



County of King William, Virginia

**BOARD OF SUPERVISORS
REGULAR MEETING OF AUGUST 22, 2022 - 7:00 PM
KING WILLIAM COUNTY ADMINISTRATION BUILDING
KING WILLIAM, VIRGINIA**

AMENDED AGENDA

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. July 11, 2022 Work Session Draft Minutes
 - ii. July 20, 2022 Joint Work Session with Planning Commission Draft Minutes
 - iii. July 25, 2022 Regular Meeting Draft Minutes
 - b. Approval of Expenditures - July 2022
 - c. **Resolution 22-61** - Approving the Commissioner of the Revenue to Set the PPTRA Rate
 - d. **Resolution 22-62** - Designating a Portion of State Route 634 (Kentucky Road) a Rural Rustic Road
 - e. **Resolution 22-63** - Designating a Portion of State Route 641 (Sandy Point Road) a Rural Rustic Road
 - f. **Resolution 22-64** - Updating King William County Personnel Policies & Procedures Manual, Chapter 11: Grievance Policy and Procedures

- g. **Resolution 22-65** - Amendment to FY23 Capital Improvement Plan for Parking Lot Repairs
- h. **Resolution 22-66** - Support of the Virginia America 250 Commission and Establishment of the King William County VA250 Planning Committee
- i. **Resolution 22-67** - Donating \$10,000 to Tappahannock Fire Relief Efforts

8. Public Hearing *One Opportunity of Three Minutes per Individual or Five Minutes per Group*

- a. **Ordinance 07-22** - Establish Property Tax Levies on Tangible Personal Property for the Classifications of Vehicles Created by House Bill 1239
- b. **Ordinance 08-22** - Updates to Zoning Ordinance
- c. **Ordinance 09-22** - Amend King William County Code Chapter 34 - Fire Prevention and Protection

9. Old Business

- a. Historical Society IT Usage Services Agreement - Travis Wolfe, IT Manager
- b. Board Revision to Resolution 22-59 - Andrew R. McRoberts, County Attorney
 - i. **Resolution 22-68** - Reconsider Resolution 22-59
 - ii. **Resolution 22-69** - Rescind Resolution 22-59
 - iii. **Resolution 22-59R** - Deny Conditional Use Permit (CUP) 01-2022

10. New Business

- a. Gordian Proposal for Transfer Site Expansion - Steve Hudgins, Deputy County Administrator
- b. Exercising the Renewal Term Agreement For Middle Peninsula Solid Waste System Operating Agreement Between VPPSA and KWC - Steve Hudgins, Deputy County Administrator
- c. **Resolution 22-70** - FY23 Budget Amendment - State Compensation Board Salary Increases - Natasha L. Brown, Director of Financial Services
- d. **Resolution 22-71** - DSS Budget Amendment - Natasha L. Brown, Director of Financial Services
- e. **Resolution 22-72** - Department of Elections Budget Amendment - Natasha L. Brown, Director of Financial Services
- f. Sheriff's Deputy Starting Salaries - Jeff Walton, Sheriff

11. Administrative Matters from County Administrator

- a. Administration Report - Percy C. Ashcraft, County Administrator

- b. DCJS Civilian Active Attack Program Public Training Sessions - September 7, 2022 - Percy C. Ashcraft, County Administrator
- c. Board Information
 - i. Animal Activities Report
 - ii. Building Department Report
 - iii. Fire & EMS Department Report
 - iv. Sheriff's Department Activity Report
 - v. Utilities Department Report
 - vi. Synopsis from MPPDC Meeting
 - vii. VDOT Transportation Briefing
 - viii. VPPSA Drop Off Recycling Report
 - ix. Finance Department Updates

12. Board of Supervisors' Comments

13. Closed Meeting

- a. Motion to Convene Closed Meeting in accordance with Section 2.2-3711 (A)(3) of the Code of Virginia regarding the acquisition of real property for a public purpose because discussion in an open meeting may adversely affect the bargaining position or negotiating strategy of the Board.
- b. Motion to Reconvene in Open Session
- c. Certification of Closed Meeting
- d. Action on Closed Meeting (if necessary)

14. Adjourn or Recess

NOTES REGARDING AGENDA:

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

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

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

AGENDA ITEM 7.a.i.

July 11, 2022 Work Session Draft Minutes

**DRAFT MINUTES
KING WILLIAM COUNTY BOARD OF SUPERVISORS
WORK SESSION MEETING OF JULY 11, 2022**

A work session meeting of the Board of Supervisors of King William County, Virginia, was held on the 11th day of July 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 Moren called the meeting to order.

Agenda Item 2. ROLL CALL

The members of the Board of Supervisors 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

Agenda Item 3. REVIEW AND ADOPTION OF AMENDED MEETING AGENDA

Supervisor Garber made a motion to approve the amended agenda as presented. Supervisor Moskalski seconded. 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

Agenda Item 4. WORK SESSION MATTERS

4.a. General Reassessment Update - Fred Pearson, Pearson's Appraisal Service, Inc.

Mr. Pearson said 11,741 parcels have been completed and the data on 4,800 properties has been entered. The first sales study using 2021 sales data has been completed and the second is being done now using 2022 sales data. He said now is a good time for the public to ask questions and get involved. He said there is about a 50-60% increase from the current values which are from 2015. He said current land costs are approximately \$4,000 per acre, \$3,000 per acre for woodlands. Mr. Pearson said the process is going along pretty well.

4.b. King William Little League Season Summary - Mike Maiorana, League President

Mr. Maiorana said King William Little League (KWLL) had a very good season overall – both with registrations and success. There were 375 players registered, 150-160 of whom were 8 years-old and younger. There were over 20 teams, 6 all-star teams, and 3 teams which advanced to the state level. He said KWLL was able to get the regional tournament held here due to their exceptional 8-10 year-old softball team. About 100 families from 6 counties attended and they heard compliments from all. He said three teams are currently fundraising for their state championship trips and

thanked the community for supporting them. He said he appreciated the help offered by Mr. Ashcraft and the Parks & Rec department.

Vice Chair Hodges said the only negative thing he heard was about the parking. Mr. Maiorana said there is very little space and it's tough getting in and out. You also have to walk a good distance to get to the fields. This is one of their needs. He said it's a beautiful facility but it's a tough walk. He said he knows Parks & Rec is working on options and KWLL would love to be involved.

Mr. Maiorana also said it's a struggle to get use out of the fields with so many players.

Supervisor Garber said he, Chairman Moren, and Mr. Ashcraft attended the tournament and KWLL did an excellent job. He said the Rec Commission is working on parking ideas and no one was disappointed in the grounds. Mr. Maiorana said it was a group effort and he was proud and excited by how it turned out.

Supervisor Moskalski congratulated the teams on their successful year.

Chairman Moren said it's commendable what KWLL does for the youth and thanked them.

4.c. Donation of 2006 Ford E350 Ambulance to King William County Public Schools - Stacy Reaves, Fire Chief

Chief Reaves said the Fire & EMS Department would like to donate an inoperable ambulance to King William County Public Schools for use in their Emergency Medical Technician Career and Technical Education (CTE) program. He said the ambulance would not be used for driving but to give students the ability to experience what it's like to work in the back of the ambulance. He said he believed instructors were going to disassemble the ambulance and reassemble the box in the classroom.

The general consensus of the Board was to assign a Resolution number to the draft resolution so it could be voted on now rather than bringing it back in the future.

Supervisor Moskalski made a motion to approve Resolution 22-54 for the Donation of a 2006 Ford E350 Ambulance to King William County Public Schools. Vice Chair Hodges seconded. The Chairman called for any 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.d. Burn Permits & Fees and Recommended Changes to County Code Chapter 34 - Fire Prevention and Protection - Stacy Reaves, Fire Chief

Chief Reaves presented information about the County's current burn permit process and Statewide Fire Protection Code (SFPC). He said the County has the option to enforce the SFPC themselves or allow the State to enforce it. If the State enforces it, they can charge fees to the County.

Supervisor Garber asked if we can opt out of agricultural burning. Chief Reaves said no.

Regarding the burn permit, Chief Reaves said we can't enforce it for some people and not for others. The SFPC authorizes the Fire Official to require a burn permit. The County can add stricter requirements to the SFPC but cannot lessen it.

Supervisor Garber asked if we can exempt forestry and agriculture. Chief Reaves said the Department of Forestry Forester supersedes our permit process.

Supervisor Garber asked if there were any air pollution regulations. Chief Reaves said you cannot burn tires and can burn trash only if you don't have pickup available. He said the DEQ makes those regulations and has a full list of things you cannot burn.

Vice Chair Hodges asked if the Fire Marshal charges. Supervisor Moskalski said the County has had its own Fire Marshal for several years.

Vice Chair Hodges asked if the Fire Chief could hire a paid person without Board approval. Chief Reaves said no.

Supervisor Garber asked why we charge a fee. Chief Reaves said to offset the cost to taxpayers. He said it's up to the Board if they want a fee and how much it would be.

Supervisor Garber asked how long it takes when someone applies. Chief Reaves said they ask people to apply three days in advance of when they want to burn. He said the process takes a day or two.

Chairman Moren asked how far down it delegates. Chief Reaves said to the Chiefs within Administration.

Vice Chair Hodges asked if the Fire Dept. is on standby for structure burnings. Chief Reaves said it depends. That goes through the Building Dept.

Vice Chair Hodges asked about wind. Chief Reaves said it's in the permit. The burner is responsible for assessing the conditions. He said the permit is for safety and the regulation of law. He said most structure fires are done by contractors and he hasn't heard of there ever being any problems. He said more assistance is provided to homeowners.

Vice Chair Hodges asked how many burn permits are issued. Chief Reaves said there have been about 20-30 since January. They go out and look at the site and try to help homeowners as much as possible.

Supervisor Garber said to ask the County Attorney if we can exempt agriculture. Chief Reaves asked how he was defining agriculture. Supervisor Garber said properties zoned AG. He said he thinks it is a lot to ask people to make a trip out and to go through a permit process and he doesn't see the need for a fee. [State Code does not allow exemptions to the SFPC. DEQ is responsible for regulating agricultural burns.]

Vice Chair Hodges said we have to send out people out, too.

Chairman Moren said the bottom line is situational awareness and the Fire Dept. should know. He does not agree with the fee.

Supervisor Moskalski said we have to examine what are our actual costs.

Chief Reaves said if there is no permit and someone calls 911 because they see the open burn, trucks will be sent. If a permit is on file, dispatch has it and can inform the caller that it's a permitted burn.

Vice Chair Hodges said the burn permit should have the cell number of the person doing the burn on it.

Supervisor Garber asked if the person doing the burn can call instead of getting a permit. Chief Reaves said the permit validates what they're burning. It's for prevention and is mentioned in the Code twice. He said there is nothing here we are not already doing and it gives the Board room to set or change the fee.

Vice Chair Hodges said it's hard to get the State Fire Official to come out. He said the Sheriff's Dept. gets involved for police action.

The information will be further researched and brought back to the Board.

4.e. Establishment of King William County Community Emergency Response Team (CERT) - Stacy Reaves, Fire Chief and Willie Jones, Assistant Fire Chief

Chief Jones said the County is currently working on setting up our EOC (Emergency Operations Center) and staffing is not always sufficient, so community involvement is important.

CERT is an 8-day, 3.5 hour per day class which trains citizens to help in disasters. He gave the example of a missing child situation in Hanover where 5,000 people came out to search. CERT team members led groups of 100 which freed up staff to work elsewhere.

Chief Jones said CERT can be used in non-emergency situations as well such as damage assessment, parking, elections, etc. They will also be trained to provide first aid. He said it is very cost effective. He is in a training class now to become a manager. In addition to training, citizens get a safety equipment kit. Background checks are required.

Supervisor Garber asked if the CERT team goes to neighboring counties. Chief Jones said others are welcome. He would like to have a tri-county team.

Supervisor Garber asked the cost of training. Chief Jones said it's \$800 for 10-12 people plus \$57 per kit.

Chief Jones said being in CERT puts you in a big network of trained individuals.

Chairman Moren asked if there's a screening process. Chief Jones said yes. The consensus of the Board was for Chief Jones to proceed in setting up a King William County CERT team.

4.f. Cigarette Tax Update - Steve Hudgins, Deputy County Administrator

Mr. Hudgins gave an update on how the cigarette tax process has been going with the Chesapeake Bay Region Cigarette Tax Board (CBRCTB).

Chairman Moren asked if the tax is on cigarettes only, not dip or chew. Mr. Hudgins said that was correct.

Supervisor Garber said he is against it and asked where West Point is at. Vice Chair Hodges said he doesn't know but thinks most are afraid it will run business away.

Supervisor Garber said tobacco companies are paying \$206 billion over 25 years from a 1997 settlement agreement. He said federal tax adds \$1.01 per pack and Virginia tax adds \$0.60 per pack. He said people travel to places where there's no tax so they might come here. He said tobacco companies are paying their fair share.

Mr. Hudgins said he asked VACo but they didn't have numbers yet. Mr. Davis with CRBCTB said participating localities said people are still coming to buy.

Supervisor Moskalski said the highest rate of smoking is among the lowest income earners. He said it's a regressive tax and he's against it.

Chairman Moren asked how long this opportunity stays open. Mr. Hudgins said until the General Assembly closes it or the CRBCTB runs out of room.

Vice Chair Hodges said unofficially, West Point is not going to do it.

Supervisor Moskalski said he doesn't think it's going to be a big driver to other purchases.

Chairman Moren asked if it could be tabled another year. Vice Chair Hodges said just don't act on it. It can be brought up again if the Board wants to look at it.

Chairman Moren said to find out if adjacent counties voted it down. Mr. Hudgins said King & Queen voted it down. The MPPDC said there was not widespread acceptance.

4.g. Property-Split for Central Garage Water Tower Site Update - Steve Hudgins, Deputy County Administrator

Mr. Hudgins said they are very close to having a deed agreement on the site for the water tower. He provided a map showing the parcel and said it is the highest spot on the parcel. The owner is willing to gift the property and the easements/access to the County. They are currently discussing gifting the access property to the County.

Supervisor Garber asked if the access is on Manfield Road. Mr. Hudgins said yes. We will be putting in our own road to the site.

Chairman Moren asked how long it would be until building begins. Mr. Hudgins said design is ongoing but it's still a while until building begins.

Vice Chair Hodges asked about the HRSD expansion. Mr. Hudgins said they've put out another engineering review bid because they want to go up to 300,000 gallons now. Supervisor Garber asked if it will still be complete in 2024. Mr. Hudgins said it is now 2025. Supervisor Greenwood asked if they need to get a right of way for the pipes. Mr. Hudgins said they are using the VDOT right of way.

4.h. Proposed Changes to County Code Section 10.69 - Dogs Running at Large - Percy C. Ashcraft, County Administrator

Mr. Ashcraft said staff recommends expanding the "leash law" to include any property zoned R-1 plus additional subdivisions at their request. The process to request a non-R-1 zoned subdivision was outlined and would be done once per year if any petitions are received.

Vice Chair Hodges asked what happens if a property is rezoned R-1. Mr. Ashcraft said it would fall under the ordinance.

The general consensus of the Board was to bring the revised ordinance forward for Public Hearing.

4.i. VA250 Committee Formation - Percy C. Ashcraft, County Administrator

Mr. Ashcraft asked if the Board was interested in forming a local VA250 committee to plan and coordinate programs occurring within the County and communicate regularly with the Virginia America 250 Commission (VA250) for the purpose of preparing for and commemorating the 250th anniversary of Virginia's participation in American independence. If so, a resolution will need to be passed establishing the committee.

Vice Chair Hodges asked the size of the committee. Mr. Ashcraft said not larger than 5-14 members.

The general consensus of the Board was to move forward with the resolution.

4.j. Authorizing the County Administrator to Sign VATI Contract - Steve Hudgins, Deputy County Administrator

Mr. Hudgins presented the VATI agreement template and said we did not have the actual agreement from DHCD (Department of Housing and Community Development) yet. He would like authorization for the County Administrator to sign the agreement when it's received. He said all numbers are the same as previously discussed. DHCD will not begin invoicing until the fiber is installed. All Points Broadband (APB) fronts the money until that time.

Chairman Moren asked if the Deputy County Administrator could sign in the County Administrator's absence. Mr. Hudgins said yes.

Supervisor Moskalski asked if the completion was still estimated at 18 months from the time of signing. Mr. Hudgins said yes. Supervisor Moskalski asked where they will start laying the fiber. Mr. Hudgins said they still do not know at this point due to easements, etc.

Supervisor Garber asked if people could begin signing up. Chairman Moren said signups have been ongoing for 18 months. APB will begin to market the service once they know they are nearing go-live status.

Chairman Moren said it's important for people to sign up in the beginning year while APB is offering free wiring to homes regardless of the distance.

Chairman Moren said the northwest of the County is still under Breezeline's RDOF contract. He assured them they have not been forgotten and said things with Breezeline have been slow-moving.

Supervisor Greenwood made a motion to approve the County Administrator, or the Deputy County Administrator in his absence, to sign the VATI contract when it is received. Supervisor Garber seconded. 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

4.k. Sheriff's Department Grant Approval - Jeff Walton, Sheriff

Sheriff Walton said the School Resource Officer (SRO) Grant application was due this Friday. The four-year grant would cover two new SROs at 100% in the first year, and at a 20% maximum County match for years 2-4. The County must certify that it will keep the program going throughout the four-year grant period. He said Board approval is needed. The School Board supports expanding the SRO program.

Sheriff Walton said he currently does not have these positions and it may be a challenge to fill them. He said there may be some people willing to do this. Candidates need three years police experience.

Supervisor Garber asked what the officers do in the summer. Sheriff Walton said they go out on the road and cover other shifts. The grant allows for that.

Chairman Moren asked if the positions could be contracted out. Sheriff Walton said not in his opinion. The SRO interacts with students, teaches VA law and DARE, and gathers a lot of information that helps law enforcement.

Sheriff Walton said there is currently one SRO at Hamilton-Holmes Middle School who also covers Cool Spring Primary and Acquinton Elementary if something happens. There is an SRO at the high school as well.

Supervisor Garber asked if after four years we have to continue to keep the positions or pay back the grant. Sheriff Walton said no. The County must fund the positions through the four-year grant period.

Supervisor Garber asked the pay scale. Sheriff Walton said he guestimates \$43,000-44,000. He put \$45,000 in the grant; a total of \$126,000 for two SROs including benefits. He said the grant does not cover costs such as uniforms and firearms.

Chairman Moren said we can't not do it.

Sheriff Walton said if something happens, the first officer there goes to the threat and doesn't wait for anyone else.

Supervisor Moskalski made a motion to approve Sheriff Walton submitting the SRO Grant Application and certifying that the County will keep the program going throughout the four-year grant period. Supervisor Greenwood seconded the motion. 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

Agenda Item 5. BOARD OF SUPERVISORS' REQUESTS

Supervisor Moskalski had no requests.

Supervisor Greenwood said he still wants to hear about different library options.

Supervisor Garber said he's on board to hear more about library options. He asked about the grass on the 360/30 corridor. Mr. Ashcraft said VDOT mowed some of it today and someone is cutting in front of the Farm Bureau. Mr. Hudgins is getting quotes now from a contractor. Chairman Moren said the weeds need to be replaced and landscaping would be nice. Supervisor Greenwood said landscaping is also addressed in the Comprehensive Plan.

Vice Chair Hodges said landscaping at the Courthouse also needs to be addressed. He said there are Friday food trucks on July 22nd at the West Point Pavilion and urged people to be careful around water.

Chairman Moren wished Mr. Wagner a happy birthday and reminded people of the Board's Work Session with the Planning Commission on July 20th, and the EDA's Farmers Market & Family Fun Night on July 22nd.

Agenda Item 6. CLOSED MEETING

6.a. Motion to Convene Closed Meeting

Supervisor Moskalski 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 performance of a specific public employee and salary of a specific public officer, appointee, or employee; in accordance with Section 2.2-3711 (A)(7) to consult with legal counsel, consultants, and/or staff on a matter of actual litigation in which the County is involved and on a matter of probable litigation in which the County may become involved; and in accordance with Section 2.2-3711 (A)(8) of the Code of Virginia to consult with legal counsel on a specific legal matter regarding salaries requiring the provision of legal advice by counsel. Vice Chair Hodges seconded. 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

6.b. Motion to Reconvene in Open Session

Supervisor Moskalski made a motion to reconvene in open session. Supervisor Greenwood seconded. The Chairman called for any 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

6.c. Certification of Closed Meeting

Supervisor Moskalski made a motion to reconvene in open session. Vice Chair Hodges seconded. 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 11th day of July, 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 11th day of July, 2022.

Agenda Item 7. ADJOURN OR RECESS

Supervisor Moskalski made a motion to adjourn the meeting; seconded by Supervisor Greenwood. 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

COPY TESTE:

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

Christine H. Branch
Deputy Clerk to the Board of Supervisors

AGENDA ITEM 7.a.ii.

July 20, 2022 Joint Work Session with Planning Commission Draft Minutes

**DRAFT MINUTES
KING WILLIAM COUNTY BOARD OF SUPERVISORS
AND KING WILLIAM COUNTY PLANNING COMMISSION
JOINT WORK SESSION MEETING OF JULY 20, 2022**

A joint work session meeting of the Board of Supervisors of King William County, Virginia, and the King William County Planning Commission was held on the 20th day of July 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 Moren called the meeting to order.

Agenda Item 2. ROLL CALL

The members of the Board of Supervisors 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

The members of the Planning Commission were polled:

3rd District: J. Darrell Kellum	Aye
2nd District: Bonnie J. Hite	Aye
5th District: Donald M. Wagner – Vice Chair	Aye
3rd District: Stephen K. Greenwood	Aye
4th District: Mathew W. Sluder - Chairman	Aye

Agenda Item 3. REVIEW AND ADOPTION OF MEETING AGENDA

Supervisor Garber made a motion to approve the agenda as presented. Supervisor Greenwood seconded. 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

Agenda Item 4. WORK SESSION MATTERS

4.a. Affordable Housing – Renee Robinson, Executive Director of Hanover & King William Habitat for Humanity (Attachment A)

Ms. Robinson said Habitat closed on their first piece of land in King William County on July 1st. She showed a photo of a standard Habitat home which is about 1,400 sq. ft.

Ms. Robinson said the median cost of homes in King William County has gone up over 50% since 2016. The median listing price is \$325,000. Currently, most homes are listed between \$350,000-

\$450,000. There are only six homes listed under \$300,000. The average rent for a 2-bedroom dwelling in the County is \$1,163/month. She said these prices are not balanced for people who are lower income. You would need an income of \$80,000 in order not to be cost burdened (no more than 30% of income spent on housing). The median income in the County is \$66,900. The average cost of a Habitat home with 3 bedrooms is \$180,000.

Habitat homeownership is successful. In 2008, the number of bankruptcies on Habitat homes rose 2% as opposed to 30% in the housing market. Habitat provides homeowners with education as well.

Ms. Robinson said it is difficult to build affordable homes without supportive zoning. She said they are fortunate if they can find a lot under \$50,000. The most expensive item on the home is an engineered septic system. It can cost \$22,000 for septic and well. There are also increased prices on materials.

King William County Code §86-456 currently offers a density bonus which supports low-income housing. "For every three additional lots that are dedicated for affordable housing, serving households with incomes that are below 80 percent of the area median income, two additional market rate lots shall be permitted."

Ms. Robinson said Habitat is open to partnerships with developers. The lot purchased in July is on West River Road and they hope to begin building later this year or early next year.

Vice Chair Hodges asked how homeowners can afford the taxes since they are based on market value and what prevents them from turning around and selling the home at the going market rate. Ms. Robinson said they include that in their calculations when determining the mortgage amount. Habitat places a soft lien on the property to prevent people from flipping their properties. She said they do not normally see that. They sometimes do restrictive deeds as well. Vice Chair Hodges asked what the shortest period is. Ms. Robinson said there is a minimum of 15 years before they'd have to pay back the difference.

Supervisor Garber asked how many people on Habitat's current wait list are from King William. Ms. Robinson said she doesn't know but she has received two applications for King William so far. Supervisor Garber asked the determining factor in who gets the home. Ms. Robinson said they do deep income verification; you must have lived or worked in the county for one year; they evaluate the person's current housing condition and debt to income ratio; and the candidate must commit to a one-year homeownership program and 200 hours of sweat equity.

Supervisor Garber said 24% of King William County homeowners and renters are income stressed, spending more than 30% of their income on housing.

Chairman Sluder asked the typical home payment. Ms. Robinson said \$600-900/month. He asked what happens if they become delinquent. Ms. Robinson said they use their own mortgage program and USDA. They follow the same process as anyone else who is delinquent. They educate homeowners on mortgage relief programs and do all they can to help prevent foreclosure.

Vice Chair Hodges asked if the home sale can be limited to a Hanover or King William resident. Ms. Robinson said Habitat can but not once it's resold. He said it places a lot on the school system.

Vice Chair Hodges asked if maintenance for the septic system is expensive. Ms. Robinson said they are required to get on a maintenance program and that is figured into their budget. Homeowners are ultimately responsible. He asked how often pumping was required. Ms. Robinson said it depends on size and usage.

Vice Chair Wagner asked how many homes Habitat builds each year. Ms. Robinson said it depends on how much land they can get. She said they built six in 2020 but it's normally around 3. They always have two homes in construction at any given time. Their goal is not to have a break in construction. She said she would love to be at 10 homes per year.

Chairman Moren asked if there is a more critical need for repair since they've done seven in the County already. Ms. Robinson said they did one in West Point of a HVAC system for a family with children with medical conditions whose unit went out. They do a lot of deck repairs, steps, rails, rotted doors/windows, leaking roofs, and fall hazards. They partner with local churches for ramps. Ms. Robinson said Habitat has a great partnership with King William's Department of Social Services.

Vice Chair Wagner asked where donations come from. Ms. Robinson said individuals, USDA, local foundations, and grants. She said Hanover County gives one utility tap fee, valued at \$14,000. DHCD sometimes has grants for infrastructure costs.

Chairman Sluder asked the typical household demographics. Ms. Robinson said over the last two years, two homes had 2 parents w/kids; 5 homes were single parents w/kids; and two were individuals.

Ms. Robinson said she appreciates the accessibility of King William County government.

4.b. Amendments to Zoning Ordinance – Sherry Graham, Director of Planning

Ms. Graham went over the proposed changes to the Zoning Ordinance.

Section 86-136 – Building exteriors – change approval from Zoning Administrator to Planning Commission unless façade consists of brick, stone, or hardi-plank siding for exteriors visible from US360 or VA30. This will take the burden off the Zoning Administrator. No public hearing would be required. An advisory committee was suggested. Supervisor Moskalski said he didn't like that idea. Supervisor Garber said it delays the process. Supervisor Moskalski said only outside those materials.

Vice Chair Hodges asked if a lot of current buildings are metal. Ms. Graham said yes. They would not be required to change.

Supervisor Garber asked what if they wanted to expand. Ms. Graham said it doesn't apply if the facing is more than 700 ft. back from the right of way. If the expansion were 1,200 sq. ft. or ½ the square footage of the existing building, it would have to comply. He asked what the new Dollar General will be. Ms. Graham said hardi-plank or brick.

Vice Chair Hodges said we don't want to restrict economic development. Chairman Sluder said the purpose of this is to give them an option. Ms. Graham said they don't want to see storage-type metal buildings in the County's main corridors. They want to make sure it's attractive.

Chairman Moren asked the steps after tonight. Ms. Graham said a Public Hearing with the Planning Commission followed by a Public Hearing with the Board of Supervisors.

Vice Chair Hodges asked if it's a tremendous increase in cost. Commissioner Kellum said for stone or brick, yes. There are also decorative metals.

Vice Chair Wagner said the previous Board of Supervisors made it a Transportation Corridor Overlay District (TCO) in order to improve the corridor.

Vice Chair Hodges asked if it would include warehouses. Ms. Graham said yes, if they are in the TCO.

Supervisor Garber said it could be a deal-killer for large warehouses. Vice Chair Wagner said they would generally be in an industrial park and not in the TCO.

Chairman Sluder said the Planning Commission came up with these materials after much discussion and it can include more materials. They just don't want something that looks inferior.

Commissioner Kellum said there are more attractive steel products. The Board would be well-served to have uniformity now.

Supervisor Garber said some steel should be included in the approved list. Vice Chair Hodges asked the correct verbiage. Supervisor Garber said there could be specific guidelines for storage places.

Supervisor Greenwood said Dixon's Automotive, currently under construction, is metal and brick and looks very nice.

Commissioner Kellum said to keep in mind that as you rezone, existing buildings don't have to adhere to the TCO.

Supervisor Moskalski suggested using the list of materials New Kent County has in their ordinance. Commissioner Kellum agreed it was better language.

Chairman Sluder said we can also list what we don't want.

Supervisor Moskalski said we don't want to be overly restrictive and have to walk it back again. We should use a more expansive list or list what's disallowed.

Vice Chair Wagner said the New Kent list sounded good.

Commissioner Kellum asked if natural wood siding would be allowed. He said we need to be open to attractive metal products.

Section 86-151.1 – Agriculture, private use – new language regarding private stables, livestock housing facilities, and poultry coops was discussed.

After discussion, the following changes were requested:

- Remove “and at least 300 feet from any adjacent property owner’s residence” in Paragraph 1.
- Change 100 ft. to 50 ft. in Paragraph 3 and remove “at least 300 feet from any adjacent property owner’s residence.”

Section 86-438 – Exempt subdivisions

After discussion, the following changes were requested:

- 2. Change to “immediate family”.
- Add 3. If the property can be subdivided into the minimum allowable, it is allowed on a lot of 50 acres or more.

Section 86-456 – Cluster subdivisions – increase minimum lot size from 30,000 to 40,000 if the lot is not served by either public water or sewer.

After discussion, the following changes were requested:

- For cluster subdivisions, make the same requirements as on a conservation lot if it’s allowed by State Code. (Would like one house allowed on conservation parcel.)

Modifications to front yard regulations

After discussion, the following changes were requested:

- 2nd paragraph – “For any size lots where the rear ...”

Section 86-245 – Kennel, private – 2. Provide a setback of at least 300 feet from any residence not on the associated parcel.

After discussion, the following changes were requested:

- Remove sentence 2.

Special Events and Event Venues – new definition language for private special events.

After discussion, the following changes were requested:

- Definition of Special Event: remove “weddings, family reunions”
- Definition of Special Event-Private: rewrite first sentence to read, “A private event that is invitation-only.”

Section 86-294 – landscape buffer – “including a six-foot high berm”

After discussion, the following changes were requested:

- 1. Change to read, “A landscape buffer which may also include a three-foot high berm ...” and change minimum height of undulating berms from six feet to three feet.

Definition – Industry, medium – new language.

After discussion, the following changes were requested:

- Add some examples of what might be considered “obnoxious or offensive activities.”

Article VII, Section 86-140 – additions regarding water tower and addition of number 9.

After discussion, the proposed language was approved.

Section 86-460 – Major Subdivisions – add requirement for driveways to have concrete aprons.

After discussion, the following changes were requested:

- Add, “Per the Utilities Manager, ...”

Ms. Graham said she would like to schedule the Planning Commission and Board of Supervisors Public Hearings for these matters.

The general consensus of the Board was to move forward with the Public Hearings.

Agenda Item 5. BOARD OF SUPERVISORS’ REQUESTS

There were no requests.

Agenda Item 6. ADJOURN OR RECESS

Planning Commission Chairman Sluder adjourned the Planning Commission meeting.

Supervisor Moskalski made a motion to adjourn the meeting; seconded by Vice Chair Hodges. With no discussion or opposition, the meeting was adjourned.

COPY TESTE:

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

Christine H. Branch
Deputy Clerk to the Board of Supervisors

ATTACHMENT A

Affordable Housing in King William County



The median cost of homes in King William has increased over 50% since 2016

King William County, VA Housing Market 📍

In June 2022, the median listing home price in King William County, VA was \$325K, trending up 22.5% year-over-year. The median listing home price per square foot was \$180. The median home sold price was \$305K.

Median Listing Home Price vs. Median Home Sold Price



Sale-to-List Price Ratio: 102.95%

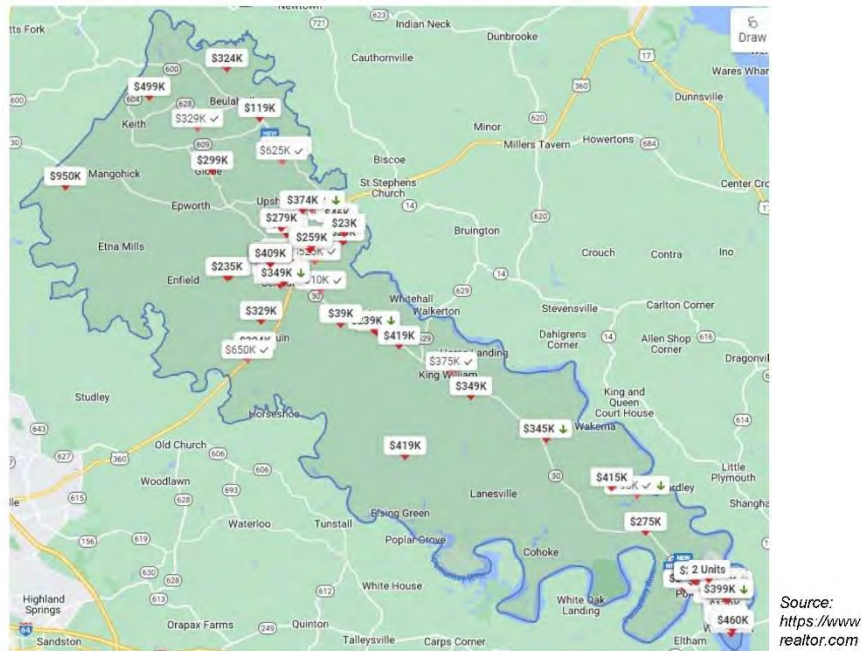
Homes in King William County, VA sold for 2.95% above asking price on average in June 2022.

Source: https://www.realtor.com/realestateandhomes-search/King-William-County_VA/overview

ATTACHMENT A

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Most homes for sale in King William are listed for \$350,000 to \$450,000



Increases in home prices continue to outpace wage increases



**Our affordable home program creates
successful homeownership**



**Without supportive zoning, it is increasingly
difficult to build affordable homes**



Cluster subdivisions with an affordable housing density bonus are critical

Sec. 86-456. Cluster subdivisions.

1. *Intent.* Cluster subdivisions may be developed only on tracts of 20 acres or more and at least 70 percent must be reserved as permanent conservation areas. These subdivisions are designed to protect the heritage of agricultural areas by promoting permanent open space and encouraging the thoughtful clustering of housing that is compatible with the rural

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King William County Zoning and Subdivision Ordinance

environment. They must be located and designed in compliance with the comprehensive plan and land use ordinances.

2. *Improvements.* Cluster subdivisions shall comply with all requirements outlined in Section 86-454 in this Ordinance, with the following modifications:

- a. *Number of lots.* Cluster Subdivisions are allowed one lot per 5 acres.

- i. If the subdivision utilizes public water and sewer, then a 30 percent increase in the number of lots shall be permitted.

- ii. For every three additional lots that are dedicated for affordable housing, serving households with incomes that are below 80 percent of the area median income, two additional market rate lots shall be permitted.

- b. *Lot area.* Lots shall have a minimum lot size of 15,000 sf for lots served by both water and sewer, 20,000 sf if lots are served by public water or public sewer only and 30,000 sf if the lot is not served by either public water or public sewer. Lots served by a private septic must accommodate an approved septic field with a 100 percent reserve field or other approved onsite wastewater or discharge system as approved by VDH or appropriate state agency.

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ATTACHMENT B

Transportation Corridor Overlay District

- Current – Building Exteriors. Building exteriors visible from U.S. Highway 360 or State Highway 30 shall be approved by the Zoning Administrator.
- **Proposed** – Building Exteriors. Building exteriors visible from U.S. Highway 360 or State Highway 30 shall consist of brick, stone, or hardi-plank siding unless approved by the Planning Commission prior to zoning approval.

Agriculture, private use Section 86-151.1

Proposed

- Private stables and other facilities used for keeping horses or livestock shall be at least 100 feet from all property lines and at least 300 feet from any adjacent property owner's residence. The setbacks do not apply to fencing or pasture.
- Private stables and other livestock housing facilities used for keeping horses or livestock must be located on a lot in the agricultural or rural residential zoning district that is at least five acres in size. On a five-acre lot in the agricultural or rural residential zoning district, there may be up to a total of two of any of the following animals: horses, ponies, cows, or a total of five of any of the following animals: sheep, goats, swine, llamas, or alpacas. For every acre in addition to the first five acres, there may be a total of one additional; horse, pony, cow, or a total of three sheep, goats, swine, llamas, or alpacas. This limitation does not apply to lots ten acres or larger in an agricultural-conservation zoning district.
- Poultry, including fowl, ducks, and other birds kept for the production of eggs for domestic consumption, specifically excluding roosters, geese, guinea fowls, turkeys and peafowl, may be permitted in the R-1 Suburban-Residential zoning on parcels less than five acres in size provided there are no more than ten birds per parcel as a by-right use, however, the birds must be kept in a coop and shall not be permitted to free-range. In order to have more than ten birds and/or any roosters, geese, guinea fowls, turkeys and peafowl, a conditional use permit shall be required. Any coop housing the birds must be located a minimum of 100 feet from the adjacent property line and at least 300 feet from any adjacent property owner's residence. No coop or pen housing the birds shall be located in the front yard.

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Exempt Subdivisions, Section 86-438

(Proposed changes in red)

- c. Every lot abuts an existing **primary or** secondary highway.
- Note: Under the new ordinance, Single lot, Minor residential, Farmstead, allow access to a primary or secondary highway
- 2. Any further subdivision of a previously exempted lot pursuant to this exemption shall constitute a major subdivision **except for family divisions** and shall be subject to all applicable governing ordinances and requirements.
- **One dwelling is permitted in the Conservation Area.**

Cluster Subdivision, Section 86-456

(Proposed changes in red)

2. Improvements. Cluster subdivisions shall comply with all requirements outlined in Section 86-454 in this Ordinance, with the following modifications:

- a. Number of lots. Cluster Subdivisions are allowed one lot per 5 acres.
- b. Lot area. Lots shall have a minimum lot size of 15,000 sf for lots served by both water and sewer, 20,000 sf if lots are served by public water or public sewer only, and ~~30,000~~ **40,000** sf if the lot is not served by either public water or sewer.

Modifications to Front Yard Regulations

(Proposed changes in red)

- **Accessory buildings and structures shall not be constructed in a front yard on a lot that is less than five acres. An accessory building may be constructed in a front yard on a lot that is five acres or more provided that the requirements for front yard setbacks in Article VI are met and the size of the accessory structure does not exceed 50% of the first floor area of the main dwelling, and not located directly in front of the primary dwelling, and in conformity with all other applicable provisions of this ordinance.**
- **For lots located in the Resources Protection Area, accessory buildings and structures may be located in a front yard in order to be located outside of the Resources Protection Area.**

Accessory Dwelling Unit, Section 86-154

(Proposed changes in red)

- 3. An accessory dwelling that is detached shall be no more than 800 gross square feet **unless a conditional use permit has been approved.**

Kennel, private – Section 86-245

(Proposed changes in red)

- All private kennels must:
 1. Provide a setback of at least 100 feet from the property lines;
 2. Provide a setback of at least **300** feet from any residence not on the associated parcel;
 3. Provide screening that is approved by the Zoning Administrator that visually blocks the front and closest side property lines.

Special Events and Event Venues

(Proposed changes in red on next slide)

- Current Definition of Special Event: Definition of Special Event:
Special event means circuses, fairs, carnivals, festivals, weddings, family reunions or other types of special events that:
 - 1. Run for no longer than two weeks
 - 2. Are intended to or likely to attract substantial crowds
 - 3. Are unlike the customary or usual activities generally associated with the property where the special event is to be located.

Proposed Definitions/Requirement For Special Event

- Definition of Special Event-Private: A private event such as a birthday party, wedding, family reunions that is for invite-based only.
- Definition of Special Event-Public: An event such as a circus, fair, carnivals, festivals which is advertised to the public.
- Definition of Special Event-Charity or Religious: An event such as a fund raiser held by a non-profit organization or a church affiliation.
- Special events for public and charity/religious events require a zoning permit.

Event Venue, Section 86-191

- Current Definition of Event Venue: *Event venue* means a location that hosts affairs, including but not limited to, banquets, dinners, parties, weddings, and the like for up to three consecutive days, for which attendance is permitted only by invitation or reservation.

Event venues shall comply with the following general standards:

- 1. Structures used for an event in whole or in part and requiring a building permit by King William County code must have a valid certificate of occupancy prior to use.
- 2. The minimum yard setbacks for the district shall apply to all structures, including but not limited to, tents and portable toilets that are used in whole or in part for the event.
- 3. Parking may be provided on a pervious or impervious surface. If the parking area is on grass or in a field, the applicant shall reseed or restore the parking area within 30 days of the event.
- 4. The private water supply and onsite sewage system serving the event shall be approved by the Virginia Department of Health.
- 5. Temporary improvements to accommodate the event, such as but not limited to tents and portable toilets, must be removed within 48 hours of the event's cessation.
- 6. Signs advertising the event must comply with the sign article of this ordinance.
- 7. Lighting for the event must comply with the exterior lighting standards article of this ordinance.
- 8. There shall be no outdoor use of amplified sound later than 9:00 p.m. on Sundays through Thursdays or later than 10:00 p.m. on Fridays or Saturdays.
- 9. The Zoning Administrator must be notified at least 30 days prior to each event.
- An event venue is permitted with approval of a CUP. The matrix does not address special events.

Temporary Sales

Note: Was removed from the ordinance in 09/21-Black is from ordinance prior to 9/21 and red is modifications added

Temporary Sales

- Under the old ordinance:
 - Temporary stands, or outdoor areas for sale of Christmas trees, and the like. (Permitted in B-1, B-2, M, and in the A-C district with approval of a CUP. *not to exceed ninety (90) days.*
 - Temporary stands for sale of fireworks not to exceed *fourteen* ~~ten~~ days per calendar year. (Permitted in B-1 and B-2)
 - Temporary open-air stands for seasonal sales of products raised on the premises. (Permitted in A-C, B-1, B-2, and M)
 - *Temporary sales require a zoning permit.*

Industrial

Proposed changes in red or struck through

- *Industry, heavy*, means manufacturing with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides, or other hazardous materials in manufacturing or other processes
- ~~● *Industry, light*, means processing, manufacturing, compounding, assembly, packaging, treatment or fabrication of materials and products, from processed or previously manufactured materials. Light industry is capable of operation in such a manner as to control the external effects of the manufacturing process, such as smoke, noise, soot, dirt, vibration, odor, and the like. Uses may include, but are not limited to, a machine shop, the manufacturing of apparel, electrical appliances, electronic equipment, camera and photographic equipment, ceramic products, cosmetics and toiletries, business machines, paper products (but not the manufacture of paper from pulpwood), musical instruments, medical appliances, tools or hardware, plastic products (but not the processing of raw materials), pharmaceuticals or optical goods, bicycles, any other product of a similar nature.~~
- *Industry Light: Means buildings not more than one story in height and not exceeding 10,000 square feet. Light industrial means the indoor manufacturing, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales and distribution of such products, which does not produce noise, odors, vibration, hazardous waste materials, or particulate that will disturb or endanger neighboring properties. Examples of light industrial uses include materials testing laboratories, assembly of data processing equipment, contractor offices, cabinetry work, machine shops, management services, photocopying services, software publishing/production, engineering/architectural services, and electronic/computer component production.*

Industrial Cont.

Proposed changes in red or struck through

- ~~● Industry, medium~~, means goods which are generally mass produced from raw materials on a large scale through the use of an assembly line or similar process, usually for sale to wholesalers or other industrial or manufacturing uses. Medium industry produces moderate external effects such as smoke, noise, soot, dirt, vibration, odor, and the like.
- Industry, Medium: Means an industry in which 25 to 100 employees work. A development which would be considered to be a light industrial use except that the development may not be able to co-exist compatibly in proximity to other uses or population concentrations due to the potential for obnoxious or offensive activities; an adverse environmental impact beyond the immediate site of the medium industrial use; the potential for significant toxic or noxious by-products such as air or water-borne emissions which may be offensive or hazardous to human health, safety or well-being; the storage of toxins, flammable or explosive products in significant quantities; or large-scale outdoor storage that is unsightly or visually offensive.

Landscaping Buffer, Section 86-294

(Proposed changes in red)

- A landscape buffer **including a six-foot high berm** shall be required where a commercially or industrially zoned development abuts an agricultural or residential zoning district, or where multi-family residential development abuts any property zoned A-C or R-R. Landscape buffers shall be approved by the Zoning Administrator during the site plan process.
- When the buffer includes undulating berms, the berms shall have a minimum height of six (6) feet and a gradient of no more than 3:1. No berms shall be located within the sight distance triangle at each entrance to the site. Where such berms are provided, there shall be a fifty-percent reduction in the number of required trees within the thoroughfare buffer, with such credit being calculated at the rate of two hundred (200) square feet of canopy per tree as shown in the King William County tree canopy chart; shrubbery shall be provided according to the requirement specified above.

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Standards for trees and shrubs used in buffers.

Minimum standards for trees and shrubs used in buffers:

Tree and Shrub Sizing Table:

Type	Minimum height at maturity (in feet)	Minimum width at maturity (in feet)	Minimum size at time of planting
Evergreen trees	15'	8'	6' in height
Small deciduous trees	15'	None	Single stem: 1.5" in caliper (measured 2' from ground) Multiple stem: 10' in height
Large deciduous trees	35'	None	2" in caliper (measured 2' from ground)
Shrubs	4'	4'	2' in height

1. Sizes at maturity and any other matters related to whether a tree or shrub meets the requirements of this section shall be determined by reference to the American Horticultural Society, the Virginia Landscape and Nursery Association, or other industry-recognized standards applicable to Hardiness Zone 7.
2. Evergreen trees and shrubs must be of varieties that do not lose their lower branching structure as the trees and shrubs mature.
3. All newly installed landscaping shall be placed in mulched and stabilized planting beds of groups of three or more. In all other areas, ground cover shall be provided.
4. For buffers in which more than twenty (20) trees are required, no individual species shall exceed thirty percent (30%) of the total number of plants required within the buffer.
5. After submission of a preliminary site plan, the applicant shall set up an appointment with the Planning Department for an inspection of the proposed material to be saved.
 - a. Plant materials that are to be saved and used to meet the buffer requirements shall be clearly delineated on the landscape plan and marked in the field prior to the Planning Department's inspection.
 - b. A tree protection plan certified by a Landscape Architect, Certified Horticulturist or ISA Certified Arborist must be provided to the Planning Department prior to site plan approval.
 - c. Tree protection measures shall be installed, inspected, and certified by a Landscape Architect, Certified Horticulturist, or ISA Certified Arborist prior to land disturbance.

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- 6. The number of required trees and shrubs for buffers may be reduced fifteen percent (15%) when all the trees or shrubs used to satisfy a listed requirement are native or drought-resistant. In order to qualify as a native or drought-resistant plant, the applicant must provide the following information with the site plan:
 - a. Documentation that the species is classified as drought-resistant in Hardiness Zone 7 or native to Virginia by the American Horticultural Society, the Virginia Department of Conservation and Recreation, or other industry-recognized standard;
 - b. Evidence that the conditions on the site are suitable for the cultural requirements of the species, including the current and future size of the tree or shrubs and the water and light requirements of the tree or shrub; and
 - c. Documentation that the species is not listed on the Virginia Department of Conservation and Recreation Invasive Species list.

Buffers for industrial uses.

When an I-1, I-2, or I-3 zoning district adjoins an A-C, R-1, R-R, B-1 or B-2-zoned district, a buffer shall be provided in accordance with the standards set forth in Table I or Table II below:

1. Table I: Standards for buffers utilizing all newly planted vegetation

Minimum depth of buffer (measured from property line)	40 foot wide buffer (minimum)	30 foot minimum width buffer (berm required)	20 foot minimum width buffer (no berm)
Minimum number of required trees and shrubs:	One tree for every five linear feet of buffer length and One shrub for every four linear feet of buffer length Note: No less than 30% and no more than 50% of the trees are to be evergreen	One evergreen tree per fifteen linear feet of buffer and One evergreen shrub per four linear feet of buffer Note: Trees and shrubs are to be planted on the berm	One evergreen tree per seven linear feet of buffer; One evergreen shrub per three linear feet of buffer; One small deciduous tree per twenty-five linear feet of buffer; and One large deciduous tree per fifty linear feet of buffer
Berm (if applicable)	n/a	Design: Undulating and serpentine Height: At least four (4) feet for a minimum of sixty percent (60%) of the length of the buffer Slope: Maximum three to one ratio (3:1), unless otherwise approved by the Planning Department and the Department of Public Works.	n/a

- When a berm is used in an area that naturally contains a slope steeper than a ratio of 12:1 (8%), the Planning Department may require that the height of the berm be modified, and other design features adjusted so that the same screening effect is created as is intended by the Table I standards.

Minimum depth of buffer (measured from property line)	40 foot wide buffer (minimum)	20 foot minimum width buffer (no berm)
Minimum number of required trees and shrubs:	Same as listed for 40' wide buffer in Table I	Same as listed for 20' wide buffer in Table I, provided that at least thirty three percent (33%) of the existing plant material to be used toward buffer requirements shall be trees
Supplementation requirements for buffers using existing vegetation	Where the Table II buffers are denuded or void of existing vegetation ("gaps") for ten (10) or more linear feet or the existing stand of trees have no branches or understory growth lower than six feet from the ground, supplementation is required in the form of evergreen trees and shrubs planted as follows: 1. Placement can be a straight line staggered. 2. Trees shall be seven feet on center or less. 3. Shrubs shall be three feet on center or less.	

- 1. Placement can be a straight line staggered,
- 2. Trees shall be seven feet on center or less
- 3. Shrubs shall be three feet on center or less

- 3. The following additional requirements shall apply to the buffers provided for in Tables I and II:
 - a. Existing vegetation used to satisfy buffer requirements shall comply with the minimum standards for trees and shrubs.
 - b. The Planning Department shall determine the suitability of existing vegetation for buffers and the necessity for supplemental plantings.
 - c. Prior to certificate of occupancy, all planted and preserved trees and shrubs shall be inspected to verify that the trees and shrubs are healthy and meet the minimum requirements set forth in this section.

Article VII, use Matrix Section 86-140 (page 104)

Proposed changes in red

- Add in the Table of Uses by Category **under Water Tower as a permitted use in A-C and R-R.**
- Under the table add the following:
 - **9. The minimum lot size, area and setbacks do not apply to public utility lots owned or operated by the County.**

Section 86-460 Major Subdivisions

Proposed changes in red

➤ 2. Improvements

c. All driveways must have a concrete apron that meets VDOT standards. The remainder of the driveway must consist of concrete with a minimum thickness of 4" or asphalt with a minimum thickness of 2" and a granular base aggregate of 6" to 8" in thickness. The driveway must be sloped towards the street to eliminate standing water.

AGENDA ITEM 7.a.iii.

July 25, 2022 Regular Meeting Draft Minutes

**DRAFT MINUTES
KING WILLIAM COUNTY BOARD OF SUPERVISORS
REGULAR MEETING OF JULY 25, 2022**

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 25th day of July 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 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 – 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

Agenda Item 3. MOMENT OF SILENCE

The Chairman called for a moment of silence.

Agenda Item 4. PLEDGE OF ALLEGIANCE

The Chairman led the pledge of allegiance.

Agenda Item 5. REVIEW AND ADOPTION OF AMENDED MEETING AGENDA

Supervisor Moskalski moved for the adoption of the amended agenda as presented; motion was seconded by Supervisor Garber. 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

Agenda Item 6. PUBLIC COMMENT

Chairman Moren opened the Public Comment period.

Lisa Mason of District 2 said she participated as a volunteer in the Regional Animal Shelter's TNR with Homeward Trails. There were 253 cats spayed/neutered. Homeward Trails said the volunteer group has done well enough that they can do it themselves next time.

Written comments from Chris Couch of District 5 and Tyla Matteson from North Chesterfield were provided to the Board (Attachment A).

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

Agenda Item 7. CONSENT AGENDA

Consent Agenda items were:

- a. Approval of Minutes:
 - i. June 13, 2022 Work Session Draft Minutes (Updated)
 - ii. June 27, 2022 Regular Meeting Draft Minutes
- b. Approval of Expenditures - June 2022
- c. **Resolution 22-55** – Recognition & Appreciation of Charles M. Shaver
- d. **Resolution 22-56** – Amending FY 2023 Budget Appropriating Additional Funds to Pamunkey Regional Library
- e. **Resolution 22-57** – Appropriating Funds for VML VACO Expense

Supervisor Moskalski moved for approval of the Consent Agenda; motion was seconded by Vice Chair Hodges. The Chairman called for any discussion.

Supervisor Garber wanted it on record that he opposed giving additional funds to the Pamunkey Regional Library. Supervisor Greenwood agreed.

The members were polled:

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

RESOLUTION 22-55
RESOLUTION OF APPRECIATION – CHARLES M. SHAVER

WHEREAS Charles M. Shaver became a resident of King William County in 1973 and began serving on the Board of Zoning Appeals shortly thereafter, from 1977 until 1995, serving as Chair for four of those years; and

WHEREAS Charles M. Shaver was first appointed to serve on the King William County Wetlands Board in 1995, has been an active member of the Board for over 25 years, and served as Chair for more than four years; and

WHEREAS Mr. Shaver recently announced his retirement from the Wetlands Board in June 2022; and

WHEREAS Mr. Shaver has been a faithful advocate for his community and for the preservation of wetlands within the County and has served the County for over 45 years without seeking personal recognition;

NOW, THEREFORE, BE IT RESOLVED that the King William County Board of Supervisors expresses its appreciation to Charles M. Shaver for his valuable contributions to the citizens and environment of King William County and the King William County Wetlands Board and Board of Zoning Appeals; and

BE IT FURTHER RESOLVED that a copy of this Resolution expressing the sense of the King William County Board of Supervisors, Wetlands Board, and Board of Zoning Appeals on this matter shall be conveyed to Mr. Shaver and shall be spread upon the meeting minutes of said Board of Supervisors.

DONE this 25th day of July, 2022.

RESOLUTION 22-56
AMENDMENT TO THE KING WILLIAM COUNTY FISCAL YEAR 2023 BUDGET
TO APPROPRIATE INCREASE OF FUNDING TO PAMUNKEY REGIONAL LIBRARY

WHEREAS the King William County Board of Supervisors approved and appropriated the FY2023 budget on May 9, 2022 under Resolutions 22-35 and 22-36; and

WHEREAS Resolution 22-36 appropriated a total of \$444,597 as local share to support the Pamunkey Regional Library organization in FY2023; and

WHEREAS, at the June 27, 2022 Regular Meeting of the Board of Supervisors, a motion to pay additional funds from unassigned fund to Pamunkey Regional Library for operations in FY2023 was passed; and

WHEREAS the King William County Board of Supervisors wishes to amend its Fiscal Year (FY) 2023 Budget to reflect additional funding of \$129,827 to Pamunkey Regional Library for a total of \$574,424 overall funding in FY2023; and

NOW, THEREFORE, BE IT RESOLVED by the King William County Board of Supervisors that the FY2023 Budget is amended to reflect:

Revenues Increase

Use of Unassigned Fund Balance
\$129,827

Expense Increase

Pamunkey Regional Library Local Share
\$129,827

DONE this 25 day of July, 2022.

RESOLUTION 22-57
FY2022 BUDGET AMENDMENT
APPROPRIATING FUNDING FROM UNASSIGNED FUNDS
FOR EXPENSE TO ASSIST WITH COMPLETION OF FY21 BANK RECONCILIATION

WHEREAS the King William County Board of Supervisors wishes to amend its Fiscal Year (FY) 2022 Budget to reflect the additional funding for expense to an outside agency to assist with the completion of bank reconciliation for Fiscal Year 2021; and

WHEREAS the King William County Board of Supervisors appropriated funds in the FY2022 budget for operating expenses in FY 2022 on April 26, 2021 under Resolution 21-31; and

WHEREAS the King William County Board of Supervisors now wishes to appropriate additional funding to pay out VML VACO Finance for work performed March 2, 2022 through June 27, 2022 to assist King William County with the bank reconciliation completion for King William County Public Schools banking;

NOW, THEREFORE, BE IT RESOLVED by the King William County Board of Supervisors that a total of \$30,995 be appropriated from the Unassigned Fund for the expenditure to complete the FY2021 bank accounts reconciliation.

DONE this 25th day of July, 2022.

Agenda Item 8. PRESENTATION

8.a. Resolution 22-55 - Recognition & Appreciation of Charles M. Shaver - Sherry Graham, Director of Planning

Charles M. Shaver was recognized for more than 45 years of dedicated service to King William County.

Agenda Item 9. OLD BUSINESS

9.a. Public Safety Radio System Update - Travis Wolfe, IT Manager

Mr. Wolfe said the coverage acceptance test showed 98.8% coverage. Only five tiles failed. This morning, an 8-person team from Motorola is programming radios for go-live week. The County will not lose coverage at any time.

Vice Chair Hodges asked about coverage at the schools. Mr. Wolfe said West Point schools had some coverage – 40-50% inside the buildings. They are looking at outside antennas to address the problem. Cool Spring Primary has no coverage inside; Acquinton Elementary has spotty coverage; and Hamilton-Holmes Middle School has a bit better coverage. The High School passed with 100%.

Purina and Food Lion both passed with 100%.

Supervisor Garber asked what coverage was before. Mr. Wolfe said it was 40% overall and is now 98.8%. They were unable to test inside the mill as they were not allowed in at this time.

Supervisor Greenwood asked about getting a repeater in the schools. Mr. Wolfe said they will have a conversation with the schools. There is the possibility of a new tower site, repeaters, etc.

Mr. Wolfe said the High School tower could possibly be used to rent out space.

9.b. Personal Property Tax Update - Karena L. Funkhouser, Commissioner of the Revenue

Ms. Funkhouser showed presented information (Attachment B) and charts showing different revenue amounts based on prospective personal property tax rates. She said the actual increase in values for motorcycles, cars, trucks, and vans was 46%. Because of the September 1 deadline, she said the Board must decide tonight whether they want to provide a discount or create a special class with a lower tax rate so they could vote on it on August 25th. She said a resolution would also need

to be passed allowing her to set the PPTRA rate for 2022 without prior Board approval. State Code doesn't allow the Board to increase the PPTRA past the amount allocated by the state - \$1,204,131.

Supervisor Garber said if we lower the rate to \$2.50, it would be close. Commissioner Funkhouser said yes but you also have to allow for the new vehicles brought into the County.

Supervisor Moskalski what new vehicles would net. He said there is no way to make it perfect. The Board's intent was to equalize the revenues and \$2.50 does that.

Vice Chair Hodges said the new rate would probably end at the end of this year, but the Board may renew it next year.

Supervisor Garber asked if Commissioner Funkhouser was sure the numbers are correct. Commissioner Funkhouser said she will rerun the numbers once the Board decides which way to go.

Andrew McRoberts, County Attorney, said the rates would be adopted by Ordinance and could be written to include a sunset clause. He said the statute only requires a Public Hearing if the amount increases.

Commissioner Funkhouser asked if it was ok for her to set the PPTRA. Chairman Moskalski said the Board can't change it anyway.

Supervisor Moskalski made a motion to authorize the Commissioner of the Revenue to move forward with creating a new personal property tax class and rate with the intent to equalize revenues with FY 2022. Supervisor Garber seconded the motion. 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

Agenda Item 10. NEW BUSINESS

10.a. Tappahannock Fire Relief – Bill Hodges, Vice Chair

Vice Chair Hodges said the Town of West Point is giving \$10,000 to Tappahannock to help with relief from the recent fire. He recommends the County do the same and Mr. Ashcraft speak with Tappahannock to find out where the funds are needed most.

Chairman Moren asked if this would impact the split levy. Mr. Ashcraft said no.

Vice Chair Hodges made a motion to give \$10,000 to Tappahannock out of the Unassigned Fund and authorize Mr. Ashcraft to contact them to find out where the funds would most be needed. Supervisor Garber seconded the motion. The Chairman called for any discussion.

Supervisor Greenwood asked how much was left in the Unassigned Fund since money was just given to the library. Mr. Ashcraft said the balance is more than adequate. Supervisor Greenwood said this is what churches and Go Fund Me is for.

Supervisor Garber said he is in favor of it. He owns a second home in Tappahannock and the firefighters struggled.

Vice Chair Hodges said the money is to help residents.

The members were polled:

Supervisor, 3rd District: Stephen K. Greenwood	Abstain
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

Agenda Item 11. PUBLIC HEARING

11.a. Resolution 22-59 - CUP 01-22, Applicant: Charles Snead - Sherry Graham, Director of Planning

Ms. Graham said the applicant turned in a modification request to his CUP application. The modification removes the request for an enlarged parking area, associated new roadways, bathhouse, dump station, new check-in office, and nine new primitive camp sites.

Supervisor Garber asked if the applicant had gotten the required permits from the Department of Health as mentioned in the memo from Robert Becker, Environmental Health Specialist. The permit on pg. 66 of the packet shows that VDH granted a permit for a sewage disposal system to include 1 bedroom, 2 hotel rooms, and 2 regular campsites. Supervisor Greenwood said the applicant would need to get permits for one system, not two.

Vice Chair Hodges asked where the permits were for the things inspected. Ms. Graham said the applicant did not get them for most. In 2018, a permit was given for a one-bedroom B&B in the primary residence. The applicant is using a converted storage building. Zoning approval was given for one campsite and the applicant built four glamping sites. There are no permits for the kitchen, electrical systems, or split sewage disposal system.

Supervisor Garber asked if the structures the applicant added without permits are eligible for after-the-fact permits. Ms. Graham said there are some framing issues and a structural engineer would have to approve them. She said some things are hidden which she could not inspect, such as the footings.

Supervisor Garber asked if the original CUP from 2017 was included in the packet. Ms. Graham said no.

Vice Chair Hodges asked if the applicant had requested a continuance for this CUP. Ms. Graham said yes.

Supervisor Garber asked if the process to modify a CUP normally comes to the Board. Ms. Graham said if the modifications are reduced, it's probably ok. If the applicant was requesting more, they would have to start the process over. Mr. McRoberts said it's at the discretion of the Board.

Chairman Moren called for a motion on the applicant's request for a 60-day deferral. Supervisor Greenwood made a motion to approve a 60-day deferral on CUP 01-22. As there was no second, the motion failed.

Supervisor Garber made a motion to disapprove the applicant's request for a 60-day deferral. Vice Chair Hodges seconded. The Chairman called for any discussion.

Vice Chair Hodges said the applicant had no permits.

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	Nay
Supervisor, 1st District: William L. Hodges – Vice Chair	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Chairman	Aye

Supervisor Greenwood asked if anything had been approved by an engineer. Ms. Graham said no. Supervisor Greenwood asked if it was in the works. Ms. Graham said he'd have to ask Mr. Snead.

Vice Chair Hodges asked if you could check the footings after the building was up. Supervisor Greenwood said you could dig them up. Ms. Graham said it would have to be done by a structural engineer.

The applicant and his attorney, Glen Ayres, presented their information. (7:57 pm)

Mr. Snead apologized to the Board for not following the zoning ordinance and for building permit violations. He assured the Board he would comply if approved. He is asking for a second chance with the modified CUP. He said he already has a structural engineer starting on the process.

Mr. Ayres asked the supporters for the applicant to stand. He said Zebulon's Grotto (ZG) started in 2018 as an official business and has had its problems and violations. He said the letters from the County began in April 2022 and Mr. Snead filed for the CUP on May 3, 2022 to address the issues. He said on June 29, 2022, the County filed a lawsuit against Mr. Snead and he voluntarily entered into an injunction with which he has been complying. (At 8:07 pm, Chairman Moren told Mr. Ayres he was granting him five more minutes since the ten minutes allowed had passed.) Mr. Ayres said the application has been substantially modified and downscaled in scope. He said ZG would stay within its existing footprint. No alcohol is served. A prior Planning Director told Mr. Snead a campsite was permitted by rights (3 tents, 6 people). ZG has permits pending from VDH. Mr. Snead

created a road on his property in 2019 and is pending approval with VDOT to widen the entrance to his property. The applicant is requesting a total guest cap at 90, excluding employees. He said only 7 of the applicant's 36 acres are included in the CUP, leaving 29 acres open.

John Nisgro, structural engineer, said he has examined the structures. He said the guest house is in good condition and meets code. (Chairman Moren asked the Board to allow Mr. Nisgro an additional five minutes to complete his report – all agreed.) He said other structures need some minor fixes and further investigation. Some buildings need to be completed. Some beams need reinforcement. He has prepared drawings with proposed fixes.

Vice Chair Hodges asked about having 8 guests in the guesthouse. Mr. Nisgro said it meets code. Vice Chair Hodges asked if that includes the footings. Mr. Nisgro said he hasn't seen them, but Mr. Snead certified they were up to code with no cracks, etc.

Mr. Nisgro said he would oversee making sure the work done complies with his drawings or the County Building Official can.

Supervisor Garber asked how long they have been there. Mr. Nisgro said he didn't know but they don't look too old.

Mr. Ayres said there have been 16 police calls regarding the clothing-optional resort and those were before the hedges were put in. He said Mr. Snead has also made six complaints for harassment and has no convictions. He said promoting agritourism is in the Comprehensive Plan and he estimates \$157,500 is spent in the County each year by Mr. Snead's guests. He said this is a good project and is well screened. Mr. Snead will bring all issues to compliance and lessons have been learned. He asked that if the Board rejects the CUP, they strip out the language removing Mr. Snead's other permits.

Chairman Moren opened the Public Comment period and reminded people of the time limit and speaking guidelines.

[Over 100 additional comments were received in writing and are available in totality for download from the [County website](#).]

Eric Russell spoke via Zoom and said he's a professional photographer in the area and ZG is the only campground around for LGBTQ tourists. He also noted it is black owned. He said Virginia is the top LGBTQ tourism state. ZG is close to Richmond and other attractions and he supports this CUP. He said it is integral to tourism.

Patricio Traversone-Di Benedetto from Prince William spoke via Zoom. He said he moved to Virginia for work and to establish community and one of the few places he can do that is ZG. He likes to visit and stay with friends. While here, he spends money in the County. He said ZG means a lot to him and his family and is an excellent establishment. He said he served his country for 20 years and he feels safe, wanted, and welcome at ZG. He recommends the CUP for approval with the owner's modifications to be in line with code.

Charles Buttr said he is an attorney who has represented Mr. Snead in the past. He said neighbors only consider the physical things like traffic, noise, dust, etc. He apologized for giving out fireworks last year. He asked the Board to give due regard for what Mr. Snead has done to mitigate the problems. He is trying to do the right thing while providing privacy and safety for his guests. He said it doesn't matter if you like the clientele or not. The LGBTQ economy is \$300.7 billion and Texas lost \$60 million in tourism for restroom suggestions. He said having ZG shows the County is inclusive which is what businesses are looking for.

Joseph Curtis of Norfolk said he's been a patron for four years. He supports this CUP for three reasons: 1. Tax revenue – on average 450 people visit per month and shop locally; 2. Naturalist resorts are few and far between – patrons are men, women, and couples who just want to be left alone. ZG is gated and has a separate entrance; 3. Camping – ZG has 2 cabins and 4 glamping sites. There is no other lodging nearby. This keeps cars off the road. He encourages approval of the camping.

Jeremy Sharp of District 2 said he attended the Planning Commission meeting and spoke about traffic and safety. He said he has met many vehicles on the road and has to stop because you almost hit them. He said there is a blind curve which is dangerous. He said he has a CDL and drives a truck and can't stop quickly. He said there is no posted speed limit and people drive too fast. People turn around in his yard at 2am on weekends. He said the applicant has a history of permit violations. He was asked why at the Planning Commission meeting and didn't answer. He said the applicant thumbs his nose at the rules of the County. A tiger can't change his stripes – he hasn't changed in the past.

Ray Luder – no longer wished to comment.

Meg Oberhand of District 5 said she's a KWC resident and finds ZG to be a beautiful destination to relax and be yourself. She said it is unique. She said neighbor complaints come from a place of misunderstanding and Mr. Snead is making an effort to improve. She supports the CUP.

Queenie Tate said she is not from KWC and has been with Mr. Snead since 2018. She said people saying there is traffic at 2am are wrong because day guests leave by 11pm. She said there is a mental health epidemic and ZG provides relief and relaxation and is a service for the community. She said the CUP should be approved.

M. Rashad Hasan of Williamsburg thanked the Board for this time to speak in support of ZG and requests approval of the CUP. He said ZG brings in hundreds of tourists and supports local businesses. He said he spends about \$200/visit. He said there is no incentive to visit KWC if ZG is not here. He's a USAF veteran who served 30 years. He said people should live without fear with equal protection under the law and communities that promote diversity tend to prosper. He said this reflects growing demographics and inclusivity. He said emotional appeals don't support economic diversity.

Kevin Rutkowski from Norfolk said he's a retired police officer and spent 30 years in the Marines. He said people from all walks of life go to ZG and feel safe and secure and it's a disservice not to allow it to continue. It brings in tax revenue. He's been coming there six years and never saw a

problem. He said a speed limit or caution sign could be put up and the County should do what needs to be done to protect the neighbors and ZG. He said it's a great place.

Wayne Gauthier – no comment

William Barber of District 2 said he witnessed vehicles traveling at fast speeds turn onto their private road after Mr. Snead was served an injunction. There are no trespassing signs on the road. He followed the car and the driver did not stop. When he caught up to the car, the driver said they were looking for ZG. He said he doesn't know how often this happens but it does happen. He said he and his family will call the police in the future. He said his family has their farm and wants their rights. He said a proposal for a motor cross was denied due to inconvenience to the neighbors and if that's not economically beneficial, neither is this. He recommends denying the CUP.

Michael & Dana Stiles said they support Mr. Snead and think he should be given a chance to fix his mistakes. They have been going to ZG for five years and it is an amazing place. They both have stressful jobs and this is a good place to unwind.

Chris Tyler said he's a former KWC resident and graduated from KWHS. He is 29 years old and is happy to see growth in the County. He said we should welcome change to the County if we want it to be a destination.

John Breeden of District 3 said he'd be reluctant to approve or deny a permit with this many modifications without reviewing it. He said he visited ZG in 2018 and thought it was good. At that time it brought 50 vehicles a day and 20 overnight guests. From June to October, there were 70 vehicles. There is loud music and cars turning around. The applicant said he knew what he was doing when violating code. He said most who are for ZG do not live in the County. He said approving the CUP is telling people you can ignore the rules and fix them after the fact if you get caught. He said Mr. Snead did not comply until forced.

Kenneth Nelms – not present or no longer wished to comment.

James Hill said he traveled 45 minutes to come here. ZG is a beautiful experience and a place to relax and have fun. He has 37 years of military service and tells all his friends about it – across the state and the country. He said this is a way for revenue for the County and the Board should give Mr. Snead a chance to correct the issues.

Walter Scott of Chicago, IL is a veteran and used to live in Richmond. He said when he visited ZG in 2019, he was given a list of do's and don'ts to protect both guests and neighbors. He said ZG is great for revenue and he is in favor of it.

Rich Verbeke of Norwich, CT said he started coming to ZG in 2017. He is retired from 38 years in the Navy and finds camaraderie and relaxation at ZG. He said it is challenging that it's limited in space and should be allowed to expand. He said people spend money in local restaurants and buy gas. He said he has bought Chinese and visited Red's Chicken. Money is being spent in the community and others should be allowed to enjoy ZG.

Lisa Mason of District 2 said she paid \$450,000 to come here and cannot use her property as she wishes. She read a July 8-9th advertisement for a party at ZG. She also had an ad for a group tour August 4-7th which includes a day trip to ZG with lunch provided as part of the entry fee. She asked why there's a guest house in a Bed & Breakfast or campground. She said Mr. Snead says on pg. 62 and 58 that he owns the whole lake but he does not. There is no shielding for back neighbors. She said the property is one mile all around and less than 1/5 is screened. She said the entrance/exit is on a hill which neighbors have been working on to control erosion and Mr. Snead doesn't help or provide money to maintain the shared road.

Tom Davidson of District 2 said he is an adjoining neighbor to Mr. Snead and asked what it is that's being approved. He said he has no objection to what Mr. Snead offers or his clientele. His problem is with Mr. Snead's past performance as a citizen and business owner. He is suddenly contrite tonight. He has permits for 14 people but regularly has 100. Mr. Davidson said he is upset with the County for letting Mr. Snead get away with it and thinks he should go back to his original vision.

Rich Meador of District 2 said he does not recommend approval of this CUP. He said he didn't know about all the violations and has not seen enough detail in Mr. Snead's proposal. He said he has seen beautiful campgrounds around the state and the primitive areas are for 1-2-day stays. There are safety regulations. He said no primitive camping should be allowed at ZG. He mentioned road congestion and said there is a 15-mph sign on the road. He said 30 mph is too dangerous on that road. He said last week alone he saw two cars driving fast. He said he wants peace and quiet too.

Tracey Carlton of District 2 asked the people who oppose this CUP to stand. She said her parents live on Roane Oak Road and she grew up there. She said her children cannot enjoy the same freedoms she had growing up there because of ZG. She said it has an effect on the community and the road. It is a secluded, dead-end road and the pay-per-day option brings a lot of traffic. She said there is a history of disrespect and violations and this sets a dangerous precedent. She urged the Board to maintain the integrity of their seats and the law.

Gigi Askaryar of Richmond County said she went to ZG three years ago. She found it serene by the lake and the pool and doesn't know about the noise. She said it's nice to go someplace close and she spends money here. She said once they get to ZG, they stay. She said she hopes the Board approves for Mr. Snead to fix the issues and give him another chance. She said they are great people and she enjoys the camaraderie and friendship.

Steven Hoy said he supports the permit. He has known Mr. Snead since 2016 but didn't know about KWC before. He spends about \$1,000 and makes repeated visits. He said guests are contributing money to the local economy and ZG attracts outside tourism as the Comprehensive Plan calls for. He said the Planning Commissioners said incorrect things in their meeting which were then published in the newspapers. He said ZG receives discriminatory treatment. He said tourists should be told they're welcome and appreciated and KWC doesn't discriminate against individuals.

David Alhideff said equity is giving a person an opportunity. He said the Bible promotes forgiveness and opportunity. He said people committed crimes against Mr. Snead. He said there should be a balance between rural and suburban lifestyles. He said giving Mr. Snead a continuance allows him

the opportunity to build trust and rectify the situation. He said there needs to be compromise on both sides and punishment should be logical. He said Mr. Snead is taking steps in the right direction.

Brett McMichael - not present or no longer wished to comment.

Vic Einarssen of District 2 said he lives in the last house on the end of the road. He said Mr. Snead asked for a CUP a couple years ago for 10 cabins. He withdrew the CUP but opened the campground anyway. He said there is no septic for anything but Mr. Snead's 3-bedroom home. He advertises events and ZG advertises itself as a 2-star hotel. He said Mr. Snead has been cited many times in 2016, 2017, 2018, and 2022. This CUP will put less than 100 yards between ZG and the neighbors. He said Mr. Snead cannot make improvements to the road without a majority of votes from the neighbors.

There being no further speakers, Chairman Moren closed the Public Hearing.

Ms. Graham said the Planning Commission wrote the proposed conditions with the concerns in mind. She said the road cannot handle a lot of traffic.

Supervisor Moskalski asked Ms. Graham if the guest house was permitted as a guest house. Ms. Graham said no, it was permitted as storage. He asked if the camping platforms were permitted or approved. Ms. Graham said no. He asked if the kitchen was permitted or approved. Ms. Graham said no. He asked if the containers on the property were permitted or approved. Ms. Graham said no. He asked if the electrical was permitted or approved. Ms. Graham said no. He asked if the Health Department gave approval. Ms. Graham said only for the home and two campsites. She said Mr. Snead also did not get a land disturbance permit and was told to stop work. This happened several times over several years.

Supervisor Moskalski said he visited the site in the beginning and was generally in support of it but Mr. Snead withdrew the permit application. Now all this unpermitted activity has happened. He said he has no issue with the concept but doesn't think the road or property can handle it. He said Mr. Snead has shown a complete disregard for the rules and this is not how it works. You can't come after the fact. He said it's a bummer because ZG is important to a lot of people. He said Mr. Snead has put his guests at risk and they should be upset with him, not the County. He said he doesn't see how what Mr. Snead wants can fit on the property. That and his history of violations with full knowledge of the rules is why he can't support it. He said rules and permits are to protect businesses and Mr. Snead's violations have been allowed to go on too long.

Vice Chair Hodges asked how far the kitchen is from the main house. Ms. Graham said it is adjacent. She said it has 220 service but no electrical service. She said Mr. Snead is familiar with the Health Department permit – they told him no. Vice Chair Hodges said he agreed with Supervisor Moskalski.

Supervisor Garber said the history of violations goes back to 2016 and asked if any have been corrected. Ms. Graham said she is not sure. She said Mr. Snead was cited twice again in 2018. She said he is not in compliance with the zoning permits he does have for the B&B and camping. Supervisor Garber said he agrees with Supervisor Moskalski. He said the codes are there to protect both the owner and the clientele.

Supervisor Greenwood said Mr. Snead is a scapegoat. He said the County doesn't go after anyone else and there are a lot of people with violations. He said the County doesn't go after them because no one complains. He said Mr. Snead has not been given time to fix the issues. He said he's been through six Planning Directors, and each told him something different. He said he should be given another chance and next time, if he does anything wrong, it should be dealt with.

Supervisor Moskalski said Supervisor Greenwood cannot claim others have violations that just haven't been discovered because no one has complained. He said Mr. Snead was given fair warning.

He asked Supervisor Greenwood if, discounting any history of violation, he felt the land can handle what Mr. Snead wants. Supervisor Greenwood said Mr. Snead has reduced the scope of the permit.

Supervisor Moskalski said both formal and informal complaints have been made. Supervisor Greenwood said Mr. Snead's prior violations should not be considered because even in court you cannot bring up a person's past convictions when they're on trial. Chairman Moren said these are continued violations.

Vice Chair Hodges asked if the Board had to vote on both resolutions included in the packet. Ms. Branch, Deputy Clerk, said no. Because the resolutions to approve and deny were so different, she prepared two. The Board can choose the one they want to vote on and make any adjustments to it.

Supervisor Moskalski made a motion to approve Resolution 22-59 accepting the recommendation of the Planning Commission to deny Conditional Use Permit (CUP) 01-2022. Vice Chair Hodges seconded the motion. The Chairman called for any discussion. The members were polled:

Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Nay
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

Agenda Item 12. ADMINISTRATIVE MATTERS FROM COUNTY ADMINISTRATOR

12.a. Administration Report – Percy C. Ashcraft, County Administrator

Mr. Ashcraft provided the Board with an updated copy of his monthly report and mentioned that National Night Out was Tuesday, August 2nd, at the Ruritan from 6-8pm.

Agenda Item 13. BOARD OF SUPERVISORS' COMMENTS

Vice Chair Hodges said it's unfortunate on the CUP. He told Mr. Ashcraft the handicapped spaces in the Administration Building parking lot do not have fines listed and asked if state code requires it. Mr. Ashcraft said he'd find out and he is going to propose improvements in this area at the next Board meeting.

Supervisor Moskalski said it was an emotional meeting but was predicated on facts. He said he takes umbrage at the insinuation of discrimination. Any business needs to follow the rules. He told Mr. Hudgins to make sure All Points Broadband knows Dominion is moving some wiring underground.

Supervisor Greenwood said he's the only one to give Mr. Snead another chance. He thinks there are underlying factors of discrimination. He thanked people for coming from so far.

Supervisor Garber thanked the Board for helping Tappahannock. He said he looks forward to working on the burn law. He thanked people for coming and said it was a tough night. He said the Board can't reward people for violations.

Chairman Moren said he disagrees with Supervisor Greenwood's claim of discrimination. He commended Mr. Ashcraft and the EDA on the July 22nd Farmers Market & Family Fun Night and said he was surprised by the number of people who came. He said it was a positive event.

Agenda Item 14. CLOSED MEETING

14.a. Motion to Convene Closed Meeting

Supervisor Moskalski made a motion to convene in Closed Meeting in accordance with Section 2.2-3711 (A)(8) of the Code of Virginia to consult with legal counsel on a specific legal matter regarding taxation regulations for Indian Tribes requiring the provision of legal advice by counsel. Vice Chair Hodges 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

14.b. Motion to Reconvene in Open Session

Supervisor Moskalski made a motion to reconvene in Open Session. 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

14.c. Certification of Closed Meeting

Supervisor Moskalski 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 Chairman called for any 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

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 25th day of July, 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 25th day of July, 2022.

14.d. Action on Closed Meeting (if necessary)

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

Agenda Item 15. ADJOURN OR RECESS

Supervisor Moskalski made a motion to adjourn the meeting; 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

COPY TESTE:

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

Christine H. Branch
Deputy Clerk to the Board of Supervisors

ATTACHMENT A

Public Comment submitted by Chris Couch, District 5



King William County, Virginia Spring, 2022. Information received by FOIA.

From: noreply@civicplus.com
To: [Deputy Clerk](#)
Subject: External: Online Form Submittal: PUBLIC COMMENT - Board of Supervisors
Date: Monday, July 25, 2022 12:53:01 AM

First & Last Names Tyla Matteson

Email Address

Choose the District in Which You Reside Outside King William County

Phone Number

Address

City North Chesterfield

State Virginia

Zip Code 23234

Register to Speak / Submit a Written Comment Submit Written Comment Only

Date of the meeting at which you'd like to speak: 7/25/2022

Written Comment Dear King William Supervisors and Administrator Mr. Percy Ashcraft, King William County has of late become a dumping ground for sewage sludge. DEQ permit VPA 00824 would allow for sludge to be applied to 5,460.9 acres and permit VPA 00826 would allow for sludge to applied to 1909 acres in the county. During the comment period for VPA 00824, 85 commenters requested a public hearing. In past years, a public hearing was held when 25 commenters requested one; however DEQ has denied a hearing. There are questions raised that have not been answered, specifically regarding the presence of PFAS chemicals in the sludge. We respectfully ask you to speak with DEQ, asking for a reversal on permit VPA 00824 and asking for a public hearing to be held in King William County. The sludge contains heavy metals, pathogens, pesticides, pharmaceuticals, and PFAS which are called "forever chemicals" as they do not break down easily and bioaccumulate, placing at risk the health of people and animals. Thank you kindly, --Tyla Matteson, Chair, York River Group, Sierra Club, whose geographical area includes King William County.

ATTACHMENT B
Remarks from Commissioner of the Revenue

BoS Meeting 07/25/2022

This past spring, the Board was informed that the value of used vehicles would increase between 20 and 30% from 2021. The Board informally agreed to provide the citizens of King William County with relief from higher tax bills resulting from the higher values by issuing a credit on the 2022 personal property tax bills.

During June's finance meeting, I expressed my concern with Edmunds' ability to produce a software program to calculate the credit on the personal property tax bills by the September 1st deadline required by State Code. Edmunds has also not provided a quote on the cost to write the software. I recommended to Administration to have the Board create a special class of personal property for passenger vehicles which is **now** allowed by an amendment to State Code §58.1-3503 effective March 22, 2022. Then, set a lower tax rate for this class. Administration agreed with my recommendation and requested I present this option to the Board.

On July 18th, I was able to run a draft personal property tax book. The actual increase in the values of motorcycles, cars, trucks & vans was 46%. The first slide lists the types of personal property taxed at \$3.65 per \$100. The highlighted lines are the types that would be included in the newly created class. If the new class is not created and the rate reduced, owners of equipment, furniture, heavy equipment etc. (the items in red) would benefit from lower tax bills on values that decreased and the owners of cars and trucks that had dramatically increased in value would receive less benefit. The Town of West Point lowered their rate for personal property with a clause to expire December 31, 2022 and return to the 2021 rates.

Slide two compares the 2021 vs. 2022 values of motorcycles, cars, trucks and vans in the **County** which would be included in the new class. I must to note that NADA valued vehicles in 2021 and JD Power performed the valuations in 2022. Each classifies cars, trucks & vans differently so these numbers must be evaluated in aggregate.

1. The value from 2021 to 2022 increased \$61,894,360 – 46%
2. The number of vehicles increased by 446. This is @ 350 less than the increase in 2021 but there were fewer vehicles available to purchase.

3. If the rate is kept at \$3,65 per \$100, the increase in tax revenue is \$2,259,144.14 and the PPTRA rate would be @ 20.5%.
4. The slide also shows the tax revenue from different rates.
5. At the bottom, calculations show the discount amount if the Board decides against this option.

Slide three shows the same calculations for the Town.

There are several advantages to creating a special class for passenger vehicles and lowering the tax rate on this class.

1. The Board lowers the tax rate and provides citizens easily identified tax relief.
2. The PPTRA rate will increase with a lower tax rate.
3. The accounting record will be easier for future auditors to examine.

Due to the September 1st deadline, the Board must decide this evening whether to grant a discount or to create a special class with a lower tax rate. Administration has very little time to contact Edmunds to instruct them to write the discount software or to prepare the special class ordinance and tax rate ordinance and advertise the two ordinances. The Board would vote on the special class and tax rate at the August 25th meeting. The Board would also need to pass a resolution allowing me to set the PPTRA rate for 2022 without Board approval. Board approval for the PPTRA is a formality. State Code does not allow the Board to increase the amount of the PPTRA and even if it was allowed, increasing the PPTRA would disrupt the split-levy. The PPTRA is always \$1,204,131.00.

I know this is a lot of information. The Board could pass the ordinances and resolution with a sunset clause to expire on December 31, 2022.

AGENDA ITEM 7.b.

Approval of Expenditures - July 2022



Natasha L. Brown
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: August 22, 2022
TO: King William County Board of Supervisors
FROM: Natasha Brown, Director of Financial Services
SUBJECT: Monthly Expenditures - July 2022

County Administration Expenditures (excluding Payroll)

Checks and ACH processed	2,349,381.76
Transfer from Treasurer to Schools	-

County Administration Payroll

Payroll Net	387,972.73
Employer Benefit Portion	145,904.61
Employer State Unemployment	373.57
Employer FICA/Med Portion	40,446.50
County Costs	574,697.41
<i>Employee Portion of Taxes</i>	106,646.74
<i>Employee Portion of Benefits</i>	59,108.85
	740,453.00

ARPA Funds (Fund 215)

Comprehensive Services Act	-
	85,741.03

Department of Social Services Expenditures (excluding Payroll)

Checks and ACH processed	11,268.21
Special Welfare	-

DSS Payroll

Payroll Net	31,001.30
Employer Benefit Portion	13,709.36
Employer State Unemployment	37.10
Employer FICA/Med Portion	3,229.75
DSS Costs	47,977.51
<i>Employee Portion of Taxes</i>	7,084.00
<i>Employee Portion of Benefits</i>	6,678.29
	61,739.80

TREASURER MANUAL CHECKS ISSUED

<i>Expenses</i>	-
<i>Pass Thru</i>	947.99
<i>Refunds</i>	
<i>Per COR Abatements under \$2500</i>	2,593.43
<i>Resolution 22-47</i>	28,915.52
<i>Per Treasurer overpayments from citizens</i>	3,819.07
	36,276.01

Total County Administration, ARPA, Social Services, CSA, & Treasurer Manual Checks	3,105,341.93
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AGENDA ITEM 7.c.

Resolution 22-61 - Approving the Commissioner of the Revenue to Set the PPTRA
Rate

RESOLUTION 21-61

**APPROVING THE COMMISSIONER OF THE REVENUE TO SET THE PERSONAL
PROPERTY TAX RELIEF PERCENTAGE FOR THE PERSONAL PROPERTY 2022 BILLING
IN ACCORDANCE WITH THE 2004-2005 CHANGES TO THE PERSONAL PROPERTY TAX
RELIEF ACT OF 1998**

WHEREAS, the Personal Property Tax Relief Act of 1998, Virginia Code 58.1-3523, et seq. ("PPTRA"), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session 1 (Senate Bill 5005), and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2004-2006 Appropriations Act, hereinafter cited as the "2005 Appropriations Act"); and

WHEREAS the Board of Supervisors (hereinafter Board) adopted King William County Code Sections 70-149 and 70-150 on December 12th 2005 implementing the 2004- 2005 changes to the Personal Property Tax Relief Act of 1998, in response to these legislative enactments; and

WHEREAS such County Code sections provide that the Board shall annually set the rate of tax relief on qualifying vehicles at a level that is anticipated to fully exhaust tax relief funds provided to the County by the Commonwealth; and

WHEREAS County Code Section 70-150 provides that personal property tax relief shall be applied so as to eliminate personal property taxation on qualifying vehicles with an assessed value of One Thousand Dollars (\$1,000.00) or less; and

WHEREAS it is necessary for this Board to establish the allocation of tax relief for the first Twenty Thousand Dollars (\$20,000.00) in assessed value of other qualifying vehicles; and

24 **WHEREAS**, this Board has been informed that for the 2022 calendar year and due
25 to the Board's adoption of a new class of vehicles in accordance with House Bill 1239, the
26 Commissioner of the Revenue will not have sufficient time to get the Board's approval
27 prior to setting the PPTRA rate;

28 **NOW THEREFORE BE IT RESOLVED** that the King William County Board of Supervisors
29 authorizes the Commissioner of the Revenue to set the PPTRA percentage for the 2022
30 calendar year at the level necessary to fully exhaust the PPTRA relief fund provided to the
31 County by the Commonwealth, in accordance with §58.1-3523 of the Code of Virginia.

32 **DONE** this 22nd day of August, 2022.

AGENDA ITEM 7.d.

Resolution 22-62 - Designating a Portion of State Route 634 (Kentucky Road) a Rural Rustic Road

RESOLUTION 22-62

DESIGNATING A PORTION OF STATE ROUTE 634

(KENTUCKY ROAD) A RURAL RUSTIC ROAD

WHEREAS Section 33.2-332 of the Code of Virginia permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS any such road must be located in a low-density development area and have no more than 1500 vpd; and

WHEREAS the Board of Supervisors of King William County, Virginia ("Board") desires to consider whether Kentucky Road, Route 634, 0.70 mile, From: Route 625 To: Dead End be designated a Rural Rustic Road; and

WHEREAS the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS this road is in the Board's six-year plan for improvements to the secondary system of state highways; and

WHEREAS the Board believes this road should be so designated due to its qualifying characteristics;

NOW, THEREFORE, BE IT RESOLVED the King William County Board of Supervisors hereby designates this road a Rural Rustic Road and requests the Residency Administrator for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED the Board requests this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right of way and ditch-lines to

22 preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic
23 character along the road in their current state; and

24 **BE IT FINALLY RESOLVED** that a certified copy of this resolution be forwarded to the
25 Virginia Department of Transportation Residency Administrator.

26 **DONE** this 22nd day of August, 2022.

DRAFT

AGENDA ITEM 7.e.

Resolution 22-63 - Designating a Portion of State Route 641 (Sandy Point Road) a Rural Rustic Road

RESOLUTION 22-63

DESIGNATING A PORTION OF STATE ROUTE 641

(SANDY POINT ROAD) A RURAL RUSTIC ROAD

WHEREAS Section 33.2-332 of the Code of Virginia permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS any such road must be located in a low-density development area and have no more than 1500 vpd; and

WHEREAS the Board of Supervisors of King William County, Virginia ("Board") desires to consider whether Sandy Point Road, Route 641, 0.70 mile, From: Route 30 To: Dead End be designated a Rural Rustic Road; and

WHEREAS the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS this road is in the Board's six-year plan for improvements to the secondary system of state highways; and

WHEREAS the Board believes this road should be so designated due to its qualifying characteristics;

NOW, THEREFORE, BE IT RESOLVED the King William County Board of Supervisors hereby designates this road a Rural Rustic Road and requests the Residency Administrator for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED the Board requests this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right of way and ditch-lines to

22 preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic
23 character along the road in their current state; and

24 **BE IT FINALLY RESOLVED** that a certified copy of this resolution be forwarded to the
25 Virginia Department of Transportation Residency Administrator.

26 **DONE** this 22nd day of August, 2022.

DRAFT

AGENDA ITEM 7.f.

Resolution 22-64 - Updating King William County Personnel Policies & Procedures
Manual, Chapter 11: Grievance Policy and Procedures



County of King William, Virginia

BOARD OF SUPERVISORS

Nita F. McInteer
Human Resources Manager

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

MEMORANDUM

DATE: August 22, 2022
TO: King William County Board of Supervisors
FROM: Nita F. McInteer, Human Resources Manager
SUBJECT: **Resolution 22-64** - Revision of Grievance Policy

REQUEST FOR ACTION

- Staff requests the board of Supervisors approve the attached revisions to Chapter 11, Grievance Policy in the King William County Personnel Policies and Procedures Manual to bring the policy up to date with current legislation and practices. The staff requests the approval of Resolution 22-64.

SUMMARY

The grievance policy has been updated to bring the County into line with current legislation and contemporary grievance process. A summary of the significant changes is listed below.

Removal of the Panel Hearing from the final step of the grievance policy and replacement with a Hearing Officer. The Supreme Court of Virginia maintains a list of qualified and approved hearing officers for grievance cases. If the grievance proceeds to this level, the County Administrator will contact the Secretary of the Supreme Court to request a hearing officer be assigned the case. This will be the final decision on the grievance case.

The inclusion of language to require all steps of the grievance process and all meetings in the procedure must be held in person. This was previously missing from the policy, but it is required under Virginia statute.

ATTACHMENTS

- Resolution 22-64 and current Grievance Policy with changes outlined.

RESOLUTION 22-64

**AMENDMENT TO THE KING WILIAM COUNTY PERSONNEL POLICIES AND PROCEDURE
MANUAL CHAPTER 11 – GRIEVANCE POLICY AND PROCEDURES**

WHEREAS, The Board of Supervisors adopted the King William County Personnel Policies and Procedures Manual (Manual) by Resolution 15-53 on December 14, 2015 effective January 1, 2016; and

WHEREAS, the Board amended the Manual by Resolution 18-66 on October 22, 2018 effective November 1, 2018; Resolution 19-54 on August 26, 2019 effective September 1, 2019; Resolution 20-09 on February 24, 2020 effective July 1, 2020; Resolution 20-28R on May 18, 2020 effective March 1, 2020; and Resolution 21-76 on October 25, 2021 effective November 1, 2021; and

WHEREAS, the Virginia General Assembly recently made changes to grievance procedures, definitions, and hearings; and

WHEREAS, the King William County Human Resources Manager recommends changes to the County Grievance Procedure to align with state procedures and hearings; and

WHEREAS, the Board finds the proposed amendments appropriate and necessary for the proper administration of the County's personnel system;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of King William, Virginia that the following amendments to the King William County Personnel Policies and Procedures Manual are amended effective immediately as follows (deletions strike through; amendatory language appears in blue/purple and underlined):

DONE this 22nd day of August, 2022.



King William County
Est. 1702 in Virginia

BOARD OF SUPERVISORS

Nita F. McInteer
Human Resources Manager

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

GRIEVANCE PROCEDURE, King William Personnel Policies and Procedures Manual

Chapter 11: Grievance Policy and Procedures

Section 11-1:

This Chapter establishes an effective process for the fair, expeditious, and orderly adjustment of grievances before they become major issues of discontent or dispute. Nothing in this Chapter is intended to imply that employees may be dismissed only “for cause” or to otherwise alter an employee’s “at will” status. Employees also have access to the open door policy for discussion of employment issues. (See Section 13-17).

Section 11-2: Policy

The County seeks to employ and retain the most qualified persons available for positions with the County and is justly proud of the accomplishments of its staff in serving the public. When an employee of the County believes that any condition affecting him or her is unjust, inequitable, arbitrarily applied or a hindrance to work performance, the employee may use the following procedure without fear of reprisal. The same procedure may be followed by a group of employees. Because justice delayed is justice denied, grievances must be resolved with dispatch. Responsible action under the grievance procedure is a right of employment. Each step of the procedure is to be conducted with the open, thoughtful communication and mutual respect that is characteristic of successful day-to-day contact between employees and their supervisors. Responsibility for finding satisfactory solutions to employment-related problems is shared by all participants at each stage of the grievance procedure.

Section 11-3: Objectives

The grievance procedure is intended to provide an immediate and fair method for resolving problems that may arise during the course of an employee's service with the County. The grievance procedure is designed to assure the employee of the fairness of the process by providing for a right of appeal in the event that an employee believes that fair treatment has been denied. Through the good faith observance of this procedure, the County hopes to prevent conditions which may give cause for grievance. This can be achieved in many ways, among which are:

- a. a reduction in employee concerns caused by supervisory decisions;
- b. a more uniform application and interpretation of policies and conditions which govern employment;
- c. avoidance of prejudice;
- d. alerting management to supervisory problems.

Section 11-4: Coverage

This grievance procedure is available to all regular full-time and part-time County employees in the classified service (See Section 1-3), except probationary employees, Deputy or Assistant County Administrators, Department Heads and employees otherwise covered by applicable grievance procedures of State or local agencies. The procedure is not available to employees in the unclassified service. The procedure is available to regular employees of constitutional offices of the County or the Department of Social Services when the constitutional officer has requested that their employees be covered and the Board of Supervisors has approved such request, or the local social services board has adopted this procedure pursuant to the provisions of Sections 63.2-219 or 2.2-3008 of the Code of Virginia. Law enforcement officers as defined in Section 9.1-500 of the Code of Virginia have the option of using this procedure or the law enforcement officer's procedure set out in Chapter 5 of Title 9.1 of the Code of

Virginia. The procedure is also available to employees of such other agencies as may from time to time be specified in the Code of Virginia when the prerequisites established by state law have been met. The County Administrator shall be responsible for creating and maintaining an up to date list of those positions not covered by this grievance procedure.

Section 11-5: Definition of Grievance

a. A grievance is a complaint or dispute relating to the employment of the employee or employees making the complaint. A grievance involves, but is not necessarily limited to, one or more of the following:

- (1) Disciplinary actions, including those that involve dismissal, demotion or suspension, provided that dismissals shall be grievable whenever resulting from formal discipline or unsatisfactory job performance;
- (2) Concerns regarding the meaning, interpretation or application of personnel policies, procedures, rules and regulations;
- (3) Acts of retaliation for using the grievance procedure or for participation in the grievance of another County employee;
- (4) Complaints of discrimination on the basis of race, color, creed, religion, political affiliation, age, disability, national origin, ~~or~~ sex, military status, pregnancy, childbirth or related medical conditions, sexual orientation, gender identity, or military status;
- (5) Acts of retaliation* because the employee has complied with any law of the United States or of the Commonwealth, has reported any violation of such law to a governmental authority, or has sought any change in law before the Congress of the United States or the General Assembly.
- (6) Acts of retaliation* because an employee has reported an incident of fraud, abuse, or gross mismanagement.

b. The Board of Supervisors and its management team retain the exclusive right to manage the affairs and operations of County government. Accordingly, the following complaints, among others, are non-grievable:

- (1) The contents of ordinances, resolutions, statutes, or established personnel policies, procedures, rules, and regulations;
- (2) Work activity accepted by the employee as a condition of employment or work activity which may be reasonably expected to be a part of the job content;
- (3) Establishment and revision of wages or salaries, position classifications or general benefits;
- (4) Failure to promote except where the employee can show that established promotional policies or procedures were not followed or applied fairly;
- (5) The methods, means, and personnel by which such work activities are to be conducted;
- (6) Non-disciplinary discharge, demotion, suspension from work or layoff because of lack of work or reduction in work force, or job abolition, except where such action affects an employee who has been reinstated within the previous six months as the result of a grievance;
- (7) The hiring, promotion, transfer, assignment and retention of employees;
- (8) The relief of employees from duties of the County in emergencies. In any grievance brought under the exception contained in (6) above, the action shall be upheld upon a showing by the County that:
 - (a) there was a valid business reason for the action, and
 - (b) the employee was notified of such reason in writing prior to the effective date of the action.

Section 11-6: Determination of Grievability

Decisions regarding whether or not a matter is grievable, including questions of access to the procedure, shall be made by the County Administrator at the request of the County or the grievant. The issue of grievability may be raised at any step of the procedure ~~subsequent to the submission of a written grievance and~~ prior to the panel/final hearing, but once raised the issue shall be resolved before further processing of the grievance. The issue of grievability must be resolved prior to the panel/final step hearing or it shall be deemed to have been waived. The request for a determination of grievability is made by completing Grievance Form D and forwarding it to the County Administrator. The decision on grievability shall be made within ten (10) calendar days of the request. A copy of the ruling shall be sent to the grievant. Decisions concerning grievability may be appealed by the grievant to the Circuit Court of King William County for a hearing on the issue of grievability. Proceedings for review of the County Administrator's decision shall be instituted by filing a notice of appeal on Grievance Form D with the County Administrator within ten (10) calendar days from the date of the grievant's receipt of the decision and giving a copy

thereof to all other parties. Within ten (10) calendar days thereafter, the County Administrator or his designee shall transmit to the Clerk of the Circuit Court a copy of the decision, a copy of the notice of appeal, and the exhibits. A list of the evidence furnished to the court shall also be furnished to the grievant. The failure of the County Administrator to transmit the record within the time allowed shall not prejudice the rights of the grievant. The court, on motion of the grievant, may issue a writ of certiorari requiring the County Administrator to transmit the record on or before a certain date. The court shall hear and decide the appeal within the time frames established by Va. Code Section 15.2-1507. The court may affirm the decision of the County Administrator or may reverse or modify the decision. The decision of the court is final and not appealable.

Section 11-7: Procedural Steps

Step I: Supervisory Level. An employee who has an employment-related complaint or problem first discusses it directly with his or her immediate supervisor. The grievance need not be placed in written form at this step. The grievance shall be reported within twenty (20) calendar days ~~after the event giving rise to the grievance from the time that the employee first becomes aware of the condition or work activity giving rise to the grievance.~~ The supervisor shall render a response to the aggrieved employee within five (5) workdays of the complaint. This first step is intended to provide for an informal, initial processing of employee complaints by the immediate supervisor through a non-written, discussion format.

Step II: Department Head Level. If a satisfactory resolution of the problem is not reached through Step I, the employee may file a written grievance, identifying the nature of the complaint and the expected remedy, on Grievance Form A. The written grievance is presented to the Department Head and a copy is given to the immediate supervisor within five (5) workdays of the supervisor's response to Step I. A meeting to review the grievance shall be held among the grievant, the immediate supervisor and the Department Head within five (5) workdays of receipt of the written grievance, unless this time limit is extended by mutual agreement for a period not to exceed five (5) workdays. The Department Head shall provide a written reply to the grievant within five (5) workdays after the second step meeting. Concurrently, a copy of the grievance and reply, together with a copy of all related materials, shall be forwarded by the Department Head to the designated personnel officer. For purposes of this policy, "Department Head" shall mean the head of the employee's department; in the case of employees of constitutional offices, it shall mean the constitutional officer; in the case of employees of the Department of Social Services or other agencies, it shall mean the director of that department or agency.

Step III: County Administrator Level. If a satisfactory resolution of the problem is not reached at the second step, the employee may submit the written grievance on Grievance Form A to the designated personnel officer; provided, however, that an employee of a constitutional officer or the Department of Social Services or other agency covered by this procedure may, in the employee's discretion, proceed immediately to Step IV. Submission of the written grievance to the third step shall occur within five (5) workdays of the second step reply. The designated personnel officer will coordinate the Step III meeting. The County Administrator and the immediate supervisor shall meet with the employee within five (5) workdays ~~or indicate that an extension is necessary. Such extension shall not exceed five (5) additional workdays except by mutual agreement of the County Administrator and the grievant.~~ The Department Head or other intermediate supervisor may attend this meeting if requested by the grievant, the immediate supervisor, or the County Administrator. Using Form B, a written reply by the County Administrator shall be provided to the grievant within five (5) workdays of this meeting.

Step IV: ~~Panel~~Final Hearing Level. If the response of the County Administrator does not resolve the grievance, the employee may proceed with the grievance by requesting a ~~panel hearing (or a hearing before an administrative hearing officer if both parties agree).~~ This request shall be made in writing to the County Administrator on Grievance Form B within five (5) workdays of the grievant's receipt of a response from Step III, or Step II if applicable. The County Administrator shall ~~insure selection~~contact the Executive Secretary of the panel and arrange an organizational meeting Supreme Court of the grievance panel within ten (10) working days of receipt of the Virginia to request the appointment an administrative hearing officer. The appointment shall be made from the list of administrative hearing officers maintained by the Executive Secretary pursuant to Va. Code § 2.2-4024 and shall be made from the appropriate geographical region on a rotating basis. In the alternative, the County Administrator may request the appointment of an administrative hearing officer from the Department of Human Resource Management. The County shall bear the expense of such officer's services.

The date of the final hearing shall be established ~~at the organizational meeting and shall be within ten (10) working days of such meeting according to the availability of the hearing officer, the County, the grievant, and their respective counsel, if any, and shall be set as soon as practicable.~~ The hearing officer shall hold a pre-hearing meeting with the County and the grievant, and their respective counsel, if any, to plan for the final hearing and address procedural and pre-hearing matters. The County Administrator shall provide the ~~panel~~ hearing officer and the grievant with copies of the grievance record ~~at their organizational meeting.~~ The County Administrator shall provide the grievant with a list of the documents furnished to the panel, at least ten (10) days prior to the scheduled final hearing. The grievant and/or the grievant's attorney, at least ten (10) days prior to the scheduled ~~panel~~ final hearing, shall be allowed access to and copies of all relevant files intended to be used in the grievance proceeding. Documents, exhibits, and lists of witnesses shall be exchanged between the parties at least ten (10) days in advance of ~~any panel~~ the final hearing.

Section 11-8: Panel/Final Hearing Procedures

The ~~panel (or hearing officer)~~ is charged with the responsibility of interpreting the application of appropriate government policies and procedures in the case. ~~¶The hearing officer~~ does not have the prerogative or authority to formulate new policies or procedures or to alter existing policies or procedures nor to direct subsequent action of management when the panel/hearing officer determines that the action of management grieved was inappropriate. The conduct of the panel/final hearing is as follows:

- a. The panel/hearing officer determines the propriety of attendance at the hearing of persons not having a direct interest in the hearing, and, at the request of either party, the hearing shall be private.
- b. The panel/hearing officer may at the beginning of the hearing ask for statements clarifying the issues involved.
- c. Exhibits, when offered, may be received in evidence by the panel/hearing officer, and when so received, are marked and made part of the record. ~~d. The grievant and then~~
- d. In matters concerning the grievant's supervisor, or their representative(s), discharge or other disciplinary action, the County shall present the claim and proofs its evidence and witnesses who first. In all other matters, the grievant shall present the grievant's evidence and witnesses first. All witnesses shall submit to questions or other examination or cross-examination. The panel/hearing officer may, at its discretion, vary this procedure but must afford full and equal opportunity to all parties and witnesses for presentation of any material or relevant proofs.
- e. The parties may offer evidence and shall produce such additional evidence as the panel/hearing officer may deem necessary to an understanding and determination of the dispute. The panel/hearing officer is the judge of relevancy and materiality of the evidence offered. The panel/hearing officer has the authority to determine the admissibility of evidence, without regard to the burden of proof or the rules of evidence. All evidence shall be presented in the presence of the panel/hearing officer and the parties, except by mutual consent of the parties. Documents, exhibits, and lists of witnesses shall be exchanged between the parties a minimum of ~~three (3)~~ ten (10) working days in advance of the hearing. Hearings are not intended to be conducted like proceedings in courts.
- f. The ~~panel chair~~ hearing officer shall specifically inquire of all parties whether they have any further proofs to offer or witnesses to be heard. Upon receiving negative replies, the ~~chairman~~ hearing officer shall declare the hearing closed.
- g. The hearing may be reopened by the panel/hearing officer on its own motion or upon application of a party for good cause shown at any time before a decision is made.
- h. The ~~majority~~ decision of the panel/hearing officer, acting within the scope of the hearing officer's authority, is final and binding in all its determinations, and shall be consistent with existing policies, procedures, and law. ~~No panel member shall be allowed to abstain from voting. i.~~
- i. Any relief granted by the panel/hearing officer shall not be final if the County Administrator, or his designee, determines that the relief granted is not consistent with law or written policy of the County. In the event that the County Administrator has had a direct personal involvement with the event or events giving rise to the grievance, the question of consistency of the relief granted by the panel/hearing officer with law or written policy of the County shall be made by the Commonwealth's Attorney.
- a.j. Either party may petition the circuit court for an order requiring the implementation of the decision of the panel hearing officer. The decision shall be filed in writing by the panel chairman/hearing officer with the County Administrator not later than ten (10) working days after completion of the hearing, unless an extension of time is agreed to by the County and the grievant. The decision shall be prepared in the format shown on Grievance Form C. Copies of the decision shall be transmitted to the employee

and to the employee's supervisor by the County Administrator within five (5) working days after the County Administrator receives it.

- k. To the extent the King William County Sheriff's Office has adopted this grievance procedure, a final hearing decision that would result in the reinstatement of any employee of the sheriff's office who has been terminated for cause may be reviewed by the circuit court for the County upon the County's petition. The review of the circuit court in such instance shall be limited to the question of whether the decision of the hearing officer was consistent with provisions of law and written policy.

Section 11-9: General Provisions

- a. ~~a-~~ Step II ~~is~~ shall not ~~be~~ observed by direct reports of Department Heads; ~~instead,~~ such grievants shall proceed ~~directly~~ from Step I to Step III. ~~b-~~
- b. A grievance shared by a group of employees begins at Step II, using Step I time limits. ~~e-~~
- c. References to "workdays" are to the days during which the administrative offices of the County are customarily open, from Monday through Friday, not including holidays observed by the County. All time periods listed in this procedure may be extended by mutual agreement of the grievant and the County Administrator, ~~or by others as specifically provided elsewhere in this procedure. d-~~
- d. After the initial filing of a written grievance, failure of either party to comply with all substantial procedural requirements of the grievance procedure, including the ~~panel~~ final hearing, without just cause, shall result in a decision in favor of the other party on any grievable issue, provided the party not in compliance fails to correct the noncompliance within five (5) workdays of receipt of written notification by the other party of the compliance violation. Such written notification by the grievant shall be made to the County Administrator, ~~or his designee.~~ The County Administrator, ~~or his designee,~~ may require a clear written explanation of the basis for just cause extensions or exceptions. The County Administrator, ~~or his designee,~~ shall determine compliance issues. Compliance determinations made by the County Administrator, ~~or his designee,~~ shall be subject to judicial review upon the filing of a petition with the circuit court seeking such review within thirty (30) days of the compliance determination. ~~e-~~
- e. ~~Personal face-to-face meetings are required at all management steps.~~ All stages of the grievance beyond the first step shall be ~~prepared~~ documented in writing on forms supplied by the designated personnel office. ~~f-~~
- f. The only persons who may normally be present at Step I or II meetings are the grievant, the individual hearing the matter, and appropriate witnesses for each side. The grievant shall bear the cost, if any, of calling the grievant's witnesses. Witnesses shall be present only while actually providing testimony. At Step III, the grievant, at his option, may have present a representative of his choice. If the grievant ~~is~~ desires to be represented by legal counsel, ~~in the Step III meeting, notice of this intention must be given to the County~~ ~~may at the time the Step III meeting is requested by the grievant, in which case, the County shall~~ also be ~~entitled to be~~ represented by counsel. ~~Either or both parties may be represented by legal counsel at Step IV. Both the grievant and the respondent may call upon appropriate witnesses and be represented by legal counsel or other representatives at the final hearing. Such representatives may examine, cross-examine, question and present evidence on behalf of the grievant or respondent before the hearing officer without being in violation of the provisions of Va. Code § 54.1-3904 g-~~
- g. Once an employee reduces the grievance to writing, the specific relief expected to be obtained through use of this procedure must be stated on the appropriate form and may not later be changed by the grievant. ~~h-~~
- ~~a-h-~~ The determination that an employee is not covered by this grievance procedure or that a complaint is not grievable shall not be construed to restrict any employee's right to seek, or ~~management's~~ the County Administrator's right to provide, ~~in his sole discretion,~~ customary administrative review of complaints outside the scope or coverage of the grievance procedure.

Section 11-10: Composition of Panel

~~The panel shall be impartial and composed of three (3) members. One member shall be chosen by the grievant, one member shall be chosen by the County Administrator and the third member shall be chosen by the first two. If no agreement on a third member can be reached, the selection shall be made by the Judge of the Circuit Court. In all cases, the third panel member shall be the Chairperson of the panel. Such panel shall not be composed of any persons having direct involvement with the grievance being heard by the panel, or with the complaint or dispute~~

giving rise to the grievance. Managers who are in a direct line of supervision of a grievant, any person residing in the same household as the grievant, and the following relatives of a participant in the grievance process or a participant's spouse are prohibited from serving as panel members: spouse, parent, and child, descendants of a child, sibling, niece, nephew, and first cousin. No attorney having direct involvement with the subject matter of the grievance nor a partner, associate, employee or co-employee of such an attorney shall serve as a panel member.

AGENDA ITEM 7.g.

Resolution 22-65 - Amendment to FY23 Capital Improvement Plan for Parking Lot Repairs

RESOLUTION 22-65
AMENDMENT TO THE KING WILLIAM COUNTY FISCAL YEAR 2023 CAPITAL
IMPROVEMENT PLAN FOR PARKING LOT REPAIRS

WHEREAS the King William County Board of Supervisors wishes to amend its Fiscal Year (FY) 2023 Capital Improvement Plan to appropriate funds for parking lot repairs in FY2023 in the amount of \$38,600; and

WHEREAS funding parking lot repairs in FY2023 will reduce FY2024 parking lot repairs capital requests; and

WHEREAS funds for the parking lot repairs will be taken from the McAllister Building repairs FY2023 capital budget line;

NOW, THEREFORE, BE IT RESOLVED that the King William County Board of Supervisors does hereby authorize and appropriate the following amendments to the FY2023 Capital Improvement Plan:

<u>GENERAL DESCRIPTION</u>	<u>FY2023</u>	<u>FY2024</u>
MCALLISTER (CARPET, WINDOWS, PAINTING; GEN REPAIRS)	50,000 11,400	50,000
COUNTY ADMIN - PARKING LOT REPAIRS	0 38,600	100,000 50,000

DONE this 22nd day of August, 2022.

AGENDA ITEM 7.h.

Resolution 22-66 -Support of the Virginia America 250 Commission and Establishment of the King William County VA250 Planning Committee

RESOLUTION 22-66

**SUPPORT OF THE VIRGINIA AMERICA 250 COMMISSION AND ESTABLISHMENT OF
THE KING WILLIAM COUNTY VA250 PLANNING COMMITTEE**

WHEREAS the Board of Supervisors of King William County is dedicated to the
furtherance of economic development and tourism in King William County; and

WHEREAS the Virginia America 250 Commission (VA250) was created in 2020 by
the General Assembly for the purpose of preparing for and commemorating the 250th
anniversary of Virginia's participation in American independence and has requested that
each locality form a committee to aid in planning for the commemoration period; and

WHEREAS the King William County Board of Supervisors desires to form a local
VA250 committee to plan and coordinate programs occurring within the County and
communicate regularly with VA250 in order to promote and commemorate this important
historic milestone;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of King William County,
Virginia that the King William County VA250 Planning Committee is hereby established to
contain not less than five nor more than fourteen members; and

BE IT FURTHER RESOLVED that the Board encourages citizens of the County, Tribal
representatives, and government representatives to apply to participate on this Committee,
especially those interested in tourism, education, economic development, museums and
historic sites, local historical and cultural groups, and universities and colleges.

DONE this 22nd day of August, 2022.

AGENDA ITEM 7.i.

Resolution 22-67 - Donating \$10,000 to Tappahannock Fire Relief Efforts

RESOLUTION 22-67

DONATION TO TAPPAHANNOCK FIRE RELIEF EFFORTS

WHEREAS the Board of Supervisors passed a motion at the July 25, 2022 regular meeting to give \$10,000 to Tappahannock out of the Unassigned Fund and authorize the County Administrator to contact them to find out where the funds would most be needed; and

WHEREAS the Board must now amend the FY23 budget to reflect this donation and appropriate the funds for same;

NOW, THEREFORE, BE IT RESOLVED that the King William County Board of Supervisors does hereby amend the FY23 budget and appropriates \$10,000 from the Unassigned Fund for a donation to Tappahannock fire relief efforts to be used in the area where most needed.

DONE this 22nd day of August, 2022.

AGENDA ITEM 8.a.

Ordinance 07-22 - Establish Property Tax Levies on Tangible Personal Property for the Classifications of Vehicles Created by House Bill 1239

ORDINANCE 07-22

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

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

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

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

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

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

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

29 **General Fund Levy**

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

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

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

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

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

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

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

AGENDA ITEM 8.b.

Ordinance 08-22 - Updates to Zoning Ordinance



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: August 22, 2022
TO: King William County Board of Supervisors
FROM: Sherry Graham, Director of Planning
SUBJECT: **Ordinance 08-22** Changes to the Zoning and Subdivision Ordinance

REQUEST FOR ACTION

Final review and approval of proposed changes to the Zoning and Subdivision Ordinance.

SUMMARY

Listed are the changes made to the Zoning and Subdivision Ordinance that was adopted on September 27, 2021, and became effective on October 27, 2021. Additional changes were made during the joint work session held between the Planning Commission and the Board of Supervisors on July 20, 2022.

The Planning Commission tabled the following items and plan to hold another work session on September 6, 2022, to discuss the following items:

- a. Review Section 86-140 under the Matrix of permitted uses for special events.
- b. Review Section 86-112, Modifications to lot area regulations - setbacks for accessory buildings and structures to be located in the front yard and in the Resources Protection Area.
- c. Review Section 86-136.2 Boundaries, clarify wording on measurements from the centerline of U.S. highway 360 and 30.
- d. Review Section 86-136.5 of the Transportation Corridor Overlay District, for changes to (6) Building Exteriors.
- e. Review the proposed Section 86-151.1 Agriculture, Private Use.
- f. Section 86-294. Buffering,
- g. Review sections of the ordinance pertaining to landscaping.
- h. Review Article II, Definitions for Industry, Heavy, Medium, and Light and zoning districts to permit the different industrial uses.

BACKGROUND

The Planning Commission held a public hearing on August 9, 2022, and recommended approval of the following additions and/or changes of the Zoning and Subdivision Ordinance to the Board of Supervisors:

Under Article II, Definitions, the following additions are recommended:

1. Definitions of

- a. Special Event-Private means a private event such as a birthday party, family reunions, that is by invitation only. Private events are defined as events that include persons who have not been charged an admission or made a contribution towards the costs of such gathering or assembly for the purpose of amusement, entertainment, or similar common purpose on private property where the special event is to be located.
- b. Special Event-Public means an event such as a circus, fair, carnivals, festivals which is advertised to the public. Events in which the public is invited on public and private property which may affect public safety, health, or welfare by it's impact on surrounding property.
- c. Special Event-Charity or Religious means an event such as a fund raiser held by a non-profit organization or a church affiliation. The zoning permit fee will be waived for charity or religious special events.

2. Definition of (To replace wayside stands)

- a. Temporary Sales means temporary stands or outdoor areas for sale of Christmas trees, and the lie not to exceed ninety (90) days. A zoning permit is required. (To be placed in the matrix as permitted by-right in the A-C, B-1 and B-2 zoning districts)
- b. Temporary Stands for sale of fireworks not to exceed fourteen (14) days per calendar year. A zoning permit is required. (To be placed in the matrix as permitted by-right in the B-1, and B-2 zoning districts)
- c. Temporary Open-air Stands for seasonal sales of products raised on the premises. A zoning permit is required. (To be placed in the matrix as permitted by-right in the A-C, B-1, and B-2 zoning districts)

3. Under Section 86-110. Add under the Table of Minimum Site Area and Dimensional Regulations 9. The minimum lot size, area, and setbacks do not apply to public utility parcels owned or operated by the County.

4. Under Section 86-112. Modifications to lot area regulations; add:

(5) Accessory buildings and structures shall not be constructed in a front yard on a lot that is less than five acres. One accessory building may be constructed in a front yard on a lot that is five acres or more provided that the requirements for front yard setbacks in Article VI are met and the size of the accessory structure does not exceed 50% of the first floor area of the main dwelling, and not located

directly in front of the primary dwelling, and in conformity with all other applicable provisions of this ordinance.

(6) For any lots where the rear and side yards are located in the Resources Protection Area, accessory buildings and structures may be located in a front yard in order to be located outside of the Resources Protection Area.

Wording was also changed to only permit one accessory building or structure.

5. Under Section 86-140, Use Matrix, Under the heading of Civic, **separate public water and sewer system**. Make no changes to the public sewer system and under the **public water system allow it to be permitted by right in all zoning districts**. Under **Water Tower, include zoning districts A-C and R-R as permitted by right**.
6. Under Section 86-140, Use Matrix, Under the heading of Civic, all Water Towers by-right in the A-C and R-R zoning districts.
7. Under Section 86-154. Accessory dwelling unit (3) to read as follows:
(3) An accessory dwelling structure that detached shall be no more than 800 gross square feet **unless a conditional use permit has been approved**.
8. Under Section 86-245. Kennel, private, the following was added:
(4) **Kennels to be located behind the primary residence or if located on a vacant parcel, the kennel must meet the front yard setback requirements for the zoning district. This does not apply to parcels 10 acres or more in the A-C, agricultural-conservation zoning district.**
9. Under Section 86-438. Exempt Subdivisions. The following wording was added:
Any further subdivision of a previously exempted lot pursuant to this exemption shall constitute a major subdivision **except for family divisions and on parcels of 50 acres or more** and shall be subject to all applicable governing ordinances and requirements.
10. Under Section 86-456. Cluster subdivisions. The following wording was added to change the size of the lot when neither public water or sewer is available.
(2) b. Lot area. Lots shall have a minimum lot size of 15,000 sf for lots served by both water and sewer, 20,000 sf if lots are served by public water or public sewer only and ~~30,000~~ **40,000** sf if the lot is not served by either public water or public sewer. Lots served by a private septic must accommodate an approved septic field with a 100 percent reserved field or other approved on-site wastewater or discharge system as approved by VDH or appropriate state agency.

11. Under Section 86-460. Major subdivisions, the following was added:

(2)c. All driveways must have a concrete apron that meets VDOT standards. The remainder of the driveway must consist of concrete with a minimum thickness of 4" or asphalt with a minimum thickness of 2" and a granular base aggregate of 6" to 8" in thickness. The driveway must be sloped towards the street when possible to eliminate standing water.

ATTACHMENTS

Public Hearing Notice
Ordinance 08-22



King William County Public Hearing Notice

The King William County Board of Supervisors will hold a Public Hearing on Monday, August 22, 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:

Amendments to the Zoning and Subdivision Ordinance:

- a. Transportation Corridor Overlay, Building Exteriors
- b. Agriculture-Private
- c. Exempt Subdivisions
- d. Cluster Subdivision
- e. Modification to Front Yard Regulations
- f. Accessory Dwelling Units
- g. Kennels, private
- h. Event Venues & Special Events
- i. Temporary Sales
- j. Landscaping
- k. Definitions
- l. Use Matrix
- m. Minimum Site Area and Dimensional Regulations for Primary Zoning Districts (County owned utility parcels)
- n. Major Subdivisions (driveways)

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 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 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 Department 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 Department of Planning at (804)769-4980 or sgraham@kingwilliamcounty.us.

By Authority of
Sherry L. Graham
Director of Planning
Ad to run August 10th and August 17th, 2022

ORDINANCE 08-22
AN ORDINANCE TO UPDATE AND AMEND KING WILLIAM COUNTY CODE
CHAPTER 86 - ZONING

WHEREAS, pursuant to Code of Virginia §15.2-2240 the governing body of every locality shall adopt an ordinance to assure the orderly subdivision of land and its development; and

WHEREAS the updates and amendments to the Zoning Ordinance presented herein have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, and general welfare of the citizens of the County; and of further accomplishing the objectives of Code of Virginia §15.2-2283; and

WHEREAS the King William County Planning Commission conducted a duly advertised public hearing on August 9, 2022 and recommended approval of the additions and/or changes contained herein to the Board of Supervisors; and

WHEREAS, after reviewing the amendments recommended by the Planning Commission and holding a duly advertised public hearing on August 22, 2022, the Board finds that the general welfare of the King William community and the dictates of good zoning practice require changes to and adoption of the Planning Commission's recommendations in order to meet the requirements of the Code of Virginia;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the Board of Supervisors of King William County, Virginia, does this 22nd day of August, 2022 amend King William County Code Chapter 86 - Zoning as presented herein; and

BE IT FURTHER ORDAINED AND ENACTED that this article shall become effective thirty (30) days from passage; and

24 **BE IT FURTHER ORDAINED AND ENACTED** that any applications currently active in the
25 Office of Community Development shall be handled pursuant to the Zoning & Subdivision
26 Ordinance as it was enacted at the time of application.

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

DRAFT

Proposed for Adoption by King William County Board of Supervisors
August 22, 2022 Regular Meeting

King William County Zoning and Subdivision Ordinance

3. Are unlike the customary or usual activities generally associated with the property where the special event is to be located.

- *Special Event-Private* means a private event such as a birthday party, family reunions, that is by invitation only. Private events are defined as events that include persons who have not been charged an admission or made a contribution towards the costs of such gathering or assembly for the purpose of amusement, entertainment, or similar common purpose on private property where the special event is to be located.
- *Special Event-Public* means an event such as a circus, fair, carnivals, festivals which is advertised to the public. Events in which the public is invited on public and private property which may affect public safety, health, or welfare but its impact on surrounding property.
- *Special Event-Charity or Religious* means an event such as a fund raiser held by a non-profit organization or a church affiliation. The zoning permit fee will be waived for charity or religious special events.
- *Specialty shop* means a small-scale (less than 2,500 square feet per business) retail use which offers for sale items of art or crafts, or which offers for sale items related to a specific theme, such as kitchen wares and pet care.
- *Stable, commercial* means the sheltered boarding of horses or ponies, or other livestock, for a revenue generating purpose. Included in this definition are horse riding academies and horse, or livestock, grooming operations.
- *Stable, private* means the keeping, breeding, or raising of horses or ponies, or other livestock, exclusively for the personal use and enjoyment of the owner or occupant of the property or the riding of horses or ponies by the owner or occupant of the property and their guests.
- *Stockyard* means a facility intended for the keeping and storing of livestock in association with a slaughterhouse or abattoir.
- *Store, general*. See *General retail*.
- *Store, grocery* means a retail business primarily engaged in the sale of unprepared food for personal or household preparation and consumption. Such a facility may engage in incidental sales of prepared foods for personal consumption on-or off-site.
- *Store, neighborhood convenience* means an establishment primarily engaged in the provision of frequently or recurrently needed goods for household consumption, such as prepackaged food and beverages, and limited household supplies and hardware. Convenience stores shall not include fuel pumps or the selling of fuel for motor vehicles. Typical uses include neighborhood markets and country stores.
- *Story* means that portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between such floor and the ceiling next above it. For the purpose of height measurement for any building other than a detached single-family dwelling, a basement shall be counted as a story if its ceiling is five feet above the level from which the height of the building is measured.
- *Story, half*, means a partial story under a gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior sides are not more than two feet above the floor of such story; provided, however, that any such story used as a separate dwelling unit, by other than a janitor or other employee and his family, shall be counted as a full story.
- *Street* means a public or private thoroughfare which affords the principal means of access to abutting properties, and whether designated as alleyway, expressway, thoroughfare, highway, road, parkway, avenue, boulevard, lane, place, circle, or however otherwise designated.
- *Street line (right-of-way line)* means a dividing line between a lot, tract, or parcel of land and a contiguous street, and also referred to as a right-of-way-line.

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member of the immediate family is defined as any person who is a natural or legally defined offspring, stepchild, spouse, sibling, grandchild, grandparent or parent of the owner.

- *Subdivision, farmstead* means a subdivision of two to seven lots where the lots are a minimum of 15 acres in size.
- *Subdivision, major* means a subdivision with more than four lots and may contain lots of less than 15 acres. The term "major subdivision" shall include any subdivision of more than four lots, which is designed and developed as a single unit, regardless of the number of owners and/or subdividers involved, or the number of parcels or tracts of land encompassed, by the subdivision. The term "major subdivision" shall also include any subdivision which initially contains fewer than five lots, but which is intended to become a subdivision of more than four lots at some future time through additions. Any proposed subdivision which standing alone would qualify as a minor subdivision, but which will adjoin an existing minor subdivision shall be classified as a major subdivision and shall meet all the requirements of this article pertaining thereto if the total number of lots in the two subdivisions exceeds four and:
 1. The proposed minor subdivision will be created from the remainder of the tract or parcel of land from which the existing subdivision was created, irrespective of any change of ownership of such remainder since the creation of the existing subdivision;
 2. Access to the proposed subdivision is through the existing minor subdivision;
 3. The two subdivisions have the same or similar names; or
 4. The lot numbering system for the two subdivisions suggests that the proposed subdivision is an expansion of the existing one.
- *Subdivision, minor* means a subdivision other than a major subdivision or a single-lot subdivision that results in the creation of no more than four platted lots.
- *Subdivision, single-lot* means a subdivision with only one lot, whether or not exempt from the requirements of Article XVIII - Division 3.
- *Substantial alteration* means an expansion or modification of a building or development that would result in a disturbance of land exceeding an area of 2,500 square feet in the resource management area only.
- *Tasting room* means an establishment with the primary purpose of serving alcoholic beverages, along with food, that are produced either on site or off site by the brewery, distillery, or winery that owns the tasting room.
- *Taxidermy* means the art of preparing, stuffing, and mounting the skins of animals, which may include freeze drying.
- *Temporary Sales* means temporary stands or outdoor areas for sale of Christmas trees, and the like not to exceed ninety (90) days. A zoning permit is required.
- *Temporary Stands for sale of fireworks* not to exceed fourteen (14) days per calendar year. A zoning permit is required
- *Temporary Open-air Stands for seasonal sales of products raised on the premises.* A zoning permit is required.
- *Temporary structure* means a structure that will not remain erected on a parcel for a length longer than 60 days. The erection of a temporary structure requires a temporary structure permit.
- *Tidal shore* means land contiguous to a tidal body of water between the mean low water level and the mean high water level.
- *Tidal wetlands* means vegetated and non-vegetated wetlands as deemed in the Code of Virginia §28.2-1300.
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TABLE OF MINIMUM SITE AREA AND DIMENSIONAL REGULATIONS FOR PRIMARY ZONING DISTRICTS						
	A-C	R-R	R-1	B-1	B-2	I
	500	300	150	100	100	100
Minimum Lot Frontage (in feet)						
Fronting Primary Road	400	200	200	100	100	100
Fronting Secondary Road	300	200	150	100	100	100
Fronting Subdivision Street	150	150	100	100	100	100
Minimum Setback (in feet)						
From Primary Road	100	75	75	75	75	75
From Secondary Road	75	50	40	50	50	50
From Subdivision Street	50	50	40	50	50	50
Minimum Yard (main building – in feet)						
Side	25	25	15	0 ³	0 ³	0 ⁴
Rear	50	50	40	0 ³	0 ³	0 ⁴
Minimum Yard (accessory buildings – in feet)						
Side	15 ⁵	15	15	0 ⁶	0 ⁶	0 ⁶
Rear	15 ⁵	15	15	0 ⁶	0 ⁶	0 ⁶
Maximum Height (in feet)						
	45 ⁷	45	45	45	100 ⁸	100 ⁸

¹ The minimum lot area for a family subdivision shall be 3 acres.

² 15,000 square feet (sf) for properties served by both public water and sewer;

20,000 sf served by public water only or public sewer only;

30,000 sf not served by public water or public sewer

³ 50 foot main building setback required from any residentially zoned parcel

⁴ 100 foot main building setback required from any residentially zoned parcel

⁵ For non-agricultural accessory buildings only

⁶ 25 foot accessory building setback required from any residentially zoned parcel

⁷ Agricultural structures may exceed 45 feet in height as long as they are exempt under the building code.

⁸ No part of a building that is located within 200 horizontal feet of any R-R or R-1 residential zoning district may exceed 45 feet in height.

⁹ The minimum lot size, area, and setbacks do not apply to public utility parcels owned or operated by the County.

Sec. 86-111. Adjustments and special provisions to lot area and dimensional regulations in the A-C zoning district.

Adjustments and special provisions to lot area and dimensional regulations in the A-C zoning districts are as follows:

Minimum Lot Size and Dimensions

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	Area	Width	Depth
Veterinary hospital: large animals	10 acres	500 feet	300 feet
Veterinary hospital: small animals, open pens, or kennels	5 acres	300 feet	300 feet
Stable, commercial	10 acres	-	-
Stable, private	2 acres	200 feet	200 feet

Sec. 86-112. Modifications to lot area regulations.

1. Requirements for lot area per family do not apply to dormitories, fraternities, sororities, and other similar living quarters which are accessory to a permitted use and which have no cooking facilities in individual rooms or apartments.
2. Requirements for lot area per family do not apply to rental units in a hotel, motel, motor lodge or or rooms in a rooming house, boardinghouse, or lodging house or an Accessory dwelling unit.
3. Multiple buildings on a single lot: More than one main building may be located upon a lot or tract only in the following instances:
 - a. Institutional buildings;
 - b. Public or semipublic buildings;
 - c. Multiple-family dwellings or condominiums under approved site plans;
 - d. Attached single-family dwellings with two times the required lot area for a single-family dwelling;
 - e. Convalescent or nursing homes for the aged; and
 - f. Tenant houses on a farm in accord with applicable district regulations.
4. The provisions of this section shall not be construed to allow the location or erection of any building or portion of a building outside of the buildable area of the lot.
5. Accessory buildings and structures shall not be constructed in a front yard on a lot that is less than five acres. One accessory building or structure may be constructed in a front yard on a lot that is five acres or more provided that the requirements for front yard setbacks in Article VI are met and the size of the accessory building or structure does not exceed 50% of the first floor area of the main dwelling, and not located directly in front of the primary dwelling, and in conformity with all other applicable provisions of this ordinance.
6. For any lots where the rear and side yards are located in the Resources Protection Area, one accessory building or structure may be located in a front yard in order to be located outside of the Resources Protection Area.

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Uses by Category	A-C	R-R	R-1	B-1	B-2	I
Sanitary landfill						C
Truck /freight terminal						R
Warehousing and distribution						R
CIVIC						
Community center			R	R	R	
Correctional institution						C
Cultural institution	C	C	C	R	R	C
Educational facility	C	C	C	R	R	
Emergency shelter	C			R	R	R
Governmental facility				R	R	R
Greenway	R	R	R	R	R	R
Hospital				R	R	
On-site sewage disposal	R	R	R	R	R	R
On-site water supply	R	R	R	R	R	R
Post office				R	R	R
Public assembly					C	C
Public maintenance and service facility					R	R
Public park and recreational area	R	R	R	R	R	R
Public recreation assembly	R	R	R	R	C	
Public water system	R	R	R	R	R	R
Public sewer system	C	C	R	R	R	R
Recreation facility, public	C			C	R	
Recycling center					C	R
Refuse collection site						C
Religious assembly	R	R	R	R	C	C
Transfer station	R	R	R	R	R	R
Utility service, major	C	C	C	C	C	R

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Uses by Category	A-C	R-R	R-1	B-1	B-2	I
Utility service, minor	R	R	R	R	R	R
Water control structure	R	R	R	R	R	R
Water tower	R	R	R	R	R	R
MISCELLANEOUS						
Accessory structure	R	R	R	R	R	R
Airport or helipad	C					C
Bikeway	R	R	R	R	R	R
Boathouse	C	C	C	C	C	C
Boatshed	R	R	R	R	R	R
Cemetery	R	R		R	R	
Club, private	C			R	R	R
Country Club	C	C	C	C	C	
Hunt camp	R					
Kennel, private	R	R	C			
Picnic shelter or area	R	R	R	R	R	R
Pier, private	R	R	R	R	R	R
Pier, commercial	C	C	C	C	C	R
Pier, community	C	C	C			
Pier gazebo, large	C	C	C	C	C	C
Pier gazebo, small	R	R	R	R	R	R
Recreation facility, private	R	R	R			
Shooting, private recreational	R	R				
Telecommunications and Solar Facilities						
Amateur radio antenna	R	R	R	R	R	R
Antenna, private	R	R	R	R	R	R
Base station						R

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Division 2 - Residential Uses

Sec. 86-154. Accessory dwelling unit.

An accessory dwelling unit can take the form of the following, subject to these restrictions.

1. An accessory dwelling unit that is contained within a single family dwelling may equal the existing finished square footage of the primary dwelling, such as a basement, attic, or additional level.
2. An accessory dwelling unit that is attached to the primary single-family dwelling, or as a dwelling unit located above a detached accessory structure, shall be no more than one half the size of the finished square footage of the primary dwelling unit located on the subject property.
3. An accessory dwelling structure that is detached shall be no more than 800 gross square feet **unless a conditional use permit has been approved.**
4. Only one Accessory dwelling is allowed per parcel.
5. A recreational vehicle, travel trailer, camper, or similar vehicle shall not be used as an Accessory dwelling.
6. An accessory dwelling shall obtain all proper permits and comply with all applicable requirements of the Virginia Department of Health.
7. Accessory dwellings shall comply with all applicable provisions of the Industrialized Building Safety Law (§ 36-70 et seq.) and the Uniform Statewide Building code (§36-97 et seq.).

Sec. 86-155. Dishes.

Microwave antennae (dishes) in excess of 24 inches in diameter used for reception of television signals from satellites shall not be located within the minimum front yard setback.

Sec. 86-156. Electric, telephone, cable TV, and service lines.

House service lines and cables for electric power utilities, telephone and cable television service to residential uses shall be considered an accessory use under this ordinance.

Sec. 86-157. Family health care structures, temporary.

Temporary family health care structures shall be subject to the following standards:

1. Such structures shall comply with all setback requirements that apply to the primary structure.
2. Only one family health care structure shall be allowed on a lot or parcel of land.
3. The structure shall be no more than 300 gross square feet and shall comply with all applicable provisions of the Industrialized Building Safety Law (§36-70 et seq.) and the Uniform Statewide Building Code (§36-97 et seq.).
4. Prior to installing a temporary family health care structure, a permit must be obtained from the County and associated fees paid.
5. Any family health care structure shall comply with all applicable requirements of the Virginia Department of Health.
6. No signage advertising or promoting the existence of the structure shall be permitted on the exterior of the structure or anywhere on the property.
7. Any temporary family health care structure shall be removed within 60 days of the date on which the temporary family health care structure was last occupied by a mentally or physically impaired family member receiving services or assistance.
8. The County may revoke the permit if the permit holder violates any provision of this section.

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than eight feet in height. All fences and walls shall have a uniform and durable character and shall be properly maintained.

3. Inoperative vehicles or parts thereof shall not be collected or stored outside the required fence or in piles more than six feet in height.
4. The collection or storage of any material containing or contaminated with dangerous explosives, chemicals, gases, or radioactive substances is prohibited.
5. Every junkyard, salvage yard or automobile wrecking yard or graveyard shall be operated and maintained in such a manner as not to allow the breeding of rats, flies, mosquitoes, or other disease-carrying animals and insects.

Sec. 86-232—86-244. Reserved.

Division 6 – Miscellaneous Uses

Sec. 86-245. Kennel, private.

All private kennels must:

1. Provide a setback of at least 100 feet from the property lines;
2. Provide a setback of at least 200 feet from any residence not on the associated parcel;
3. Provide screening that is approved by the Zoning Administrator that visually blocks the front and closest side property lines.
4. ~~Kennels to be located behind the primary residence.~~

Sec. 86-246. Parking facility.

The following general standards shall apply to all parking facilities:

1. No motor vehicle work shall be permitted in association with a parking facility except under emergency service work.
2. Parking shall be the principal use of all parking facilities. Spaces may be rented for parking but no other business of any kind shall be conducted in the structure except County sanctioned farmer's markets or permitted mobile restaurants.

Sec. 86-247. Resource extraction.

Excavation or filling, borrow pits, extraction, processing, and removal of sand or gravel and stripping of topsoil and other major excavations in a district where listed as a conditional use permit and subject to the following conditions for major borrow pits, clay pits, mines, quarries, sand, and gravel mining and similar operations:

1. The excavations shall be confined to areas located at least 50 feet from all adjoining property lines, at least 100 feet from any and all adjoining property lines in any residential or any business district, and at least 200 feet from any dwelling or any and all property lines in any platted subdivision except that excavations may be conducted within such limits, provided that the written consent of the owners of such adjoining properties is secured.
2. The excavation shall be confined to areas located at least 200 feet from the right-of-way lines of any existing or platted street, road or highway, except that where the ground level is higher than the road, the Board may permit excavations down to the road level.

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be deemed to meet the requirements of this article. Any further division or resubdivision in any such subdivision after the effective date of this article shall, however, comply with all applicable provisions of this article.

Sec. 86-438. Exempt Subdivisions.

1. Any subdivision, as defined herein, shall be exempt from the requirements of this article if all the following are met:
 - a. Every lot of the subdivision is 25 acres or greater in area,
 - b. The subdivision is in an area zoned agricultural/conservation,
 - c. Every lot abuts an existing **primary** or secondary highway,
 - d. The subdivision complies with the general platting requirements of King William County,
 - e. The subdivision shall meet any Virginia Department of Transportation (VDOT) safety and/or design requirements.
2. Any further subdivision of a previously exempted lot pursuant to this exemption shall constitute a major subdivision **except for family divisions and on parcels of 50 acres or more** and shall be subject to all applicable governing ordinances and requirements.
3. All prospective subdivisions for this classification shall be reviewed by the agent, who shall determine if the above criteria have been met. Such subdivisions shall have language to be placed on the plat to indicate that it is an exempt subdivision and accordingly any further subdivision of the parcels shall constitute a major subdivision and must comply with all appropriate County regulations.

Sec. 86-439. Classification of certain subdivisions

In making a determination as to whether a subdivision is major, farmstead, minor or cluster, as defined herein, the agent shall consider the definitions and requested lot sizes but shall not consider any lots in such subdivision which were lawfully recorded by plat of subdivision and/or deed in the office of the Clerk of the Circuit Court prior to the adoption of this ordinance.

Sec. 86-440. Division of sale or gift to immediate family members.

1. In accordance with Code of Virginia §15.2-2244, a single division of a lot or parcel for the purpose of sale or gift to a member of the immediate family of the property owner shall be permitted, subject only to any express requirement contained in the Code of Virginia and to any requirement imposed by the Board of Supervisors that all lots of less than five acres have reasonable right-of-way of 20 feet providing ingress and egress to a dedicated recorded public street or thoroughfare. Only one such division shall be allowed per family member and shall not be for the purpose of circumventing this section. For the purpose of this section, a member of the immediate family is defined as any person who is a natural or legally defined offspring, spouse, grandchild, grandparent, sibling, parent, niece, or nephew of the owner.
2. As allowed by Code of Virginia §15.2-2244.1, the parcel from which a family division is proposed shall be held by the subdivider for a minimum of five consecutive years prior to the date of subdivision and subdivided parcels or lots from such family divisions shall be held by the immediate family member for a minimum of three years from the date of subdivision to prevent the use of this section to circumvent the subdivision ordinance. A variance request may go to the Board of Zoning Appeals when a changed circumstance would require the transfer of the property to a nonmember of the immediate family.
3. All prospective subdivisions for this classification shall be reviewed by the agent, who shall determine if the above criteria have been met. Such subdivisions shall have language to be placed on the plat to indicate that it is a family transaction, who is involved and what is their family relationship.

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environment. They must be located and designed in compliance with the comprehensive plan and land use ordinances.

2. **Improvements.** Cluster subdivisions shall comply with all requirements outlined in Section 86-454 in this Ordinance, with the following modifications:
 - a. **Number of lots.** Cluster Subdivisions are allowed one lot per 5 acres.
 - i. If the subdivision utilizes public water and sewer, then a 30 percent increase in the number of lots shall be permitted.
 - ii. For every three additional lots that are dedicated for affordable housing, serving households with incomes that are below 80 percent of the area median income, two additional market rate lots shall be permitted.
 - b. **Lot area.** Lots shall have a minimum lot size of 15,000 sf for lots served by both water and sewer, 20,000 sf if lots are served by public water or public sewer only and ~~30,000~~ **40,000** sf if the lot is not served by either public water or public sewer. Lots served by a private septic must accommodate an approved septic field with a 100 percent reserve field or other approved onsite wastewater or discharge system as approved by VDH or appropriate state agency.
 - c. **Yard and dimension requirements.**
 - i. There are no lot width or area requirements except as provided in subparagraph (2).
 - ii. Any lots abutting the exterior boundary of the cluster subdivision shall be of the same size and dimensions as would be required of conventional development. Unless separated by a conservation area that is not less than 100 feet in width, a lot shall be considered to be abutting the exterior boundary.
 - iii. Rear and side yards shall be set forth on the preliminary plat to be approved by the subdivision agent in conformance with the overall character and intent of the proposed subdivision. No structure, well, or sewerage system shall be closer than ten feet to any side or rear property line.
 - iv. The minimum front-yard setback shall be set forth on the preliminary plat to be approved by the subdivision agent in conformance with the overall character and intent of the proposed subdivision.
 - v. If shared access arrangements are otherwise permitted and the same are proposed within the cluster subdivision, an easement establishing the right-of way and maintenance responsibilities shall be recorded at such time as the lots are created and the existence of such easement shall be noted on the face of the plat creating the lots.
 - d. **Conservation Areas.** A minimum of seventy (70) percent of the total area of the parcel shall be required conservation areas. The conservation area may contain mass drainfields and their reserve area, but not individual drainfields or the required yards for individual lots. The conservation areas shall be permanently protected and maintained by a Home Owner's Association which at the time of final subdivision approval for any property as a cluster subdivision, the property owner shall record documents satisfactory to the County establishing ownership and control of the conservation areas, requiring their preservation in perpetuity, and prohibiting further division of the conservation areas. Conservation areas shall be clearly designated on the approved subdivision plat.
 - e. **Street requirements.** Access for any cluster subdivision shall be directly to/from a public street with at least 50 feet of frontage to accommodate an appropriate right-

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- of-way. No residential lot shall have direct access to a road located outside the Cluster subdivision.
- f. **Utility Requirements.** Water and Sewer facilities may either be served by a public system or systems approved by VDH. Centralized utilities shall be maintained by a Home Owner's Association (unless otherwise operated by a public or private utility) which shall be established prior to final plat approval. Applicable Home Owners' Association documents shall be reviewed for consistency with the requirements of this Subdivision Ordinance by the County Attorney prior to final plat approval.
 - g. In addition to the general platting requirements set forth in Division 3 of the Subdivision Ordinance, the location(s) of any historic resources on both the subject and adjacent parcels, including cemeteries, and archeological features as reflected in available County records shall be designated.
 - h. The following additional development standards shall apply:
 - i. Floodplains, wetlands, and steep slopes shall, to the maximum extent practicable, be protected from clearing, grading or filling. Lots shall be designed to minimize necessary grading or filling, and to take advantage of the existing topography and landforms to the extent practicable.
 - ii. Lots, to the maximum extent practicable, shall be designed to preserve and maintain existing tree lines between fields or meadows, pastures, orchards, and mature woodlands, especially those containing a significant wildlife habitat, and to minimize development in open fields and pastures.
 - iii. Existing views from public thoroughfares shall be preserved to the maximum extent practicable and include a 20' landscaping buffer, consisting of sight obscuring native species of trees in areas if needed to accomplish this requirement.
 - iv. Lots, to the maximum extent practicable, shall be designed to avoid important historic, archaeological, or cultural sites.
 - v. Ridge tops and hill tops shall be contained within conservation areas to preserve scenic views. Trees, to the maximum extent practicable, shall not be removed from ridge tops or hill tops.
 - vi. Roads shall be designed to mitigate the impact on conservation areas.

Secs. 86-457 – 86-459 Reserved

Sec. 86-460. Major subdivisions.

- 1. **Intent.** Major subdivisions have five or more lots and therefore will have greater impact on the environment, highways and surrounding communities than will smaller subdivisions. Therefore, more stringent design standards and approval procedures are required for major subdivisions. It is the intent of this division to ensure that major subdivisions become assets rather than burdens to the County.
- 2. **Improvements.**
 - a. **Fire protection.** The installation of adequate fire hydrants for fire protection in a subdivision at locations approved by the agent shall be required when a central water system is installed in the subdivision of more than 25 lots. Fire protection system shall be designed, installed and provide pressure and fire flows in accordance with King William County water and sewer standards.

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b. *Underground utilities.* All utility lines, except those in the I industrial district, including, but not limited to, electric, CATV, telephone, or other lines shall be placed underground. This requirement shall apply to lines serving individual sites within the development and to utility lines providing service to the development. Where aerial utility service is extended from lines, located across U.S. Highway 360, such lines may be carried overhead to a terminal pole located along the thoroughfare right-of-way but not within the subdivision, where the lines shall be placed underground. This shall not apply to electric transmission lines, the placement of which is regulated by the state corporation commission. Where aerial utility lines, excluding service lines traverse the property proposed for subdivision, such lines may remain overhead unless the lines are subsequently moved, in which case, they shall be placed underground. Relocation of existing poles placed within an easement contiguous to the highway right-of-way which adjoins the property being subdivided, when done as part of construction of an entrance to the subdivision shown on an approved subdivision plat, shall be exempt from these requirements.

c. All driveways must have a concrete apron that meets VDOT standards. The remainder of the driveway must consist of concrete with a minimum thickness of 4" or asphalt with a minimum thickness of 2" and a granular base aggregate of 6" to 8" in thickness. The driveway must be sloped towards the street to eliminate standing water.

3. *Landscaping.* For all subdivisions in which landscaping is voluntarily proffered, proposed or required, plans showing the general location(s) and type of materials to be used shall be provided with the preliminary plat. After approval of the preliminary plat by the agent, a landscape plan shall be prepared by a certified landscape architect and included in the construction plans and specifications for all required physical improvements to be installed in the subdivision, with detailed and specific lists of all materials to be used, the location(s) of the materials, and the proposed location(s) of each tree and shrub to be planted. Where existing plantings are to be retained, specifics as to materials and location(s), as well as proposed methods for protection during construction, shall be included in the plans. Landscaping shall be secured pursuant to this article with suitable maintenance and performance guaranties given at the time of final platting.

- a. *Landscaped buffers along existing and planned public roads:* For all subdivisions developed in R-R and R-1 residential districts, a buffer shall be located along all public roads (not within subdivisions) existing on the date of final subdivision approval and all roads designated on the major thoroughfare plan on which the subdivision fronts, to a minimum depth of 50 feet. Existing deciduous trees with a caliper of two inches or greater, and coniferous trees four feet or greater in height, shall be retained within the buffer. If the buffer has no trees, the frontage shall either be landscaped in accordance with King William County screening requirements, or improved with a landscaped, sculpted, non-linear undulating landform with an average height of three feet. The landform shall be landscaped with low-maintenance vegetation.

AGENDA ITEM 8.c.

Ordinance 09-22 - Amend King William County Code Chapter 34 - Fire Prevention and Protection

ORDINANCE 09-22

**AN ORDINANCE TO UPDATE AND AMEND KING WILLIAM COUNTY CODE CHAPTER 34
FIRE PREVENTION AND PROTECTION**

WHEREAS the King William County Board of Supervisors enacted Count Code
Chapter 34 – Fire Prevention and Protection in 1987 and updated §34-3 in 2001; and

WHEREAS it is necessary to update and amend Chapter 34 based on current
conditions in King William County; and

WHEREAS the King William County Board of Supervisors conducted a duly
advertised public hearing on August 22, 2022 to receive public comment and consider the
above action;

NOW, THEREFORE, BE IT ORDAINED that the Board of Supervisors of King William
County, Virginia, does this 22nd day of August, 2022, amend and update King William
County Code Chapter 34 as follows:

Sec. 34-2. Findings.

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

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

Sec. 34-3. Statewide fire prevention code.

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

(a) King William County complies with the provisions of the Virginia statewide fire
prevention code (SFPC) in its entirety and assigns enforcement responsibility to the

30 King William County Fire Official, who shall be a certified Fire Marshal with the
31 Commonwealth of Virginia.

32 (b) As per SFPC Section 107, operational permits may or may not be required by the fire
33 official as permitted under the SFPC in accordance with Table 107.2. The county may
34 or may not charge a fee for such permits as provided for by §15.2-1125 of the Code of
35 Virginia. The amount of any such fees will be as established from time to time by
36 resolution of the Board of Supervisors.

37 **DONE** this the 22nd day of August, 2022.

DRAFT

AGENDA ITEM 9.a.

Historical Society IT Usage Services Agreement - Travis Wolfe, IT Manager

TECHNOLOGY SERVICES AGREEMENT

This TECHNOLOGY SERVICES AGREEMENT is made this _____ day of _____, 2022 by and between KING WILLIAM COUNTY, (the "County"), and the KING WILLIAM COUNTY HISTORICAL SOCIETY, INC. (the "Historical Society"), including Historical Society subcommittees such as the museum, and provides the following at 227 and 253 Horse Landing Road, King William, Virginia 23086:

King William County agrees to:

- Provide a network infrastructure that is isolated from the KWC production network with exception of the phone, at no charge to the Historical Society.
- Provide phone service with basic voice mail features, one voice mailbox, a telephone number, and training on the basic functions of the phone and voicemail service, at no charge to the Historical Society. The Historical Society will purchase the phone.
- Provide the Historical Society with internet access via wireless connection at no charge to the Historical Society.
- Provide Microsoft Office 365 Business Standard licensing service for one user/five devices which includes Word, Excel, Outlook (Email), Teams, Power Point, and 1 TB One Drive cloud storage, at a cost to the Historical Society of \$12.00 per month.
- Maintain County communication equipment (switch, wireless access points) needed for phone and internet access, at no charge to the Historical Society.
- Provide equipment and services associated with enhanced security features such as cameras, key card access, etc., at no charge to the Historical Society.

The Historical Society agrees to:

- Provide their own IT service provider or technical expertise to assist with Historical Society computers, including operating systems, anti-virus, backups, security updates, etc.
- Assign an administrator to provide technical configuration and maintenance of cloud storage.
- Remit the fee for the Microsoft Office 365 Business Standard license to the County at \$12.00 per month or \$144.00 per year.

Percy C. Ashcraft
King William County
County Administrator

David Brown
King William County Historical Society, Inc.
President

AGENDA ITEM 9.b.

Board Revision to Resolution 22-59 - Andrew R. McRoberts, County Attorney

AGENDA ITEM 9.b.i.

Resolution 22-68 - Reconsider Resolution 22-59

RESOLUTION 22-68

RECONSIDER RESOLUTION 22-59

REGARDING CONDITIONAL USE PERMIT (CUP) 01-2022

TAX MAP PARCEL 29-72D – APPLICANT: CHARLES SNEAD

WHEREAS the applicant requested a Conditional Use Permit (CUP 01-2022) to
operate a campground; and

WHEREAS the King William County Planning Commission held a duly advertised
public hearing on June 7, 2022 and voted 4 to 1 to recommend denial to the Board of
Supervisors of conditional use permit 01-22; and

WHEREAS the Board of Supervisors conducted a duly advertised public hearing on
July 25, 2022 to receive public comment; and

WHEREAS the Board of Supervisors voted 4 to 1 to deny CUP 01-2022 on July 25,
2022 via Resolution 21-59 and inadvertently left in a further resolution, which they did not
intend, as part of that resolution;

NOW, THEREFORE, BE IT RESOLVED that the King William County Board of Supervisors
reconsiders its vote on Resolution 21-59, but not its vote to deny CUP 01-2022, and waives
any of the By-Laws and Rules of Procedure if and to the extent necessary to do so.

DONE this 22nd day of August, 2022.

AGENDA ITEM 9.b.ii.

Resolution 22-69 - Rescind Resolution 22-59

**RESOLUTION 22-69
RESCIND RESOLUTION 22-59
REGARDING CONDITIONAL USE PERMIT (CUP) 01-2022
TAX MAP PARCEL 29-72D – APPLICANT: CHARLES SNEAD**

WHEREAS the applicant requested a Conditional Use Permit (CUP 01-2022) to
operate a campground; and

WHEREAS the King William County Planning Commission held a duly advertised
public hearing on June 7, 2022 and voted 4 to 1 to recommend denial to the Board of
Supervisors of conditional use permit 01-22; and

WHEREAS the Board of Supervisors conducted a duly advertised public hearing on
July 25, 2022 to receive public comment; and

WHEREAS the Board of Supervisors voted 4 to 1 to deny CUP 01-2022 on July 25,
2022 via Resolution 21-59 and inadvertently left in a further resolution, which they did not
intend, as part of that resolution; and

WHEREAS the Board of Supervisors voted on August 22, 2022 to reconsider its vote
on Resolution 21-59, but not its vote to deny the CUP 01-2022, thus placing the matter of
what resolution to adopt regarding said denial back before the Board of Supervisors; and

WHEREAS the Board of Supervisors wishes to rescind its prior Resolution 21-59 in
order to adopt a revised resolution in its place;

NOW, THEREFORE, BE IT RESOLVED that the King William County Board of Supervisors
rescinds Resolution 21-59, but not its vote to deny CUP 01-2022, and waives any of the By-
Laws and Rules of Procedure if and to the extent necessary to do so.

DONE this 22nd day of August, 2022.

AGENDA ITEM 9.b.iii.

Resolution 22-59R - Deny Conditional Use Permit (CUP) 01-2022

RESOLUTION 22-59^R
ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION TO DENY
CONDITIONAL USE PERMIT (CUP) 01-2022
TAX MAP PARCEL 29-72D – APPLICANT: CHARLES SNEAD

WHEREAS the applicant is requesting a Conditional Use Permit to operate a campground which will consist of four platformed campsites, a larger platformed gazebo, six recreational vehicle sites, a primitive tent camping area, nine additional camp sites; a check-in office, dump station, guesthouse, bathhouse with laundry, boathouse, and a large and small gazebo; and

WHEREAS already existing on the property are a pool with decking and gazebo, outdoor kitchen and bar, food cafe, hot tub, outdoor dining terrace, pond, and hiking trails; and

WHEREAS the current King William County Comprehensive Plan talks about the need for "Growth in agritourism, focus on tourism that draws families interested in hunting, fishing, camping, boating, kayaking, biking, hiking ... nature! Market to outside events - weddings, concerts, tournaments etc. Encourage B & B / VRBO vacation rentals; and

WHEREAS King William County Code Section 86-44 states that a conditional use may be approved by the Board of Supervisors for any use specifically identified as a permitted conditional use in the Use Matrix in Article VII. In approving these conditional uses, the Board of Supervisors may, in addition to the general regulations applicable to the zoning district in which the conditional use is located, impose any additional reasonable conditions in connection therewith that it deems necessary to ensure that the conditional use will be consistent with the overall intent and spirit of this ordinance. The Board of Supervisors may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with; and

27 **WHEREAS** King William County Code Section 86-44 further states that a conditional
28 use permit shall not be issued unless the Board of Supervisors shall find that:

29 a. The proposed use will not adversely affect the health, safety, or welfare of persons
30 residing or working in the general proximity, of the proposed use. Nor will the
31 proposed use be detrimental to public welfare or injurious to the property or
32 improvements in the neighborhood. Among matters to be considered in this
33 connection are traffic congestion, noise, lights, dust, odor, fumes, and vibrations, with
34 due regard for timing of operation. Screening, and other matters which might be
35 regulated to mitigate adverse impact.

36 b. The proposed use will conform to the comprehensive plan, or to specific elements
37 of such plan, and the official policies adopted in relation thereto, including the
38 purposes and the expressed intent of this ordinance; and

39 **WHEREAS** the King William County Planning Commission held a duly advertised
40 public hearing on June 7, 2022 and voted 4 to 1 to recommend denial to the Board of
41 Supervisors of conditional use permit 01-22; and

42 **WHEREAS**, as part of that same motion the King William County Planning
43 Commission voted 4 to 1 to recommend "further, that based on the years of abuse of the
44 neighboring property owners, the Board cancel all current permits held by Mr. Snead for the
45 Bed and Breakfast, campground, and any and all other uses of parcel 29-72D except for the
46 previous use of the property as a residence, therefore, allowing the adjacent owners to live
47 in peace and tranquility of their rural property that they sought when purchasing their
48 property"; and

*Proposed for Adoption by King William County Board of Supervisors
August 22, 2022 Regular Meeting*

49 **WHEREAS** the Board of Supervisors conducted a duly advertised public hearing on
50 July 25, 2022 to receive public comment; and

51 **WHEREAS** the Board of Supervisors voted four to one to deny CUP 01-2022 on July
52 25, 2022 and inadvertently left a further resolution, which they did not intend, as part of
53 that resolution;

54 **NOW, THEREFORE, BE IT RESOLVED**, that the King William County Board of Supervisors
55 accepts the recommendation of the Planning Commission and hereby denies CUP 01-2022;
56 and

57 ~~**BE IT FURTHER RESOLVED** that the King William County Board of Supervisors does cancel~~
58 ~~all current permits held by the applicant for the Bed and Breakfast, campground, and any~~
59 ~~and all other uses of parcel 29-72D except for the use of the property as a residence.~~

60 **BE IT FURTHER RESOLVED** that the King William County Board of Supervisors denies the
61 Planning Commission's recommendation to "cancel all current permits held by Mr. Snead",
62 since the scope and validity of such permits are currently in litigation before the King William
63 County Circuit Court.

64 **DONE** this 22nd day of August, 2022.

AGENDA ITEM 10.a.

Gordian Proposal for Transfer Site Expansion - 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: August 22, 2022

TO: King William County Board of Supervisors

FROM: Steve Hudgins, Deputy County Administrator

SUBJECT: King William High School Transfer Station Expansion Proposal by Centennial Contractors Enterprises, Inc. through Gordian

REQUEST FOR ACTION

Consider for approval the proposal by Centennial Contractors Enterprises, Inc. through Gordian for the design and construction of the expansion of the VPPSA transfer station adjacent to King William High School.

SUMMARY

Please see attached proposal for the design and construction of the expansion of the transfer center by Centennial Contractors Enterprises, Inc. through Gordian. **(to be attached when received)** Phase 1 would be design, Phase 2 would be construction.

On July 15, 2022, Centennial Contractors Enterprises, Inc. provided a Rough Order of Magnitude (ROM) for the expansion of the transfer center. Total ROM for both design and construction of the project is \$425-\$450,000. Further discussion with staff confirmed the scope of the estimate, that it included all known facets of the project, and that an estimated timeframe might be 90-120 days.

Centennial Contractors Enterprises, Inc. is a contracting firm within the Job Order Contracting (JOC) program managed by Gordian for the Virginia Department of General Services. Representatives of Gordian and Centennial walked the transfer station site with VPPSA's David Magnant on June 15, 2022.



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

ATTACHMENTS

- Transfer Station Expansion Design Sketch
- ROM provided by Will Luck, Senior Project Manager, Centennial Contractors Enterprises, Inc.
- **proposal**

Steve Hudgins

From: Luck, William <WLuck@cce-inc.com>
Sent: Friday, July 15, 2022 4:36 PM
To: David A. Magnant; Steve Hudgins
Cc: Sexton, Chuck
Subject: External: RE: Virginia Peninsulas Public Service Authority - King William County Transfer Station - Recycle Rd.

You don't often get email from wluck@cce-inc.com. [Learn why this is important](#)

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

David,

Here are the estimated costs with a breakdown for items included in these cost.

Design: \$55,000

Construction: \$370,000-\$395,000 (to be determined by design features)

Total ROM: \$425,000-450,000

Breakdowns

Design: \$55,000

Including:

Topographic Survey

- Research for existing property information & Miss Utility Design Ticket

- Locate existing surface features, markings as provided by Miss Utility, property corners, and abutting corners to place property boundary.

- Topographic survey of project area

- Develop an CAD base topographic survey plan for use in preparing the site plan.

- It is assumed that there are no wetlands within the project area so wetland flagging and surveying is not currently included.

Engineering Services

- Cover sheet with applicable notes, vicinity map, and legend.

- Site plan layout sheet with dimensions to all buildings, roadways, parking lots, and adequate layout information for construction.

- Erosion & Sediment Control Plan meeting requirements of the Virginia Erosion & Sediment Control Handbook and King William County

- Prepare a final grading and drainage plan consisting of spot shots at top of curbs and back of sidewalk. In addition, show and label all drainage piping and inlets.

Develop a storm drainage system to collect runoff from impervious areas into inlets or swales and into the water quality facilities as designed.

Stormwater Management Plan.

Parking Lot landscape and lighting plan meeting the requirements of the County

It should be noted that lighting, water, sanitary sewer design work is not expected to be required and is excluded from this proposal.

Submission of the site plan to County with the appropriate checklists and applications.

Attendance at meetings with client and/or city staff to review the site plan application, and/or county comments.

Revise the site plan in accordance with county comments to gain site plan approval.

Site Stakeout Services,

Field stakeout of drive aisle, sidewalk, and stormwater facilities.

As-built Preparation

Field survey of as-built site storm systems and stormwater and preparation of record drawings for submittal to King William County.

Construction: \$370,000-\$395,000

Including:

Erosion Control:

Silt Fence, Tree Protection, & Inlet Protection

Clear and Grub:

Clear & Grub and Strip Topsoil

Mass Excavation:

Excavation and Embankment (~1600CY)

Storm Water:

Store Conveyance (Storm water storage not currently included)

Grading:

Prepare Subgrade, Place 6" 21A Stone

Asphalt Paving:

Place 6" Asphalt (binder course and surface course)

Concrete:

Form and pour all pads, 6" depth assumed

Stabilization:

Seed and Straw all disturbed areas.

I know this is a lot to take in on an email

If you need to call and discuss anything please do not hesitate to.

It still may be best to proceed with this in two phases (can be same project with a supplemental if desired)

AGENDA ITEM 10.b.

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

**Exercise of Renewal Term
Agreement for Middle Peninsula Solid Waste System Operating Agreement
Between the
Virginia Peninsulas Public Service Authority
And
The County of King William**

This Exercise of Renewal Term to the Agreement for the Middle Peninsula Solid Waste System Operating Agreement is made as of this ____ day of _____, 2022, by and between the Virginia Peninsulas Public Service Authority, a political subdivision of the Commonwealth of Virginia formed under the Virginia Water and Waste Authorities Act, VA. Code § 15.2-5100 et seq. (the "Authority"), and the County of King William, a political subdivision of the Commonwealth of Virginia (the "Community").

WHEREAS, the Authority and the Community are parties to an Agreement for Middle Peninsula Solid Waste System Operating Agreement dated July 1, 2013 ("The AGREEMENT"); and

WHEREAS, the Authority and the Community desire to exercise the right set forth in Article II of the Agreement to renew the term of the AGREEMENT for an additional ten year term;

NOW THEREFORE, the Authority and the Community do hereby agree as follows:

1. The parties hereby exercise the right set forth in Article II of the Agreement to renew the term of the AGREEMENT for an additional term of ten years extending the term of the AGREEMENT from July 1, 2023, to June 30, 2033.

Except as specifically amended herein, the AGREEMENT shall remain unchanged and in full force and effect.

The signatories to this Agreement have been lawfully authorized by their principals to execute this Agreement.

IN WITNESS WHEREOF, the parties hereto have each caused this Agreement to be signed as of the date above written.

Virginia Peninsulas Public Service Authority

ATTEST:

Virginia Peninsulas Public Service Authority

By: _____

By: _____

Title: _____

Title: _____

King William County

ATTEST:

County of King William

By: _____

By: _____

Title: _____

Title: _____

The Authority, a political subdivision of the Commonwealth of Virginia formed under the Virginia Water and Sewer Authorities Act, VA. Code § 15.2-5100 et seq. was formed for the purpose of developing regional refuse collection, waste reduction, and disposal alternatives with the ultimate goal of acquiring, financing, constructing and/or operating and maintaining a regional residential, commercial and industrial garbage and refuse collection and disposal system or systems.

The member jurisdictions of the Authority are the cities of Hampton, Poquoson and Williamsburg and the counties of Essex, James City, King and Queen, King William, Mathews, Middlesex and York.

The Authority has operated the Middle Peninsula Transfer System, a regional system for the acceptance of acceptable solid waste and the ultimate transport of such waste to selected landfills, since 1993. The original term was 20 years, with an expiration date of June 30, 2013. This 20-year term provided sufficient time for the Participating Communities to repay the bond obligations for construction costs to build and the original equipment costs to operate the Middle Peninsula Transfer System.

The Participating Communities and the Authority desire for the Authority to continue to operate the Middle Peninsula Transfer System and entered into an agreement to continue operations with an agreement made July 1, 2013. This agreement had an initial 10-year term with a 10-year renewal option. The 10-year renewal term extends the agreement from July 1, 2023 to June 30, 2033.

Mathews County Board of Supervisors authorized the Mathews County Administrator to sign the renewal with a copy provided to VPPSA on August 5, 2022.

MIDDLE PENINSULA SOLID WASTE SYSTEM OPERATING AGREEMENT

THIS MIDDLE PENINSULA SOLID WASTE SYSTEM OPERATING AGREEMENT is made as of July 1, 2013 between the VIRGINIA PENINSULAS PUBLIC SERVICE AUTHORITY, a political subdivision of the Commonwealth of Virginia formed under the Virginia Water and Waste Authorities Act, Va. Code §15.2-5100 et seq. (the "Authority"), and the COUNTY OF KING WILLIAM, a political subdivision of the Commonwealth of Virginia (the "Community").

RECITALS

A. The Authority was formed for the purpose of developing regional refuse collection, waste reduction and disposal alternatives with the ultimate goal of acquiring, financing, constructing and/or operating and maintaining a regional residential, commercial and industrial garbage and refuse collection and disposal system or systems.

B. The member jurisdictions of the Authority are the Cities of Hampton, Poquoson and Williamsburg and the Counties of Essex, James City, King and Queen, King William, Mathews, Middlesex and York.

C. The Authority has operated the Middle Peninsula Transfer System, a regional system for the acceptance of acceptable solid waste and the ultimate transport of such waste to selected landfills, since 1993. The Community and the Counties of Essex, King and Queen, Mathews and Middlesex participate in the system. The Authority has entered into contracts for landfill capacity for itself, the Community and the Counties of Essex, Mathews and Middlesex. The Community and the Authority have entered into a Disposal Services Agreement providing for delivery of waste generated in the Community to the selected landfills.

D. The Authority and the Community entered into a Transfer Station Operating Agreement dated October 7, 1993 pursuant to which the Authority has operated the Transfer Station and the Convenience Centers (herein defined). The existing Transfer Station Operating Agreement expires June 30, 2013.

E. The Community desires to continue to participate in the Middle Peninsula Solid Waste System and, accordingly, the Community desires to retain the Authority, as an independent contractor, to operate the Transfer Station and the Convenience Centers owned by the Community as a part of the regional system and the Community and the Authority are entering into this Agreement to set forth the rights, duties and obligations of the parties with respect to the operation of the Transfer Station and the Convenience Centers.

AGREEMENT

NOW, THEREFORE, the parties hereto hereby agree as follows:

ARTICLE I DEFINITIONS

Unless otherwise defined, each capitalized term used in this Agreement shall have the meaning set forth below.

“Acceptable Waste” means non-hazardous “municipal solid waste”, “institutional waste”, “agricultural waste”, “construction waste”, “debris waste”, and “demolition waste”, as defined in the Solid Waste Management Regulations, as amended, 9VAC20-81 (the “SWM Regulations”), and such other wastes as the Authority shall agree in writing to accept from time to time, subject to such limitations and exclusions set forth in the Operating Rules and as are imposed by Applicable Law and excluding all Unacceptable Wastes.

“Act” means the Virginia Water and Waste Authorities Act, Chapter 28, Title 15.2, Code of Virginia of 1950, as amended.

“Applicable Law” means any law, regulation, requirement (including but not limited to permit and governmental approval requirements) or order of any local, state or federal agency, court or other governmental body, applicable from time to time to the acquisition, design, construction, equipping, testing, startup, financing, ownership, possession or operation (including but not limited to closure and post-closure operations) of the Transfer Station and the Convenience Centers or the performance of any obligations under any agreement entered into in connection therewith.

“Capital Expenditure” means any single expenditure intended to benefit and be amortized over 5 or more accounting periods under Generally Accepted Accounting Principles.

“Convenience Centers” means the facilities and related equipment located in the Community known as Epworth Convenience Center, 984 Epworth Road, Epworth, Virginia, Landfill Convenience Center, 24562 King William Highway, King William, Virginia, and VFW Road Convenience Center, 1091 VFW Road, West Point, Virginia for the acceptance and transfer of Acceptable Waste to a Landfill.

“Disposal Costs” means all costs paid by the Authority for the disposal of Acceptable Waste at a Landfill.

“Fiscal Year” means the period from July 1 of one year to June 30 of the next year.

“Hazardous Waste” means (i) “hazardous waste” as such term is defined in the SWM

Regulations, (ii) "hazardous waste" as such term is defined in the Resource Conservation and Recovery Act, 42 U.S.C. §6901 et seq. as amended from time to time; and (iii) solid waste that because of its quantity, concentration, or physical, chemical or infectious characteristics may pose or significantly contribute to a substantial present or potential hazard to human health, the Transfer Station and/or the Convenience Centers, or the environment when treated, stored, transported, or disposed of or otherwise managed.

"Landfill" means any landfill with which the Authority has contracted for the disposal of Acceptable Waste or any landfill owned by the Authority for such purpose.

"Operating Costs" means all actual costs of the Authority properly allocable to maintaining and operating the Transfer Station and the Convenience Centers, including, but not limited to:

- (1) salaries and fringe benefits of employees;
- (2) utilities, fuel, equipment (including but not limited to trucks and heavy equipment) tools and supplies;
- (3) engineering, testing, and consulting costs for design and operation, testing, monitoring and closure;
- (4) all costs for compliance with all permit conditions and compliance with Applicable Law, including costs for treatment and disposal of materials inappropriately disposed or delivered to the Transfer Station and/or the Convenience Centers;
- (5) legal costs incurred in connection with the zoning, permitting, operating and defending of the Transfer Station and the Convenience Centers;
- (6) insurance costs and the costs of bonds, letters of credit, escrows or other financial assurance or allowance for environmental monitoring and assurance, closure, post-closure or property value guarantees or for compliance with Applicable Law;
- (7) Capital Expenditures necessary for compliance with Applicable Law, Capital Expenditures necessary for normal maintenance and reasonable periodic expansion of the System and Capital Expenditures incurred in connection with Uncontrollable Circumstances;
- (8) purchase, lease or lease/purchase, and maintenance costs of equipment;
- (9) maintenance of the Transfer Station and the Convenience Centers;
- (10) all taxes, including but not limited to those on real property, equipment or income;
- (11) all accounting and bookkeeping fees and charges;

- (12) all collection costs;
- (13) all costs for transportation of Acceptable Waste to a Landfill;
- (14) all amounts required to fund any operating reserve or equipment replacement reserve fund created by the Authority; and
- (15) administrative cost of the Authority allocated to this project by the Board of the Authority in accordance with the Authority's Articles of Incorporation and established policy.

"Operating Fee" means the amount payable by the Community to the Authority for the operation of the Transfer Station and the Convenience Centers calculated as provided in Section 5.2.

"Ton" or "ton" means a unit of weight equal to 2000 pounds.

"Transfer Station" means the facility and related equipment located in the Community at 57 Recycle Road, Central Garage, Virginia for the acceptance and transfer of Acceptable Waste to a Landfill.

"Unacceptable Waste" means waste which a Landfill is precluded by Applicable Law from accepting, including, without limitation, medical wastes, Hazardous Wastes, waste as proscribed by applicable federal, state or local law or regulations, or waste otherwise prohibited by the Authority.

"Uncontrollable Circumstance" means any event or condition, whether affecting the Transfer Station, the Convenience Centers, the Community or the Authority, that interferes with the operation, ownership or possession of the Transfer Station or the Convenience Centers or other performance required hereunder, if such event or condition is beyond the reasonable control, and not the result of willful action of the party relying thereon as justification for any nonperformance including but not limited to an act of God, storm, flood, landslide, earthquake, fire or other casualty, war, blockade, insurrection, riot, the order or judgment of any local, state, or federal court, administrative agency or governmental officer or body, a strike, lockout or other similar labor action.

ARTICLE II TERM

The term of this Agreement shall begin on July 1, 2013 and continue until June 30, 2023. This Agreement may be renewed for one additional term of ten (10) years by agreement of both parties.

ARTICLE III OPERATION OF THE TRANSFER STATION

4.1. Authority as Operator. The Community hereby retains the Authority to operate, and the Authority hereby agrees to operate, the Transfer Station and the Convenience Centers in accordance with and subject to the terms and conditions of this Agreement.

4.2 Acceptance and Disposal. Throughout the term of this Agreement, the Authority agrees to accept all Acceptable Waste generated within the Community delivered to the Transfer Station and the Convenience Centers in accordance with the terms of this Agreement and the Operating Rules and to dispose of such Acceptable Waste delivered to and accepted by it at a Landfill in accordance with Applicable Law, unless an Uncontrollable Circumstance renders the Transfer Station, the Convenience Centers or the Landfill, or any significant portion thereof, inoperable. In such event, the Authority will use its best efforts to provide for acceptance and disposal of Acceptable Waste at an alternative facility, until the Transfer Station, the Convenience Centers or Landfill is again operable. The Authority agrees to operate the Transfer Station and the Convenience Centers as economically as possible. The Authority agrees not to accept waste delivered to the Transfer Station or the Convenience Centers from outside the Community, without the prior approval of the Community.

Section 4.3 Delivery of Acceptable Waste to System. Subject to the Operating Rules, the Community shall have the right to deliver or cause to be delivered to the Transfer Station and the Convenience Centers all Acceptable Waste generated within the Community.

Section 4.4 Operating Rules. The Authority shall adopt specific rules and procedures (the "Operating Rules") for the use and operation of the Transfer Station and the Convenience Centers not inconsistent with the terms of this Agreement and Community agrees to abide by such Operating Rules. The Authority may amend such rules and procedures from time to time. Copies of the Operating Rules shall be provided to the Community and maintained at the Transfer Station and the Convenience Centers. The parties acknowledge that the Operating Rules may include provisions for operating hours, emergency deliveries, inspections, on-site traffic controls, measurement of Acceptable Waste, fines for delivery of Unacceptable Waste to the Transfer Station and the Convenience Centers and for other violations of the Operating Rules, the right to prohibit any person who violates the rules from using the Transfer Station and the Convenience Centers and other matters relating to the safe and efficient operation of the Transfer Station.

Section 4.5 Measurement of Acceptable Waste. All Acceptable Waste delivered to the System generated within the Community and delivered from the Transfer Station or the Convenience Centers to the Landfill will be weighed at the Landfill. The Authority shall maintain daily records of the total tonnage of Acceptable Waste delivered from the Transfer Station or the Convenience Centers to the Landfill.

Section 4.6 Title to Acceptable Waste. Title to all waste shall remain in the Community until it has been accepted for disposal at the Landfill.

Section 4.7 Disposal of Unacceptable Waste. The Authority will use its best efforts not to permit the unloading of Unacceptable Waste at the Transfer Station and the Convenience Centers. If time and operations permit, the Authority shall notify any person delivering

Unacceptable Waste to the Transfer Station or the Convenience Centers (not specifically accepted by the Authority) that such Unacceptable Waste cannot be disposed of at the Transfer Station and/or the Convenience Centers and that such person must promptly cause the Unacceptable Waste to be removed from the Transfer Station and/or the Convenience Centers and disposed of in accordance with Applicable Law. If in the sole discretion of the Authority time and operations do not permit, or the person delivering Unacceptable Waste does not promptly remove it, the Authority shall cause the Unacceptable Waste to be removed and disposed of in accordance with Applicable Law. The Community shall reimburse the Authority for the actual costs and expenses of removing and disposing of such Unacceptable Waste and for any fines, penalties, expenses or liabilities imposed on the Authority resulting from the deposit of such Unacceptable Waste at the Transfer Station and/or the Convenience Centers; provided, however, the Community shall be given the opportunity to participate in and defend any action seeking to impose a fine, penalty or liability. All amounts payable by the Community hereunder shall be due and payable within 30 days of receipt of an invoice from the Authority therefor.

Section 4.8 Operation and Maintenance. The Authority shall operate and maintain the Transfer Station and the Convenience Centers in accordance with Applicable Laws and, subject to Section 4.1, shall furnish or cause to be furnished all labor, tools and equipment necessary for the safe and efficient operation of the Transfer Station and the Convenience Centers. The Authority shall maintain insurance on the Transfer Station and the Convenience Centers naming the Community as co-insured with coverages and limits approved by the Authority and the Community.

ARTICLE V PAYMENTS

Section 5.1 Annual Budget. The Authority shall provide to the Community its annual budget for the Transfer Station and the Convenience Centers for the upcoming Fiscal Year ("Annual Budget") as part of the regular budget preparation for all Authority operations. The Annual Budget shall set forth the budgeted Operating Costs for such Fiscal Year, itemizing each category of expenditure and the method of allocating any item of expenditure applicable to more than one Authority operated facility to the Transfer Station and the Convenience Centers. The Authority shall also provide actual Operating Costs for previous Fiscal Years. The Annual Budget for an upcoming Fiscal Year and any amendments thereto shall not be effective and no expenditures shall be made by the Authority under the proposed Annual Budget unless and until such Annual Budget and any amendments have been approved by the Board of the Authority. The Authority shall continue operating within the expenditure levels approved under the Annual Budget for the immediately preceding Fiscal Year until such time as a new Annual Budget is approved.

Section 5.2 Operating Fees. The Authority shall charge the Community an annual Operating Fee in an amount equal to the budgeted annual Operating Costs for the Fiscal Year in question, payable quarterly in advance or as otherwise agreed between the Authority and the Community. If at any time during the Fiscal Year, the Authority determines that actual Operating Costs will exceed Operating Fees, the Authority shall amend the Annual Budget to reflect such

increase in Operating Costs and adjust the Operating Fees to cover such increase if the Authority Board chooses to not use reserve funds to cover the difference. The Authority shall deliver to the Community within 180 days of the end of the Fiscal Year, an annual report accompanied by a certificate from a certified public accountant setting forth a statement of actual Operating Costs for the Fiscal Year and of Operating Fees received by the Authority and any excess or deficit of Operating Fees over Operating Costs. If there is an excess of Operating Fees over Operating Costs for the Fiscal Year, the Authority will apply that excess to the then current Fiscal Year's Operating Costs or hold in reserve as directed by the Authority Board of Directors. The Authority agrees to apply the Operating Fee solely to pay Operating Costs, unless otherwise approved in advance by the Community. The Community shall be responsible for establishing and collecting whatever fees, if any, it determines to charge for the use of the Transfer Station and the Convenience Centers

Section 5.3 Payments. The Authority shall invoice the Community in advance on a quarterly basis for an amount equal to one-fourth (1/4th) of the estimated annual Operating Fees for the Fiscal Year payable hereunder. Such invoices shall be due and payable within 30 days of receipt or as otherwise agreed between the Authority and the Community.

Section 5.4 Nature of Payments. Payments of Operating Fees hereunder are payments by the Community for services rendered and the obligation to make such payments does not constitute a debt of the Community for purposes of constitutional, statutory or charter limitations.

Section 5.5 Books and Records. The Authority shall maintain all books, records and accounts necessary to record all matters affecting the Operating Costs and Operating Fees, or other amounts payable by or to the Community and the Authority under this Agreement. All such books, records and accounts shall be maintained in accordance with generally accepted accounting principles, shall accurately, fairly and in reasonable detail reflect all the Authority's dealings and transactions under this Agreement and shall be sufficient to enable those dealings and transactions to be audited in accordance with generally accepted accounting principles. All such books, records and accounts shall be available for inspection and photocopying by the Participating Communities on reasonable notice so that they can verify Operating Costs or other amounts payable under this Agreement. All such books, records and accounts shall be kept by the Authority for at least six years (or any longer period required by Applicable Law).

ARTICLE VI ADDITIONAL AGREEMENTS

Section 6.1 Right of Access. Representatives of the Community shall have reasonable access to the Transfer Station and the Convenience Centers during normal operating hours to monitor the Authority's compliance with the terms hereof.

Section 6.2 Notification. The Authority shall promptly furnish to the Community a copy of any notice or order of any governmental authority asserting that the Authority or the Transfer Station and/or the Convenience Centers are not in compliance with any Applicable Law.

Section 6.3 Equal Opportunity. During the performance of this contract, the Authority agrees as follows:

a. The Authority will not discriminate against any employee or applicant for employment because of age, disability, race, religion, color, sex or national origin, except where religion, sex or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of the Authority. The Authority agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

b. The Authority, in all solicitations or advertisements for employees placed by or on behalf of the Authority, will state that such Authority is an equal opportunity employer.

c. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.

The Authority will include the provisions of the foregoing paragraphs a, b and c in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

6.4 Drug Free Workplace. During the performance of this agreement, the Authority agrees to (i) provide a drug-free workplace for the Authority 's employees; (ii) post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the Authority 's workplace and specifying the actions that will be taken against employees for violations of such prohibition; (iii) state in all solicitations or advertisements for employees placed by or on behalf of the Authority that the Authority maintains a drug-free workplace; and (iv) include the provisions of the foregoing clauses in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

For the purposes of this section, "drug-free workplace" means a site for the performance of work done in connection with a specific contract awarded to a contractor in accordance with this chapter, the employees of whom are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession or use of any controlled substance or marijuana during the performance of the contract.

6.5 Immigration. The Authority does not, and shall not during the performance of the contract for goods and services in the Commonwealth, knowingly employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986.

ARTICLE VII TERMINATION AND DEFAULTS

Section 7.1 Termination. This Agreement may be terminated by either party hereto

upon 18 months prior written notice to the other.

Section 7.2 Defaults. Each of the following shall constitute an Event of Default hereunder:

- a) Failure by the Community to pay any amount due hereunder when due;
- b) Default by the Community under the Disposal Services Agreement; or
- c) Breach by either party of any other term or condition hereof which breach is not remedied within 30 days of the giving of notice of such breach by the non-defaulting party; provided, however, that if the defaulting party has commenced action to cure such default within such 30 day period and thereafter diligently pursues such cure to completion, such party shall not be deemed to have defaulted hereunder.

Section 7.3 Remedies. If an Event of Default by either party has occurred and is continuing, the non-defaulting party, in addition to any other remedies it may have at law or in equity, may immediately terminate this Agreement.

ARTICLE VIII MISCELLANEOUS

Section 8.1 Entire Agreement; Amendments. This Agreement represents the entire and integrated agreement between the Authority and the Community and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by a written agreement signed by the Authority and the Community.

Section 8.2 Assignment. No assignment of this Agreement, or any right occurring under this Agreement, shall be made in whole or part by either party without the other party's express written consent.

Section 8.3 Partnership. Nothing herein shall be construed to constitute a joint venture between Authority and the Community or the formation of a partnership.

Section 8.4 Severability of Invalid Provisions. If any clause, provision or section of this Agreement is held to be illegal or invalid by any court, the invalidity of the clause, provision or section will not affect any of the remaining clauses, provisions or sections, and this Agreement will be construed and enforced as if the illegal or invalid clause, provision or section had not been contained in it.

Section 8.5 Notices. All notices, invoices, certificates, requests or other communications under this Agreement must be in writing and will be deemed given, unless otherwise required, when mailed by first-class mail, postage prepaid, to the address set forth below:

If to the Authority:

Virginia Peninsulas Public Service Authority
475 McLaws Circle, Suite 3B
Williamsburg, Virginia 23185
Attention: Executive Director

If to the Community:

King William County
180 Horse Landing Road
King William Courthouse, Virginia 23086
Attention: County Administrator

The parties may by notice given under this Section, designate such other addresses as they may deem appropriate for the receipt of notices under this Agreement. If, by reason of the suspension of or irregularities in regular mail service, it is impractical to mail notice of any event when notice is required to be given, then any manner of giving notice which is satisfactory to the intended recipient will be deemed to be sufficient.

Section 8.6 Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have each caused this Agreement to be signed as of the date above written.

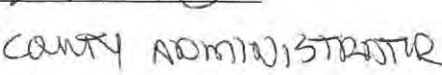
VIRGINIA PENINSULAS PUBLIC SERVICE AUTHORITY

By: 

Title: 

COUNTY OF KING WILLIAM

By: 

Title: 

AGENDA ITEM 10.c.

Resolution 22-70 - FY23 Budget Amendment - State Compensation Board Salary
Increases - Natasha L. Brown, Director of Financial Services



County of King William, Virginia

BOARD OF SUPERVISORS

Natasha L. Joranlien
Director of Financial Services

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

MEMORANDUM

DATE: August 22, 2022
TO: Board of Supervisors
FROM: Natasha L. Brown, Director of Financial Services
SUBJECT: Resolution 22-70 FY2023 Compensation Board 5% Increase

Background

On May 9, 2022, the King William Board of Supervisors approved the salaries as follows for the Constitutional Departments:

	FY23 BUDGET					
DEPARTMENT	SALARY + FRINGE	COMP REIMB	KWC SUPPLEMENT		STATE COMP	KWC
COMMISSIONER	\$ 216,425	\$ 119,921	\$ 96,504		55%	45%
TREASURER	\$ 170,533	\$ 72,333	\$ 98,200		42%	58%
CIRCUIT COURT CLERK	\$ 246,808	\$ 230,308	\$ 16,500		93%	7%
COMM. ATTORNEY	\$ 357,577	\$ 241,640	\$ 115,937		68%	32%
SHERIFF	\$ 2,164,397	\$ 854,675	\$ 1,309,722		39%	61%
	\$ 3,155,740	\$ 1,518,877	\$ 1,636,863			

A 2% Merit and 1.5% COLA increase was approved for staff, excluding the Constitutional Officers. King William County supplements each Constitutional Office as listed above; paying more than the Comp Board reimburses the county.

Summary

The Compensation Board Approved Budget for FY2023 included a 5% increase for Constitutional officers and their comp board funded staff positions. The 5% increase is based on the Comp Board reimbursable salary. Salary scales are determined by the Comp Board for Constitutional Officers that determine the minimum amount that localities must pay Constitutional Officers. Comp Board funds are then allocated to localities based on need, priority, and Constitutional officer's requests. Each local government has the discretion to supplement additional funding for local Constitutional offices salaries.

180 Horse Landing Road #4 • King William, VA 23086
(804) 769-4929 • financedir@kingwilliamcounty.us
kingwilliamcounty.us

Below reflects the impact of the Comp Board 5% increase for King William County with no additional salary increase for officers or staff.

	5% COMP BOARD INCREASE FY23				
DEPARTMENT	SALARY + FRINGE	COMP REIMB	KWC SUPPLEMENT	STATE COMP	KWC
COMMISSIONER	\$ 216,425	\$ 125,417	\$ 91,008	58%	42%
TREASURER	\$ 170,533	\$ 102,402	\$ 68,131	60%	40%
CIRCUIT COURT CLERK	\$ 250,986	\$ 240,864	\$ 10,122	96%	4%
COMM. ATTORNEY	\$ 368,465	\$ 253,447	\$ 115,018	69%	31%
SHERIFF	\$ 2,242,102	\$ 893,662	\$ 1,348,440	40%	60%
	\$ 3,248,512	\$ 1,615,792	\$ 1,632,720		

Commission of Revenue and Treasurers Office:

- No changes to department budgets – KWC supplement reduced
- KWC did not receive reimbursement for Treasurer's Deputy in prior years

Circuit Court Clerk Office:

- 5% increase for Circuit Court Clerk position supported by Comp Board additional funds

Commonwealth's Attorney Office:

- 5% increase for Commonwealth's Attorney position based on provision of Chapter 822, 2012 Acts of Assembly related to VRS¹
- 5% increase for Commonwealth's Attorney Deputy position -VSTOP grant

Sheriff's Office:

- 5% increase for Sheriff's position based on provision of Chapter 822, 2012 Acts of Assembly related to VRS¹ and additional service not required by general law of officer (Animal Control)
- Comp Board additional funds to support entry level salary of sworn deputies
- Comp Board additional fund to support salary compression for sworn deputies

	DIFFERENCE BETWEEN BUDGET & 5% COMP BOARD INCREASE		
	SALARY + FRINGE	COMP REIMB	KWC SUPPLEMENT
COMMISSIONER	\$ -	\$ 5,496	\$ (5,496)
TREASURER	\$ -	\$ 30,069	\$ (30,069)
CIRCUIT COURT CLERK	\$ 4,178	\$ 10,556	\$ (6,378)
COMM. ATTORNEY	\$ 10,888	\$ 11,807	\$ (919)
SHERIFF	\$ 77,705	\$ 38,987	\$ 38,718
	\$ 92,771	\$ 96,915	\$ (4,144)

The total KWC salary supplement to Constitutional offices would be reduced by \$4,144 as a result of the Compensation Board 5% increase. This reduces the taxpayer's contribution to the Constitutional Offices.

Request for Action Staff Recommends approval of Resolution 22-70.

¹ affected members in service on June 30, 2012 – 5% VRS contribution

5% COMPENSATION BOARD SALARY INCREASE 8/1/2022

FY2023

SUMMARY

FY23 BUDGET

DEPARTMENT	SALARY + FRINGE	COMP	REIMB	KWC SUPPLEMENT	STATE COMP	KWC
COMMISSIONER	\$ 216,425	\$	119,921	\$ 96,504	55%	45%
TREASURER	\$ 170,533	\$	72,333	\$ 98,200	42%	58%
CIRCUIT COURT CLERK	\$ 246,808	\$	230,308	\$ 16,500	93%	7%
COMM. ATTORNEY	\$ 357,577	\$	241,640	\$ 115,937	68%	32%
SHERIFF	\$ 2,164,397	\$	854,675	\$ 1,309,722	39%	61%
	\$ 3,155,740	\$	1,518,877	\$ 1,636,863		

No Increase in Salaries for Officer

Staff received Merit and Cola

5% COMP BOARD INCREASE FY23

DEPARTMENT	SALARY + FRINGE	COMP	REIMB	KWC SUPPLEMENT	STATE COMP	KWC
COMMISSIONER	\$ 216,425	\$	125,417	\$ 91,008	58%	42%
TREASURER	\$ 170,533	\$	102,402	\$ 68,131	60%	40%
CIRCUIT COURT CLERK	\$ 250,986	\$	240,864	\$ 10,122	96%	4%
COMM. ATTORNEY	\$ 368,465	\$	253,447	\$ 115,018	69%	31%
SHERIFF	\$ 2,242,102	\$	893,662	\$ 1,348,440	40%	60%
	\$ 3,248,512	\$	1,615,792	\$ 1,632,720		

DIFFERENCE BETWEEN BUDGET & 5%
COMP BOARD INCREASE

	SALARY + FRINGE	COMP	REIMB	KWC SUPPLEMENT
COMMISSIONER	\$ -	\$	5,496	\$ (5,496)
TREASURER	\$ -	\$	30,069	\$ (30,069)
CIRCUIT COURT CLERK	\$ 4,178	\$	10,556	\$ (6,378)
COMM. ATTORNEY	\$ 10,888	\$	11,807	\$ (919)
SHERIFF	\$ 77,705	\$	38,987	\$ 38,718
	\$ 92,771	\$	96,915	\$ (4,144)

*County did not receive reimb for Treasurer Deputy in prior years

COMMISSIONER OF REVENUE

FY23 KWC APPROVED		BUDGET		REIMB		KWC SALARY	
BUDGET	SALARY	EST FRINGE	REIMB SALARY	FRINGE	SUPPLEMENT		
COMMISSIONER	\$ 79,240	\$ 7,924	\$ (68,501)	\$ (6,850)	\$ 11,813		
CHIEF	\$ 44,309	\$ 4,431	\$ (12,576)	\$ (1,258)	\$ 34,906		
DEPUTY	\$ 37,493	\$ 3,749	\$ (16,435)	\$ (1,644)	\$ 23,164		
DEPUTY	\$ 35,708	\$ 3,571	\$ (11,506)	\$ (1,151)	\$ 26,622		
	\$ 196,750	\$ 19,675	\$ (109,019)	\$ (10,902)	\$ 96,504		
		\$ 216,425		\$ (119,921)			
STATE COMP BOARD			55%				
KWC			45%				

5% COMP BOARD INCREASE 8/1/2022		BUDGET		REIMB		KWC SALARY SUPPLEMENT	
	SALARY	EST FRINGE	REIMB SALARY	FRINGE			
COMMISSIONER	\$ 79,240	\$ 7,924	\$ (71,641)	\$ (7,164)	\$		8,359
CHIEF	\$ 44,309	\$ 4,431	\$ (13,153)	\$ (1,315)	\$		34,272
DEPUTY	\$ 37,493	\$ 3,749	\$ (17,188)	\$ (1,719)	\$		22,335
DEPUTY	\$ 35,708	\$ 3,571	\$ (12,033)	\$ (1,203)	\$		26,042
		\$ 196,750	\$ 19,675	\$ (114,015)	\$ (11,402)	\$	91,008
			\$ 216,425		\$ (125,417)		
STATE COMP BOARD				58%			
KWC				42%			

*No Increase in Salaries for Officer- Additional revenue; reduces KWC Salary Supplement
Staff received Merit and Cola*

TREASURER

FY23 KWC APPROVED						
BUDGET	BUDGET	EST FRINGE	REIMB SALARY	REIMB FRINGE	KWC SALARY SUPPLEMENT	
TREASURER	\$ 79,240	\$ 7,924	\$ (66,001)	\$ (6,332)	\$ 14,831	
CHIEF	\$ 40,772	\$ 4,077			\$ 44,849	
DEPUTY	\$ 35,018	\$ 3,502			\$ 38,520	
	\$ -	\$ -			\$ -	
	\$ 155,030	\$ 15,503	\$ (66,001)	\$ (6,332)	\$ 98,200	
	\$ 170,533	\$ 170,533		\$ (72,333)		
STATE COMP BOARD			42%			
KWC			58%			

*ACTUAL FOR FY21 ONLY RECEIVE REIMB FOR TREASURER POSITION FROM COMP BOARD

5% COMP BOARD INCREASE 8/1/2022						
BUDGET	BUDGET	EST FRINGE	REIMB SALARY	REIMB FRINGE	KWC SALARY SUPPLEMENT	
TREASURER	\$ 79,240	\$ 7,924	\$ (69,026)	\$ (6,903)	\$ 11,235	
CHIEF	\$ 40,772	\$ 4,077		\$ -	\$ 44,849	
DEPUTY	\$ 35,018	\$ 3,502	\$ (24,067)	\$ (2,407)	\$ 12,046	
	\$ -	\$ -			\$ -	
	\$ 155,030	\$ 15,503	\$ (93,093)	\$ (9,309)	\$ 68,131	
	\$ 170,533	\$ 170,533		\$ (102,402)		
STATE COMP BOARD			60%			
KWC			40%			

No Increase in Salaries for Officer- Additional revenue; reduces KWC Salary Supplement
Staff received Merit and Cola

CLERK OF CIRCUIT COURT

FY23 KWC APPROVED BUDGET	BUDGET SALARY	EST FRINGE	REIMB SALARY	REIMB FRINGE	KWC SALARY SUPPLEMENT
CLERK	\$ 105,684	\$ 10,568	\$ (104,684)	\$ (10,468)	\$ 1,100
CHIEF	\$ 41,617	\$ 4,162	\$ (39,271)	\$ (3,927)	\$ 2,581
DEPUTY	\$ 35,429	\$ 3,543	\$ (32,193)	\$ (3,219)	\$ 3,560
DEPUTY	\$ 41,641	\$ 4,164	\$ (33,223)	\$ (3,322)	\$ 9,260
	<u>\$ 224,371</u>	<u>\$ 22,437</u>	<u>\$ (209,371)</u>	<u>\$ (20,937)</u>	<u>\$ 16,500</u>
		\$ 246,808		\$ (230,308)	
STATE COMP BOARD			93%		
KWC			7%		
5% COMP BOARD INCREASE 8/1/2022	5% INCREASE SALARY FOR OFFICER	EST FRINGE	REIMB SALARY	REIMB FRINGE	KWC SALARY SUPPLEMENT
CLERK	\$ 109,482	\$ 10,948	\$ (109,482)	\$ (10,948)	\$ -
CHIEF	\$ 41,617	\$ 4,162	\$ (41,071)	\$ (4,107)	\$ 601
DEPUTY	\$ 35,429	\$ 3,543	\$ (33,669)	\$ (3,367)	\$ 1,937
DEPUTY	\$ 41,641	\$ 4,164	\$ (34,746)	\$ (3,475)	\$ 7,585
	<u>\$ 228,169</u>	<u>\$ 22,817</u>	<u>\$ (218,967)</u>	<u>\$ (21,897)</u>	<u>\$ 10,122</u>
		\$ 250,986		\$ (240,864)	
STATE COMP BOARD			96%		
KWC			4%		

*Officer receive 5% on KWC salary to match the Comp Board reimbursable salary
Staff receive Merit and Cola*

COMMONWEALTH'S ATTORNEY

FY23 KWC APPROVED	BUDGET	EST FRINGE	REIMB SALARY	REIMB FRINGE	KWC SALARY SUPPLEMENT
BUDGET	SALARY				
COMM ATTY	\$ 138,434	\$ 13,843	\$ (131,841)	\$ (12,484)	\$ 7,952
DEPUTY	\$ 99,532	\$ 9,953	\$ (59,532)	\$ (5,953)	\$ 44,000
LEGAL ASSIST	\$ 52,871	\$ 5,287	\$ (28,936)	\$ (2,894)	\$ 26,329
RECORDS ASSIST	\$ 34,233	\$ 3,423	\$ -	\$ -	\$ 37,656
	\$ 325,070	\$ 32,507	\$ (220,309)	\$ (21,331)	\$ 115,937
	\$ 357,577		\$ (241,640)		
STATE COMP BOARD			68%		
KWC			32%		

5% COMP BOARD	BUDGET	EST FRINGE	REIMB SALARY	REIMB FRINGE	KWC SALARY SUPPLEMENT
INCREASE 8/1/2022	SALARY				
COMM ATTY	\$ 145,356	\$ 14,536	\$ (137,884)	\$ (13,788)	\$ 8,219
DEPUTY	\$ 102,509	\$ 10,251	\$ (62,261)	\$ (6,226)	\$ 44,273
LEGAL ASSIST	\$ 52,871	\$ 5,287	\$ (30,262)	\$ (3,026)	\$ 24,870
RECORDS ASSIST	\$ 34,233	\$ 3,423	\$ -	\$ -	\$ 37,656
	\$ 334,968	\$ 33,497	\$ (230,406)	\$ (23,041)	\$ 115,018
	\$ 368,465		\$ (253,447)		
STATE COMP BOARD			69%		
KWC			31%		

5% increase based on General Assembly VRS 2012 mandate
5% increase required for Deputy - VSTOP Grant \$40k
Staff receive Merit and Cola

SHERIFFS OFFICE

FY23 KWC APPROVED		BUDGET	EST FRINGE	REIMB SALARY	REIMB FRINGE	REIMB	KWC SALARY
BUDGET	SALARY						SUPPLEMENT
SHERIFF	\$ 113,459	\$ 11,346	\$ (9,332)	\$ 23,014			
ADMIN SERV MANAGER	\$ 55,678	\$ (45,068)	\$ (4,507)	\$ 11,671			
CAPTAIN	\$ 80,000	\$ (47,745)	\$ (4,775)	\$ 35,481			
CAPTAIN	\$ 80,000	\$ (37,360)	\$ (3,736)	\$ 46,904			
DEPUTY	\$ 43,988	\$ 4,399	\$ -	\$ 48,387			
DEPUTY	\$ 47,209	\$ 4,721	\$ -	\$ 51,930			
DEPUTY	\$ 45,747	\$ 4,575	\$ -	\$ 50,322			
DEPUTY	\$ 43,138	\$ 4,314	\$ -	\$ 47,451			
DEPUTY	\$ 44,647	\$ 4,465	\$ (4,078)	\$ 4,500			
DEPUTY	\$ 43,138	\$ 4,314	\$ -	\$ 47,451			
DEPUTY	\$ 42,500	\$ 4,250	\$ (3,701)	\$ 6,038			
DEPUTY	\$ 44,252	\$ 4,425	\$ -	\$ 48,677			
DEPUTY	\$ 47,209	\$ 4,721	\$ (4,224)	\$ 5,468			
DEPUTY	\$ 47,209	\$ 4,721	\$ -	\$ 51,930			
DEPUTY	\$ 49,163	\$ 4,916	\$ -	\$ 54,079			
DEPUTY	\$ 43,138	\$ 4,314	\$ (3,515)	\$ 8,787			
INVEST	\$ 52,769	\$ 5,277	\$ (4,386)	\$ 9,799			
INVEST	\$ 52,769	\$ 5,277	\$ (3,675)	\$ 17,620			
LIEUTENANT	\$ 57,373	\$ 5,737	\$ (4,207)	\$ 16,834			
SERGEANT	\$ 49,163	\$ 4,916	\$ (4,138)	\$ 8,806			
SERGEANT	\$ 49,163	\$ 4,916	\$ (4,067)	\$ 9,586			
SERGEANT	\$ 49,163	\$ 4,916	\$ (3,675)	\$ 13,652			
DEPUTY	\$ 42,500	\$ 4,250	\$ -	\$ 46,750			
DEPUTY	\$ 42,500	\$ 4,250	\$ -	\$ 46,750			
DEPUTY	\$ 42,500	\$ 4,250	\$ -	\$ 46,750			
DEPUTY	\$ 42,500	\$ 4,250	\$ -	\$ 46,750			
DEPUTY	\$ 42,500	\$ 4,250	\$ -	\$ 46,750			
DISPATCH SUP	\$ 43,612	\$ 4,361	\$ (3,227)	\$ 12,476			
DISPATCH LEAD	\$ 42,874	\$ 4,287	\$ (3,039)	\$ 13,919			
DISPATCHER	\$ 37,320	\$ 3,732	\$ (3,403)	\$ 3,616			
DISPATCHER	\$ 36,599	\$ 3,660	\$ -	\$ 40,259			
DISPATCHER	\$ 34,435	\$ 3,444	\$ -	\$ 37,879			
DISPATCHER	\$ 36,797	\$ 3,680	\$ (3,426)	\$ 2,794			
DISPATCHER	\$ 34,099	\$ 3,410	\$ (2,749)	\$ 7,265			
DISPATCHER	\$ 38,493	\$ 3,849	\$ -	\$ 42,342			
DISPATCHER	\$ 36,706	\$ 3,671	\$ -	\$ 40,377			
DISPATCHER	\$ 32,946	\$ 3,295	\$ -	\$ 36,241			
DISPATCHER	\$ 32,946	\$ 3,295	\$ -	\$ 36,241			
DISPATCHER	\$ 32,946	\$ 3,295	\$ -	\$ 36,241			
RECORDS MANAGER	\$ 48,000	\$ 4,800	\$ -	\$ 52,800			
ANIMAL CONTROL SWORN	\$ 43,988	\$ 4,399	\$ -	\$ 48,386			
	\$ 1,967,634	\$ 196,763	\$ (77,859)	\$ 1,309,722			
		\$ 2,164,397	\$ (854,675)				
	STATE COMP BOARD		39%				
	KWC		61%				

**5% COMP BOARD
INCREASE 8/1/2022**

	BUDGET SALARY	EST FRINGE	REIMB SALARY	REIMB FRINGE	KWC SALARY SUPPLEMENT
SHERIFF	\$ 119,132	\$ 11,913	\$ (96,697)	\$ (9,670)	\$ 24,679
ADMIN SERV MANAGER	\$ 56,513	\$ 5,651	\$ (47,134)	\$ (4,713)	\$ 10,317
CAPTAIN	\$ 80,000	\$ 8,000	\$ (49,933)	\$ (4,993)	\$ 33,073
CAPTAIN	\$ 80,000	\$ 8,000	\$ (39,072)	\$ (3,907)	\$ 45,020
DEPUTY	\$ 46,187	\$ 4,619	\$ -	\$ -	\$ 50,806
DEPUTY	\$ 49,569	\$ 4,957	\$ -	\$ -	\$ 54,526
DEPUTY	\$ 48,034	\$ 4,803	\$ -	\$ -	\$ 52,838
DEPUTY	\$ 45,294	\$ 4,529	\$ -	\$ -	\$ 49,824
DEPUTY	\$ 46,879	\$ 4,688	\$ (42,392)	\$ (4,239)	\$ 4,936
DEPUTY	\$ 45,294	\$ 4,529	\$ -	\$ -	\$ 49,824
DEPUTY	\$ 44,625	\$ 4,463	\$ (38,707)	\$ (3,871)	\$ 6,509
DEPUTY	\$ 46,465	\$ 4,646	\$ -	\$ -	\$ 51,111
DEPUTY	\$ 49,569	\$ 4,957	\$ (44,174)	\$ (4,417)	\$ 5,935
DEPUTY	\$ 49,569	\$ 4,957	\$ -	\$ -	\$ 54,526
DEPUTY	\$ 51,621	\$ 5,162	\$ -	\$ -	\$ 56,783
DEPUTY	\$ 45,294	\$ 4,529	\$ (36,760)	\$ (3,676)	\$ 9,388
INVEST	\$ 55,407	\$ 5,541	\$ (45,871)	\$ (4,587)	\$ 10,490
INVEST	\$ 55,407	\$ 5,541	\$ (38,435)	\$ (3,844)	\$ 18,669
LIEUTENANT	\$ 60,242	\$ 6,024	\$ (43,997)	\$ (4,400)	\$ 17,869
SERGEANT	\$ 51,621	\$ 5,162	\$ (43,020)	\$ (4,302)	\$ 9,461
SERGEANT	\$ 51,621	\$ 5,162	\$ (42,279)	\$ (4,228)	\$ 10,277
SERGEANT	\$ 51,621	\$ 5,162	\$ (38,437)	\$ (3,844)	\$ 14,503
DEPUTY	\$ 44,625	\$ 4,463	\$ -	\$ -	\$ 49,088
DEPUTY	\$ 44,625	\$ 4,463	\$ -	\$ -	\$ 49,088
DEPUTY	\$ 44,625	\$ 4,463	\$ -	\$ -	\$ 49,088
DEPUTY	\$ 44,625	\$ 4,463	\$ -	\$ -	\$ 49,088
DEPUTY	\$ 44,625	\$ 4,463	\$ -	\$ -	\$ 49,088
DISPATCH SUP	\$ 44,266	\$ 4,427	\$ (33,749)	\$ (3,375)	\$ 11,569
DISPATCH LEAD	\$ 43,517	\$ 4,352	\$ (31,588)	\$ (3,159)	\$ 13,122
DISPATCHER	\$ 37,880	\$ 3,788	\$ (35,593)	\$ (3,559)	\$ 2,516
DISPATCHER	\$ 37,148	\$ 3,715	\$ -	\$ -	\$ 40,863
DISPATCHER	\$ 34,952	\$ 3,495	\$ -	\$ -	\$ 38,447
DISPATCHER	\$ 37,349	\$ 3,735	\$ (35,827)	\$ (3,583)	\$ 1,674
DISPATCHER	\$ 34,610	\$ 3,461	\$ (28,754)	\$ (2,875)	\$ 6,442
DISPATCHER	\$ 39,070	\$ 3,907	\$ -	\$ -	\$ 42,977
DISPATCHER	\$ 37,257	\$ 3,726	\$ -	\$ -	\$ 40,982
DISPATCHER	\$ 33,440	\$ 3,344	\$ -	\$ -	\$ 36,784
DISPATCHER	\$ 33,440	\$ 3,344	\$ -	\$ -	\$ 36,784
DISPATCHER	\$ 33,440	\$ 3,344	\$ -	\$ -	\$ 36,784
RECORDS MANAGER	\$ 48,000	\$ 4,800	\$ -	\$ -	\$ 52,800
ANIMAL CONTROL SWORN	\$ 46,187	\$ 4,619	\$ -	\$ -	\$ 50,806
	\$ 2,038,275	\$ 203,827	\$ (812,420)	\$ (81,242)	\$ 1,348,440
		\$ 2,242,102		\$ (893,662)	
STATE COMP BOARD			40%		
KWC			60%		

RESOLUTION 22-70

**AMENDMENT TO THE KING WILLIAM COUNTY FISCAL YEAR 2023 BUDGET
APPROPRIATION STATE COMPENSATION BOARD SALARY INCREASES**

WHEREAS the King William County Board of Supervisors wishes to amend its Fiscal Year (FY) 2023 Budget to reflect the additional revenue and expenses related to State Compensation Board 5% salary increases;

NOW, THEREFORE, BE IT RESOLVED that the King William County Board of Supervisors does hereby authorize and appropriate the following increases of funds within the 2022-2023 Budget, such line items increased as follows, which monies shall be expended for purposes authorized and approved by the Board of Supervisors:

FUND/ORGANIZATION

General Fund

Expenditures:

\$ 92,771 Additional Department Salaries & Fringe

Breakdown as follows:	\$ 4,178	Circuit Court Clerk
	\$10,888	Commonwealth's Attorney
	\$77,705	Sheriff

General Fund

Revenues:

\$ 96,915 Additional Anticipated Funds to offset Constitutional Officers' salary supplement from King William County. Reducing the taxpayer's contribution to the Constitutional Offices.

DONE this 22nd day of August, 2022.

AGENDA ITEM 10.d.

Resolution 22-71 - DSS Budget Amendment - Natasha L. Brown, Director of Financial Services



County of King William, Virginia

BOARD OF SUPERVISORS

Natasha L. Brown
Director of Financial Services

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

MEMORANDUM

DATE: August 22, 2022
TO: King William County Board of Supervisors
FROM: Natasha L. Brown, Director of Financial Services
SUBJECT: Resolution 22-71 KWC Social Services Department FY2023 Budget Amendment

Background

On May 9, 2022, the King William County Board of Supervisors approved and appropriated a total of \$248,967 local share to fund Social Services Department for FY2023.

Summary

Following a meeting with representatives from Virginia Department of Social Services, the FY2023 Budget for local Social Services office would need to be amended per the State Budget Allocation. This information would require no additional funds from the locality to cover 5% salary increase. King William County Budget for local social services should match the State Allocation Budget. Any additional funds throughout the year will be presented to the King William County Board of Supervisors for additional budget amendments to appropriate funds.

Local Staff and Operation (budget lines 855 and 849) include Salaries/Benefits and general overhead to operate the local department.

- Budget Line 849 supports Medicaid salaries/benefits and overhead – 100% Fed/State funded
- Budget Line 855 supports all other salaries/benefits and overhead – 84.5% Fed/State funded and 15.5% local support

The state bases these budget lines on prior year allocation by the state. For Line 855 in FY23, the state added 5% to salaries plus added Prevention Worker Salary/Budget Line 847 (\$58,788) budget allocation amount from FY22.

Local Staff and Operation Pass-Thru (budget line 858) supports the remaining cost of Salaries/Benefits and general overhead that is not included in Budget Lines 855 and 849. This budget line is supported 32% Federal and 68% local.

Request for Action

Staff Recommends approval of Resolution 22-71.

180 Horse Landing Road #4 • King William, VA 23086
(804) 769-4929 • financedir@kingwilliamcounty.us
kingwilliamcounty.us

DSS	ACTUAL	BUDGET	Dept Request	ORIGINAL BUDGET
FUND 201	FY 2021	FY 2022	FY 2023	FY 2023
	-----	-----		
WELFARE ADMINISTRATION				
SALARIES & WAGES (FULL TIME)	554,515	630,202	597,453	597,453
SALARIES & WAGES (MED EXP)	0	31,196	76,000	76,000
SALARIES & WAGES F/T (FAMILY FIRST)	0	40,000	38,000	38,000
SALARIES & WAGES (F/T-CSA)	44,451	46,674	46,674	46,674
SALARIES & WAGES-O/T(SRVE ON C	5,577	13,568	13,568	13,568
SALARIES & WAGES-P/T (BOARD PA	2,750	4,000	4,000	4,000
FICA (BOARD MEMEBERS)	210	306	306	306
FICA (FULL TIME)	36,873	60,639	46,743	46,743
FICA (MED EXP)	2,257	0	5,814	5,814
FICA (FAMILY 1ST)	8,344	0	2,907	2,907
FICA (CSA COORD)	3,370	0	3,571	3,571
RETIREMENT - VRS (FULL TIME)	40,680	60,519	54,482	54,482
RETIREMENT - VRS (FAMILY 1ST)	6,835	0	3,074	3,074
RETIREMENT - VRS (CSA)	3,596	0	3,776	3,776
HOSPITAL/MEDICAL PLANS (FULL T	118,785	170,610	167,120	167,120
GROUP INSURANCE (FULL TIME)	7,260	9,800	10,159	10,159
VRS SHORT TERM DISABILITY	1,263	2,050	2,050	2,050
UNEMPLOYMENT INSURANCE	3,975	1,300	1,300	1,300
WORKERS COMPENSATION INS.	1,832	2,500	1,600	1,600
PROFESSIONAL SERVICES	13,606	15,000	23,600	15,000
COMPUTER SOFTWARE MNTC CONTRAC	750	3,650	1,800	1,800
MOTOR VEHICLE INSURANCE	866	1,000	1,000	1,000
POSTAL SERVICES	727	3,000	2,000	2,000
TELECOMMUNICATIONS CELL PHONES	7,261	10,000	8,940	8,940
LEASE/RENT OF EQUIPMENT	4,999	6,000	6,000	6,000
TRAVEL (MILEAGE)	0	500	300	300
TRAVEL (SUBSIST.& LODGING)	0	700	300	300
TRAVEL (CONVENTION & EDUC.)	0	4,000	500	500
DUES/ASSOCIATION MEMBERSHIPS	520	720	720	720
OFFICE SUPPLIES	7,719	5,000	5,000	5,000
VEHICLE/POWERED EQUIP FUELS	299	2,500	1,800	1,800
VEHICLE/POWERED EQUIP SUPPLIES	167	1,000	1,000	1,000
GENERAL OPERATING/OVERHEAD	1,039,824	1,159,108	1,131,557	1,122,957
PUBLIC ASSISTANCE PAYMENTS				
AUXILIARY GRANTS	35,445	39,622	40,000	39,622
TANF - EA	0	1,000	1,000	1,000
AFDC-FC NON-ENTRUSTED	1,758	12,125	5,000	5,000
ADOPTION SUBSIDY	33,019	26,000	35,000	26,000
GENERAL RELIEF	2,724	3,175	3,175	3,175
FOSTERING FUTURES FOSTER CARE	9,373	8,625	9,300	8,625
SPECIAL NEEDS ADOPTION	3,450	10,000	5,000	5,000
--TOTAL DEPARTMENT--	85,768	100,547	98,475	88,422
PURCHASE OF SERVICE				
ADOPTION INCENTIVE	0	3,000	3,000	3,000
FAMILY PRESERVATION-(SSBG)	666	3,000	1,000	1,000
CHILD WELFARE - SUBSTANCE ABUS	0	1,409	1,409	1,409
ADULT SERVICES	1,935	7,529	7,529	7,529
TANF-UP	0	1,000	1,000	1,000
INDEPENDENT LIVING ETV	0	2,650	2,650	2,650
INDEPENDENT LIVING PURCHASE	5003	4,894	4,894	4,894
FC RESPITE	0	500	500	500
FAMILY PRESERVATION-SUPPORT	18,000	18,266	18,266	18,266
VIEW PURCHASED SERVICES	1,057	25,286	18,000	18,000
CHILD DAY CARE QUALITY INITIAT	-30	0	3,540	0
ADULT PROTECTIVE SERVICES-PURC	2,710	3,540	3,000	3,000
--TOTAL DEPARTMENT--	29,341	71,074	64,788	61,248
FINAL TOTAL	1,154,934	1,330,729	1,294,820	1,272,627

FUND 201

FY 2022

FY 2023

WELFARE ADMINISTRATION

SALARIES & WAGES (FULL TIME)	630,202	661,189
ON CALL		12,480
SALARIES (PART TIME)		26,130
FICA	60,639	53,535
RETIREMENT - VRS (FULL TIME)	60,519	53,490
HOSPITAL/MEDICAL PLANS (FULL T	170,610	169,854
GROUP INSURANCE (FULL TIME)	9,800	7,868
SHORT TERM DISABILITY	2,050	4,310
UNEMPLOYMENT INSURANCE	1,300	1,580
WORKERS COMPENSATION INS.	2,500	1,000
PROFESSIONAL SERVICES	15,000	20,000
COMPUTER SOFTWARE MNTC CONTRAC	3,650	1,950
MOTOR VEHICLE INSURANCE	1,000	1,000
POSTAL SERVICES	3,000	1,500
TELECOMMUNICATIONS CELL PHONES	10,000	8,519
LEASE/RENT OF EQUIPMENT	6,000	6,000
TRAVEL (MILEAGE)	500	150
TRAVEL (CONVENTION & EDUC.)	4,000	500
DUES/ASSOCIATION MEMBERSHIPS	720	450
OFFICE SUPPLIES	5,000	5,000
VEHICLE/POWERED EQUIP FUELS	2,500	1,800
VEHICLE/POWERED EQUIP SUPPLIES	1,000	1,400
General Operating/Overhead	992,340	1,039,705

PUBLIC ASSISTANCE PAYMENTS

AUXILIARY GRANTS	39,622	33,475
TANF - EA	1,000	2,500
AFDC-FC NON-ENTRUSTED	12,125	4,979
ADOPTION SUBSIDY	26,000	8,801
GENERAL RELIEF	3,175	4,974
FOSTERING FUTURES FOSTER CARE	8,625	7,627
SPECIAL NEEDS ADOPTION	10,000	
--TOTAL DEPARTMENT--	100,547	62,356

PURCHASE OF SERVICE

ADOPTION INCENTIVE	3,000	
FAMILY PRESERVATION-(SSBG)	3,000	
CHILD WELFARE - SUBSTANCE ABUS	1,409	1,668
ADULT SERVICES	7,529	3,511
IV-E PREVENTION SERVICES		26,618
TANF-UP	1,000	1,000
EDUCATION & TRAINING VOUCHERS		757
INDEPENDENT LIVING ETV	2,650	1,100
INDEPENDENT LIVING PURCHASE	4,894	
FC RESPITE	500	900
FAMILY PRESERVATION-SUPPORT	18,266	18,229
VIEW PURCHASED SERVICES	25,286	22,757
CHILD DAY CARE QUALITY INITIAT	0	
ADULT PROTECTIVE SERVICES-PURC	3,540	4,245
--TOTAL DEPARTMENT--	71,074	80,785
FINAL TOTAL	1,163,961	1,182,846

RESOLUTION 22-71

**AMENDMENT TO THE KING WILLIAM COUNTY FISCAL YEAR 2023 BUDGET
DEPARTMENT OF SOCIAL SERVICES (DSS)**

WHEREAS the King William County Board of Supervisors wishes to amend its Fiscal Year (FY) 2023 Budget to reflect the FY2023 State Budget Allocation for King William County Department of Social Service; and

WHEREAS the FY2023 State Budget Allocation includes a 5% increase for local Social Services employees. The salary increase has no impact on the local share appropriated by the King William County Board of Supervisor on May 9, 2022 with appropriations for FY2023;

NOW, THEREFORE, BE IT RESOLVED that the King William County Board of Supervisors does hereby authorize and appropriate the following amendments to the 2022-2023 Budget, such line items increased as follows, which monies shall be expended for purposes authorized and approved by the Board of Supervisors:

FUND/ORGANIZATION

Dept of Social Services Fund 201

Expenditures:

	<u>Original Budget</u>	<u>Revised per State Budget Allocation</u>
General Operating/Overhead	\$1,122,957	\$1,039,705
Public Assistance Payments	\$88,422	\$62,356
Purchase of Services	<u>\$61,248</u>	<u>\$80,785</u>
	\$1,272,627	\$1,182,846

Dept of Social Service Fund 201

Revenues:

Federal Share	\$627,146	\$608,624
State Share	\$394,514	\$325,255
Local Share	\$248,967	\$248,967
Other	<u>\$2,000</u>	<u>\$0</u>
	\$1,272,627	\$1,182,846

DONE this 22nd day of August, 2022.

AGENDA ITEM 10.e.

Resolution 22-72 - Department of Elections Budget Amendment - Natasha L. Brown,
Director of Financial Services



County of King William, Virginia

BOARD OF SUPERVISORS

Natasha L. Joranlien
Director of Financial Services

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

MEMORANDUM

DATE: August 22, 2022
TO: Board of Supervisors
FROM: Natasha L. Brown, Director of Financial Services
SUBJECT: Resolution 22-72 - FY2023 Department of Elections 5% Increase

Background

On May 9, 2022, the King William Board of Supervisors approved the salaries as follows for the General Registrar and Electoral Board for salaries:

Electoral Board	\$ 6,640 + \$ 508 FICA
General Registrar	\$ 75,135 + \$ 14,246 FICA/VRS/Group

Summary

The Department of Elections sent out notification July 15, 2022, notifying King William County of a 5% salary increase for Electoral Board and General Registrar as of August 1, 2022.

Below reflects the impact of the Department of Elections 5% salary increase for King William County:

Electoral Board	\$ 7,319 + \$ 560 FICA	* \$ 731 increase
General Registrar	\$ 78,892 + \$ 14,958 FICA/VRS/Group	* \$ 4,469 increase

No additional funding is requested from the locality to fund the increase. The Department of Elections reimbursement to locality will increase for FY23.

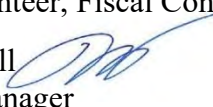
Request for Action

Staff recommends approval of Resolution 22-72.



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

TO: Nita F. McInteer, Fiscal Contact, King William County

FROM: Kevin A. Hill 
Business Manager
Department of Elections (ELECT)

DATE: July 15, 2022

SUBJECT: 2022-2023 Authorized Salaries of General Registrar and Local Electoral Board Members

The Code of Virginia (§24.2-108 and §24.2-111) mandates the governing body of each county or city to pay compensation to their general registrar and electoral board members in accordance with the compensation expense plan established in the *2022 Virginia Acts of Assembly (Chapter 2)*. This correspondence sets the authorized state compensation to be paid to your general registrar and electoral board members effective July 1, 2022 through June 30, 2023 as shown in tables 1 and 2. The tables include the amount authorized for the period of March 1, 2022 through June 30, 2022 to help with your 2023 reimbursement request. The authorized salary rates for General Registrars and Electoral Boards were computed using the latest (Published January 2022) population estimates from the University of Virginia's Weldon Cooper Center for Public Service, Demographics & Workforce.

Compensation for General Registrar

Table 1 sets forth the authorized salary rates for your local general registrar from July 1, 2022 through June 30, 2023. Your local governing body will be reimbursed by the Department of Elections for state authorized salary payments to the extent of funds provided in the *2022 Virginia Acts of Assembly (Chapter 2)*. The authorized salary takes into account changes made by the General Assembly and Governor to *adjust General Registrar salaries by 5 percent effective August 1, 2022*. Table 1 shows only the annual salary as locality's process payrolls differently.

	Annual Amount 3/1/2022 - 6/30/2022	Annual Amount 7/1/2022 - 7/31/2022	Annual Amount 8/1/2022 - 6/30/2023	Reimbursement Period Amount 3/1/2022-2/28/2023
General Registrar	\$75,135	\$75,135	\$78,892	\$77,327

Table 1: Authorized Salaries - General Registrar

Your local governing body is also required to provide benefits to the general registrar, deputy registrars and the registrar's staff as provided to other employees of your locality. Local governments are also required to pay the reasonable expenses of the general registrar, including reimbursement for mileage at the rate payable to members of the General Assembly. Reasonable expenses include, but are not limited to, costs for: (i) an adequately trained registrar's staff, including training in the use of computers and technology to the extent provided to other local employees with similar job responsibilities, and reasonable costs for the general registrar to attend annual training offered by the Department of Elections; (ii) adequate training for officers of election; (iii) conducting elections as required; and (iv) voter education. Local governing bodies may supplement the annual salary of the general registrar. However, the supplement, expenses, and mileage of the general registrar, are not reimbursable from the State Treasury.

King William County

Electoral Board Authorized Compensation

Table 2 shows the authorized state annual salary rates for your Electoral Board (EB) members. These amounts are to be paid by your local government during the period of July 1, 2022 through June 30, 2023. Also included in the table is the amount authorized for the period of March 1, 2022 through June 30, 2022 to help with your 2023 reimbursement request. As shown in table 2, the authorized salaries **include** a five-percent salary increase for fiscal year 2023 effective August 1, 2022.

EB	Annual Amount 3/1/2022 - 6/30/2022	Annual Amount 7/1/2022 - 7/31/2022	Annual Amount 8/1/2022 - 6/30/2023	Reimbursement Period Amount for EBs 3/1/2022-2/28/2023
Secretary	\$3,485	\$3,485	\$3,659	\$7,173
Chairman	\$1,742	\$1,742	\$1,830	
Vice-Chair	\$1,742	\$1,742	\$1,830	

Table 2: Authorized Salaries - Electoral Board Members

Mileage & Expenses

The governing body of any county or city may pay the secretary of its electoral board additional allowance for expenses as it deems appropriate but there shall be no reimbursement out of the State Treasury for such expenses.

The authorized mileage rate for general registrars, their staff and local electoral board members is to be paid at the rate listed by the federal government at the IRS website (<http://www.irs.gov/Tax-Professionals/Standard-Mileage-Rates/>) at the time of travel, counties and cities shall not be reimbursed from State Treasury for mileage paid to general registrars or members of electoral boards.

Reimbursements from State Treasury

Annually, the Department of Elections reimburses your local government for the state authorized salaries based on population paid to the general registrar and your local electoral board members. As stated, the reimbursements will not include local supplements, mileage and expenses of the general registrar or local electoral board only the state authorized amount contingent to the extent of funds provided.

The Appropriations Act permits the governing body of any county or city to pay the secretary of its electoral board additional allowance for expenses as it deems appropriate. However, the Department of Elections will not reimburse the additional allowances.

If you have any questions regarding the above information, please contact the Department of Elections Fiscal staff at (804) 864-8950 or send an email to fiscal@elections.virginia.gov.

cc: General Registrar

RESOLUTION 22-72

**AMENDMENT TO THE KING WILLIAM COUNTY FISCAL YEAR 2023 BUDGET
APPROPRIATION STATE COMPENSATION BOARD SALARY INCREASES**

WHEREAS the King William County Board of Supervisors wishes to amend its Fiscal Year (FY) 2023 Budget to reflect the additional revenue and expenses related to State Department of Elections 5% salary increases;

NOW, THEREFORE, BE IT RESOLVED that the King William County Board of Supervisors does hereby authorize and appropriate the following increases of funds within the 2022-2023 Budget, such line items increased as follows, which monies shall be expended for purposes authorized and approved by the Board of Supervisors:

FUND/ORGANIZATION

General Fund

Expenditures:

\$5,200 Additional Department Salaries & Fringe

Breakdown as follows:	\$ 731	Electoral Board
	\$4,469	General Registrar

General Fund

Revenues:

\$ 5,200 Additional Anticipated Funds from Department of Elections to offset Electoral Board and General Registrar salaries.

DONE this 22nd day of August, 2022.

AGENDA ITEM 10.f.

Sheriff's Deputy Starting Salaries - Jeff Walton, Sheriff

AGENDA ITEM 11.a.

Administration Report - Percy C. Ashcraft, County Administrator



County Administrator's Report

August 22, 2022 Meeting of the Board of Supervisors

Meetings & Special Dates

August

1. MPPDC Meeting – August 24th at 7pm, Saluda
2. Virginia Secretary of Trade & Commerce Region Visit – August 24th
3. Archeological Dig Day at Historic Courthouse Tavern Site – August 25th from 10am – 4pm
4. Food Trucks by the River – August 26th from 5-8pm; Pavilion at Riverwalk Park
5. West Point Farmers Market – August 27th from 8am – Noon; Pavilion at Riverwalk Park
6. Free COVID-19 Vaccines for Children Ages 6 months – 5 years – August 31st from 8:30am – 5pm; King William Health Department

September

1. Parks & Recreation Commission – September 1st at 7pm; Parks & Rec Community Center
2. West Point Farmers Market – September 3, 10, 17, 24 from 8am – Noon; Pavilion at Riverwalk Park
3. Labor Day – County Offices Closed – September 5th
4. Planning Commission – September 6th at 7 p.m.; Board Room
5. Civil Response & Casualty Care – September 7th from 8am-Noon, Parks & Rec Community Center
6. Civil Response & Casualty Care – September 7th from 1-5pm, Parks & Rec Community Center
7. Archeological Dig Day at Historic Courthouse Tavern Site – September 8th & 22nd from 10am – 4pm
8. Jammin' on the Point Summer Concert Series – September 9th from 6-9:30pm, WP Town Park
9. Mangohick VFD Turkey Shoot – September 9, 16, 23, 30 at 6:30pm
10. Mangohick VFD Community Day & Car Show – September 10th from 2-6pm
11. Mangohick VFD Firefighter Skills Competition – September 11th at 9am
12. Board of Supervisors Work Session – September 12th at 7pm; Board Room
13. Middle Peninsula & Northern Neck Job Fair – September 14th from 10am – 2pm; 5178 Richmond-Tappahannock Highway in Tappahannock
14. Economic Development Authority – September 14th at 7pm; Board Room
15. 360 Hardware Farm & Chicken Swap – September 17th from 8am-1pm
16. King William County School Board Meeting – September 20th at 6pm; Hamilton-Holmes MS
17. Food Trucks by the River – September 23rd from 5-8pm, Pavilion at Riverwalk Park
18. Board of Supervisors Regular Meeting – September 26th at 7pm; Board Room
19. West Point Crab Carnival – September 30th from 5-9:30pm; Downtown West Point

Notes & Updates

1. Personnel
 - a. Vick Jason hired as full-time dispatcher in the Sheriff's Office.
 - b. Robert Outlaw resigned as Benefits Specialist in Social Services.
2. A stop order remains in place on the construction of the new Dollar General off Route 30 because part of the structure has fallen twice.
3. Middlesex Social Services continues to assist our Family Services Unit on a 90-day contract.
4. King William County is listed as Medium for COVID-19 exposure by the State Department of Health.
5. Next Generation 9-1-1 is expected to be launched in September by the Sheriff's Office.
6. King William County unemployment rate was 2.7 percent for June.
7. The non-profit organization handling funding for West Point and King William Head Start program has been cited for financial deficiencies by the Administration for Children and Families.
8. The wrong topsoil was placed on the football field where the Raiders Youth Football Organization plays its home games at Hamilton-Holmes Middle School. Through donations of equipment and labor by Straughan Robinson and Robert Hartwick, and assistance from our Maintenance crew, the wrong soil was removed, new soil was added, and new grass was planted. The size of the donation by the two EDA members was around \$2,500.
9. Habitat for Humanity has purchased property at 11353 West River Road as the site for its next house. The group is requesting help from community developers and contractors to get the current structure torn down and help with other site work.
10. New Welcome Signs have been installed at entry points into the County except in and around West Point. Community feedback has been favorable. Plans are to mulch and put flowers at the locations. We are looking for a non-profit group to assist with the project.

AGENDA ITEM 11.b.

DCJS Civilian Active Attack Program Public Training Sessions - September 7, 2022 -
Percy C. Ashcraft, County Administrator

Sept 7, 2022

CIVILIAN RESPONSE AND CASUALTY CARE

Training Opportunity for King William County Employees and Residents

This in-person course of Civilian Response and Casualty Care (CRCC) provides a coordinated effort through a "whole community approach" to establish stakeholders within the community and empower citizens to become "Immediate Responders" who do what they can, where they are, with what they have to work with until "First Responders" arrive. This course uses the basics of Avoid, Deny, and Defend to teach against an active attack, and also how to provide life-saving medical aid to the injured from the Stop the Bleed® campaign.

Available now — registration is required.

**Session 1: 8am
to 12pm**
**Session 2: 1pm
to 5pm**

HOW TO REGISTER:

1. Use the link:

<https://www.dcjs.virginia.gov/training-events/civilian-response-and-casualty-care-crcc>

2. Select "register" on the right side of the page, about ¼ of the way down.

3. Scroll to 9/7/2022 and select either the morning or afternoon course and select register to the right.

4. Fill out the google doc and submit the registration. You will receive a confirmation email.

****Please note: The website may say the training will be held at 180 Horse Landing Road – this is being corrected. THE TRAINING WILL BE HELD AT THE PARKS AND RECREATION BUILDING****

EMAIL: EBARTOL@KINGWILLIAMCOUNTY.US

AGENDA ITEM 11.c.i.

Animal Activities Report

**Regional Animal Shelter
Animal Activities Report
July 2022**

Dogs Received		Stray		Seized		Bite Cases		Surrendered		Other		Total		
Month	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
KW Animal Control	5	54	0	0	0	3	2	10	0	0	0	7	67	
K & Q Animal Control	9	44	0	1	0	1	0	16	0	0	0	9	62	
King William Citizens	4	35	0	0	0	1	4	40	0	0	0	8	76	
King & Queen Citizens	0	12	0	0	0	0	0	34	0	0	0	0	46	
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	
Totals	18	145	0	1	0	5	6	100	0	0	0	24	251	
Disposition (Dogs)	Reclaimed		Adopted		Transferred		Euthanized		Other		Total			
Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	
Cats Received	3	40	3	51	17	118	1	42	0	0	0	24	251	
Stray		Seized		Bite Cases		Surrendered		Other		Total				
Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	
KW Animal Control	0	32	0	0	0	0	2	40	0	0	0	2	72	
K & Q Animal Control	2	8	0	0	0	0	0	14	0	0	0	2	22	
King William Citizens	0	8	0	0	0	0	29	90	0	4	4	29	102	
King & Queen Citizens	3	4	0	0	0	0	3	37	0	0	0	6	41	
Other	0	0	0	0	0	0	0	0	6	11	6	6	11	
Totals	5	52	0	0	0	0	34	181	6	15	6	45	248	
Disposition (Cats)		Reclaimed		Adopted		Transferred		Euthanized		Other		Total		
Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	
3	9	15	38	24	161	3	40	0	0	0	0	45	248	
Month	YTD	Other Species Handled												
1	27	Month												
5 kittens born at RAS 4-22, 4 kittens born at RAS 5-22; 3 kittens transferred in from Indian Rivers Humane Society; 3 kittens transferred in from Homeward Trails 7-22;														
Other Disposition Explanation														
Animals On Hand														
Dogs	9	Cats	14	Other Species	0									



20201 King William Road
P.O. Box 215
King William, Virginia 23086
804-769-4983 Fax: 804-769-4993

July 2022 Animals Euthanized Explanation

Cats Euthanized: 3

- 1 surrendered cat to King William Animal Control, rear leg infested with maggots
- 1 feral cat surrendered to Shelter by owner
- 1 stray cat by King & Queen Animal Control, held 27 days and still lashing out at staff, not an adoption candidate

Dogs Euthanized: 1

- 1 stray 10+ year old Hound by King & Queen Animal Control. Heartworm positive and symptomatic with chronic debilitating cough; bi-lateral ear infections; mammary tumor

SPAY/NEUTER SAVES LIVES

AGENDA ITEM 11.c.ii.

Building Department Report

King William County Building Department Report - July 2022

	JAN	FEB	MAR	APR	MAY	JUNE
TOTAL PERMITS ISSUED	56	67	65	115	94	126
BUILDING INSPECTIONS COMPLETED	287	463	425	483	456	474
NEW COMMERCIAL PERMITS	1	1	2	1	2	2
NEW DWELLINGS	11	15	9	6	18	22
CERTIFICATE OF OCCUPANCY	7	12	19	15	9	5
PLAN REVIEW	11	28	12	18	39	43

AGENDA ITEM 11.c.iii.

Fire & EMS Department Report



Stacy Reaves, Fire Chief

King William Fire & Emergency Services Department Report August 22, 2022

- King William Fire and EMS Academy 1 is complete. Academy 1 will be moving forward with their field training programs as EMTs and firefighters over the next 6 months then into their driver training classes and field training programs.
- Beginning the Emergency Operations Center development project Asst EM Bartol is the project manager.
- Open to the public: Civilian Response and Casualty Care Program: Hosted by King William County at Parks and Recreation 7890 Richmond Tappahannock Hwy Aylett VA 23009 on September 7, 2022. There will be a morning course or afternoon course to choose from. Registration links will be advertised on the King William County Website and Facebook Page.
- Department leadership continues working to develop procedures and tactical guidelines to define goals and expectations for emergency and non-emergency responses to ensure quality of service.
- Citizens Emergency Response Team. Assistant Chief Jones will be the point of contact for interest in becoming a CERT member and organizing the training for the program. His contact information is:
Assistant Chief William Jones
804-980-0771
wjones@kingwilliamcounty.us
- CODERED: Citizens interested in receiving emergency alerts from King William County can sign up for CodeRed using the links provided on the King William County Website.
- King William Fire and EMS will be participating in the Farmers Market being held at King William County High School on August 19, 2022. There will be information available for CodeRed, CERT, and Fire Safety Packets for the children
- Asst EM Bartol is continuing to build the COOP (Continuity of Operations Plan) and revising the EOP (Emergency Operations Plan). We are moving towards the next steps of developing the plans. We have also applied for a non-match grant to pay for a planner to help ensure the best plans are written.
- Chief Morey is the project manager for mandatory participation in the Medicare Ground Ambulance Data Collection program required by the Centers for Medicare and Medicare Services.



Stacy Reaves, Fire Chief

- All EMS Field Training Programs have been updated to reflect the new state required Red Dot training. The programs have been reviewed and approved by the department's Operational Medical Director, Dr. Lisa Dodd.
- We have been approved for a PPC study which replaced the ISO study. The changes in fire protection made over the past several years should improve the ratings in the areas with changes.
- The basic classes for the Water Rescue Program were completed July 15, 2022, and the remaining classes have been scheduled.
- The new fire engine is in production and if there are no unforeseen delays expected delivery is late September early October. If delivered on time we hope to have the apparatus in service by the end of November.
- Medic 1805 which was damaged in a MVC has been repaired and returned to service. All apparatus are in service with the exception general maintenance appointments.

July 2022 Calls based on reports in reporting software: (note if the report is not completed it will not show in the count)

	MVFD	KWFE	WPVFR	Totals
Fire	2	15	28	45
EMS	12	100	55	167
Totals	14	115	83	212

Immediate life	24
MVA	8
MVA Extrication	0
MVA Pedestrian	0
Structure Fire	0
Wildland Fire	1
Car Fire	1
Civilian Injury	0
Cardiac Arrest	3
ROSC	0

AGENDA ITEM 11.c.iv.

Sheriff's Department Activity Report



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

King William Sheriff's Office Activity

July 1, 2022 – July 31, 2022

Calls for Service	1030
Incident Reports	82
Traffic Summons	60
Warrants Served	46
Civil Papers Served	561
16.1-241-RUNAWAY: CHILD IN NEED OF SUPERVISION	1
18.2-137-MONUMENT: INTENTIONAL DAMAGE, VALUE <\$1000	3
18.2-250-DRUGS: POSSESS SCH I OR II	1
18.2-266-DWI: 1ST OFF, BAC .15-.20%	1
18.2-266-DWI: 1ST OFFENSE	1
18.2-456(6)-FAIL TO APPEAR-FEL/MISD/SUMONS	2
18.2-57-ASSAULT: (MISDEMEANOR)	3
18.2-57.2-ASSAULT & BATTERY - FAMILY MEMBER	4
18.2-57.3-FIRST OFFENDER VIOLATION: DOMESTIC VIOLENCE	1
18.2-96-PETIT LARCENY: <\$1000 NOT FROM A PERSON	4
23F-Theft From Motor Vehicle	4
23H-All Other Larceny	3
250-Counterfeiting/Forgery	1
26B-Credit Card/Automatic Teller Machine Fraud	1
290-Destruction/Damage/Vandalism of Property	1
3.2-6504-ANIMAL: ABANDONMENT OF ANIMALS	1
46.2-617-TITLE: SELL VEH W/O HAVING TITLE	1
46.2-817-LAW ENF COMMAND: DISREGARD OR ELUDE, ENDANGER	1
46.2-852-RECK DR: GENERALLY, ENDANGER LIFE/LIMB/PROPERTY	1
90F-Family Offenses, Nonviolent	6
90I-Runaway	1
90J-Trespass of Real Property	1
90Z-All Other Offenses	3
99VCC999.072-SEXUAL ASSAULT-FELONY - TYPE NOT CLEAR	1
ANIMBD-ANIMAL BITE DOG/CANINE	2
ANIMBF-ANIMAL BITE - FELINE / CAT	2
CIVILD-CIVIL DISTUBANCE/VERBAL DISPUTE	2
DOA-DEAD ON ARRIVAL/DECEASED PERSON	1
FOUND-FOUND PROPERTY	2
LOST-LOST PROPERTY	1
SUIC-SUICIDE	2
SUICT-SUICIDE THREATENED	2
WARR-WARRANT SERVICE	6
** TOTAL **	82

AGENDA ITEM 11.c.v.

Utilities Department Report

KING WILLIAM UTILITY DEPARTMENT		
MONTHLY ACTIVITY REPORT - JULY 2022		
PROJECTS		
ITEM	STATUS	NOTES
Industrial Park Water System	Ongoing	Submittals have been turned into DEQ
Kennington Office Warehouse	Started 1/25/2021	Waiting for BAC-T samples
Central Crossings Sec 2B	100% Completed	Water line tied in.
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	Review Approved	Fourth Submittal - Approved for Construction
Highview Section 1	Under Review	First Submittal
McCauley Townhomes	Under Review	First Submittal
Manfield Water Tower	Approval from Board	Plans are at 50%.
INFRASTRUCTURE GROWTH		
	MONTHLY	FYTD
Water Connections	7	7
Sewer Connections	7	7
Water Meter Sales	3	3

SERVICE AND REPAIRS		
	MONTHLY	FYTD
Miss Utility tickets	86	86
Repair items addressed	0	0
Flow Tests	0	0
Customer Transfers (Manual meter reads)	21	21
Replace defective meters	19	19
Manual Meter reads after Electronic Billing Reads	11	11
Bac't Samples per month	8	8
Number of inspection per working project	15	15
DEQ readings using Levellogger	2	2
Daily Water Usage Readings (3 wells)	21	21
Weekly Well Inspections (4 wells)	19	19
Total Water Utility Customers Accounts	686	

AGENDA ITEM 11.c.vi.

Synopsis from MPPDC Meeting



COMMISSIONERS

Essex County

Hon. Edwin E. Smith, Jr.
Hon. John C. Magruder
Ms. Sarah Pope

Town of Tappahannock

Hon. Fleet Dillard

Gloucester County

Hon. Ashley C. Chriscoe
(Vice-Chairman)
Hon. Kenneth W. Gibson
Dr. William G. Reay
Ms. Carol Steele

King and Queen County

Hon. Sherrin C. Alsop
Hon. R. F. Bailey
Mr. Thomas J.
Swartzwelder
(Chairman)

King William County

Hon. Ed Moren, Jr.
Hon. Travis J. Moskalski
(Treasurer)
Mr. Otto O. Williams
Mr. Percy C. Ashcraft

Town of West Point

Hon. James Pruett
Mr. John Edwards

Mathews County

Hon. David Jones
Hon. Melissa Mason
Mr. Harry Meeks

Middlesex County

Hon. Wayne H. Jessie, Sr.
Hon. Reggie Williams, Sr.
Mr. Gordon E. White

Town of Urbanna

Hon. Marjorie Austin

Secretary/Director

Mr. Lewis L. Lawrence

TO: Middle Peninsula County Administrators and Town Managers
Assistant Co. Administrators and Assistant Town Managers
County Board of Supervisors
Town Council Members
MPPDC Board of Commissioners
Planning Directors
Economic Development Authority Members

FROM: Lewie Lawrence, MPPDC Executive Director

DATE: July 29, 2022

RE: Synopsis of MPPDC Meeting of July 27, 2022

In an effort to bring broader awareness to the work of the Middle Peninsula Planning District Commission to all elected officials and locality administrators and to alert you as to items that may require local participation or input, after each monthly meeting MPPDC staff will transmit a quick update on items discussed at the PDC meeting.

We hope this is of benefit to you. Please do not hesitate to contact me or my staff if you have any questions or want more information on any of the topics discussed.

Thank you.

Attachment

Middle Peninsula Planning District Commission Meeting

7:00 P.M.

Wednesday, July 27, 2022

125 Bowden Street

Saluda VA 23149

I. Welcome and Introductions

The monthly meeting of the Middle Peninsula Planning District Commission was held in the Regional Board Room at the Middle Peninsula Planning District Commission office in Saluda, Virginia on Wednesday, July 27, 2022 at 7:00 p.m. MPPDC Vice-Chairman Chriscoe welcomed everyone in attendance.

II. Approval of June Minutes

III. Approval of Financial Report for June

IV. Executive Director's Report on Staff Activities for the month of July

V. MPCBPAA Update

VI. MPA Update

VII. MPPDC Public Relations/Communications Update

VIII. Public Comment

AGENDA ITEMS FOR DISCUSSION

IX. Sox Erosion Solution – Greg Ball, Regional Manager

Greg Ball, Regional Manager for Sox Erosion Solution provided a PowerPoint Presentation on bioengineered living shorelines. Topics included: Product Information; Installation Process; Stabilization Methods; and Examples of Completed Projects.

X. Governor Youngkin's Executive Order 19

MPPDC Deputy Director, Curt Smith reviewed Governor Youngkin's Executive Order 19 which requires state agencies to reduce regulations, streamline permitting processes all of which will be under the auspices of a new Office of Regulatory Management.

XI. Adoption of Comprehensive Economic Development Strategy Update

MPPDC Deputy Director, Curt Smith reviewed the proposed updates to the current CEDS plan for Commission approval. The updates were unanimously approved as presented.

XII. Adoption of MPPDC FY2023 Indirect Cost Allocation Plan

MPPDC Chief Financial Officer, Heather Modispaw reviewed the proposed MPPDC FY2023 Indirect Allocation Plan for Commission approval. The FY2023 Indirect Allocation Plan was unanimously approved as presented.

XIII. Other Business

- Coleman Bridge – Robert Crockett, Advantus Strategies
Robert Crockett, Advantus Strategies provided a brief overview of SB 1749 and HB 30 and how it may be applied to the Coleman Bridge.
- Tribal Relations Training Needs
Commissioner Moskalski reported a need for education and training regarding relations between local governments and Tribal Nations. MPPDC staff indicated that initial discussions were held for county administrators and town managers earlier this year but additional and expanded training would be pursued for additional local government leadership.

XIV. Adjournment

AGENDA ITEM 11.c.vii.

VDOT Transportation Briefing



Fredericksburg

King William County Board of Supervisors August 2022 VDOT Transportation Briefing

Construction Projects Underway

UPC 106179 – Route 600 Turn lane addition at Route 360, underway

UPC 117198 – Route 33/30 Crosswalk Repair, underway

Cape Seal Routes 2022

Route 1007 – From Route 1108 (C Street) to Route 30 (King William Avenue) 0.13 miles

Route 1008 – From End State Maintenance to Route 30 (King William Avenue) 0.2 miles

Route 1012 – From Route 1108 (C Street) to Route 30 (King William Avenue) 0.13 miles

Route 1022 – From Route 1108 (C Street) to Route 30 (King William Avenue) 0.12 miles

Route 1023 – From Route 1108 (C Street) to Route 30 (King William Avenue) 0.13 miles

Route 1024 – From Route 1108 (C Street) to Route 30 (King William Avenue) 0.12 miles

Route 1108 – From Route 1207 (14th Street) to Route 30 (King William Avenue) 0.24 mi

Route 1108 – From Route 1108 (C Street) to Route 1007 (Lynndale Street) 0.31 miles

Route 1118 – From Kent Street to Route 1108 (Kirby Street) 0.08 miles

Route 1118 – From Route 1108 (Kirby Street) to Route 30 (King William Avenue) 0.07 mi

Route 1122 – From Intersection Kent Street/ESM to Intersection Route 30 (Main Street)
0.16 miles

Route 1207 – From Intersection Route 30/33 (Main Street/14th Street) to Intersection
Kent Street/ESM 0.17 miles

Construction Projects

Upcoming Unpaved Road Projects on Secondary Six Year Plan:

As a reminder the board prioritized seven roads on the six-year plan, they are listed in priority order below.

Route 634 Kentucky Road – UPC 114818 – March 2023

Route 641 Sandy Point Road – UPC 114819 – March 2023

Route 624 Trimmers Shop Road – UPC 114820 – March 2024

Route 617 W. Spring Forest Road – UPC 115626 – March 2025

Route 621 Green Level Road – UPC 115628 – March 2027

Construction Projects Next 24 Months

None

Bridge Projects next 24 Months

UPC 118975 – Route 629 over Jacks Creek – Spring 2023

Traffic Engineering Requests

None

Supervisor Requests

None

Meetings of Significance

None

Maintenance Operation Highlights

Completed Projects

- Contractor Primary mowing completed
- Contractor Secondary mowing completed
- Sign Repair countywide
- Unpaved road maintenance countywide
- Patch potholes countywide

Upcoming Projects

- Storm Debris Clean-up countywide
- Routes 30 and 360 Shoulder Repair
- Route 618 Brush Cutting
- Route 640 Ditching
- Brush Cutting Guardrails
- Sign Repairs/Daylighting signs countywide
- Unpaved Road maintenance throughout the county
- Continue to patch potholes Countywide

Land Use Highlights

- Site Plan reviews completed: 17
- Subdivision reviews completed: 0
- Average number of days per review: 5.4
- Number of permits issued: 9
- Number of permits completed: 8

Contact for questions or concerns:

Lee McKnight

Residency Administrator

(804) 286-3115

lee.mcknight@vdot.virginia.gov

Ron Peaks

Assistant Residency Administrator

(804) 286-3118

ronald.peaks@vdot.virginia.gov

**VIRGINIA IS FOR LOVERS,
NOT LITTER**

AGENDA ITEM 11.c.viii.

VPPSA Drop Off Recycling Report

Drop Off Recycling
Site Detail
July 2022

King William County

	Request Date	Pull Date	Delivery Date	Location	Weight
Epworth					
Paper	No Pulls				
Containers	5-Jul	5-Jul	5-Jul	TFC	2660
				Total	2660
				Average	2660

Landfill					
Paper	No Pulls				
Containers	22-Jul	22-Jul	28-Jul	TFC	2460
				Total	2460
				Average	2460

Transfer Station					
Paper	20-Jun	20-Jun	1-Jul	RMR	5560
				Total	5560
				Average	5560
Containers	12-Jul	12-Jul	12-Jul	TFC	3420
	1-Jul	1-Jul	14-Jul	TFC	2800
				Total	6220
				Average	3110

VFW Road					
Paper	No Pulls				
Containers	17-Jul	18-Jul	18-Jul	TFC	2600
				Total	2600
				Average	2600

Drop Off Recycling

King William Number of Collections

FY 22	Epworth		Landfill		VFW Road		Transfer Station		Total	
	Paper	Container	Paper	Container	Paper	Container	Paper	Container	Paper	Container
July	0	2	0	0	0	2	0	3	0	7
August	0	1	0	1	0	1	1	2	1	5
September	0	1	1	0	1	0	0	3	2	4
October	0	1	0	2	0	1	0	2	0	6
November	0	1	0	0	0	1	1	3	1	5
December	1	0	0	2	0	1	3	1	4	4
January	0	1	0	0	0	0	1	3	1	4
February	0	1	0	1	1	1	1	2	2	5
March	0	1	0	1	0	1	0	3	0	6
April	0	1	0	0	0	0	1	2	1	3
May	1	1	0	0	0	1	1	2	2	4
June	0	1	0	1	0	1	0	3	0	6
Totals	2	12	1	8	2	10	9	29	14	59

FY 23	Epworth		Landfill		VFW Road		Transfer Station		Total	
	Paper	Container	Paper	Container	Paper	Container	Paper	Container	Paper	Container
July	0	1	0	1	0	1	1	2	1	5
August	0	0	0	0	0	0	0	0	0	0
September	0	0	0	0	0	0	0	0	0	0
October	0	0	0	0	0	0	0	0	0	0
November	0	0	0	0	0	0	0	0	0	0
December	0	0	0	0	0	0	0	0	0	0
January	0	0	0	0	0	0	0	0	0	0
February	0	0	0	0	0	0	0	0	0	0
March	0	0	0	0	0	0	0	0	0	0
April	0	0	0	0	0	0	0	0	0	0
May	0	0	0	0	0	0	0	0	0	0
June	0	0	0	0	0	0	0	0	0	0
Totals	0	1	0	1	0	1	1	2	1	5

Drop Off Recycling

King William Total Weights (Pounds)

FY 22	Epworth		Landfill		VFW Road		Transfer Station		Total	
	Paper	Container	Paper	Container	Paper	Container	Paper	Container	Paper	Container
July	0	6,820	0	0	0	3,920	0	10,000	0	20,740
August	0	2,120	0	1,740	0	3,520	6,440	6,280	6,440	13,660
September	0	1,760	7,560	0	12,680	0	0	8,300	20,240	10,060
October	0	3,060	0	5,020	0	2,780	0	6,080	0	16,940
November	0	2,860	0	0	0	2,640	7,120	8,840	7,120	14,340
December	7,980	0	0	5,760	0	2,960	18,660	2,920	26,640	11,640
January	0	2,560	0	0	0	0	8,360	9,080	8,360	11,640
February	0	3,020	0	2,220	7,580	2,780	5,520	6,100	13,100	14,120
March	0	2,900	0	2,280	0	2,920	0	8,800	0	16,900
April	0	2,840	0	0	0	0	7,240	5,660	7,240	8,500
May	7,700	2,060	0	0	0	2,980	5,040	6,220	12,740	11,260
June	0	2,660	0	2,460	0	2,820	0	8,160	0	16,100
Totals	15,680	32,660	7,560	19,480	20,260	27,320	58,380	86,440	101,880	165,900

FY 23	Epworth		Landfill		VFW Road		Transfer Station		Total	
	Paper	Container	Paper	Container	Paper	Container	Paper	Container	Paper	Container
July	0	2,660	0	2,460	0	2,600	5,560	6,220	5,560	13,940
August	0	0	0	0	0	0	0	0	0	0
September	0	0	0	0	0	0	0	0	0	0
October	0	0	0	0	0	0	0	0	0	0
November	0	0	0	0	0	0	0	0	0	0
December	0	0	0	0	0	0	0	0	0	0
January	0	0	0	0	0	0	0	0	0	0
February	0	0	0	0	0	0	0	0	0	0
March	0	0	0	0	0	0	0	0	0	0
April	0	0	0	0	0	0	0	0	0	0
May	0	0	0	0	0	0	0	0	0	0
June	0	0	0	0	0	0	0	0	0	0
Totals	0	2,660	0	2,460	0	2,600	5,560	6,220	5,560	13,940

Drop Off Recycling

Total Weights (Pounds)

FY 22

	Paper	Container
July	92,200	133,600
August	134,920	104,160
September	132,960	97,240
October	124,200	83,720
November	55,280	85,280
December	172,940	74,380
January	83,300	102,621
February	108,440	68,700
March	62,580	68,880
April	103,618	71,340
May	95,740	91,180
June	92,340	88,200
Totals	1,258,518	1,069,301

FY 23

	Paper	Container
July	48,580	66,200
August	0	0
September	0	0
October	0	0
November	0	0
December	0	0
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
Totals	48,580	66,200

AGENDA ITEM 11.c.ix.

Finance Department Updates



Natasha L. Brown
Director of Financial Services

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

MEMORANDUM

DATE: August 22, 2022

TO: King William County Board of Supervisors

FROM: Natasha L. Brown, Director of Financial Services

SUBJECT: (1) Update on Bank Account Reconciliations
(2) Update Annual Audit FY21 and FY22

Update on Bank Account Reconciliations

Background:

For FY2021, the Treasurer office failed to complete bank reconciliations. The incomplete bank reconciliations carried forward into FY22. As of May 9, 2022, no reconciliations had been completed by the Treasurer's office. King William County Board of Supervisors made a decision to no longer fund one staff member salary in the Treasurer's office and move the duty of reconciliation into the County Finance department.

Summary:

County Finance was able to hire a Reconciliation Specialist on July 11, 2022, to assist the Director of Financial Services in bank reconciliations beginning with July 2021.

Progress:

Bank Account Reconciliation Items:

1st Quarter (July, August, and September) submitted to Treasurer 8/2/22

- \$30,407.59 Funds at the bank that have not been posted by Treasurer's office in financial system
- \$339,002.13 Funds posted by Treasurer's office but not at bank July, August, or September
- Bank interest revenue duplicate posting by Treasurer's office

Resolved to date by Treasurer: \$310,776 posted 9/30/21 in financial system – funds not in bank until 11/24/21

2nd Quarter (October, November, December) - currently reviewing transactions posted by Treasurers office vs. Bank account funds received/returned

Update on Annual Financial Audits

FY2021 Auditors are currently drafting financial statements. Once the financial statements are ready for review, KWC Director of Finance will prepare the Management's Discussion and Analysis.

FY2022 Until the cash is reconciled completely, final audit visit cannot be scheduled.

AGENDA ITEM 13.a.

Motion to Convene Closed Meeting in accordance with Section 2.2-3711 (A)(3) of the Code of Virginia regarding the acquisition of real property for a public purpose because discussion in an open meeting may adversely affect the bargaining position or negotiating strategy of the Board.

CLOSED MEETING MOTIONS

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

☐ 1. appointment of individuals to Boards and Commissions.

☐ 2. interview of a prospective candidate for employment.

(or the)

☐ 3. Employment

☐ 6. Promotion

☐ 9. Salary

☐ 4. Assignment

☐ 7. Performance

☐ 10. Discipline

☐ 5. Appointment

☐ 8. Demotion

☐ 11. Resignation

of a specific public officer / appointee / employee.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CERTIFICATION OF CLOSED MEETING

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

STANDING RESOLUTION – 1 (SR-1) A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT REGARDING MEETING IN CLOSED MEETING

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

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia requires a certification by the King William County Board of Supervisors that such Closed Meeting was conducted in conformity with Virginia law,

NOW, THEREFORE, BE IT RESOLVED that the King William County Board of Supervisors on this _____ day of _____, 2022, hereby certifies that, to the best of each member's knowledge:

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

[ROLL CALL VOTE]