated request. All interested persons may appear and present their views at the above time and place, or via the Zoom Meeting, as applicable. **Those attending via Zoom must preregister at [kingwilliamcounty.us](http://kingwilliamcounty.us) by noon on the day of the meeting.** If a member of the public cannot attend, comments may be submitted by mail to 180 Horse Landing Road, #4, King William, VA 23086; by email to [sgraham@kingwilliamcounty.us](mailto:sgraham@kingwilliamcounty.us) or by calling 804-769-4980. Comments received by 12:00 noon on the day of the hearing will be distributed to Board Members and made a part of the public record. All records pertaining to this matter may be viewed in the Office of Community Development at 180 Horse Landing Road, King William, VA during regular business hours. Anyone needing assistance or accommodations under the provisions of the American with Disabilities Act should contact the Office of Community Development at (804)769-4978 or [sgraham@kingwilliamcounty.us](mailto:sgraham@kingwilliamcounty.us).

Sherry L. Graham  
Director of Planning

180 Horse Landing Road, No.4 • King William, Virginia 23086  
804-769-4969 • Fax: 804-769-4964



King William County  
Est. 1702

Board of Supervisors

Office of  
Community Development

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

January 14, 2022

Mr. Todd Rogers  
McCauley Park, LLC  
9245 Shady Grove Road  
Suite 200  
Mechanicsville, VA

**RE: Application for Proffer Amendments 01-22**

Dear Mr. Rogers:

The King William County Board of Supervisors will hold a Public Hearing on Monday, January 24, 2022, at 7:00 p.m. in the Board Meeting Room of the County Administration Building, 180 Horse Landing Road, King William, Virginia and via Zoom to consider your request for Proffer Amendments for your property located on tax map number 21-50, Shelton Place in the McCauley Park Subdivision.

Although your attendance is not mandatory, it is strongly encouraged. If you have any questions, please do not hesitate to call.

Sincerely,

Sherry L. Graham  
Director of Planning

**GENERAL NOTES**

**OWNER:**  
BALDUCCI BUILDERS, INC.  
10173 CHAMBERLAYNE ROAD  
MECHANICSVILLE, VA 23113  
CONTACT: TODD ROGERS  
(804) 730-7195  
ToddRogers@hometownrealtyservices.com

**REPRESENTATIVE:**  
BALZER & ASSOCIATES, INC  
15871 CITY VIEW DRIVE, SUITE 200  
MIDLOTHIAN, VA 23113  
CONTACT: TODD CHALMERS, P.E.  
(804) 794-0571  
tchalmers@balzer.com

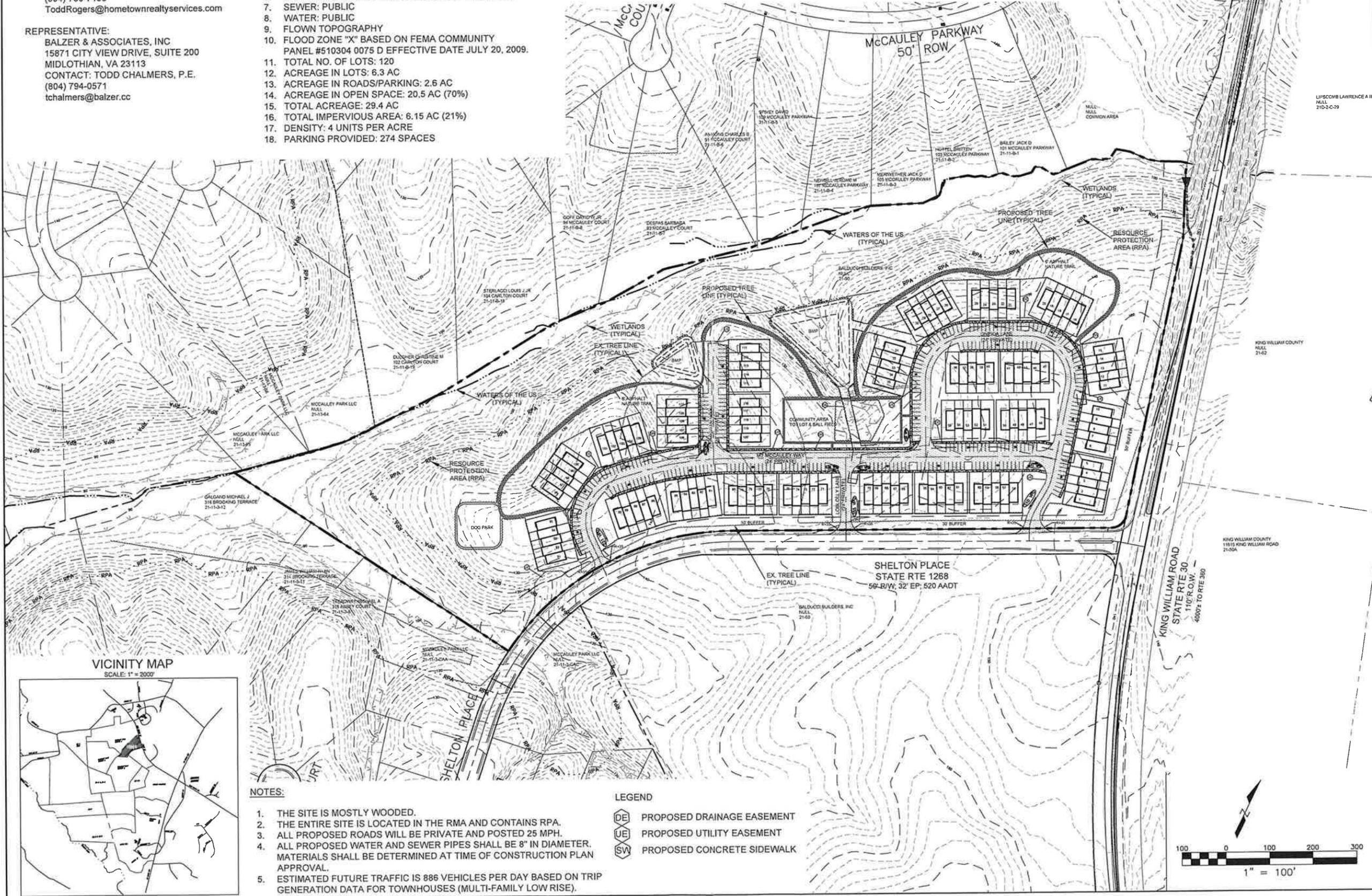
1. PARCEL NO.: 21-50 (PART OF)
2. PROPOSED USE: TOWNHOMES (2-STORY)
3. ZONING: R-1
4. PROPOSED ZONING: R-1 WITH CONDITIONAL USE PERMIT
5. ADJACENT ZONING:  
R-1 TO THE NORTH, WEST AND SOUTH;  
A-C TO THE EAST
6. ALL PRIVATE ROADS HAVE 24' EDGE OF PAVEMENT
7. SEWER: PUBLIC
8. WATER: PUBLIC
9. FLOWN TOPOGRAPHY
10. FLOOD ZONE "X" BASED ON FEMA COMMUNITY  
PANEL #510304 0075 D EFFECTIVE DATE JULY 20, 2009.
11. TOTAL NO. OF LOTS: 120
12. ACREAGE IN LOTS: 6.3 AC
13. ACREAGE IN ROADS/PARKING: 2.6 AC
14. ACREAGE IN OPEN SPACE: 20.5 AC (70%)
15. TOTAL ACREAGE: 29.4 AC
16. TOTAL IMPERVIOUS AREA: 6.15 AC (21%)
17. DENSITY: 4 UNITS PER ACRE
18. PARKING PROVIDED: 274 SPACES

# MCCAULEY PARK TOWNHOMES

## PRELIMINARY PLAT

### ACQUINTON DISTRICT

### KING WILLIAM COUNTY, VIRGINIA



**VICINITY MAP**  
SCALE: 1" = 2000'

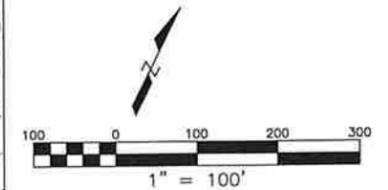


**NOTES:**

1. THE SITE IS MOSTLY WOODED.
2. THE ENTIRE SITE IS LOCATED IN THE RMA AND CONTAINS RPA.
3. ALL PROPOSED ROADS WILL BE PRIVATE AND POSTED 25 MPH.
4. ALL PROPOSED WATER AND SEWER PIPES SHALL BE 8" IN DIAMETER. MATERIALS SHALL BE DETERMINED AT TIME OF CONSTRUCTION PLAN APPROVAL.
5. ESTIMATED FUTURE TRAFFIC IS 886 VEHICLES PER DAY BASED ON TRIP GENERATION DATA FOR TOWNHOUSES (MULTI-FAMILY LOW RISE).

**LEGEND**

- PROPOSED DRAINAGE EASEMENT
- PROPOSED UTILITY EASEMENT
- PROPOSED CONCRETE SIDEWALK



**BALZER & ASSOCIATES**  
PLANNERS / ARCHITECTS  
ENGINEERS / SURVEYORS

Roanoke / Richmond  
New River Valley / Staunton  
Harrisonburg / Lynchburg  
[www.balzer.com](http://www.balzer.com)  
15871 City View Drive  
Suite 200  
Midlothian, VA 23113  
804.794.0571



**MCCAULEY PARK TOWNHOMES**

**PRELIMINARY PLAN**  
**OVERALL PLAN**

DRAWN BY: FTC  
DESIGNED BY: FTC  
CHECKED BY: FTC  
DATE: 09/30/2021  
SCALE: 1" = 100'  
REVISIONS:

PROJECT NO. 5421085.100



**BALZER & ASSOCIATES**  
PLANNERS / ARCHITECTS  
ENGINEERS / SURVEYORS

Roanoke / Richmond  
New River Valley / Staunton  
Harrisonburg / Lynchburg  
www.balzer.cc  
15871 City View Drive  
Suite 200  
Middleburg, VA 22113  
804.794.0571



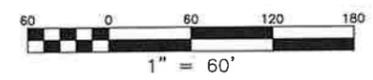
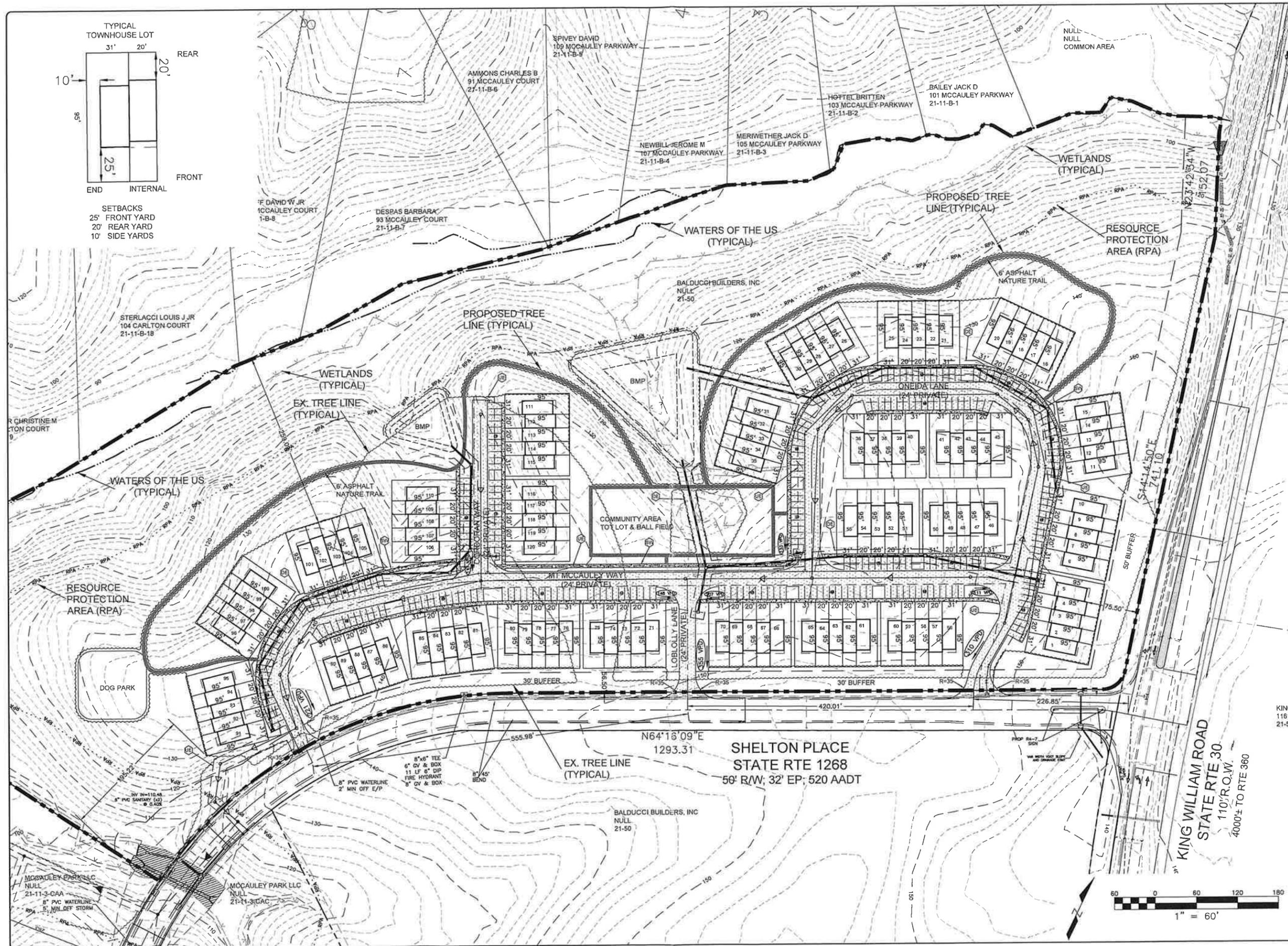
**McCAULEY PARK TOWNHOMES**

**PRELIMINARY PLAN**

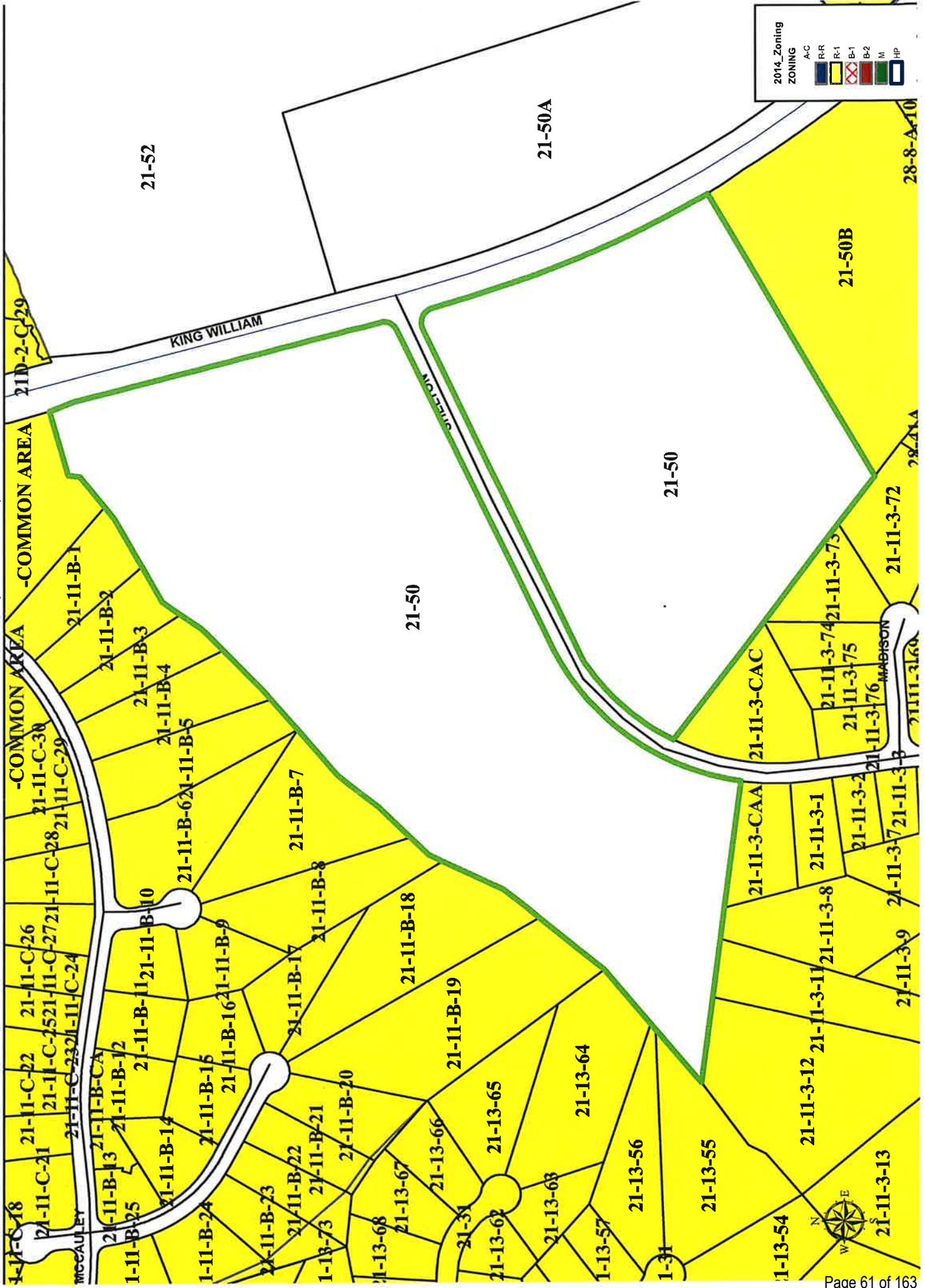
ACQUINTANCE DISTRICT  
RINO WILLIAM VA

DRAWN BY: FTC  
DESIGNED BY: FTC  
CHECKED BY: FTC  
DATE: 09/30/2021  
SCALE: 1" = 60'  
REVISIONS:

PROJECT NO. 54210651.00



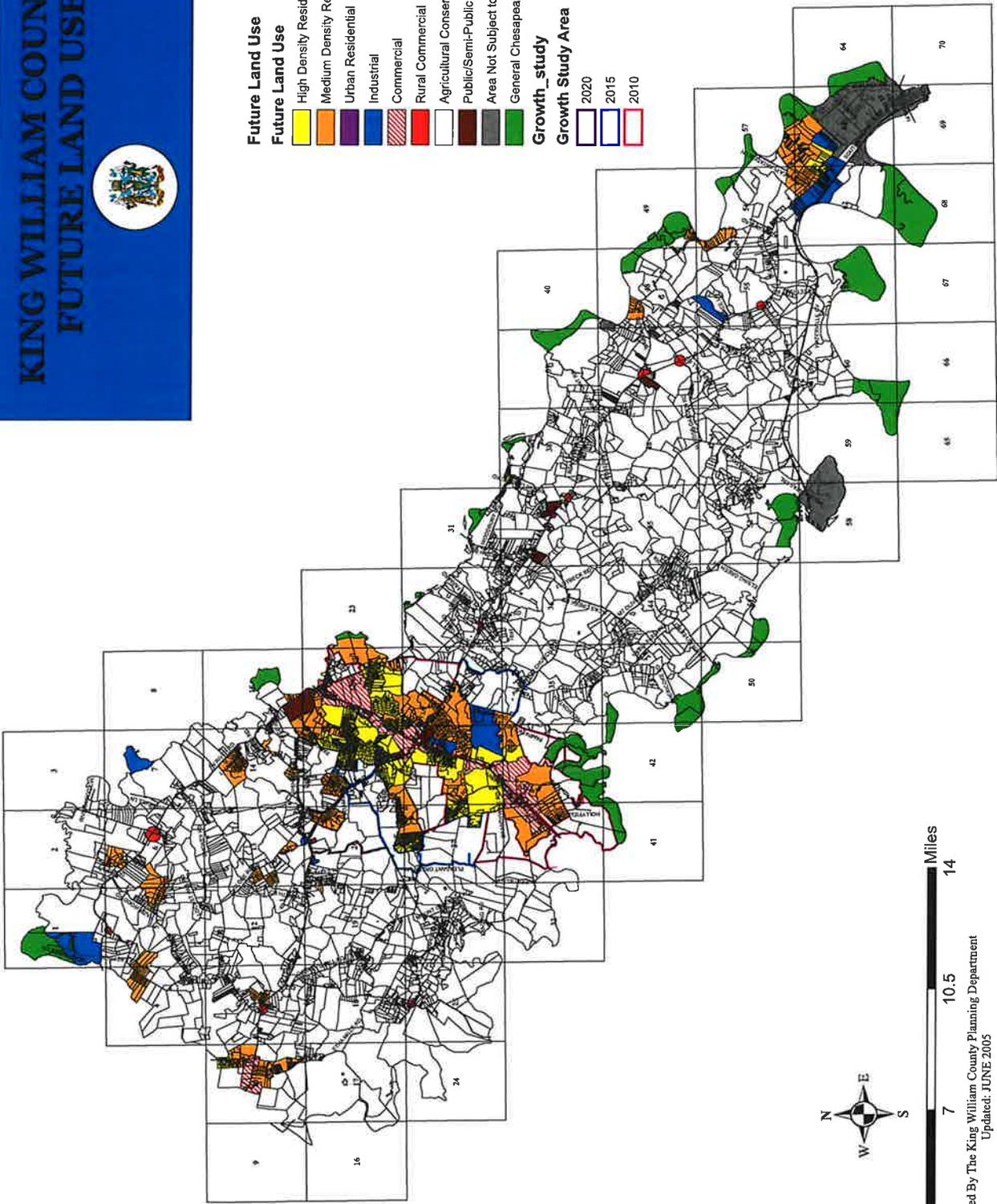
OWNER/APPLICANT: McCauley Park, LLC  
TAX PARCEL # 21-50 (Parcel Two)



CUP 10-2021  
OWNER/APPLICANT: McCauley Park, LLC  
TAX PARCEL # 21-50 (Parcel Two)



# KING WILLIAM COUNTY FUTURE LAND USE



- Future Land Use**
- High Density Residential
  - Medium Density Residential
  - Urban Residential
  - Industrial
  - Commercial
  - Rural Commercial
  - Agricultural Conservation
  - Public/Semi-Public
  - Area Not Subject to County Land Use Regulations
  - General Chesapeake Bay Preservation Area
- Growth Study Area**
- 2020
  - 2015
  - 2010



Prepared By The King William County Planning Department  
Updated: JUNE 2005



July 25, 2001

Rogers-Chenault, Inc.  
c/o Mr. Todd Rogers  
7420 Lee-Davis Road  
Mechanicsville, Virginia 23111

**RE: Rezoning Case # Z-02-01 & Conditional Use Permit Case # CUP-01-01 --  
Approvals of Same**

Dear Sirs:

On Monday, June 25, 2001 the King William County Board of Supervisors voted to **APPROVE** Rezoning Case # Z-02-01 (applicant: Rogers-Chenault, Inc.) with acceptance of the entire list of proffers, dated June 5, 2001, submitted by the applicant.

On Monday, July 23, 2001 the King William County Board of Supervisors voted to **APPROVE** Conditional Use Permit Case # CUP-01-01 (applicant: Rogers-Chenault, Inc.) with the imposition of the following list of conditions:

- 1) Applicant shall receive written approval from the Virginia Department of Transportation and the King William County Health Department for the multi-family housing development in accordance with the Conditional Use Permit (CUP) and Site Plan criteria included in the King William County Zoning Ordinance.
- 2) Applicant shall develop the subject project and properties substantially in conformance with the building elevations and schematic site plan presented to the Board of Supervisors during the public hearings on June 25, 2001.
- 3) Applicant shall provide and maintain wooded buffers of a minimum 25-foot width and of sufficient density to screen the multi-family housing development from surrounding residential and commercial uses.
- 4) Applicant shall provide and maintain a landscaped median in the divided entranceway to the multi-family housing portion of the project.
- 5) If the real property subject of this CUP application is incorporated within the service area of the public water and/or sanitary sewer systems within 120 days of the approval of said CUP by the Board of Supervisors, the applicant shall connect the improvements located on the subject property to the public water and/or sanitary sewer systems. Any such connections, extensions, and/or modifications to the public water and/or sanitary sewer systems shall comply with the facility design standards, charges and other criteria of the County of King William, Hampton Roads Sanitation District (sanitary sewer only) and/or other party or entity charged with the operation

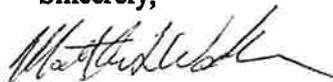
180 Horse Landing Road Post Office Box 215 King William, Virginia 23080  
804-769-4969 • 804-843-3422 • 804-994-2937 • fax: 804-769-4964  
mwalker@co.king-william.va.us

and maintenance of said systems, as applicable in force at the time of the subject extension, connection and/or modification. The applicant shall be reimbursed through a credit formula and agreement the actual cost, including design and construction, of the extension of the public water and/or sewer systems to the boundary of the subject property and any excess capacity in said extended facilities required by the County of King William but not needed to adequately serve the subject project at build-out. The credit formula and agreement shall be negotiated and executed by the applicant and the County of King William, Hampton Roads Sanitation District, and/or other party or entity charged with the operation and maintenance of said systems, as applicable in force at the time of the subject extension, connection and/or modification. The credit formula and agreement shall be binding on the assigns and/or successors of the applicant, County of King William, Hampton Roads Sanitation District, and/or other party or entity charged with the operation and maintenance of said systems, as applicable in force at the time of the subject extension, connection and/or modification.

- 6) Applicant's failure to comply with the conditions above and those portions of the proffers applicable to the multi-family housing section of the subject project may result in the revocation of the CUP.

The King William County Community Development Department looks forward to working with you and your firm through the site and subdivision design process. I recommend that we hold a pre-design conference to address the process, county standards, and any site-specific conditions that may apply to the project. Please call me at 769-4933 if I may be of further assistance in this matter.

Sincerely,



**Matt Walker**  
Director of Community Development

enclosures: (0)

cc. Glenn R. Moore, Esq., Hirschler, Fleischer, Weinberg, Cox & Allen  
William H. Hefty, Esq., Hefty & Wiley, P.C.

ROGERS-CHENAULT, INC.  
PROPOSED REZONING OF APPROXIMATELY 266 ACRES  
ON THE SOUTHWEST LINE OF ROUTE 30,  
KING WILLIAM COUNTY, VIRGINIA

June 5, 2001

The owners of the property which is the subject of Zoning Case Z-2-01 and CUP-1-01 (the "Property"), by their duly authorized representative, hereby proffer that the development of the subject property shall be in accordance with the conditions set forth in this submission. References to Parcels One, Two, Three or Four are to such parcels as shown on a plat entitled "Compiled Plat Showing 266± Acres Lying West of Route 30 and South of Venter Road", prepared by Balzer and Associates, Inc., dated March 30, 2001, revised June 5, 2001 submitted as a part of the zoning case.

A. General Conditions

1. Road Improvements. Development of the Property shall include on and off-site road improvements (including the dedication of any necessary right-of-way therefor) required in accordance with Virginia Department of Transportation design and safety standards, as determined at the time that phases of development on the Property are reviewed for site plan or subdivision approval.
2. Natural Area and Buffer Areas. That portion of the Property located within Parcel One lying between the creek in the vicinity of U. S. Route 30 and the west line of Route 30 (the "Natural Area"), shall remain in an undeveloped state, except for roadways, entrance features, utilities and other items specifically approved at the time of subdivision approval. Clearing of underbrush, weeds, and

debris shall be permitted within the Natural Area. Additionally, a buffer area of a minimum of one hundred (100) feet in width shall be maintained along the Route 30 frontage of Parcels Two, Three and Four, except to the extent needed for access drives, utility easements, entrance features and signage. Additional landscaping shall be installed within the buffer area, if determined to be necessary at the time of site plan review, to screen development on Parcels Two, Three and Four from Route 30.

3. Water Service. Water service for improvements on the Property will be provided by one or more central water systems, rather than individual wells.

4. Cash Proffer. Except as set forth in the next sentence, a cash proffer in the amount of \$2,400.00 per dwelling unit shall be paid prior to the issuance of building permits. For dwelling units restricted to occupancy for persons fifty-five (55) years of age or older, the cash proffer amount shall be \$750.00 per unit.

5. Vehicular Access. Unless otherwise authorized at the time of site plan review and approval, access between Route 30 and the Property shall be limited to four (4) points of vehicular access.

6. Underground Utilities. Newly installed utility lines serving development on the Property shall be installed underground, unless prohibited by applicable utility company policy.

7. Height Limitations. No building constructed on the Property shall exceed forty-five (45) feet in height.

B. Applicable to Single Family Development (Parcel One)

1. Single Family Homes. A Schematic Layout Plan dated December 20, 2000 and last revised on June 5, 2001 showing proposed development of Parcel One has been provided to the Director of Planning. Parcel One will be developed in substantial conformity with the Schematic Plan but Owner reserves the right to adjust road and lot lines, subject to the approval at the time of subdivision review, to effectively design the subdivision following detailed engineering. In particular, the number of lots shall not exceed 170. Roads within Parcel One shall be publicly dedicated to the Virginia Department of Transportation.

2. House Sizes.

(a) At least twenty-five percent (25%) of the lots on Parcel One shall be improved with homes having minimum finished floor areas, as follows:

- (i) 2000 square feet for a two (2) story house; and
- (ii) 1800 square feet for a ranch-style house.

(b) No more than twenty-five percent (25%) of the lots on Parcel One shall have minimum finished floor areas, as follows:

- (i) 1450 square feet for a two (2) story house; and
- (ii) 1200 square feet for a ranch-style house.

(c) The balance of the lots within Parcel One shall be improved with houses having minimum finished floor areas, as follows:

- (i) 1650 square feet for a two (2) story house; and
- (ii) 1400 square feet for a ranch-style house.

(d) Minimum floor area shall not include garages or breezeways in any category. Floor area shall be measured along the exterior walls of the structure.

3. Entrances. Each entrance from Route 30 shall have entrance improvements including landscaping and signage.

4. Phasing of Development. The Owner will not receive more than forty (40) Certificates of Occupancy for single family residences on the Property in any calendar year, on a cumulative basis, beginning in 2002.

5. Driveways. No driveways serving individual dwellings, other than driveways for access drives for major project areas shall have direct access to Route 30.

6. Foundations. The exposed portions of exterior single family residence foundations shall be constructed of brick or natural stone; however, such portions of exterior foundations for single family detached residences may be constructed of exterior insulating finish systems (E.I.F.S.) if applied to a masonry surface, provided that the exterior walls of such residence are sided primarily in E.I.F.S.

7. Protective Covenants. Prior to or concurrent with the recordation of a subdivision plat approved by the County and before the conveyance of any portion of the Property covered by said subdivision plat (other than for the dedication of easements, roads or utilities) a document shall be recorded in the Clerk's Office of the Circuit Court of King William County, Virginia, setting forth controls on development and maintenance of such portions of the property. Said covenants

shall include requirements for brick steps to front doors (unless the home has a country porch greater than six (6) feet in length), standard mailbox design, minimum 6/12 roof pitch for the roof over the main portion of the home, restrictions on use and maintenance of common areas. The covenants shall include provisions for the establishment of a homeowners association to take over responsibility for on-going maintenance of common areas and enforcement of architectural standards.

8. Building Material. No cinder block, cement block, solite block or asbestos shall be permitted for the finished exterior of any structure.

C. Applicable to Senior Housing Parcel (Parcel Two).

1. Density Restriction. No more than one hundred (100) dwelling units may be developed within Parcel Two as shown on the Zoning Plat.

2. Parking Lot Lighting. Parking lot lighting within Parcel Two shall not exceed twenty (20) feet in height above grade level.

3. Site Coverage. A maximum of fifty-five percent (55%) of Parcel Two shall be covered with buildings, driveways and parking areas. The balance of Parcel Two shall be covered with sidewalks, natural areas (including lawns), recreation facilities, or other features approved at the time of Site Plan review.

4. Age Restriction. Any dwelling units constructed on Parcel Two shall provide residential living accommodations only for the elderly (exclusive of management personnel) and their spouses, brothers, sisters or aides. For purposes hereof, the term "elderly" shall mean persons fifty-five (55) years of age or older. In addition, persons under the age of nineteen (19) shall not be housed or domiciled

and shall not reside on Parcel Two (except with management personnel). If this proffer is amended to allow school age children to reside on Parcel Two in the future, the portion of the cash proffer applicable to capital costs for schools then in effect, shall become payable (subject to any appropriate modifications as permitted under the cash proffer policy).

5. Architectural Matters.

(a) Exterior Walls. At least twenty-five percent (25%) of the visible portions of exterior wall surfaces (exclusive of windows) of multi-family rental buildings (if any) shall be of brick construction.

(b) Roofs. Any residence buildings constructed on Parcel Two shall have pitched roofs, to maintain a residential character for each building.

6. Screening. Central trash receptacle areas shall be screened from view from Route 30.

7. The foregoing proffered conditions C.1 through C.6 shall not apply to Parcel Two, if CUP-1-01 is denied by the Board of Supervisors.

D. Applicable to M Industrial Development (Parcel Three)

1. Development Restriction. All uses shall be conducted so as not to create any danger to health, safety and welfare or any material adverse impact on the property or surrounding areas by creating any excess noise, vibration, smoke, dust, lint, odor, heat or glare beyond the boundaries of the property lines.

2. Building Materials. Exposed exterior wall surfaces visible from Route 30 shall be constructed primarily of split-face block, tilt-up concrete, pre-cast concrete, E.I.F.S., glass, brick, stone, marble and/or granite.
3. Site Coverage. No more than sixty-five percent (65%) of Parcel Three shall be covered by buildings, driveways and parking areas.
4. Loading Docks. Any loading docks serving a building on Parcel Three shall be screened from public view from Route 30 in a manner approved at the time of site plan review.
5. Permitted Uses. Only the following uses shall be permitted on Parcel Three:
  - (a) Printing, photo processing, copy service or blue printing;
  - (b) Small equipment sales, service and rental;
  - (c) Wholesale merchandising or storage warehouse or distribution center, including self-storage but not a truck or freight terminal;
  - (d) Small animal hospital or clinic with no outdoor runs;
  - (e) Employment service or agency;
  - (f) Office and business supplies sales;
  - (g) Offices, general business, professional or administrative;
  - (h) Manufacturing of the following items:
    - (i) Medical and dental equipment;
    - (ii) Musical instruments;
    - (iii) Communications equipment and instruments;

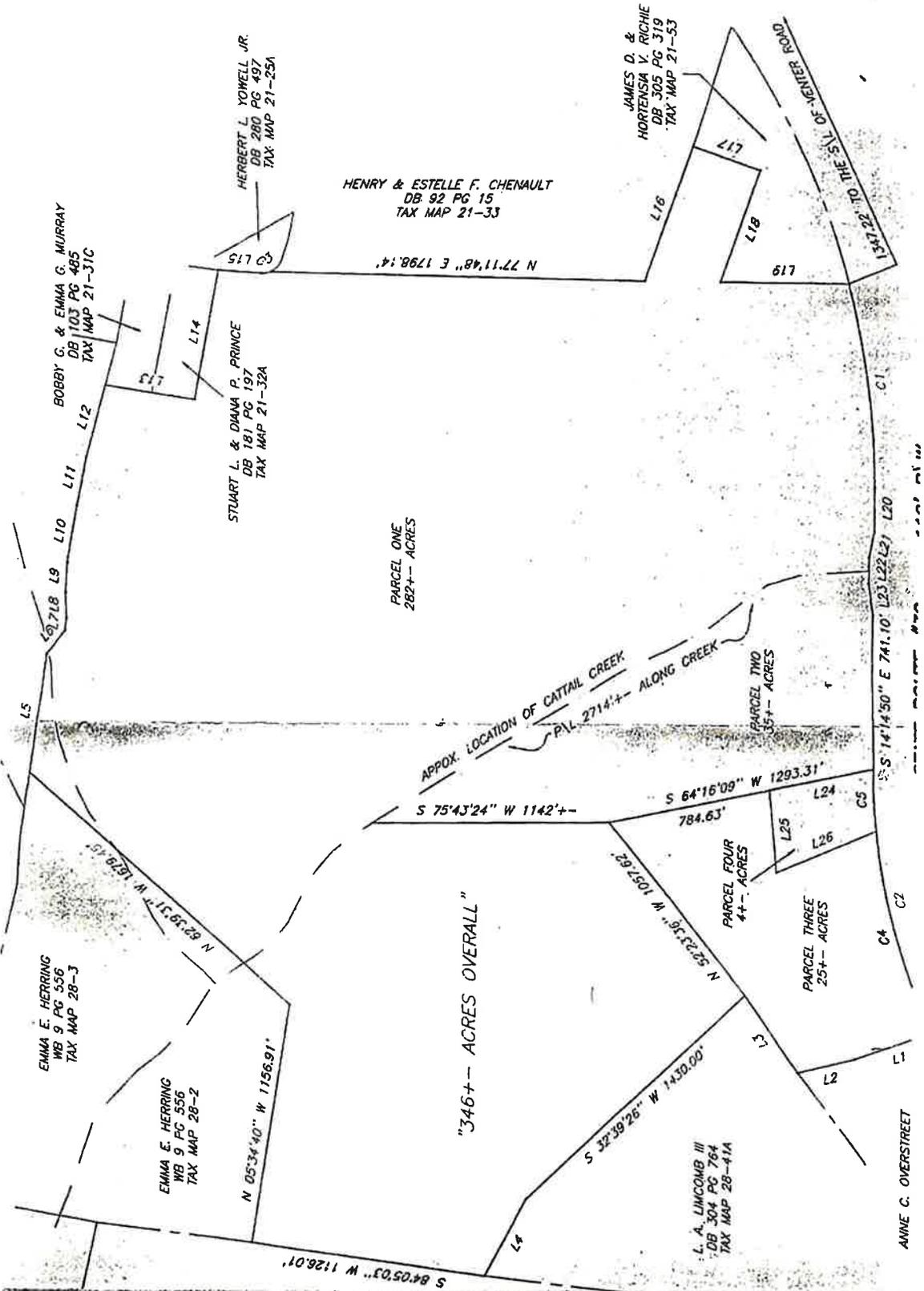
(iv) Component parts for automobile, aircraft or space craft;  
(v) Clocks and watches;  
(vi) Drafting equipment;  
(vii) Photographic equipment;  
(viii) Heating, ventilating and air conditioning equipment;  
(ix) Light manufacturing uses not producing adverse environmental defects;

(x) Plumbing supplies;  
(xi) Sign fabricating and painting shop.

(i) Furniture refinishing;  
(j) Shop for painting, electrical, heating and air conditioning business;

(k) Contractor's equipment storage yard;  
(l) Lumber yard;  
(m) Lumber and building materials store;  
(n) Repair establishment for appliances;  
(o) Compatible business uses, as permitted under the terms of Section 10-282 of the Zoning Ordinance; and

(p) Access buildings or uses located on the same property which are customarily incidental to and subordinate to a lawfully permitted principal use of the property.



E. Applicable to B-1 Local Business District (Parcel Four)

1. Use Limitation. The only uses permitted on Parcel Four shall be offices, general business, professional or administrative, and day care centers.

L. McCAULEY CHENAULT,  
VICTORIA R. CHENAULT, DONNA  
C. WHEATLEY and MARGARET B.  
CHENAULT

By: Glenn R. Moore  
Counsel for Rogers-Chenault, Inc.,  
Zoning Applicant



King William County  
Est. 1702

Board of Supervisors

Wally Horton, AICP  
Director of Community Development  
180 Horse Landing Road #4  
King William, VA 23086

William L. Hodges, First District  
Travis J. Moskalski, Second District  
Stephen K. Greenwood, Third District  
David E. Hansen, Fourth District  
Robert W. Ehrhart II, Fifth District

October 11, 2017

McCauley Place, LLC  
Todd Rogers, Manager  
9235 Shady Grove Rd., Suite 109  
Mechanicsville, VA 23116

Re: Certificate of Approval - Proffers associated with Conditional Rezoning Application, Tax Map Parcel 21-50 (Portion)

Dear Mr. Rogers:

The King William County Board of Supervisors, at its September 25, 2017 meeting, approved Ordinance 18-17 (attached) amending Proffers associated with Conditional Rezoning Application Z-02-01. Such amended proffers are to be recorded in the Clerk's office of the Circuit Court of King William County.

If you have any questions please feel free to contact me at [planningdir@kingwilliamcounty.us](mailto:planningdir@kingwilliamcounty.us) or (804) 769-4973.

Sincerely,

Wally Horton, AICP  
Director of Community Development



County of King William, Virginia  
Est. 1702

## Board of Supervisors

### ORDINANCE 18-17

**AN ORDINANCE AMENDING PROFFERS ASSOCIATED WITH CONDITIONAL REZONING APPLICATION Z-02-01 - (Z-02-01 AMENDMENT) - (OWNER: MCCAULEY PLACE, LLC; TODD ROGERS, MANAGER. APPLICANT: JENNIFER D. MULLEN, ESQ. ROTH JACKSON, GIBBONS, CONDLIN, PLC).**

**WHEREAS**, Jennifer D. Mullen, Esq. Roth Jackson, Gibbons, Condlin, PLC) submitted an application for a Proffer amendment for a portion of Tax Map Parcel 21-50 consisting of approximately 62 acres of the McCauley Place Tract, which contains a total of approximately 266 acres, in order to amend the existing Proffers, initially approved on June 25, 2001 with Rezoning Z-02-01.

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

Proffer C.1. of Case Z-02-01 is hereby amended and replaced with the following:

1. Density Restriction. No more than one hundred and eight (100 108) dwelling units may be developed within Parcel Two as in substantial conformance with the plans shown on the Zoning Plat, as such Zoning Plat is modified by the conceptual plan entitled "MCCAULEY PARK CONCEPTUAL PLAN RENDERING" prepared by Timmons Group, copies of which are included as part of this application and incorporated herein by this reference and attached to this Ordinance as Exhibit 1.

Proffer C.4. of Case Z-02-01 is hereby deleted as follows.

~~4. — Age Restriction. Any dwelling units constructed on Parcel Two shall provide residential living accommodations only for the elderly (exclusive of management personnel) and their spouses, brothers, sisters or aides. For purposes hereof, the term "elderly" shall mean persons fifty five (55) years of age or older. In addition, persons under the age of nineteen (19) shall not be housed or domiciled and shall not reside on Parcel Two (except with management personnel). If this proffer is amended to allow school age children to reside on Parcel Two in the future, the portion of the cash proffer applicable to capital costs for schools then in effect, shall become payable (subject to any appropriate modifications as permitted under the cash proffer policy).~~

Proffer C.5. of Case Z-02-01 is hereby deleted and replaced as follows:

~~5. — Architectural Matters~~

~~(a) — Exterior Walls. At least twenty-five percent (25%) of the visible portions of exterior wall surfaces (exclusive of windows) of multi-family rental buildings (if any) shall be of brick construction.~~

~~(b) — Roofs. Any residence buildings constructed on Parcel Two shall have pitched roofs, to maintain a residential character for each building.~~

5. — Exterior Walls. Visible portions of exterior wall surfaces (exclusive of windows) above the foundation of multi-family rental buildings shall be of fiber cement board (Hardiplank) siding, brick or brick veneer construction. Visible portions of exposed foundations of multi-family rental buildings shall be of brick or brick veneer construction.

Building construction shall be in accord with the five (5) page "Conceptual Elevations" to be altered as needed to meet County requirements, copies of which are included as part of this application and incorporated herein by this reference and attached to this Ordinance as Exhibit 2.

**WHEREAS**, All other conditions and proffers of Case Z-02-01 shall remain in full force and effect; and,

**WHEREAS**, the Board of Supervisors conducted a public hearing on September 25th, 2017 to consider the above proffer amendments associated with Conditional Zoning Application Z-02-01;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, that the Board of Supervisors of King William County, Virginia, does this 25th day of September 2017, approve the amended proffers as stated in the preambles above associated with Conditional Zoning Application Z-02-01 such amended proffers to be recorded in the Clerk's office of the Circuit Court of King William County.

**ADOPTED** this the 25<sup>th</sup> day of September, 2017.

The vote on the foregoing was as follows:

Supervisor, First District: William L. Hodges – Vice Chairman	Aye
Supervisor, Second District: Travis J. Moskalski – Chairman	Aye
Supervisor, Third District: Stephen K. Greenwood	Aye
Supervisor, Fourth District: David E. Hansen	Nay
Supervisor, Fifth District: Robert W. Ehrhart II	Aye

---



---

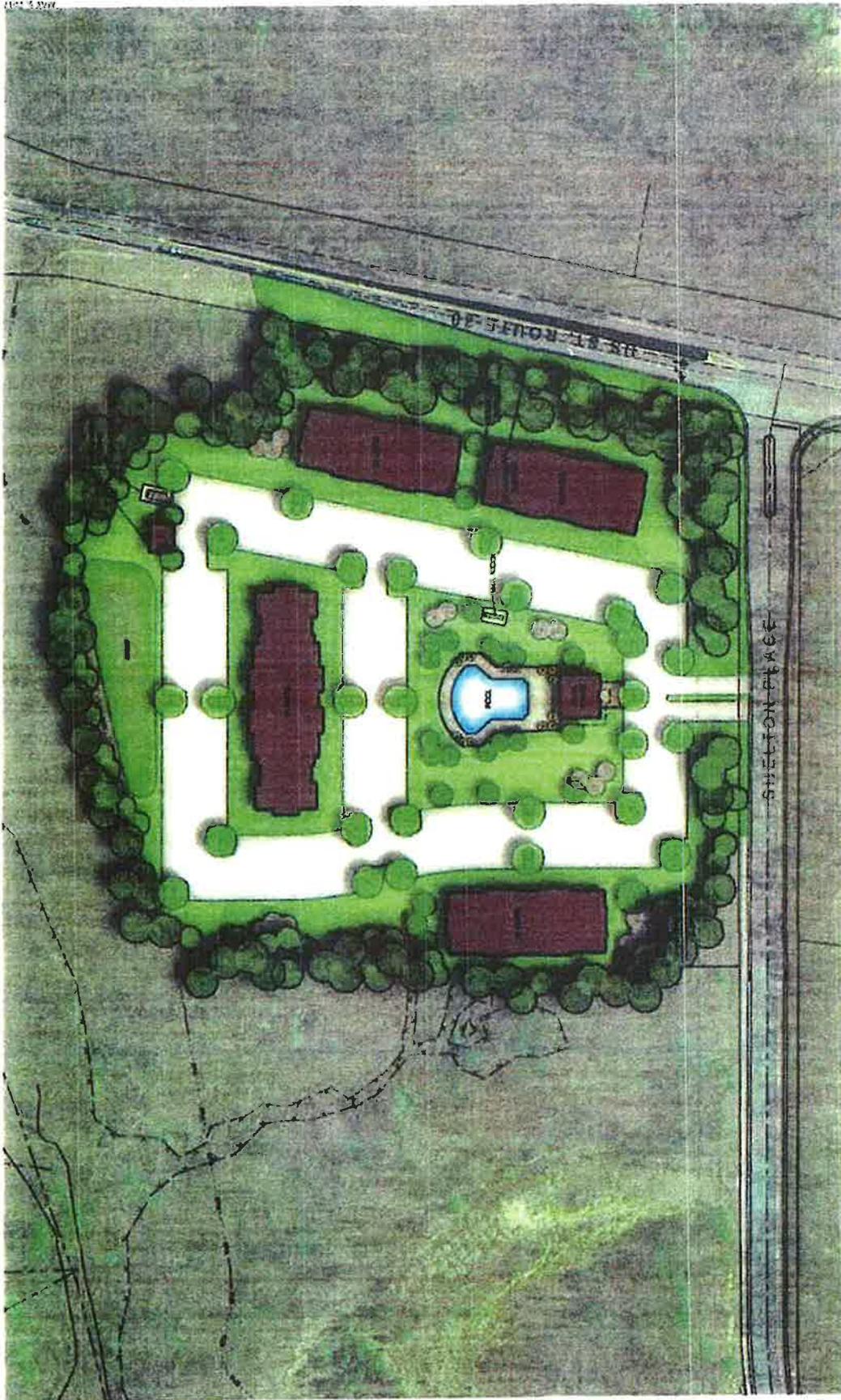
**Travis J. Moskalski, Chairman  
King William County Board of Supervisors**

**ATTEST:**



---

**Olivia L. Schools  
Deputy Clerk of the Board of Supervisors**

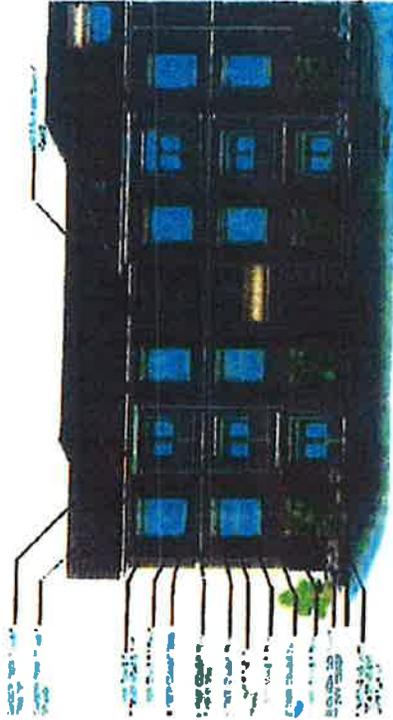


**MCCAULEY PARK**  
CONCEPTUAL PLAN RENDERING

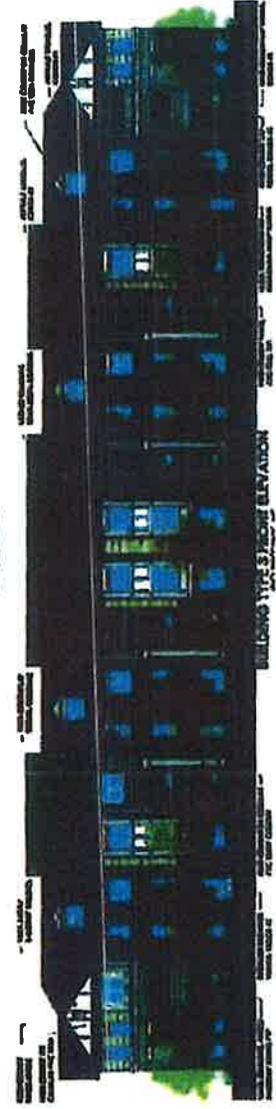
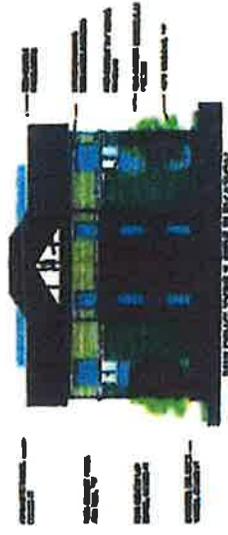
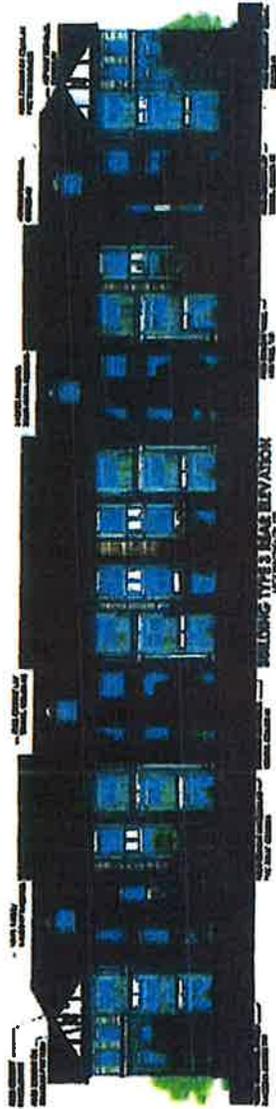


**ORDINANCE 18-17 EXHIBIT 2**

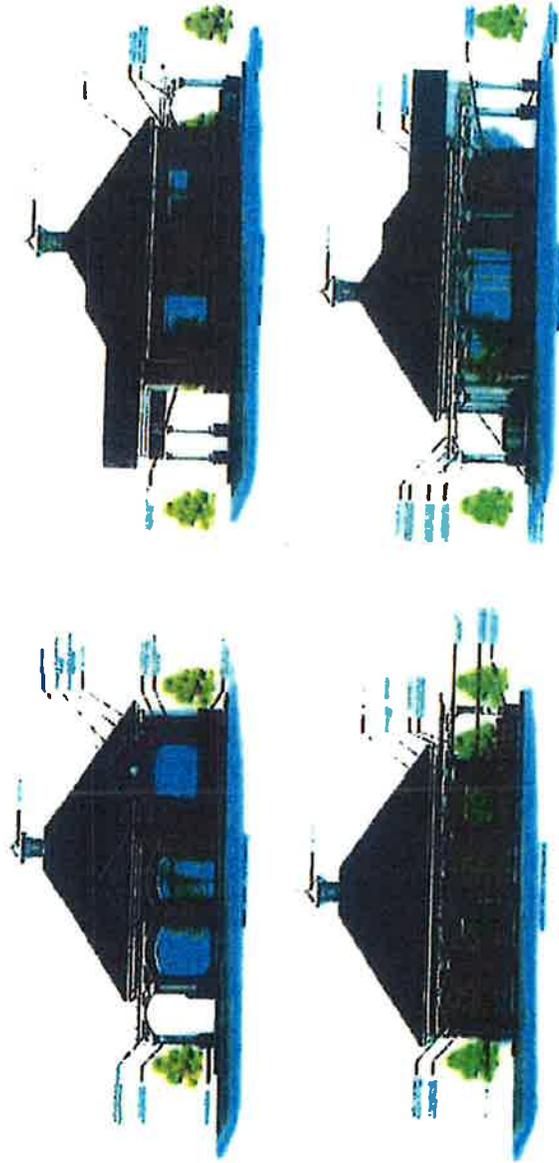
**McCauley Park Apartments - 24 Unit/2 B**



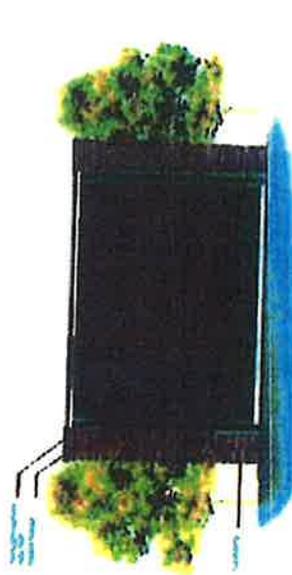
**McCauley Park Apartments - 36 Unit/1 Bedroom Unit Conceptual Elevations**



**McCauley Park Apartments - Clubhouse/Fitness Conceptual Elevations**



**McCauley Park Apartments - Mall Kiosk**





King William County  
Est. 1702

Board of Supervisors

Wally Horton, AICP  
Director of Community Development  
180 Horse Landing Road #4  
King William, VA 23086

William L. Hodges, First District  
Travis J. Moskalski, Second District  
Stephen K. Greenwood, Third District  
David E. Hansen, Fourth District  
Robert W. Ehrhart II, Fifth District

October 11, 2017

McCauley Place, LLC  
Todd Rogers, Manager  
9235 Shady Grove Rd., Suite 109  
Mechanicsville, VA 23116

Re: Certificate of Approval - Proffers associated with Conditional Rezoning Application, Tax Map Parcel 21-50 (Portion)

Dear Mr. Rogers:

The King William County Board of Supervisors, at its September 25, 2017 meeting, approved Ordinance 18-17 (attached) amending Proffers associated with Conditional Rezoning Application Z-02-01. Such amended proffers are to be recorded in the Clerk's office of the Circuit Court of King William County.

If you have any questions please feel free to contact me at [planningdir@kingwilliamcounty.us](mailto:planningdir@kingwilliamcounty.us) or (804) 769-4973.

Sincerely,

Wally Horton, AICP  
Director of Community Development



County of King William, Virginia  
Est. 1702

## Board of Supervisors

### ORDINANCE 18-17

**AN ORDINANCE AMENDING PROFFERS ASSOCIATED WITH CONDITIONAL REZONING APPLICATION Z-02-01 - (Z-02-01 AMENDMENT) - (OWNER: MCCAULEY PLACE, LLC; TODD ROGERS, MANAGER. APPLICANT: JENNIFER D. MULLEN, ESQ. ROTH JACKSON, GIBBONS, CONDLIN, PLC).**

**WHEREAS**, Jennifer D. Mullen, Esq. Roth Jackson, Gibbons, Condlin, PLC) submitted an application for a Proffer amendment for a portion of Tax Map Parcel 21-50 consisting of approximately 62 acres of the McCauley Place Tract, which contains a total of approximately 266 acres, in order to amend the existing Proffers, initially approved on June 25, 2001 with Rezoning Z-02-01.

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

Proffer C.1. of Case Z-02-01 is hereby amended and replaced with the following:

1. **Density Restriction.** No more than one hundred and eight (100 108) dwelling units may be developed within Parcel Two as in substantial conformance with the plans shown on the Zoning Plat, as such Zoning Plat is modified by the conceptual plan entitled "MCCAULEY PARK CONCEPTUAL PLAN RENDERING" prepared by Timmons Group, copies of which are included as part of this application and incorporated herein by this reference and attached to this Ordinance as Exhibit 1.

Proffer C.4. of Case Z-02-01 is hereby deleted as follows.

~~4. — Age Restriction. Any dwelling units constructed on Parcel Two shall provide residential living accommodations only for the elderly (exclusive of management personnel) and their spouses, brothers, sisters or aides. For purposes hereof, the term "elderly" shall mean persons fifty-five (55) years of age or older. In addition, persons under the age of nineteen (19) shall not be housed or domiciled and shall not reside on Parcel Two (except with management personnel). If this proffer is amended to allow school age children to reside on Parcel Two in the future, the portion of the cash proffer applicable to capital costs for schools then in effect, shall become payable (subject to any appropriate modifications as permitted under the cash proffer policy).~~

Proffer C.5. of Case Z-02-01 is hereby deleted and replaced as follows:

~~5. — Architectural Matters~~

~~(a) — Exterior Walls. At least twenty-five percent (25%) of the visible portions of exterior wall surfaces (exclusive of windows) of multi-family rental buildings (if any) shall be of brick construction.~~

~~(b) — Roofs. Any residence buildings constructed on Parcel Two shall have pitched roofs, to maintain a residential character for each building.~~

5. Exterior Walls. Visible portions of exterior wall surfaces (exclusive of windows) above the foundation of multi-family rental buildings shall be of fiber cement board (Hardiplank) siding, brick or brick veneer construction. Visible portions of exposed foundations of multi-family rental buildings shall be of brick or brick veneer construction.

Building construction shall be in accord with the five (5) page "Conceptual Elevations" to be altered as needed to meet County requirements, copies of which are included as part of this application and incorporated herein by this reference and attached to this Ordinance as Exhibit 2.

**WHEREAS,** All other conditions and proffers of Case Z-02-01 shall remain in full force and effect; and,

**WHEREAS,** the Board of Supervisors conducted a public hearing on September 25th, 2017 to consider the above proffer amendments associated with Conditional Zoning Application Z-02-01;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED,** that the Board of Supervisors of King William County, Virginia, does this 25th day of September 2017, approve the amended proffers as stated in the preambles above associated with Conditional Zoning Application Z-02-01 such amended proffers to be recorded in the Clerk's office of the Circuit Court of King William County.

**ADOPTED** this the 25<sup>th</sup> day of September, 2017.

The vote on the foregoing was as follows:

Supervisor, First District: William L. Hodges – Vice Chairman	Aye
Supervisor, Second District: Travis J. Moskalski – Chairman	Aye
Supervisor, Third District: Stephen K. Greenwood	Aye
Supervisor, Fourth District: David E. Hansen	Nay
Supervisor, Fifth District: Robert W. Ehrhart II	Aye

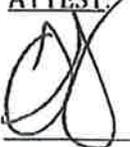
---



---

**Travis J. Moskalski, Chairman  
King William County Board of Supervisors**

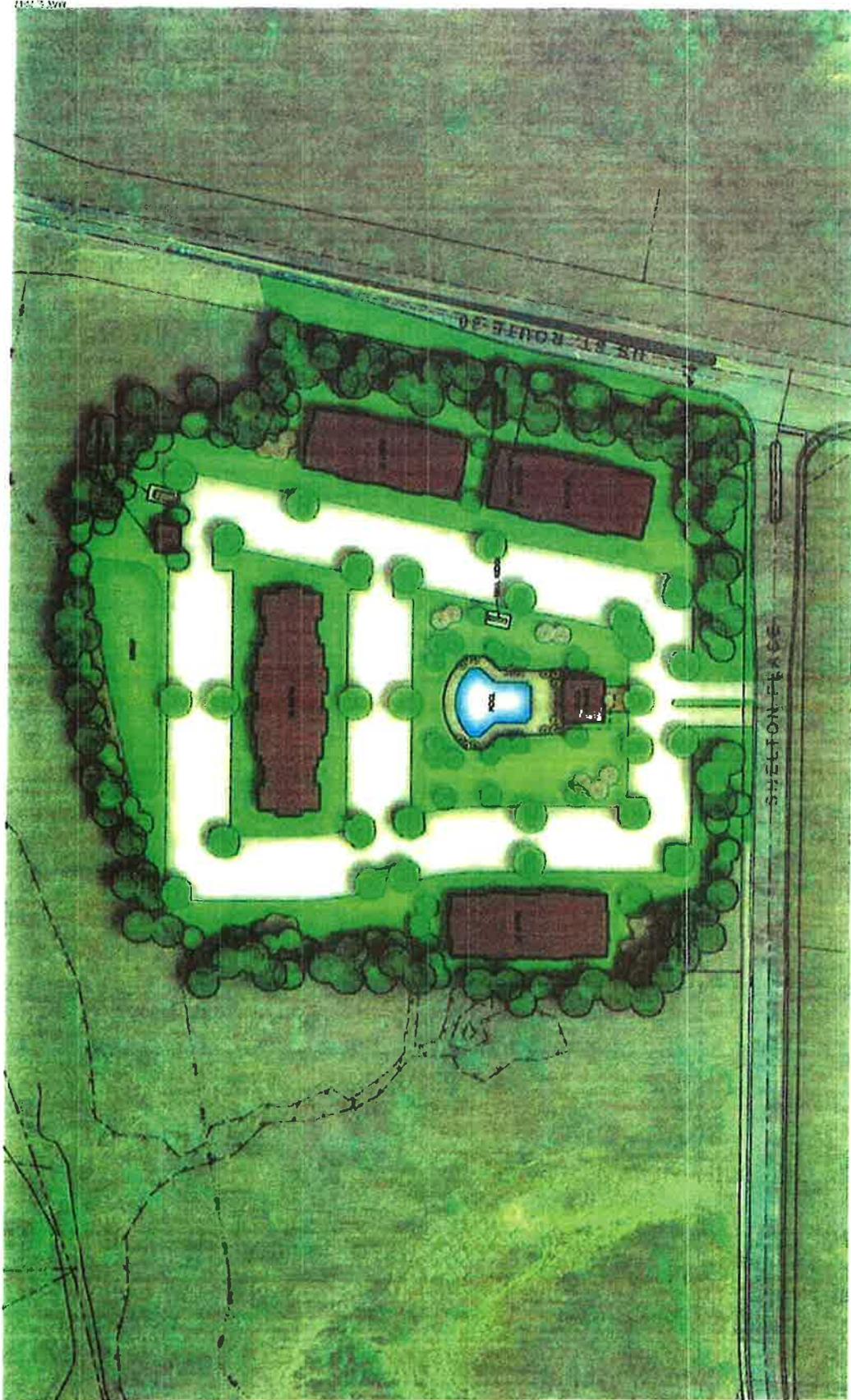
**ATTEST:**



---

**Olivia L. Schools  
Deputy Clerk of the Board of Supervisors**

ORDINANCE 18-17 EXHIBIT 1

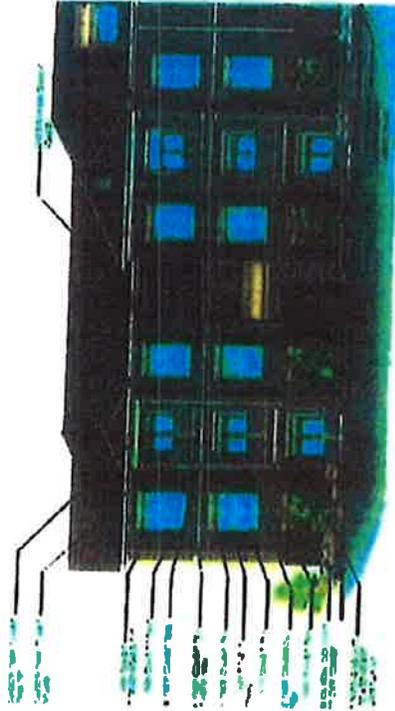


**MCCAULEY PARK**  
CONCEPTUAL PLAN RENDERING

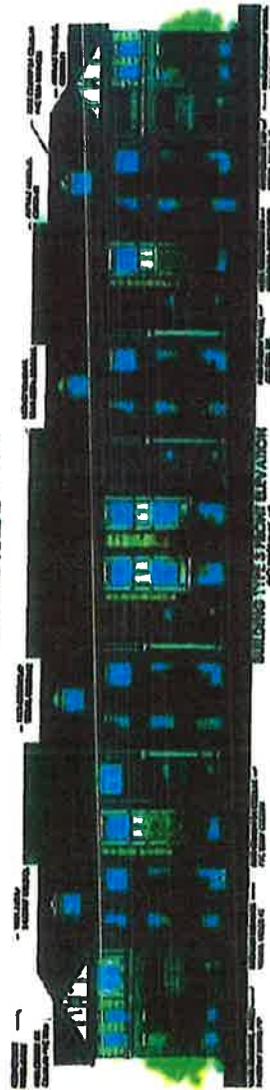
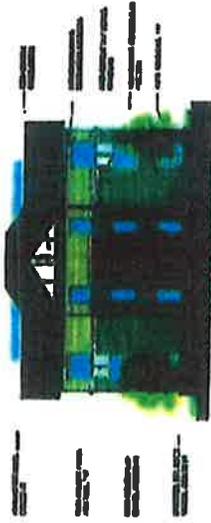
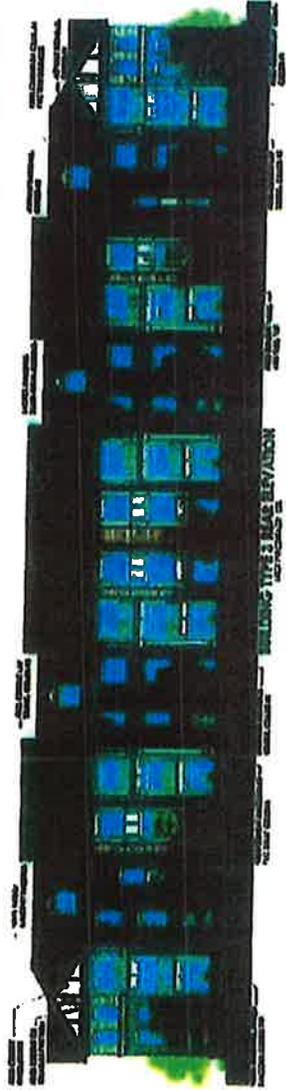


**ORDINANCE 18-17 EXHIBIT 2**

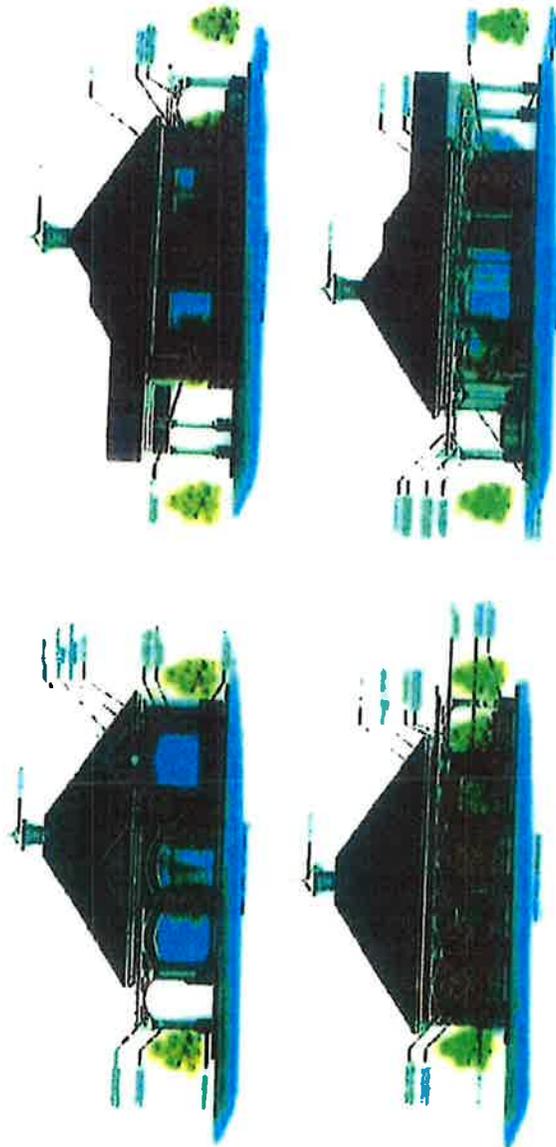
**McCauley Park Apartments - 24 Unit/2 B**



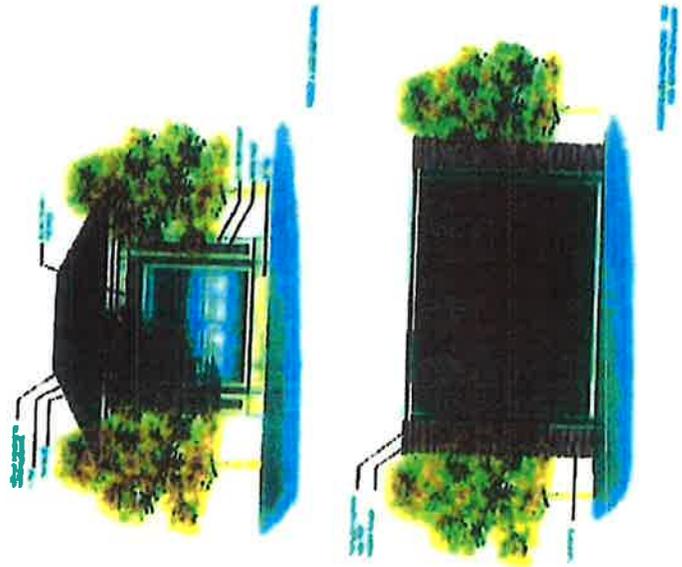
# McCauley Park Apartments - 36 Unit/1 Bedroom Unit Conceptual Elevations



**McCauley Park Apartments - Clubhouse/Fitness Conceptual Elevations**



**McCauley Park Apartments - Mail Kiosk**





King William County  
Est. 1702

Board of Supervisors

Wally Horton, AICP  
Director of Community Development  
180 Horse Landing Road #4  
King William, VA 23086

William L. Hodges, First District  
Travis J. Moskalski, Second District  
Stephen K. Greenwood, Third District  
David E. Hansen, Fourth District  
Robert W. Ehrhart II, Fifth District

October 11, 2017

Jennifer D. Mullen, Esq.  
Roth, Jackson, Gibbons, Conklin, PLC  
919 East Main Street, Suite 2110  
Richmond, VA 23219-4625

Re: Certificate of Approval of Amendment of CUP-01-01, Tax Map Parcel 21-50 (Portion)

Dear Ms. Mullen:

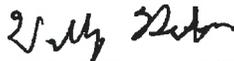
The King William County Board of Supervisors, at its September 25 2017 meeting, approved Ordinance 19-17 (R) amending CUP-01-01 for the purpose of providing an additional eight (8) multi-family attached housing units as shown on the Zoning Plat, as such Zoning Plat is modified by the conceptual plan entitled "MCCAULEY PARK CONCEPTUAL PLAN RENDERING" prepared by Timmons Group, and the "Conceptual Elevations" for McCauley Park Apartments, and subject to the following conditions:

1. All required reviews and approvals must be obtained in accord with the County Zoning and Subdivision Ordinances, (including provisions of the Transportation Corridor Overlay District) and all other pertinent County requirements to include:
  - o State Agency review and approvals,
  - o HRSD review and approval
  - o Other as Required.
2. Development Agreements/Bonding/Letter of Credit requirements shall be met. As an alternative, improvements, as required, can be constructed prior to any building permits being issued.
3. All previous conditions shall be retained as follows:
  - o Applicant shall receive written approval from the Virginia Department of Transportation for the multi-family housing development in accordance with the Conditional Use Permit (CUP) and Site Plan criteria included in the King William County Zoning Ordinance.

- Applicant shall develop the subject project and properties substantially in conformance with the building elevations and schematic site plan presented to the Board of Supervisors during the public hearings on June 25, 2001, as amended on September 25, 2017.
- Applicant shall provide and maintain wooded buffers of a minimum 25-foot width and of sufficient density to screen the multi-family housing development from surrounding residential and commercial uses.
- Applicant shall provide and maintain a landscaped median in the divided entranceway to the multi-family housing portion of the project.
- Public water (County) and public sanitary sewer systems (Hampton Roads Sanitation District) shall be provided and may receive credits in accordance with the Modification and Settlement Agreement recorded in the Circuit Court of King William County on 9/22/15. Instrument #150001953.
- Applicant's failure to comply with the conditions above and those portions of the proffers applicable to the multi-family housing section of the subject project may result in the revocation of the CUP.

If you have any questions please feel free to contact me at [planningdir@kingwilliamcounty.us](mailto:planningdir@kingwilliamcounty.us) or (804) 769-4973.

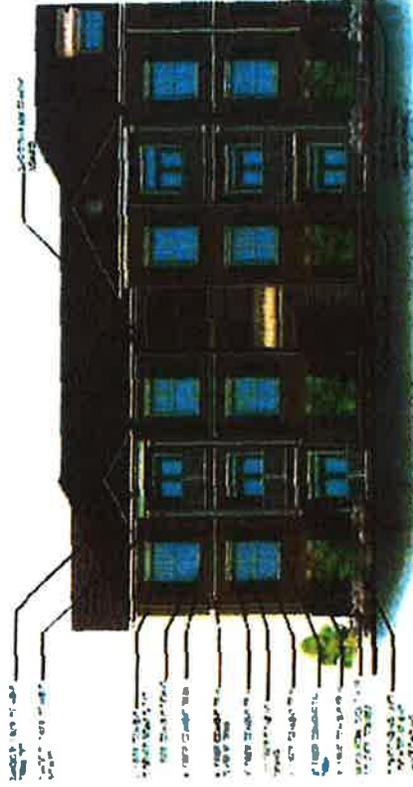
Sincerely,



Wally Horton, AICP  
Director of Community Development

# EXHIBIT 2

## McCauley Park Apartments - 24 Unit/2 B





County of King William, Virginia  
Est. 1702

## Board of Supervisors

### ORDINANCE 19-17 (R)

**APPROVING AN AMENDMENT TO CONDITIONAL USE PERMIT CUP-01-01 - (OWNER: MCCAULEY PLACE, LLC; TODD ROGERS, MANAGER. APPLICANT: JENNIFER D. MULLEN, ESQ. ROTH JACKSON, GIBBONS, CONDLIN, PLC)**

**WHEREAS**, Section 86-171 of the King William County Code provides for the development of multi-family attached dwelling units associated with properties of the R-1, Residential zoning district following review and approval of a Conditional Use Permit (CUP); in accord with Sections 86-451 through 86-455 of the Zoning Ordinance; and

**WHEREAS**, the Planning Commission, after study and review, conducted a public hearing on September 5, 2017, to consider an application for amendment to CUP-01-01 submitted by the Applicant on behalf of the Owner, for the purpose of adding an additional eight (8) multi-family housing units within an area currently approved for 100 multi-family housing units on a portion of portion of Tax Map Parcel 21-50 consisting of approximately 62 acres of the McCauley Place Tract, which contains a total of approximately 266 acres, and, following such public hearing, voted 4-0 to recommend that the Board of Supervisors approve such application; subject to the itemization of prior water and sewer provision agreements; and

**WHEREAS**, the Board has been provided that information; and

**WHEREAS**, the Board of Supervisors conducted a public hearing on September 25, 2017 to consider amendment of CUP-01-01;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, that the Board of Supervisors of King William County, Virginia, does this 25th day of September 2017, hereby approve the amendment of CUP-01-01 for the purpose of providing an additional eight (8) multi-family attached housing units as shown on the Zoning Plat, as such Zoning Plat is modified by the conceptual plan entitled "MCCAULEY PARK CONCEPTUAL PLAN RENDERING" prepared by Timmons Group, and the "Conceptual Elevations" for McCauley Park Apartments, copies of which are included as part of this application and incorporated herein by this reference, and attached to this Ordinance as Exhibits 1 and 2, and subject to the following conditions:

1. All required reviews and approvals must be obtained in accord with the County Zoning and Subdivision Ordinances, (including provisions of the Transportation Corridor Overlay District) and all other pertinent County requirements to include:

- (a). State Agency review and approvals,
- (b). Hampton Roads Sanitation District review and approval
- (c). Other as Required.

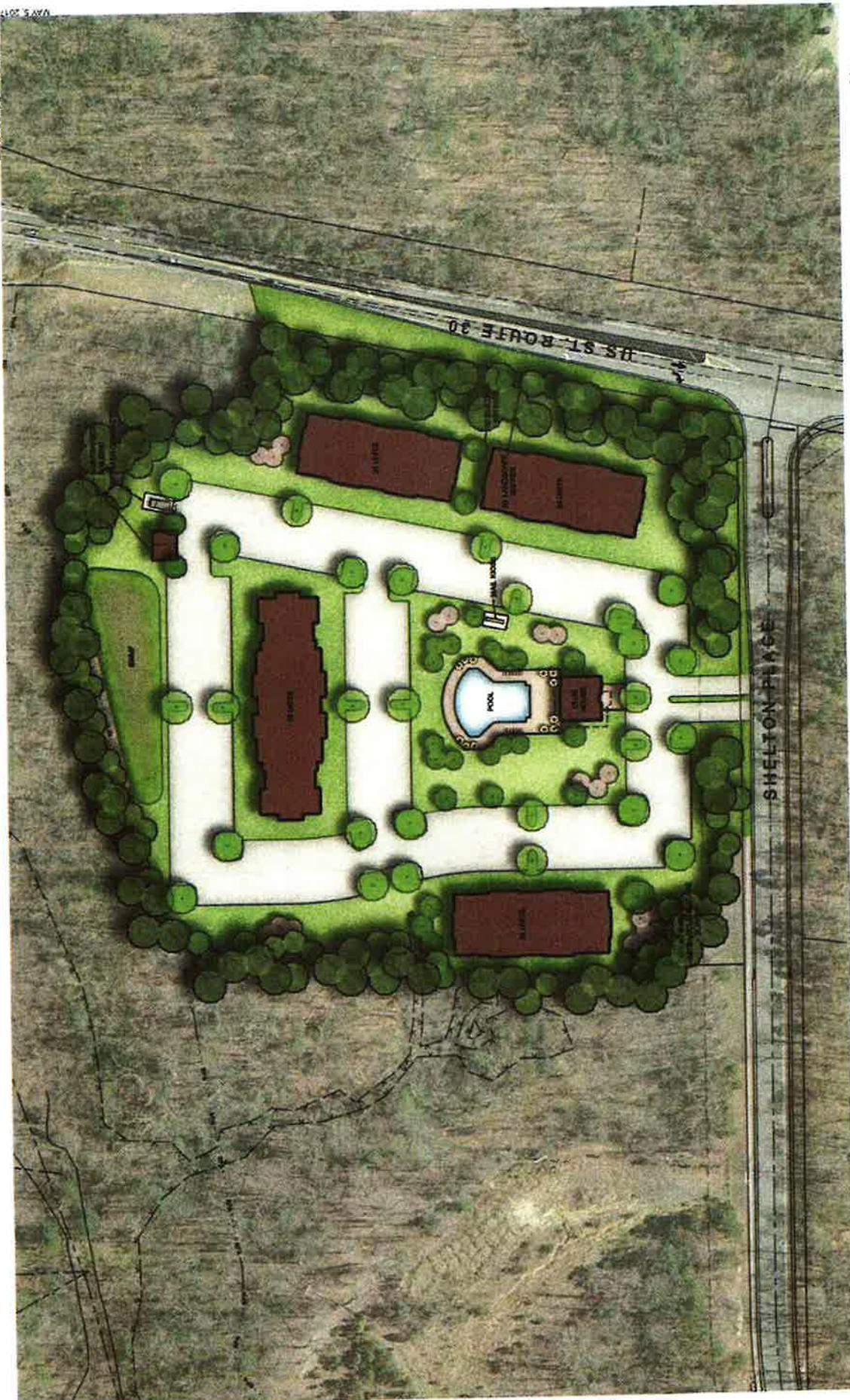
2. Development Agreements/Bonding/Letter of Credit requirements shall be met. As an alternative, improvements, as required, can be constructed prior to any building permits being issued.

3. All previous conditions shall be retained as follows:

- (a). Applicant shall receive written approval from the Virginia Department of Transportation for the multi-family housing development in accordance with the Conditional Use Permit (CUP) and Site Plan criteria included in the King William County Zoning Ordinance.
- (b). Applicant shall develop the subject project and properties substantially in conformance with the building elevations and schematic site plan presented to the Board of Supervisors during the public hearings on June 25, 2001, as amended on September 25, 2017.
- (c). Applicant shall provide and maintain wooded buffers of a minimum 25-foot width and of sufficient density to screen the multi-family housing development from surrounding residential and commercial uses.
- (d). Applicant shall provide and maintain a landscaped median in the divided entranceway to the multi-family housing portion of the project.
- (e). Public water (County) and public sanitary sewer systems (Hampton Roads Sanitation District) shall be provided and may receive credits in accordance with the Modification and Settlement Agreement recorded in the Circuit Court of King William County on September 22, 2015, Instrument #150001953.
- (f). Applicant's failure to comply with the conditions above and those portions of the proffers applicable to the multi-family housing section of the subject project may result in the revocation of the CUP.

**ADOPTED** this the 25th day of September, 2017.

EXHIBIT 1

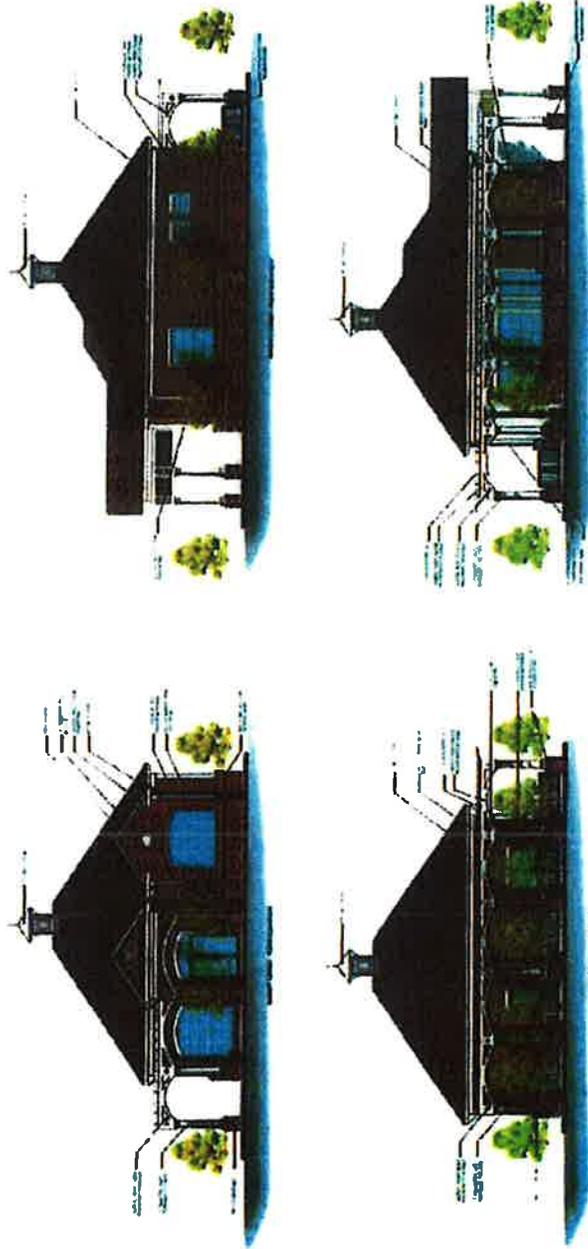


MCCAULEY PARK  
CONCEPTUAL PLAN RENDERING



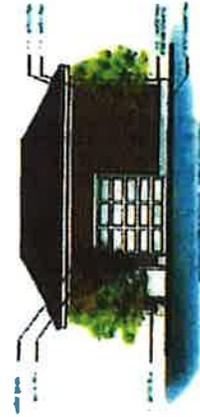
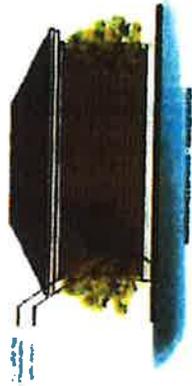
# EXHIBIT 2

## McCauley Park Apartments - Clubhouse/Fitness Conceptual Elevations



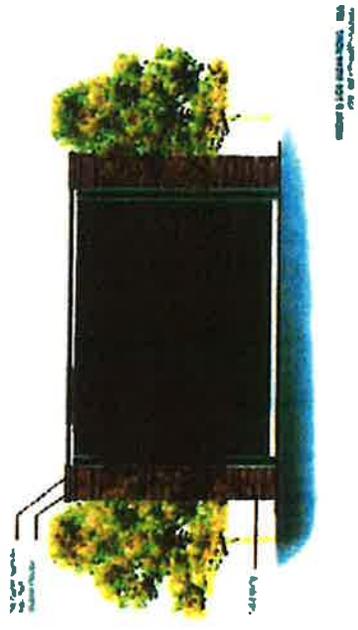
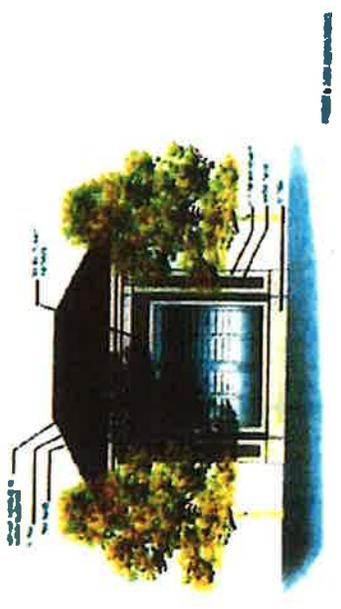
# EXHIBIT 2

## McCauley Park Apartments - Maintenance Bldg Conceptual Elevations



**EXHIBIT 2**

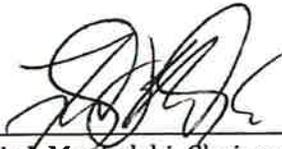
**McCauley Park Apartments - Mail Kiosk**



The vote on the foregoing was as follows:

Supervisor, First District: William L. Hodges - Vice Chairman	Aye
Supervisor, Second District: Travis J. Moskalski - Chairman	Aye
Supervisor, Third District: Stephen K. Greenwood	Aye
Supervisor, Fourth District: David E. Hansen	Nay
Supervisor, Fifth District: Robert W. Ehrhart II	Aye

ATTEST:



---

Travis J. Moskalski, Chairman  
King William County Board of Supervisors



---

Shvia L. Schools  
Deputy Clerk of the Board of Supervisors



**ORDINANCE 01-22**

**PROFFER AMENDMENT 01-2022 ASSOCIATED WITH CONDITIONAL REZONING APPLICATION Z-02-01 - (Z-02-01 AMENDMENT) - OWNER: MCCAULEY PARK, LLC**

**WHEREAS**, McCauley Park, LLC applied for CUP 10-2021 to construct 120 Townhouses on tax map parcel 21-50, Section 2 requiring the Board of Supervisors to approve a Proffer Amendment for Tax Map Parcel 21- 50, Section Two, to amend the existing Proffers initially approved on June 25, 2001, with re-zoning Z-02-1 and amended on September 25, 2017; and

**WHEREAS**, the Owner is requesting the following two proffer amendments:

**Proffer C.1. of Case Z-02-01 to hereby be amended and replaced with the following:**

Density Restriction. No more than 120 (120) townhouse units may be developed within Parcel Two as shown on the McCauley Park Townhomes Preliminary Plan dated September 30, 2021.

**Proffer C.5. of Case Z-02-01 to hereby be amended and replaced with the following:**

Exterior Walls. Visible portions of the exterior wall surfaces (exclusive of windows) about the foundation of multi-family buildings shall be of fiber cement board (Hardiplank) siding, brick, or brick veneer construction, vinyl siding, or cement siding; and

**WHEREAS**, all other conditions and proffers of Case Z-02-01 shall remain in full force and effect; and

**WHEREAS**, the Board of Supervisors conducted a duly advertised public hearing on January 24, 2022 to consider the above proffer amendments associated with Conditional Zoning Application Z-02-01;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, that the Board of Supervisors of King William County, Virginia, approves the amended proffers as stated in the preambles above associated with Conditional Zoning Application Z-02-01 such amended proffers to be recorded in the Clerk's office of the Circuit Court of King William County.

**ADOPTED** this the 24th day of January, 2022.



# AGENDA ITEM 10.a.

Real Estate Assessment - Karena L. Funkhouser,  
Commissioner of Revenue



# AGENDA ITEM 10.b.

Financial Overview and Capital Needs - Natasha  
Joranlien, Director of Financial Services



# KING WILLIAM COUNTY

---

FINANCIAL OVERVIEW &  
FY2023 CAPITAL NEEDS

January 10, 2022

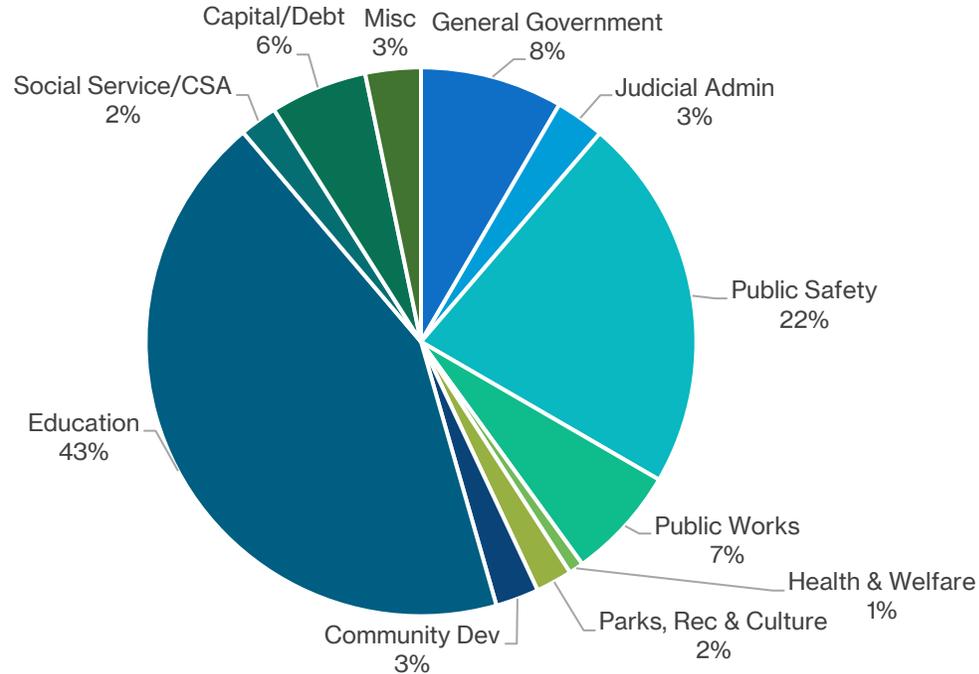
**FY2021 Final Audited Figures pending as 1/6/22**

# County Operating Funding

FY2021 General Fund Expenditure Budget \$25,674,511
51% KW County Operational Funding
6% KW County Capital & Debt Service
43% KWCPS Funding

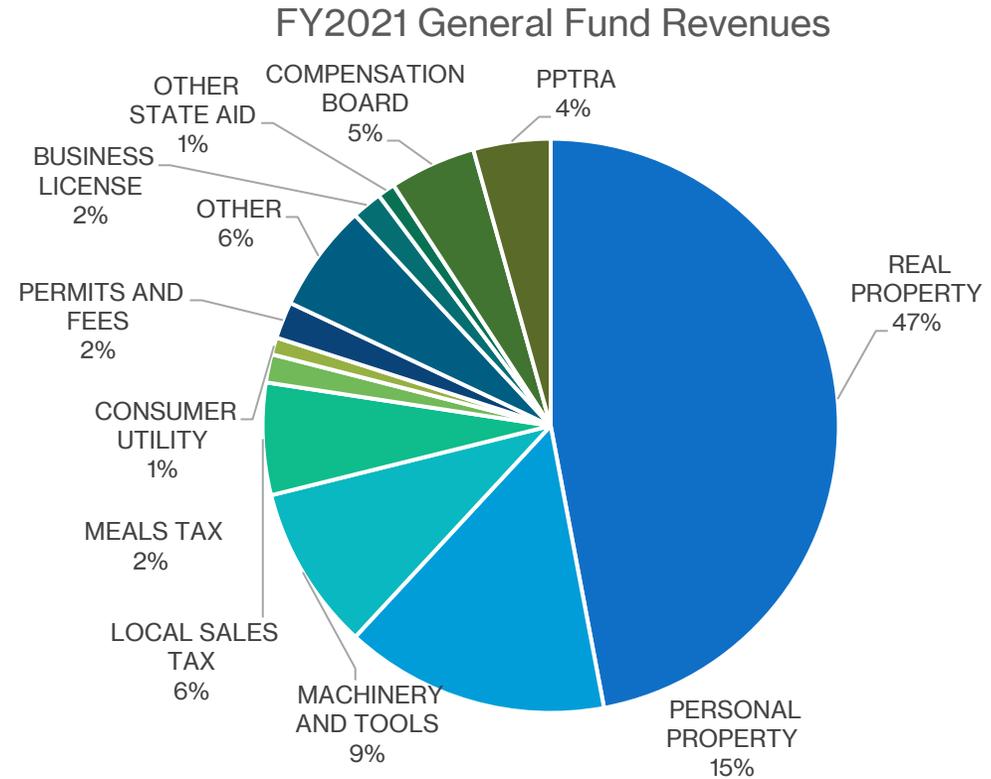
FY2022 General Fund Expenditure Budget \$28,177,949
53% KW County Operational Funding
5% KW County Capital & Debt Service
42% KWCPS Funding

FY2021 General Fund Expenditures



# FY2021 General Fund Revenues

GENERAL FUND REVENUE SUMMARY FY2021 Approved Budget	
REAL PROPERTY	12,794,947
PERSONAL PROPERTY	4,190,987
MACHINERY AND TOOLS	2,230,791
LOCAL SALES TAX	1,136,170
MEALS TAX	225,000
CONSUMER UTILITY	220,000
PERMITS AND FEES	307,500
OTHER	1,291,100
BUSINESS LICENSE	372,500
OTHER STATE AID	330,500
COMPENSATION BOARD	1,370,885
PPTRA	1,204,131
<b>TOTAL</b>	<b>\$ 25,674,511</b>



# Financial Overview

<b>2017-2018</b> Real Property Tax Rate of \$ 0.90/100				
General Property Taxes collected \$17,806,401*				
<b>2018-2019</b> Real Property Tax Rate of \$ 0.88/100				
General Property Taxes collected \$17,946,512*				
<b>2019-2020</b> Real Property Tax Rate of \$ 0.86/100				
General Property Taxes collected \$18,700,770*				
<b>2020-2021</b> Real Property Tax Rate of \$ 0.86/100				
General Property Taxes collected \$19,757,690*				

<i>*General Property Taxes Include: Real Estate, Land Use Roll Back, Public Service Corp Tax,</i>				
<i>Personal Property, Mobile Home, and Machinery &amp; Tools Taxes</i>				

# KWCPS Financial Support

<b>KING WILLIAM COUNTY PUBLIC SCHOOLS</b>				
<b>HISTORICAL FUNDING APPROPRIATION</b>				
	<u>FY2022</u>	<u>FY2021</u>	<u>FY2020</u>	<u>FY2019</u>
<b>LOCAL APPROPRIATION TO SCHOOL</b>				
PROPERTY TAX FUNDING	9,223,565.54	8,518,482.19	8,433,245.00	8,272,315.00
PRIOR SPLIT LEVY RECONCILIATION	-	-	200,000.00	248,848.00
LOCAL SALES TAX	1,180,329.61	993,965.00	1,015,421.00	900,000.00
NON-PROPERTY TAX FUNDING	1,410,000	1,615,661	1,957,200	1,734,232
<b>TOTAL SCHOOL APPROPRIATION</b>	<b>11,813,895</b>	<b>11,128,108</b>	<b>11,605,866</b>	<b>11,155,395</b>
<b>DEBT SERVICE</b>	<b>(1,560,430)</b>	<b>(1,578,306)</b>	<b>(1,593,705)</b>	<b>(1,914,005)</b>
Transfer to Schools	10,253,465	9,549,802	10,012,161	9,241,390
<b>CALENDAR YEAR TAX RATES</b>		<u>2021</u>	<u>2020</u>	<u>2019</u>
<b>REAL ESTATE</b>		0.86	0.86	0.86
School Fund		0.48	0.48	0.48
General Fund		0.38	0.38	0.38

# Unassigned General Fund

Per CAFR			
Unassigned Fund Balance			
FY 10	1,761,923		
FY 11	1,542,611		
FY 12	3,169,372		
FY 13	2,614,804		
FY 14	4,742,615		
FY 15	6,365,262		
FY 16	8,645,161		
FY 17	10,065,487		
FY 18	10,853,502		
FY 19	6,119,501		
FY 20	6,364,785		
FY21	8,043,743	*unaudit financials as of 1/6/22	

King William County approved and adopted Financial Policy is to maintain an unassigned fund balance in the amount of 20% (approximately 2-3 months) of the General Fund expenditures and outflows at the end of each fiscal year.

# County Growth

## OPERATING INDICATORS BY FUNCTION/ACTIVITY

Source: Sheriff Office and Administration Departments		Fiscal Year									
		2021	2020	2019	2018	2017	2016	2015	2014	2013	2012
Function/Activity											
<b>Sheriff</b>	Physical arrests	560	720	451	704	675	780	676	583	576	825
	Traffic violations	780	634	616	699	668	626	740	726	617	539
<b>Fire/EMS</b>	Responding agencies	4	4	4	5	5	5	5	3	3	3
	EMS calls answered	1,771	2,964	1,605	1,597	1,831	1,661	1,565	1,561	1,659	1,575
	Fire calls answered	819	880	1,307	386	327	552	472	279	394	-
<b>Community Development</b>	Residential building permits	631	1,012	811	1,042	859	742	492	530	431	492
	Commercial building permits	42	74	65	59	55	68	23	59	-	-
	Signage/Demolition/Leasehold Usage	5	22	9	9	16	4	8	12	-	-
<b>Planning</b>	Zoning Permits	327	355	245	290	265	223	159	186	-	-
	Land Disturbing Permits	171	168	113	149	151	123	76	82	-	-
<b>Parks and recreation</b>	Program participants	1,357	1,742	1,900	1,869	1,430	1,500	1,450	1,575	3,964	5,807
<b>Water/Sewer</b>	Service Connection	636	531	466	453	449	302	263	241	223	413
	Average daily consumption in gallons	106,678	104,316	85,569	68,009	77,663	67,830	67,430	54,434	59,129	56,744
Notes:											
2021 Fire EMS stats are from the CAD system and based on actual call # not responses to call											

- The County continues to experience stable population growth  
7% over 10 years (16,159 in 2012 and 17,277 in 2021)
- Unemployment Rate has dropped to 2.4% from 2020 rate of 5.20%
- Local Sales Tax Revenue increased 26% over the past three fiscal years

# Debt Service

COUNTY DEBT			
REVENUE BONDS	DESCRIPTION	PAY OFF	BALANCE
SERIES 2011	<i>Courthouse Project/ Series 2002 refinanced 2011</i>	FY 2029	\$ 4,607,697
SERIES 2017	<i>Renovation to County Administration building &amp; purchase of various vehicles &amp; equipment for the benefit County/Series 2005 refinanced 2017</i>	FY 2033	\$ 691,174
GENERAL OBLIGATION BONDS			
SERIES 2019	STATION 1 FIRE EQUIPMENT	FY 2024	\$ 164,047
CAPITAL LEASES			
	911 COMMUNICATIONS	FY 2026	\$ 1,324,176
	MOTOROLA PHASE 3	FY 2030	\$ 4,524,183
	MEDIC/ENGINE	FY 2029	\$ 1,017,478
	(3) INTERCEPTORS	FY 2025	\$ 147,493
			\$ 12,476,248
UTILITY DEBT			
REVENUE BONDS	DESCRIPTION	PAY OFF	BALANCE
Series 2017B V	<i>Water tank and tank expansion/Series 2006 refinanced 2017</i>	FY 2030	\$ 693,181

SCHOOLS DEBT			
REVENUE BONDS	DESCRIPTION	PAY OFF	BALANCE
SERIES 2013	<i>Athletic Facilities at KWHS Phase I/ Series 2006 Refinanced 2013</i>	FY 2031	\$ 1,008,113
SERIES 2017	<i>Athletic Facilities at KWHS/Series 2007 refinanced 2017</i>	FY 2033	\$ 1,468,745
GENERAL OBLIGATION BONDS			
SERIES 2003	<i>Capital School project</i>	FY 2024	\$ 1,132,200
SERIES 2004	<i>Complete renovation of athletic facilities, parking lots and exterior of KWHS</i>	FY 2025	\$ 133,484
SERIES 2010	<i>Governor Executive Order - multiple counties bond w/no interest</i>	FY 2027	\$ 191,022
	<i>Schools energy efficiency improvements and renovations</i>		
SERIES 2017	HHMS RENOVATION	FY 2038	\$ 14,488,969
			\$ 18,422,532

King William County approved and adopted Finance Policy will use an objective, analytical approach to determine the amount of debt to be considered for authorization and issuance. This process involves the comparison of generally accepted debt ratios from comparable counties to the current County ratios. The ratios will be re-evaluated every five (5) years or sooner as market conditions dictate.

*\*Deputy County Administrator and Director of Finance performed review of debt ratio with Davenport & Company LLC in the Fall of 2021 for confirmation the current debt ratio adheres to KWC Finance Policy.*

# Needs Critical To Improving Business Processes

- Replacement of Courthouse Security System – System from 2004 in need of replacing
- Self-contained Breathing Apparatus (SCBA) necessary for entry into burning buildings and hazmat environments
- Outdoor Speaker/Projector System at Park Complex – Updated system is needed to provide quality special events for Music and Movie Programs
- Final phase of carpet replacement in County Administration
- Maintaining Facilities – Roofing, HVAC, and General Repairs
- Juvenile Building Renovation
- Battery Replacement at Courthouse
- Key Card Locks at Administration Building
- Generator at Animal Shelter
- Information Technology
  - Cloud Based Phone System, Firewall (Security monitoring), and Switches (Animal Shelter & Station 1)
- VPPSA Convenience Center Solution
- Vehicle Replacement Program/Replacement Cycle

# AGENDA ITEM 10.c.

Authorizing the County Attorney to Petition the  
Court for a Special Election - Steve Hudgins, Deputy  
County Administrator



King William County  
Est. 1702

Board of Supervisors

Deputy County Administrator

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: January 24, 2022  
TO: King William County Board of Supervisors  
FROM: Steve Hudgins, Deputy County Administrator  
SUBJECT: Special Election for Circuit Court Clerk

### **REQUEST FOR ACTION**

Staff requests the King William County Board of Supervisors consider making a motion directing the County Attorney to petition the Circuit Court for a special election for the King William County Circuit Court Clerk. Such special election would be held on November 8, 2022 during the general election.

### **SUMMARY**

The current term of the Clerk of the Circuit Court runs until January 1, 2024. With the retirement of the current Clerk, Mrs. Patricia Norman, effective February 1, 2022, a special election is required to fill the position until the end of the term.

### **BACKGROUND**

On December 13, 2021, at their work session, the King William County Board of Supervisors discussed the issue of when to hold a special election for the Clerk of the Circuit Court. There was agreement that the general election date of November 8, 2022 would be the preferred date as long as the judge of the Circuit Court was agreeable to the Interim Clerk, Mrs. Tina Glazebrook, serving until that time. Judge Bondurant has since issued an order putting this into effect.

### **ATTACHMENT**

Court Order re: Interim Appointment of Tina T. Glazebrook

VIRGINIA: IN THE CIRCUIT COURT OF KING WILLIAM COUNTY

IN RE:INTERIM APPOINTMENT OF TINA T. GLAZEBROOK AS INTERIM CLERK OF  
THE CIRCUIT COURT PURSUANT TO VIRGINIA CODE SECTION 24.2-228.1

WHEREAS, Patricia M. Norman, the duly elected Clerk of the Circuit Court for the County of King William has submitted her retirement for said office effective at the close of business January 31, 2022,

AND

WHEREAS, pursuant to Virginia Section 24.2-228.1(F) Tina T. Glazebrook, the highest ranking deputy officer in the Clerk's office of the Circuit Court for King William County, who is qualified to vote for and hold said office, shall be vested with the powers and shall perform all of the duties of the office, and shall be entitled to all the privileges and protections afforded by law to elected or appointed Constitutional officers and she shall serve as interim Clerk, upon Patricia M. Norman's retirement, until the qualified voters fill the vacancy by election and the person so elected has qualified and taken the oath of office.

12/29/21  
DATE

ENTER: [REDACTED]  
B. ELLIOTT BONDURANT, JUDGE



# AGENDA ITEM 10.d.

Marijuana Retail Referendum - Steve Hudgins,  
Deputy County Administrator



King William County  
Est. 1702

Board of Supervisors

Deputy County Administrator

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: January 24, 2022  
TO: King William County Board of Supervisors  
FROM: Steve Hudgins, Deputy County Administrator  
SUBJECT: Referendum for the Prohibition of Marijuana Retail Stores

### **REQUEST FOR ACTION**

Staff requests the King William County Board of Supervisors consider making a motion directing the County Attorney to petition the Circuit Court for a referendum on the prohibition of marijuana retail stores in King William County. Such referendum is advised to be held on November 8, 2022 during the general election.

### **SUMMARY**

While marijuana has been legalized in Virginia, localities within the Commonwealth may, by referendum, choose whether or not to prohibit the operation of retail marijuana stores within the locality. Such a referendum must be held, and results certified between July 1, 2022, and December 31, 2022. If a locality does not act within that time frame, retail marijuana stores shall not be prohibited within the locality, and no referendum on this question may be held in the future.

### **BACKGROUND**

Marijuana decriminalization in Virginia was signed into law May 21, 2020; effective July 1, 2020.

Marijuana legalization and commercialization in Virginia was signed into law April 1, 2021. However, commercial retail sales are currently delayed until 2024. This is to give time for the Virginia Cannabis Control Authority and related Boards to be established, regulations to be developed, research and review to be done, and enabling laws to be revised.



*King William County*  
*Est. 1702*

Board of Supervisors

---

Deputy County Administrator

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

Please see attached “Legalization of Marijuana in Virginia” presentation for further background information.

**ATTACHMENT:**

- “Legalization of Marijuana in Virginia” presented by Chris McDonald, VACo

# Legalization of Marijuana in Virginia

VGFOA Spring Conference - June 10, 2021

Chris McDonald, Virginia Association of Counties

# Let's take a quick look back to 2020 . . .

- ▶ After many years of advocacy efforts, in 2020 the Virginia General Assembly moved to decriminalize simple possession
- ▶ Previously:
  - ▶ Possession of ½ ounce or less = up to 30 days in jail and \$500 fine
    - ▶ Though driver's license suspensions were more common than jail time
  - ▶ Second conviction = up to a year in jail and a \$2,500 fine
  - ▶ Possession of hash or concentrates = felony charges
- ▶ **SB 2 (Ebbin) / HB 972 (Herring) - Decriminalization**
  - ▶ Maximum penalty for possession of up to once ounce reduced to \$25 civil fine
  - ▶ No escalating scale of penalties
  - ▶ Possession of larger amounts, growing plants, distributing, etc. continued to carry more serious punishments
  - ▶ Signed into law May 21, 2020; effective July 1, 2020

# Now, back to 2021 . . .

- ▶ In the months since 2020's SB 2/HB 972 were signed into law, there was a continued desire for greater reform
- ▶ Advocates, legislators, and the Northam Administration had all made it clear that coming into the 2021 General Assembly Session, they were interested in going beyond decriminalization and making a push for full legalization and commercialization
- ▶ **SB 1406 (Ebbin) and HB 2312 (Herring)**
  - ▶ Incorporated SB 1243 (Morrissey) and HB 1815 (Heretick)
  - ▶ House: 53-44-2
  - ▶ Senate: 20-20 (Lt. Gov. Fairfax broke the tie)
  - ▶ Governor Northam signed April 7, 2021

# SB 1406 (Ebbin) and HB 2312 (Herring)

- ▶ Legalization of Simple Possession
  - ▶ July 1, 2021
- ▶ Legalization of Home Growing
  - ▶ July 1, 2021
- ▶ Criminal Justice and Law Enforcement Reform
  - ▶ July 1, 2021
- ▶ Commercialization
  - ▶ Retail, Growing, Permitting, Local Option, Tax and Revenue, etc.
  - ▶ **RETAIL SALES DELAYED UNTIL 2024**

# Legalization of “Simple Possession”

## ▶ § 4.1-1100 - Legalized Possession

- ▶ Adults (21 years and up) may legally possess up to one ounce of marijuana or the equivalent of one ounce in marijuana products
- ▶ Adults found with more than one ounce but less than one pound - \$25 fine
- ▶ Adults found with more than one pound can still be charged with a felony punishable by 1-10 years in prison and a fine of up to \$250,000, or both
- ▶ Individuals under the age of 21 are still prohibited from possession
  - ▶ If caught, will face a \$25 civil fine and be required to undergo substance abuse treatment and education

# Consumption of Marijuana

## ▶ § 4.1-1108 - Public Consumption or Possession

- ▶ No person shall consume marijuana or a marijuana product or offer marijuana or a marijuana product to another, whether accepted or not, at or in any public place
- ▶ First Offense: Subject to a civil penalty of no more than \$25
- ▶ Second Offense: Subject to a \$25 civil penalty and shall be ordered to enter a substance abuse treatment or education program or both
- ▶ Third or Subsequent Offense: Class 4 Misdemeanor

## ▶ § 4.1-1109 - Public Consumption or Possession on Public School Grounds

- ▶ No person shall possess or consume any marijuana or marijuana product in or upon the grounds of any public elementary or secondary school during school hours or school or student activities.
- ▶ No person shall consume and no organization shall serve any marijuana or marijuana products in or upon the grounds of any public elementary or secondary school after school hours or school or student activities.
- ▶ Any person convicted of a violation of this section is guilty of a Class 2 Misdemeanor

# Home Cultivation of Marijuana

## ▶ § 4.1-1101 - Home Cultivation

- ▶ A person 21 years of age or older may cultivate up to four marijuana plants for personal use at their place of residence; however, at no point shall a household contain more than four marijuana plants.
  - ▶ For purposes of this section, a "household" means those individuals, whether related or not, who live in the same house or other place of residence.
- ▶ Restrictions:
  - ▶ No marijuana plants may be visible from a public way (without the use of aircraft, binoculars, or other optical aids).
  - ▶ Grower must take precautions to prevent any unauthorized access by minors.
  - ▶ Each plant will require a legible tag that includes the grower's name, driver's license or ID number, and a notation that the plant is being grown for personal use.
  - ▶ And finally, you can't use any homegrown marijuana in the production of marijuana concentrates.
- ▶ Penalties:
  - ▶ For more than four plants but no more than 10, there is a (i) a civil penalty of \$250 for a first offense, (ii) a Class 3 Misdemeanor for a second offense, and (iii) a Class 2 Misdemeanor for a third and any subsequent offense.
  - ▶ For more than 10 plants but no more than 49, it's a Class 1 Misdemeanor; for possession of more than 49 but no more than 100 marijuana plants, it's a Class 6 Felony; and for possession of more than 100 marijuana plants, it's a felony punishable by a term of imprisonment of 1-10 years and/or a fine of no more than \$250,000.
  - ▶ Beyond the penalties for having too many plants, if an individual is found to be growing marijuana outside of the allowances provided of this code section, they're guilty of a Class 6 Felony

# Adult Sharing

## ▶ § 4.1-1101.1 - Adult Sharing

- ▶ Adults 21 years of age or older may gift marijuana to one another without remuneration.

## ▶ § 4.1-1101.3 - Illegal Sales

- ▶ Any person who is not licensed to sell but does sell is guilty of a Class 2 Misdemeanor
- ▶ Subsequent offenses constitute Class 1 Misdemeanors
- ▶ No “gifting” as a part of another commercial transaction

# Next Steps in Virginia

- ▶ Retail Stores have been delayed until 2024
- ▶ Time for the *Virginia Cannabis Control Authority* and related Boards to be established, regulations to be developed, additional research and review to be done, and enabling laws to be revised and fine-tuned
- ▶ But things are very much in motion
  - ▶ JLARC is once again reviewing the legislation
  - ▶ Cannabis Control Authority Board of Directors, Cannabis Equity Reinvestment Board, Cannabis Public Health Advisory Council are open for applications
  - ▶ Local governments are preparing

# Local Option for Retail Stores

## ▶ § 4.1-629 - Local Referendums

- ▶ Governing body of a locality may, by resolution, petition the circuit court for their locality for a referendum on the question of whether retail marijuana stores should be prohibited in the locality
  - ▶ If majority votes “NO,” retail stores shall be permitted to operate within the locality 60 days after the results are certified or on January 1, 2024, whichever is later.
    - ▶ No subsequent referendum may be held pursuant to this section within such locality.
  - ▶ If majority votes “YES,” stores shall be prohibited in the locality effective January 1st of the year immediately following the referendum.
    - ▶ A referendum on the same question may be held subsequent to this vote, but it may not be held earlier than four years following the date of the previous referendum.
- ▶ There is a *narrow window* for such a referendum

# Local Option for Retail Stores (cont.)

## ▶ **Enactment Clause #5:**

- ▶ *That the provisions of § 4.1-629 of the Code of Virginia, as created by this act, shall become effective on July 1, 2022*
- ▶ So, localities wishing to pursue this option cannot do so during this fall's election cycle

## ▶ **Enactment Clause #23:**

- ▶ *That the initial referendum authorized by § 4.1-629 of the Code of Virginia, as created by this act, on the question of whether the operation of retail marijuana stores shall be prohibited in a particular locality shall be held and results certified by December 31, 2022. A referendum on such question shall not be permitted in a locality after January 1, 2023, unless such referendum follows a referendum held prior to December 31, 2022, and any subsequent referendum, in which a majority of the qualified voters voting in such referendum voted "Yes" to prohibit the operation of retail marijuana stores. The provisions of this enactment shall become effective July 1, 2022.*

- ▶ In other words, 1) such a referendum must be held and certified by December 31, 2022 and 2) no referendum on this question may be held after January 1, 2023

## ▶ **Localities must hold and certify the results of the referendum between July 1, 2022 and December 31, 2022.**

# State Sales Tax

- ▶ **§ 4.1-1003 - Marijuana Tax**
- ▶ Statewide retail sales tax of 21% on retail marijuana, marijuana products, marijuana paraphernalia sold at a retail marijuana store, non-retail marijuana, and non-retail marijuana products.
  - ▶ It does not apply to sales from one marijuana establishment to another, sales of cannabis oil for treatment under the Drug Control Act, sales of industrial hemp by a grower, processor or dealer, or of industrial hemp extract or food containing extracts
  - ▶ The tax shall be in addition to any tax imposed under Chapter 6 (§ 58.1-600 et seq.) of Title 58.1 or any other provision of federal, state, or local law
- ▶ **§ 4.1-614(A) - Disposition of moneys collected by the Board**
  - ▶ All moneys collected by the Board shall be paid directly and promptly into the state treasury, or shall be deposited to the credit of the State Treasurer in a state depository, without any deductions on account of salaries, fees, costs, charges, expenses, refunds, or claims of any description whatever.

# State Marijuana Tax Revenue

- ▶ § 4.1-614(B) - Disposition of moneys collected by the Board
  - ▶ 40% will go to pre-kindergarten programs for at-risk three-year-olds and four-year-olds
  - ▶ 30% will go to the Cannabis Equity Reinvestment Fund.
    - ▶ Support persons, families, and communities historically and disproportionately targeted and affected by drug enforcement;
    - ▶ Provide scholarship opportunities and educational and vocational resources for historically marginalized persons, including persons in foster care, who have been adversely impacted by substance use individually, in their families, or in their communities;
    - ▶ Award grants to support workforce development, mentoring programs, job training and placement services, apprenticeships, and reentry services that serve persons and communities historically and disproportionately targeted by drug enforcement;
    - ▶ Contribute to the Virginia Indigent Defense Commission; and
    - ▶ Contribute to the Virginia Cannabis Equity Business Loan Fund.
  - ▶ 25% will go to Department of Behavioral Health and Developmental Services (DBHDS), which will provide funding to community services boards for the purpose of administering substance use disorder prevention and treatment programs
  - ▶ 5% will go to public health programs, including public awareness campaigns that are designed to prevent drugged driving, discourage consumption minors, and inform the public of potential risks

# Local Option Sales Tax

## ▶ § 4.1-1004 - Optional Local Marijuana Tax

- ▶ Any locality may *by ordinance* levy a **three percent tax** on any sale taxable under § 4.1-1003
- ▶ The tax shall be in addition to any local sales tax, any food and beverage tax, and any excise tax imposed on meals.
- ▶ Nothing in this section shall be construed to prohibit a locality from imposing any tax authorized by law on a person or property regulated under this subtitle. Nothing in this section shall be construed to limit the authority of any locality to impose a license or privilege tax or fee on a business engaged in whole or in part in sales taxable under § 4.1-1003 if such tax or fee is (i) based on an annual or per-event flat fee authorized by law or (ii) is an annual license or privilege tax authorized by law, and such tax includes sales or receipts taxable under § 4.1-1003 in its taxable measure
- ▶ Other than the taxes authorized and identified in this subsection, a locality shall not impose any other tax on a sale taxable under § 4.1-1003

# Local Option Sales Tax (cont.)

- ▶ Any locality that enacts such an ordinance shall, within 30 days, notify the Authority and any retail marijuana store in such locality of the ordinance's enactment.
- ▶ The ordinance shall take effect on the first day of the second month following its enactment.
- ▶ **Any tax levied under this section shall be administered and collected by the Authority in the same manner as provided for the state sales tax**
- ▶ All revenues remitted to the Authority under this section shall be disposed of as provided in § 4.1-614
- ▶ The Commonwealth - via the Cannabis Control Authority - will administer and collect the tax and in turn dispose of the revenue

# Local Option Sales Tax (cont.)

- ▶ **§ 4.1-614 (D) - Disposition of moneys collected by the Board**
  - ▶ All local tax revenues collected under § 4.1-1004 shall be paid into the state treasury as provided in subsection A and credited to a special fund, which is hereby created on the Comptroller's books under the name "Collections of Local Marijuana Taxes." The revenues shall be credited to the account of the locality in which they were collected.
  - ▶ If revenues were collected from a marijuana establishment located in more than one locality by reason of the boundary line or lines passing through the marijuana establishment, tax revenues shall be distributed pro rata among the localities. The Authority shall provide to the Comptroller any records and assistance necessary for the Comptroller to determine the locality to which tax revenues are attributable.
  - ▶ On a **quarterly basis**, the Comptroller shall draw his warrant on the Treasurer of Virginia in the proper amount in favor of each locality entitled to the return of its tax revenues, and **such payments shall be charged to the account of each such locality under the special fund created by this section**. If errors are made in any such payment, or adjustments are otherwise necessary, whether attributable to refunds to taxpayers, or to some other fact, the errors shall be corrected and adjustments made in the payments for the next quarter.

# Local Land Use

- ▶ **§ 4.1-630 - Local ordinances or resolutions regulating retail marijuana or retail marijuana products**
  - ▶ No county, city, or town shall, except as provided in §§ 4.1-629 and 4.1-631, adopt any ordinance or resolution that regulates or prohibits the cultivation, manufacture, possession, sale, wholesale distribution, handling, transportation, consumption, use, advertising, or dispensing of retail marijuana or retail marijuana products in the Commonwealth.
  - ▶ However, the governing body of any county, city, or town may adopt an ordinance (i) that prohibits the acts described in § 4.1-1108, or the acts described in § 4.1-1109, and may provide a penalty for violation thereof and (ii) that regulates or prohibits the possession of opened retail marijuana or retail marijuana products containers in its local public parks, playgrounds, public streets, and any sidewalk adjoining any public street.
  - ▶ Nothing in this chapter shall be construed to supersede or limit the authority of a locality to adopt and enforce local ordinances to regulate businesses licensed pursuant to this chapter, including local zoning and land use requirements and business license requirements.
  - ▶ Except as provided in this section, all local acts, including charter provisions and ordinances of counties, cities, and towns, inconsistent with any of the provisions of this subtitle, are repealed to the extent of such inconsistency

# What Comes Next?

- ▶ Further changes to enabling legislation and related code provisions
- ▶ Regulatory Development
- ▶ Permitting and Licensing
- ▶ Law Enforcement
- ▶ What happens at the Federal Level?
  - ▶ Financial reforms related to marijuana?
  - ▶ Wholesale decriminalization or legalization?
  - ▶ Remains to be seen

# Questions? Comments?

Feel free to reach out!

**[cmcdonald@vaco.org](mailto:cmcdonald@vaco.org)**

# AGENDA ITEM 10.e.

Redistricting Report - Steve Hudgins, Deputy County  
Administrator



# AGENDA ITEM 11.a.

Administration Report - Percy C. Ashcraft, County  
Administrator



# County Administrator's Report

## *January 24, 2022 Meeting of the Board of Supervisors*

### **Meetings & Special Dates**

#### **January**

1. West Point Town Council Meeting – January 25, 6:30 p.m.; Town Hall Chambers.
2. Board of Zoning Appeals Meeting – January 26, 7 p.m.; Board Room.
3. RAFT Resilience Action Workshop – January 28.
4. Board of Supervisors Budget Work Session – January 31, 7 p.m.; Board Room.

#### **February**

1. Planning Commission Meeting – February 1, 7 p.m.; Board Room.
2. Recreation Commission Meeting – February 3, 7 p.m.; Community Center
3. Social Services Board Meeting – February 7, 5 p.m.; Social Services Community Room.
4. Economic Development Authority Meeting – February 9, 7 p.m.; Board Room.
5. Board of Supervisors Joint Work Session w/Planning Comm. & EDA – February 14, 7 p.m.; Board Room.

### **Notes & Updates**

1. Personnel
  - a. William Morey promoted to Assistant Fire Chief.
  - b. Savannah Liverman hired as certified Fire/Medic.
  - c. Teresa Jones hired as Assistant II in Social Services.
  - d. Anthony Swinson resigned as Building Official.
2. Congressman Rob Wittman expected to remain in First District after redistricting maps were developed.
3. The unemployment rate in King William County in November was 2.4 percent.
4. Staff is currently developing an Acceptable Use Policy for phones and other devices.
5. Renovation of the Conference Room area is well underway and is expected to be completed in February.

6. COVID-19 Update:
  - a. King William County is averaging 40 new cases per the most recent seven-day average as of January 14.
  - b. King William County residents have experienced 2,987 cases of COVID-19 since February, 2020 as of January 14. A total of 80 required hospitalization and 27 passed away.
  - c. County Government continues to follow a mask policy when dealing with the public and non-vaccinated personnel.
  - d. COVID-19 Antigen at-home test kits are available at no cost.
7. An “archaeological dig” is underway on the triangularly-shaped green space between Route 30 and Courthouse Road.
8. Parks & Recreation youth basketball got underway January 15, but COVID-19 has sidelined one team from participation.
9. Second County newsletter was published January 14 to complement the website, Facebook, Twitter, and County Administrator’s blog to increase public awareness of matters happening within King William County. Residents can get on the distribution list by filling out the form on the website, or they can read it from our webpage.
10. Members of the BOS and County Staff will be attending a meeting virtually on January 24 with State officials and representatives from All Points to discuss next steps with the broadband project.



# AGENDA ITEM 11.b.

## Board Information



# AGENDA ITEM 11.b.i.

Animal Activities Report - December 2021

**Regional Animal Shelter  
Animal Activities Report  
December 2021**

Dogs Received	Stray		Seized		Bite Cases		Surrendered		Other		Total	
Month	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
KW Animal Control	7	62	0	4	0	1	3	6	0	0	10	73
K & Q Animal Control	3	59	0	4	0	2	0	6	0	0	3	71
King William Citizens	6	49	0	0	0	2	4	48	0	0	10	99
King & Queen Citizens	1	27	0	0	0	0	0	12	0	0	1	39
Other	0	0	0	0	0	0	0	0	0	0	0	0
Totals	17	197	0	8	0	5	7	72	0	0	24	282
Disposition (Dogs)	Reclaimed		Adopted		Transferred		Euthanized		Other		Total	
	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
	8	67	4	41	8	138	4	36	0	0	24	282
Cats Received	Stray		Seized		Bite Cases		Surrendered		Other		Total	
Month	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
KW Animal Control	2	21	0	0	3	4	0	85	0	0	5	110
K & Q Animal Control	1	25	0	0	0	0	2	81	0	0	3	106
King William Citizens	1	55	0	0	0	0	8	82	0	0	9	137
King & Queen Citizens	0	4	0	0	0	0	0	49	0	0	0	53
Other	0	0	0	0	0	0	0	0	0	1	0	1
Totals	4	105	0	0	3	4	10	297	0	1	17	407
Disposition (Cats)	Reclaimed		Adopted		Transferred		Euthanized		Other		Total	
	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
	0	10	7	71	8	184	2	141	0	1	17	407
Feral Cats	Month	YTD	Other Species Handled			Month	YTD	Month	YTD			
	1	122						0	0			
Other Received Explanation												
Other Disposition Explanation	1 cat escaped 2/21											
Animals On Hand	1/1/22											
Dogs	20	Cats	5	Other Species		0						



P.O. Box 215  
20201 King William Rd  
King William, VA 23086

### **December 2021 Animals Euthanized Explanation**

#### **Cats Euthanized: 2**

- 1 feral cat surrendered to KW Animal Control by owner
- 1 surrendered by owner cat because it was soiling carpet and furniture and would not use litterbox

#### **Dogs Euthanized: 4**

- 2 heartworm positive stray dogs, both skittish and would not tolerate visitors.
- 1 surrendered by owner Pit Bull, after it attacked the other dog in the house causing injury. Dog was turned in with widespread hair loss and a non-weight bearing front leg injury.
- 1 heartworm positive stray dog with a tangerine sized tumor on abdomen



# AGENDA ITEM 11.b.ii.

Building Department Report - December 2021

# Building Department Report

	JUL 2021	AUG 2021	SEP 2021	OCT 2021	NOV 2021	DEC 2021
TOTAL PERMITS ISSUED	79	183	175	305	263	132
BUILDING INSPECTIONS COMPLETED	420	305	396	280	453	631
NEW COMMERCIAL PERMITS	3	1	1	1	0	2
NEW DWELLINGS	16	24	17	21	25	10
CERTIFICATE OF OCCUPANCY	18	7	10	4	14	15
PLAN REVIEW	15	17	19	32	22	30

# AGENDA ITEM 11.b.iii.

Utilities Department Report - December 2021

**KING WILLIAM UTILITY DEPARTMENT  
MONTHLY ACTIVITY REPORT - DECEMBER 2021**

**PROJECTS**

<b>ITEM</b>	<b>STATUS</b>	<b>NOTES</b>
Industrial Park Water System	Ongoing	Submittals have been turned into DEQ
Kennington Office Warehouse	Started 1/25/2021	Building is under construction.
McCauley Park Sec. 2	Under Construction	All water lines installed. Tied into Project 100%
Central Crossings Sec 2B	Under Construction	Water and Sewer being installed; Water line being pressure tested
DEQ Withdrawl Permit : Central Garage System	Ongoing	Submittals have been turned into DEQ for evaluation
Kennington Section 2B	Under Review	Not yet started
Kennington Section 2C	Under Review	Not yet started

**INFRASTRUCTURE GROWTH**

	<b>MONTHLY</b>	<b>FYTD</b>
Water Connections	6	64
Sewer Connections	6	64
Water Meter Sales	0	30

**SERVICE AND REPAIRS**

	<b>MONTHLY</b>	<b>FYTD</b>
Miss Utility tickets	105	391
Repair items addressed	0	9
Flow Tests	0	3
Customer Transfers (Manual meter reads)	14	61
Replace defective meters	11	44
Manual Meter reads after Electronic Billing Reads	0	84
Bac't Samples per month	6	46
Number of inspection per working project	27	111
DEQ readings using Levelogger	2	10
Daily Water Usage Readings (3 wells)	20	120
Weekly Well Inspections (4 wells)	18	89

# AGENDA ITEM 11.b.iv.

Sheriff's Office Activity Report - December 2021



King William Sheriff's Office  
 351 Courthouse Lane, Suite 160  
 King William, VA 23086  
 J. S. Walton, Sheriff

## King William Sheriff's Office Activity

December 1, 2021 – December 31, 2021

Calls for Service	1,033
Incident Reports	106
Traffic Summons	35
Warrants Served	76
Civil Papers Served	413
13B-Simple Assault	1
16.1-253.2-PROTECTIVE ORDER: 2ND VIOL W/IN 5 YRS	1
16.1-253.2-PROTECTIVE ORDER: VIOLATION	1
18.2-102-UNAUTHORIZED USE:ANIMAL/VEHICLE/ETC, >=\$1000	1
18.2-103-SHOPLIFT/ALTR PRICE/CONCEAL/XFER GOODS <\$1000	1
18.2-119-TRESPASS: AFTER BEING FORBIDDEN TO DO SO	1
18.2-172-OTHER FORGERY WRITING: EMPLOY AS TRUE	1
18.2-172-OTHER FORGERY WRITING:NOT IN 18.2-168 & 18.2-170	1
18.2-186.3-IDENTITY THEFT:OBTAIN INFO FROM 5-49 PEOPLE	1
18.2-266-DWI: 1ST OFFENSE	2
18.2-266-DWI: 2ND OFF W/IN 5Y - 10Y	1
18.2-456(6)-FAIL TO APPEAR-FEL/MISD/SUMONS	2
18.2-461-FALSE REPORT OF CRIME TO POLICE	1
18.2-47-ABDUCTION: BY FORCE, INTIMIDATION OR DECEPTION	1
18.2-51-MALICIOUS WOUNDING	1
18.2-51.2-ASSAULT: MALICIOUS, VICTIM SEVERELY INJURED	1
18.2-57-ASSAULT: (MISDEMEANOR)	2
18.2-57.2-ASSAULT & BATTERY - FAMILY MEMBER	4
18.2-60-EXTORT: IN WRITING	1
18.2-60.3-STALKING: REASONABLE FEAR OF DEATH/ASSAULT/ETC	1
18.2-83-BOMB/BURN THREAT: ACCUSED >=15Y	1
18.2-95-GRAND LARCENY: >=\$1000 NOT FROM A PERSON	1
18.2-95-GRAND LARCENY: AUTO THEFT	1
18.2-95-GRAND LARCENY: FIREARM, NOT FROM A PERSON	2
18.2-96-PETIT LARCENY: <\$1000 NOT FROM A PERSON	3
220-Burglary/Breaking & Entering	1
23F-Theft From Motor Vehicle	10
23H-All Other Larceny	2
26A-False Pretenses/Swindle/Confidence Game	2
26B-Credit Card/Automatic Teller Machine Fraud	2
26D-Welfare Fraud	1
290-Destruction/Damage/Vandalism of Property	5
3.2-6570-CRUELTY TO ANIMALS: GENERALLY	1
90F-Family Offenses, Nonviolent	2
90J-Trespass of Real Property	3
90Z-All Other Offenses	2
ANIMBD-ANIMAL BITE DOG/CANINE	1
CHILD-CHILD ABUSE/NEGLECT/ENDANGERMENT COMPLAINT	1
CIVILD-CIVIL DISTUBANCE/VERBAL DISPUTE	1
CIVILI-CIVIL ISSUE	1
DOA-DEAD ON ARRIVAL/DECEASED PERSON	2
FOUND-FOUND PROPERTY	2
JUVI-JUVENILE ISSUE	3
MENTAL-MENTAL SUBJECT	2
OVERDOS-OVERDOSE	1
SUICT-SUICIDE THREATENED	1
WARR-WARRANT SERVICE	10
** TOTAL **	106

# AGENDA ITEM 13.a.

Motion to Convene Closed Meeting in accordance with Section 2.2-3711 (A)(1) of the Code of Virginia to consider a personnel matter involving the appointment of individuals to Boards and Commissions and to consider salaries of specific public employees.

## 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)

- |                                         |                                         |                                               |
|-----------------------------------------|-----------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> 3. Employment  | <input type="checkbox"/> 6. Promotion   | <input checked="" type="checkbox"/> 9. Salary |
| <input type="checkbox"/> 4. Assignment  | <input type="checkbox"/> 7. Performance | <input type="checkbox"/> 10. Discipline       |
| <input type="checkbox"/> 5. Appointment | <input type="checkbox"/> 8. Demotion    | <input type="checkbox"/> 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.



# AGENDA ITEM 13.c.

Certification of Closed Meeting

## **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 \_\_\_\_\_, 2021, 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]**

# AGENDA ITEM 14.a.

**Resolution 22-07R-2** - Appointments to the King William County Redistricting Advisory Committee

