



County of King William, Virginia

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

A G E N D A

- 1. Call to Order**
- 2. Roll Call**
- 3. Review and Adoption of Meeting Agenda**
- 4. Approval of Minutes**
 - a. September 12, 2022 Work Session Draft Minutes
- 5. Presentation**
 - a. All Points Broadband Update - Kyle Rosner, Director of Government Affairs
 - b. Opioid Abatement Funding Request - Linda Hodges, Executive Director, Middle Peninsula Northern Neck Community Services Board
 - c. Comprehensive Annual Financial Report for Year Ended June 30, 2021 - Aaron B. Hawkins, Robinson, Farmer, Cox (Zoom)
 - d. Authorization to Sign and Submit Notarized Statement Certifying Presentation of FY2021 Financial Report to Local Governing Body - Natasha Brown, Director of Financial Services
- 6. Work Session Matters**
 - a. Sweet Sue Solar Update - Melanie Rapp Beale, Dominion Energy External Affairs Manager
 - b. Changes to HPARB Bylaws - Christina Grover, Zoning Administrator
 - c. Proposed Ordinance to Update King William County Code Article XIX. FLOODS to Reflect and Adopt New FEMA Flood Plain Maps - Sherry Graham, Director of Planning
 - d. Ordinance Amendment Clarifying License Fee Exemptions - Steve Hudgins, Deputy County Administrator
 - e. **Ordinance 02-22C** - Corrections to Errors in Polling Locations and Street Name - Steve Hudgins, Deputy County Administrator

- f. Reducing Number of Members on EDA Board - Steve Hudgins, Deputy County Administrator
- g. Recreation Survey Results - Christine Branch, Deputy Clerk

7. Board of Supervisors' Requests

8. Closed Meeting (if needed)

- a. Motion to Convene Closed Meeting
- b. Motion to Reconvene in Open Session
- c. Certification of Closed Meeting
- d. Action on Closed Meeting (if necessary)

9. Adjourn or Recess

NOTES REGARDING AGENDA:

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

There is no Public Comment Period during Work Sessions.

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

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

AGENDA ITEM 4.a.

September 12, 2022 Work Session Draft Minutes

**DRAFT MINUTES
KING WILLIAM COUNTY BOARD OF SUPERVISORS
WORK SESSION MEETING OF SEPTEMBER 12, 2022**

A work session meeting of the Board of Supervisors of King William County, Virginia, was held on the 12th day of September 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 Moskalski made a motion to approve the amended agenda as presented. Supervisor Garber 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

Mr. Pearson said it currently looks like there will be an increase to property values of about 65% since the last assessment in 2015. There is still a little bit of data entry left and they still have to enter commercial in the system. This should be done by the end of the month. Mr. Pearson said he and the Commissioner of the Revenue visited West Rock.

Mr. Pearson said all information will be online for property owners to see and will be easy to access. Notices will be sent out in the latter part of November. There are three ways to appeal, in person, by phone call, or by e-mail.

Supervisor Garber asked if they are willing to do a revisit if a citizen requests it. Mr. Pearson said they'd be happy to revisit but won't do interior inspections without a county staff person present. He said they will listen to people’s concerns and correct any mistakes.

Supervisor Moskalski asked if a letter from the Board to the community communicating the Board's intent to equalize the rate could be put in with the notices. Mr. Pearson said that is not a problem.

Chairman Moren asked when the Board of Equalization should be put together. Mr. Pearson said now. He said hearings could begin in October/November.

4.b. VDOT Quarterly Update – Lee McKnight, Residency Administrator, VDOT Saluda Residency

Mr. McKnight said two projects are substantially complete - the 30/33 crosswalk repair and the 60/360 turn lane, pending striping. Upshaw Rd will be reviewed for speed as will Aylett's Rd.

Maintenance operational highlights: The second round of mowing began today. There have been 54 service calls and 16 have been closed. The average days to close a service call is 3. The most common calls are for dead animals, potholes, drainage, and debris.

Upcoming projects include brush cutting, pothole patching, sweeping in West Point, getting ready for winter, and looking for snow contractors.

Vice Chair Hodges asked who did the paving on Chelsea Road. He said it is a mess and not safe for bicycles. Mr. McKnight said there was excess from the 600/360 repair which was applied there. They're working on cleaning it up now.

Vice Chair Hodges said last year they only swept one side of the bridge. He asked if both sides would be done this year. Mr. McKnight said yes.

Supervisor Moskalski said there were limbs overhanging some road shoulders.

Supervisor Garber asked if the pothole on Dabneys Mill Road had been repaired. Mr. McKnight said yes.

Supervisor Garber said Route 607 is a dirt road and asked if there were any plans to pave it. Mr. McKnight said he would check.

Supervisor Garber asked about the Brandywine traffic count. Mr. McKnight said it has been scheduled.

Supervisor Garber said Timberland Estates wants to come to the state system. Mr. McKnight said a meeting has been scheduled.

Supervisor Greenwood said the traffic light heads don't line up with the lanes of traffic on Route 30/360, near 7-11. Mr. McKnight said this had been looked at but they could look at it again.

4.c. Sweet Sue Solar Update – Melanie Rapp Beale, Dominion Energy External Affairs Manager

Chairman Moren said one year for construction seems aggressive. Ms. Beale said they are hoping to meet that schedule if supplies come in.

Supervisor Garber said there was a letter from AMT regarding dam repairs on the Chenault property. He asked if DEQ was aware of this. Ms. Beale said she would find out.

Supervisor Garber asked if there was any reason for the DEQ permit delay. Ms. Beale said there was an update to the regulations, so they had to redesign a lot of the project to conform and now they are waiting for DEQ review.

Supervisor Garber said he would like Mr. Hudgins to contact DEQ and tell them about the dam repair. Mr. Hudgins said he would do so.

4.d. Bay Aging Update - Kathy Vesley, President & CEO

Ms. Vesley said people in the community do not know what's available to them through Bay Aging. She said they have focused on selling their preventative services to insurance companies and hospitals. 70% of their revenue comes from that. This keeps the burden off government and citizens. Ms. Vesley said they are working with DSS to identify those in need of food. They have no current wait list. Ms. Vesley said they are working with Mr. Ashcraft on forming a local TRIAD. She said Bay Aging has resources for caregiver support which are not being utilized.

Vice Chair Hodges asked if the survey presented went to the entire region. Ms. Vesley said yes. She pulled out the figures for King William, which is what she presented. He asked if the survey was on the web. Ms. Vesley said yes, but most responses came from newspaper ads.

Supervisor Garber asked if they have had success working with DSS. Ms. Vesley said no, they haven't initiated anything yet. Mr. Ashcraft said he will put them in contact.

Supervisor Moskalski said he appreciates their efforts.

Chairman Moren asked when the survey was completed. Ms. Vesley said in November and December of 2021. Chairman Moren asked if we can assume conditions are worse now. Ms. Vesley said yes.

Chairman Moren asked roughly how many requests are not supported. Ms. Vesley said for in-house care they have stopped counting. They are doing home repair and renovations for people. Chairman Moren asked if they interact with Habitat for Humanity. Ms. Vesley said they interact but have separate projects. Chairman Moren suggested working with them. He said home repairs are more needed than new homes in the County.

4.e. Newport News Property Presentation - Steve Hudgins, Deputy County Administrator

Mr. Hudgins presented possible ideas and visions for the Newport News property. He showed photos and a drawing. He said the difficulty and challenge will be with the acquisition of the land. Other challenges include the right of way on private property, shoreline grading above the river, non-existing access infrastructure, overgrown trails in the woods, lack of utilities, the need for clearing and permits etc., and ongoing pond and dam maintenance. Using the property for recreation would also require staffing.

Supervisor Garber said he is in favor. He said he has looked into the right of way history and permitting is straightforward. Acquiring the property comes first and staffing later. He said the Newport News City Council must approve the purchase by a super majority.

Supervisor Greenwood asked how other adjacent properties access the water. Mr. Hudgins said he would have to investigate further. Mr. Greenwood said he likes the idea.

Supervisor Moskalski said he is in favor. He said the drawing is quite ambitious and suggested more modest uses to start. Mr. Hudgins said it is definitely a multi-year plan. Supervisor Moskalski suggested getting an offer together.

Vice Chair Hodges said it will be a lot of money - probably over a million. He said he's already had complaints. He doesn't see us running a campground and it would be tough to staff. He said the current economy is a barrier and asked how much it will be later down the road. He said he believes it needs more thought and planning.

Chairman Moren said this is a once in a lifetime opportunity. He said there may be grants available and requested staff put together a preliminary bid by the next meeting.

4.f. Resolution 22-73 - DSS Budget Amendment - Natasha Brown, Director of Financial Services

Ms. Brown said additional funding is available from the State for several DSS programs which was not part of the initial FY2023 State Budget Allocation.

Supervisor Garber made a motion to approve Resolution 22-73. Supervisor Moskalski seconded the motion. 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.g. FY '22 4th Quarter Finance Update - Natasha L. Brown, Director of Financial Services

Ms. Brown presented the FY22 fourth quarter finance update. She said revenues were up and expenses were down. Accounts have been reconciled through June 30, 2021 and turned over to the auditing firm. She said Finance is now working on July 2021 through June 2022. She reminded the Board these figures are unaudited at this time.

4.h. PPC/ISO & Fire District Map - Stacy Reaves, Fire Chief & Steve Hudgins, Deputy County Administrator

Chief Reaves said they are working on PPC/ISO evaluation. He said since it has to be done now, they are looking at district delineations. As they are drawn now, the delineations are down the middle of some streets. He said they can be done by service reaction time or by road. He said insurance rates can drop 10 to 60%. He said this can only be done for Station One because that's the only one that has changed staffing. Chief Reaves said Station One has to be approved in order for the PPC/ISO study. He said other fire stations can request a study but they'll only do what's changed.

Chairman Moren asked if this could be used as a needs assessment. Chief Reaves said the study shows what we are capable of providing and it can guide us for the future.

Vice Chair Hodges asked if West Point can do their own. Chief Reaves said every individual station has to request their own. He said they were advised not to request the entire county be done.

Chief Reaves said they look at emergency communications, the type and extent of training, the water supply, and community risk reduction.

Chief Reaves said due to the road situation some may be longer distances but are actually quicker to get to by a station that's farther away. He said this is purely for fire and not for police.

Chairman Moren said he thinks it's needed.

Chief Reaves said the study is done based on the lines the county defines.

4.i. Resolution 22-74 - Water Tower Bond Reimbursement - Steve Hudgins, Deputy County Administrator

Mr. Hudgins presented Resolution 22-74 for the water tower bond reimbursement.

Vice Chair Hodges asked if the water fund was covering this. Mr. Hudgins said yes, that's the plan. Mr. Hudgins said the bond would be paid back out of the utility fund.

Supervisor Garber asked why the amount in line 38 was different than the amount in line 16. Supervisor Moskalski said you can change 16 to match 38 it doesn't matter. Mr. Hudgins said it was an estimate and it includes up to a certain amount.

Supervisor Moskalski made a motion to approve Resolution 22-74. 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	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

4.j. Operation Green Light for Veterans - Christine Branch, Deputy Clerk

Ms. Branch presented a draft resolution supporting Operation Green Light for Veterans which would be placed on the regular meeting agenda if the Board approves. The National Association of counties and the National Association of County Veteran Service Officers has introduced a new national collaborative initiative to support military veterans and to raise awareness about the unique challenges faced by many veterans and the resources that are available at the county, state, and federal level to assist veterans and their families.

As part of Operation Green Light, King William County government buildings would be illuminated green from November 7th through the 13th. In addition to lighting county buildings, residents and

businesses are encouraged to participate by simply changing one light bulb in their house to a green bulb. This can be an exterior light that neighbors and passers by see, or an interior light that sparks a conversation with friends.

Vice Chair Hodges asked how this would be done. Ms. Branch said she had already coordinated with Facilities and they said they would do whatever was necessary to get it done. She said they had discussed putting up floodlights which would reflect green upon the buildings.

Agenda Item 5. BOARD OF SUPERVISORS' REQUESTS

Supervisor Garber said he would like to revisit the Dabneys Mill boat landing and the Commerce Park conversation.

Vice Chair Hodges said the problem at the VFW landfill is the oil situation. He said there is a tax-exempt program for veterans aged 55 and over.

Supervisor Moskalski said he would like a presentation from All Points Broadband on how the project is going before the end of the year.

Supervisor Greenwood said he would like a list of all projects they've asked about over the last few years. He said they should be somewhere where citizens can see. He said he would also like to resume discussions on the library.

Chairman Moren said they would hopefully be getting more information from All Points Broadband soon. He said he would draft a white paper to let people know what's going on. He said Breezeline serves the northeast end of the county. The FCC finally gave them their grant so they can now work on their timeline.

Agenda Item 6. CLOSED MEETING

6.a. Motion to Convene Closed Meeting

Supervisor Moskalski made a motion to convene Closed Meeting in accordance with Section 2.2-3711 (A)(3) of the Code of Virginia to discuss 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; 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 the office of the Treasurer requiring the provision of legal advice by counsel; and in accordance with Section 2.2-3711 (A)(7) of the Code of Virginia to consult with legal counsel, consultants, and/or staff on a matter of actual litigation in which the County is involved because discussion in an open meeting may adversely affect the litigation position or negotiating strategy of the Board. Vice Chair Hodges seconded the motion. The chairman called for any discussion. The members were polled:

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

6.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 12th day of September, 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 12th day of September, 2022.

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

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

Agenda Item 7. ADJOURN OR RECESS

Supervisor Moskalski made a motion to adjourn the meeting; seconded by Vice Chair Hodges. 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

AGENDA ITEM 5.b.

Opioid Abatement Funding Request - Linda Hodges, Executive Director, Middle Peninsula Northern Neck Community Services Board



MIDDLE PENINSULA NORTHERN NECK COMMUNITY SERVICES BOARD

“Promoting Well-Being...One Individual, One Family, One Community at a time”

ESSEX GLOUCESTER KING & QUEEN KING WILLIAM LANCASTER MATHEWS MIDDLESEX NORTHUMBERLAND RICHMOND WESTMORELAND

October 24, 2022

Mr. Percy Ashcraft
King William County Administrator
180 Horse Landing Road, #4
King William, VA 23086

Dear Mr. Ashcraft:

I am writing about the Opioid Abatement Funding. As you may already be aware these funds were obtained out of the civil suits against pharmaceutical companies who were found to be negligent in the marketing of opioids contributing to many individuals becoming addicted, even losing their lives due to this addiction. Throughout the ten counties of the Middle Peninsula Northern Neck the opioid epidemic has impacted many families.

If your county has not yet received this funding, you should be receiving these monies in the next few weeks. I am including a copy of a funding chart identifying what each county/city in Virginia should be receiving to combat opioid addiction.

I am also writing to request that your county Board of Supervisors respectfully consider awarding these funds to the MPNN Community Services Board.

Opioid Dependence is one of the most difficult addictions to combat. However, at the Community Services Board we have experienced clinical counselors who provide an array of services to individuals addicted to opioids. Some believe that addicted individuals should be admitted to an inpatient treatment program for opioid addiction; however, this is an expensive venture and not always successful. There is much success in the treatment of opioids in intensive outpatient treatment which meets three days a week for three hours at a time. This approach in tandem with NA meetings has found success. For individuals who have routinely participated in this treatment modality but have not had success, there is an opportunity for MAT (Medically Assisted Treatment) and a structured setting at our Discovery Place Transitional Home. We also have a case manager that works exclusively with individuals diagnosed with substance use disorders.

However, these services are expensive and many of the individuals seeking treatment do not have funding for services.

As I have previously mentioned, I am requesting that King William County Board of Supervisors consider awarding these funds to the MPNN Community Services Board so we can continue to provide the needed opioid treatment for all members of our community without regard to income.

I would appreciate an opportunity to attend a Board of Supervisors meeting to discuss our services directly with the elected leaders of your county. Gail Slaughter, Executive Administrative Assistant, will be reaching out to you about scheduling a time to attend a meeting.

If you have any additional questions/concerns about this request, please contact me at 804-758-5314 or lhodges@mpnn.state.va.us.

I am most appreciative of your consideration of this request.

Sincerely,

Linda G. Hodges, LCSW
Executive Director

Enclosure

Recipient	Allocation Percentage (per MOU Ex. A)	Corrected Allocation Percentage	Projected Amount from First Distributors Payment	Projected Amount from Second Distributors Payment	Projected Amount from First Janssen Payment	Projected Total from Distributors Settlement	Projected Total from Janssen Settlement	Projected Total from Both Settlements
Combined Total to Commonwealth, Localities, OAA, and Deficiency Fund			\$20,484,826.63	\$23,214,898.36	\$72,816,532.40	\$433,606,856.79	\$99,269,665.49	\$532,876,522.28
Commonwealth			\$5,123,214.15	\$7,070,592.53	\$11,317,176.57	\$74,011,922.97	\$16,617,247.92	\$90,629,170.89
Opioid Abatement Authority			\$9,939,866.90	\$10,446,315.53	\$39,793,700.83	\$232,679,074.83	\$53,480,976.07	\$286,160,050.90
Deficiency Fund			\$1,355,436.39	\$1,424,497.57	\$5,426,413.75	\$31,728,964.75	\$7,292,860.37	\$39,021,825.12
Localities			\$4,066,309.18	\$4,273,492.72	\$16,279,241.25	\$95,186,894.25	\$21,878,581.12	\$117,065,475.37
Accomack County	0.348%	0.348003480034800%	\$14,150.90	\$14,871.90	\$56,652.33	\$331,253.70	\$76,138.22	\$407,391.93
Albemarle County	0.863%	0.863008630086301%	\$35,092.60	\$36,880.61	\$140,491.26	\$821,471.11	\$188,814.04	\$1,010,285.16
Alexandria City	1.162%	1.162011620116200%	\$47,250.99	\$49,658.48	\$189,166.67	\$1,106,082.77	\$254,231.65	\$1,360,314.43
Alleghany County	0.213%	0.213002130021300%	\$8,661.33	\$9,102.63	\$34,675.13	\$202,750.11	\$46,601.84	\$249,351.96
Amelia County	0.100%	0.100001000010000%	\$4,066.35	\$4,273.54	\$16,279.40	\$95,187.85	\$21,878.80	\$117,066.65
Amherst County	0.299%	0.299002990029900%	\$12,158.39	\$12,777.87	\$48,675.42	\$284,611.66	\$65,417.61	\$350,029.27
Appomattox County	0.133%	0.133001330013300%	\$5,408.25	\$5,683.80	\$21,651.61	\$126,599.84	\$29,098.80	\$155,698.64
Arlington County	1.378%	1.378013780137800%	\$56,034.30	\$58,889.32	\$224,330.19	\$1,311,688.52	\$301,489.86	\$1,613,178.38
Augusta County	0.835%	0.835008350083501%	\$33,954.02	\$35,684.02	\$135,933.02	\$794,818.52	\$182,687.98	\$977,506.49
Bath County	0.037%	0.037000370003700%	\$1,504.55	\$1,581.21	\$6,023.38	\$35,219.50	\$8,095.16	\$43,314.66
Bedford County	0.777%	0.777007770077701%	\$31,595.54	\$33,205.37	\$126,490.97	\$739,609.56	\$169,998.28	\$909,607.84
Bland County	0.147%	0.147001470014700%	\$5,977.53	\$6,282.10	\$23,930.72	\$139,976.13	\$32,161.84	\$172,087.97
Botetourt County	0.362%	0.362003620036200%	\$14,720.19	\$15,470.20	\$58,931.44	\$344,580.00	\$79,201.26	\$423,781.26
Bristol City	0.434%	0.434004340043400%	\$17,647.96	\$18,547.14	\$70,652.61	\$413,115.25	\$94,953.99	\$508,069.24
Brunswick County	0.107%	0.107001070010700%	\$4,350.99	\$4,572.68	\$17,418.96	\$101,851.00	\$23,410.32	\$125,261.31
Buchanan County	0.929%	0.929009290092901%	\$37,776.39	\$39,701.14	\$151,235.66	\$884,295.09	\$203,254.05	\$1,087,549.14
Buckingham County	0.127%	0.127001270012700%	\$5,164.26	\$5,427.39	\$20,674.84	\$120,888.56	\$27,786.08	\$148,674.64
Buena Vista City	0.078%	0.078000780007800%	\$3,171.75	\$3,333.36	\$12,697.94	\$74,246.52	\$17,065.46	\$91,311.98
Campbell County	0.456%	0.456004560045600%	\$18,542.56	\$19,487.32	\$74,234.08	\$434,056.58	\$99,767.33	\$533,823.91
Caroline County	0.318%	0.318003180031800%	\$12,890.99	\$13,589.84	\$51,768.50	\$302,697.35	\$69,574.58	\$372,271.93
Carroll County	0.440%	0.440004400044000%	\$17,891.94	\$18,803.56	\$71,629.38	\$418,826.52	\$96,266.72	\$515,093.24
Charles City County	0.073%	0.073000730007300%	\$2,968.44	\$3,119.68	\$11,883.96	\$69,487.13	\$15,971.52	\$85,458.65
Charlotte County	0.138%	0.138001380013800%	\$5,611.56	\$5,897.48	\$22,465.58	\$131,359.23	\$30,192.74	\$161,551.97
Charlottesville City	0.463%	0.463004630046300%	\$18,827.20	\$19,786.47	\$75,373.64	\$440,719.73	\$101,298.84	\$542,018.57
Chesapeake City	2.912%	2.912029120291200%	\$118,412.11	\$124,445.35	\$474,056.25	\$2,771,870.08	\$637,110.65	\$3,408,980.73
Chesterfield County	4.088%	4.088004088040880%	\$166,232.38	\$174,702.13	\$665,502.04	\$3,891,279.15	\$894,405.34	\$4,785,684.49
Clarke County	0.125%	0.125001250012500%	\$5,082.94	\$5,341.92	\$20,349.26	\$118,984.81	\$27,348.50	\$146,333.31
Colonial Heights City	0.283%	0.283002830028300%	\$11,507.77	\$12,094.11	\$46,070.71	\$269,381.60	\$61,917.00	\$331,298.61
Covington City	0.100%	0.100001000010000%	\$4,066.35	\$4,273.54	\$16,279.40	\$95,187.85	\$21,878.80	\$117,066.65
Craig County	0.070%	0.070000700007000%	\$2,846.44	\$2,991.47	\$11,395.58	\$66,631.49	\$15,315.16	\$81,946.65
Culpeper County	0.790%	0.790007900079001%	\$32,124.16	\$33,760.93	\$128,607.29	\$751,983.98	\$172,842.52	\$924,826.50
Cumberland County	0.100%	0.100001000010000%	\$4,066.35	\$4,273.54	\$16,279.40	\$95,187.85	\$21,878.80	\$117,066.65
Danville City	0.637%	0.637006370063701%	\$25,902.65	\$27,222.42	\$103,699.80	\$606,346.58	\$139,367.96	\$745,714.54
Dickenson County	0.948%	0.948009480094801%	\$38,549.00	\$40,513.12	\$154,328.75	\$902,380.78	\$207,411.02	\$1,109,791.80
Dinwiddie County	0.196%	0.196001960019600%	\$7,970.05	\$8,376.13	\$31,907.63	\$186,568.18	\$42,882.45	\$229,450.63

Emporia City	0.050%	0.0500005000005000%	\$2,033.17	\$8,139.70	\$47,593.92	\$10,939.40	\$58,533.32
Essex County	0.101%	0.1010001000101000%	\$4,107.01	\$16,442.20	\$96,139.72	\$22,097.59	\$118,237.31
Fairfax County	8.672%	8.672086720867210%	\$352,633.86	\$1,411,749.92	\$8,254,690.02	\$1,897,329.53	\$10,152,019.54
Fairfax City	0.269%	0.2690026900269000%	\$10,938.48	\$43,791.60	\$256,055.31	\$58,853.97	\$314,909.28
Falls Church City	0.102%	0.1020010200102000%	\$4,147.68	\$16,604.99	\$97,091.60	\$22,316.38	\$119,407.98
Fauquier County	1.210%	1.210012001210000%	\$49,202.83	\$196,980.79	\$1,151,772.94	\$264,733.48	\$1,416,506.42
Floyd County	0.182%	0.182001820018200%	\$7,400.76	\$29,628.52	\$173,241.88	\$39,819.42	\$213,061.30
Fluvanna County	0.194%	0.1940019400194000%	\$7,888.72	\$31,582.04	\$184,664.42	\$42,444.87	\$277,109.29
Franklin County	0.954%	0.954009540095401%	\$38,792.98	\$155,305.51	\$908,092.05	\$208,723.75	\$1,116,815.80
Franklin City	0.079%	0.0790007900079000%	\$3,376.09	\$12,860.73	\$75,198.40	\$17,284.25	\$92,482.65
Frederick County	1.277%	1.277012770127700%	\$51,927.29	\$207,887.99	\$1,215,548.80	\$279,392.27	\$1,494,941.07
Fredericksburg City	0.524%	0.5240052400524000%	\$21,307.67	\$85,304.08	\$498,784.31	\$114,644.91	\$613,429.23
Galax City	0.139%	0.1390013900139000%	\$5,652.23	\$22,628.37	\$132,311.11	\$30,411.53	\$162,722.64
Giles County	0.409%	0.4090040900409000%	\$16,631.37	\$66,582.76	\$389,318.29	\$89,484.29	\$478,802.58
Gloucester County	0.424%	0.4240042400424000%	\$17,241.32	\$69,024.67	\$403,596.47	\$92,766.11	\$496,362.58
Goochland County	0.225%	0.2250022500225000%	\$9,149.29	\$36,628.66	\$214,172.65	\$49,227.30	\$263,399.95
Grayson County	0.224%	0.2240022400224000%	\$9,108.62	\$36,465.87	\$213,220.78	\$49,008.51	\$262,229.29
Greene County	0.178%	0.1780017800178000%	\$7,238.10	\$28,977.94	\$169,434.37	\$38,944.26	\$208,378.63
Greensville County	0.124%	0.1240012400124000%	\$5,042.27	\$20,186.46	\$118,032.93	\$27,129.71	\$145,162.64
Halifax County	0.353%	0.3530035300353000%	\$14,354.21	\$57,466.30	\$336,013.10	\$77,232.16	\$413,245.26
Hampton City	1.538%	1.53800153800153800%	\$43,875.91	\$175,654.77	\$1,027,076.86	\$236,072.25	\$1,263,149.11
Hanover County	1.079%	1.0790107901079000%	\$21,267.01	\$85,141.28	\$497,832.44	\$114,426.12	\$612,258.56
Harrisonburg City	0.523%	0.523005230052301%	\$181,887.83	\$728,177.74	\$4,257,752.36	\$978,638.72	\$5,236,391.08
Henrico County	4.473%	4.4730447304473000%	\$49,609.47	\$198,608.73	\$1,161,291.72	\$266,921.36	\$1,428,213.08
Henry County	1.220%	1.2200122001220000%	\$935.26	\$3,744.26	\$21,893.20	\$5,032.12	\$26,925.33
Highland County	0.023%	0.023002300023000%	\$13,988.24	\$56,001.15	\$327,446.19	\$75,263.07	\$402,709.26
Hopewell City	0.344%	0.3440034400344000%	\$14,476.21	\$57,954.68	\$338,868.73	\$77,888.53	\$416,757.26
Isle of Wight County	0.356%	0.3560035600356000%	\$24,886.06	\$99,629.95	\$582,549.62	\$133,898.26	\$716,447.87
James City County	0.612%	0.612006120061201%	\$12,443.03	\$49,814.98	\$291,274.81	\$66,949.13	\$358,223.94
King George County	0.306%	0.3060030600306000%	\$7,238.10	\$28,977.34	\$169,434.37	\$38,944.26	\$208,378.63
King William County	0.178%	0.1780017800178000%	\$2,927.77	\$11,721.17	\$68,535.25	\$15,752.74	\$84,287.99
King and Queen County	0.072%	0.0720007200072000%	\$5,489.57	\$21,977.20	\$128,503.59	\$29,536.38	\$158,039.97
Lancaster County	0.556%	0.556005560055601%	\$22,608.91	\$90,513.49	\$529,244.42	\$121,646.13	\$650,890.55
Lee County	0.093%	0.0930009300093000%	\$3,781.71	\$15,139.85	\$88,524.70	\$20,347.28	\$108,871.98
Lexington City	2.567%	2.5670256702567000%	\$104,383.20	\$417,892.30	\$2,443,472.01	\$561,628.79	\$3,005,100.80
Loudoun County	0.449%	0.4490044900449000%	\$18,257.91	\$73,094.52	\$427,393.43	\$98,235.81	\$525,629.24
Louisa County	0.088%	0.0880008800088000%	\$3,578.39	\$14,325.88	\$83,765.30	\$19,253.34	\$103,018.65
Lunenburg County	0.816%	0.816008160081601%	\$33,181.41	\$132,839.94	\$776,732.82	\$178,531.01	\$955,263.83
Lynchburg City	0.163%	0.1630016300163000%	\$6,628.15	\$26,535.43	\$155,156.19	\$35,662.44	\$190,818.63
Madison County	0.452%	0.4520045200452000%	\$18,379.90	\$73,582.91	\$430,249.06	\$98,892.18	\$529,141.24
Manassas City	0.095%	0.0950009500095000%	\$3,863.03	\$15,465.43	\$90,428.45	\$20,784.86	\$111,213.31
Manassas Park City	0.494%	0.4940049400494000%	\$20,087.77	\$80,420.26	\$470,227.96	\$108,081.27	\$578,309.23
Martinsville City	0.088%	0.0880008800088000%	\$3,578.39	\$14,325.88	\$83,765.30	\$19,253.34	\$103,018.65
Mathews County	0.344%	0.3440034400344000%	\$14,988.24	\$56,001.15	\$327,446.19	\$75,263.07	\$402,709.26
Mecklenburg County	0.108%	0.1080010800108000%	\$4,391.66	\$17,581.76	\$102,802.87	\$23,629.10	\$126,431.98
Middlesex County	1.205%	1.2050120501205000%	\$48,999.52	\$196,166.82	\$1,147,013.55	\$263,639.54	\$1,410,653.08
Montgomery County							

Nelson County	0.147%	0.147001470014700%	\$5,977.53	\$6,282.10	\$23,930.72	\$139,926.13	\$32,161.84	\$172,087.97
New Kent County	0.156%	0.156001560015600%	\$6,343.51	\$6,666.72	\$25,395.87	\$148,493.04	\$34,130.93	\$182,623.97
Newport News City	2.047%	2.047020470204700%	\$83,238.18	\$87,479.27	\$333,239.40	\$1,948,495.21	\$447,859.03	\$2,396,354.24
Norfolk City	3.388%	3.388033880338800%	\$137,767.93	\$144,787.38	\$551,546.21	\$3,224,964.23	\$741,253.74	\$3,966,217.97
Northampton County	0.122%	0.122001220012200%	\$4,960.95	\$5,213.71	\$19,860.87	\$116,129.17	\$26,692.14	\$142,821.31
Northumberland County	0.129%	0.129001290012900%	\$5,245.59	\$5,512.86	\$21,000.43	\$122,792.32	\$28,223.65	\$151,015.97
Norton City	0.110%	0.110001100011000%	\$4,472.98	\$4,700.89	\$17,907.34	\$104,706.63	\$24,066.68	\$128,773.31
Nottoway County	0.133%	0.133001330013300%	\$5,408.25	\$5,683.80	\$21,651.61	\$126,599.84	\$29,098.80	\$155,698.64
Orange County	0.638%	0.638006380063801%	\$25,943.31	\$27,265.16	\$109,862.60	\$607,298.46	\$139,586.74	\$746,885.20
Page County	0.410%	0.410004100041000%	\$16,672.03	\$17,521.50	\$66,745.56	\$390,270.17	\$89,703.08	\$479,973.25
Patrick County	0.329%	0.329003290032900%	\$13,378.29	\$14,059.93	\$53,559.24	\$313,168.01	\$71,981.25	\$385,149.27
Petersburg City	0.395%	0.395003950039500%	\$16,062.08	\$16,880.47	\$64,303.65	\$375,991.99	\$86,421.26	\$462,413.25
Pittsylvania County	0.750%	0.750007500075001%	\$30,497.62	\$32,051.52	\$122,095.53	\$713,908.85	\$164,091.00	\$877,999.85
Poquoson City	0.186%	0.186001860018600%	\$7,563.41	\$7,948.78	\$30,279.69	\$177,049.39	\$40,694.57	\$217,743.96
Portsmouth City	1.937%	1.937019370193700%	\$78,765.20	\$82,778.38	\$315,332.06	\$1,843,788.58	\$423,792.35	\$2,267,580.93
Powhatan County	0.262%	0.262002620026200%	\$10,653.84	\$11,196.66	\$42,652.04	\$249,392.16	\$57,322.46	\$306,714.61
Prince Edward County	0.190%	0.190001900019000%	\$7,726.06	\$8,119.72	\$30,930.87	\$180,856.91	\$41,569.72	\$222,426.63
Prince George County	0.351%	0.351003510035100%	\$14,272.89	\$15,000.11	\$57,140.71	\$334,109.34	\$76,794.59	\$410,903.93
Prince William County	3.556%	3.556035560355600%	\$144,599.40	\$151,966.92	\$578,895.61	\$3,384,879.81	\$778,010.12	\$4,162,889.93
Pulaski County	1.061%	1.061010610106100%	\$43,143.97	\$45,342.21	\$172,724.48	\$1,009,943.05	\$232,134.07	\$1,242,077.11
Radford City	0.247%	0.247002470024700%	\$10,043.88	\$10,555.63	\$40,210.13	\$235,113.98	\$54,040.64	\$289,154.62
Rappahannock County	0.091%	0.091000910009100%	\$3,700.38	\$3,888.92	\$14,814.26	\$86,620.94	\$19,909.71	\$106,530.65
Richmond County	0.084%	0.084000840008400%	\$3,415.73	\$3,589.77	\$13,674.70	\$79,957.79	\$18,378.19	\$98,335.98
Richmond City	4.225%	4.22504250422500%	\$171,803.28	\$180,556.87	\$687,804.82	\$4,021,686.50	\$924,379.30	\$4,946,065.80
Roanoke County	1.498%	1.498014980149800%	\$60,913.92	\$64,017.56	\$243,865.47	\$1,425,913.94	\$327,744.42	\$1,753,658.36
Roanoke City	1.859%	1.859018590185900%	\$75,593.44	\$79,445.02	\$302,634.12	\$1,769,542.06	\$406,726.89	\$2,176,268.95
Rockbridge County	0.235%	0.235002350023500%	\$9,555.92	\$10,042.81	\$38,256.60	\$223,691.44	\$51,415.18	\$275,106.62
Rockingham County	0.614%	0.614006140061401%	\$24,967.39	\$26,239.51	\$99,955.54	\$584,453.38	\$134,335.83	\$718,789.21
Russell County	1.064%	1.064010640106400%	\$43,265.96	\$45,470.42	\$173,212.86	\$1,012,798.68	\$232,790.43	\$1,245,589.11
Salem City	0.786%	0.786007860078601%	\$31,961.51	\$33,589.99	\$127,956.12	\$748,176.47	\$171,967.37	\$920,143.84
Scott County	0.421%	0.421004210042100%	\$17,119.33	\$17,991.58	\$68,536.29	\$400,740.83	\$92,109.75	\$492,850.58
Shenandoah County	0.660%	0.660006600066001%	\$26,837.91	\$28,205.33	\$107,444.07	\$628,239.78	\$144,400.08	\$772,639.86
Smyth County	0.592%	0.592005920059201%	\$24,072.79	\$25,299.33	\$96,374.07	\$563,512.05	\$129,522.50	\$693,034.54
Southampton County	0.137%	0.137001370013700%	\$5,570.90	\$5,854.74	\$22,302.78	\$130,407.35	\$29,973.96	\$160,381.31
Spotsylvania County	1.417%	1.417014170141700%	\$57,620.18	\$60,556.00	\$230,679.16	\$1,348,811.78	\$310,022.59	\$1,658,834.37
Stafford County	1.443%	1.443014430144300%	\$58,677.43	\$61,667.12	\$234,911.80	\$1,373,560.62	\$315,711.08	\$1,689,271.70
Staunton City	0.440%	0.440004400044000%	\$17,891.94	\$18,803.56	\$71,629.38	\$418,826.52	\$96,266.72	\$515,093.24
Suffolk County	0.710%	0.710007100071001%	\$28,871.08	\$30,342.10	\$115,583.77	\$675,833.71	\$155,339.48	\$831,173.19
Surry County	0.058%	0.058000580005800%	\$2,358.48	\$2,478.65	\$9,442.05	\$55,208.95	\$12,689.70	\$67,898.65
Sussex County	0.081%	0.081000810008100%	\$3,293.74	\$3,461.56	\$13,186.32	\$77,102.16	\$17,721.83	\$94,823.98
Tazewell County	1.606%	1.606016060160600%	\$65,305.58	\$68,632.98	\$261,447.23	\$1,528,716.81	\$351,373.53	\$1,880,090.34
Virginia Beach City	4.859%	4.859048590485900%	\$197,583.94	\$207,651.09	\$791,016.24	\$4,625,177.44	\$1,063,090.89	\$5,688,268.33
Warren County	0.766%	0.766007660076601%	\$31,148.24	\$32,735.28	\$124,700.23	\$729,138.90	\$167,591.61	\$896,730.51
Washington County	0.996%	0.996009960099601%	\$40,500.84	\$42,564.41	\$162,142.86	\$948,070.95	\$217,512.85	\$1,165,983.79
Waynesboro City	0.363%	0.363003630036300%	\$14,760.85	\$15,512.93	\$59,094.24	\$345,531.88	\$79,420.04	\$424,951.93
Westmoreland County	0.223%	0.223002230022300%	\$9,067.96	\$9,529.98	\$36,303.07	\$212,268.90	\$48,789.72	\$261,058.62
Williamsburg City	0.086%	0.086000860008600%	\$3,497.06	\$3,675.24	\$14,000.29	\$81,861.55	\$18,815.77	\$100,677.32

Winchester City	0.649%	0.649006490064901%	\$26,390.61	\$27,735.25	\$105,653.33	\$617,769.12	\$141,993.41	\$759,762.53
Wise County	1.756%	1.756017560175600%	\$71,405.10	\$75,043.28	\$285,866.34	\$1,671,498.58	\$384,191.73	\$2,055,690.30
Wythe County	0.642%	0.642006420064201%	\$26,105.97	\$27,436.10	\$104,513.77	\$611,105.97	\$140,461.90	\$751,567.87
York County	0.561%	0.561005610056101%	\$22,812.22	\$23,974.53	\$91,327.46	\$534,003.82	\$122,740.07	\$656,743.88
Totals	99.999%	100.0000000000000000%	\$4,066,309.18	\$4,273,492.72	\$16,279,241.25	\$95,186,894.25	\$21,878,581.12	\$117,065,475.37

AGENDA ITEM 5.d.

Authorization to Sign and Submit Notarized Statement Certifying Presentation of
FY2021 Financial Report to Local Governing Body - Natasha Brown, Director of
Financial Services



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: October 24, 2022
TO: King William County Board of Supervisors
FROM: Natasha L. Brown, Director of Financial Services
SUBJECT: Authorization to Sign and Submit Notarized Statement Certifying Presentation of FY2021 Financial Report to Local Governing Body

Summary

Localities are required to submit their audited financial statements to the Auditor of Public Accounts on or before December 15 (formerly November 30) annually in accordance with Section 15.2-2510 of the Code of Virginia. Unfortunately, the FY2021 audit was not completed by the deadline. On December 15, 2021, the King William Treasurer updated the APA with audit status, "The Annual King William County audit is currently pending due to a delay in the reconciliation of bank records caused by challenges arising from the deployment of new software system. The reconciliation process is ongoing, and the audit is estimated to be completed by February 28, 2022."

Section 15.2-2510 of the Code of Virginia also states that the local governing body shall include a notarized verification stating that the audited financial report has been presented to the governing body. The template designed by the Auditor of Public Accounts (APAP) was used to prepare the attached certification.

Recommendation(s)

Staff is requesting the Board to authorize, by public vote, the Board Chairman and the County Administrator to sign the attached certification stating the board has received the audited FY2021 financial statement to comply with Section 15.2-2510 of Code of Virginia. No resolution is attached.

Attachment(s)

- Attachment A – Guidance to localities from the Auditor of Public Accounts
- FY 2021 Audit Certification Statement

**AUDITOR OF PUBLIC ACCOUNTS
LOCAL GOVERNMENT ANNUAL FINANCIAL REPORTING
REQUIREMENTS AND DISTRIBUTION
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December 15 Reporting Deadline

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- *Management Letters*
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**AUDITOR OF PUBLIC ACCOUNTS
LOCAL GOVERNMENT ANNUAL FINANCIAL REPORTING
REQUIREMENTS AND DISTRIBUTION**

Financial Reporting Requirements

Virginia Retirement System Pension and OPEB Resources

The Auditor of Public Accounts has issued our audit opinions over the Virginia Retirement System's GASB 68 and GASB 75 related reports and schedules for the Fiscal Year 2021. The following schedules with APA opinions are available on the APA Local Government [Pension and OPEB website page](#), apa.virginia.gov<Local Government<Pension and OPEB standards.

Pension:

- APA Report on VRS Management's Assertions Related to Census Data for the year ended June 30, 2019
- GASB 68 Schedule-Political Subdivision Retirement Plans
- GASB 68 Schedule-Teacher Retirement Plan

OPEB:

- APA Report on VRS Management's Assertions Related to Census Data for the OPEB Plans for the year ended June 30, 2019
- GASB 75 Schedule- Line of Duty Act Program
- GASB 75 Schedule- Group Life Insurance Plan
- GASB 75 Schedule-Political Subdivision Health Insurance Credit Plans
- GASB 75 Schedule-Teacher Health Insurance Credit Plan
- GASB 75 Schedule-Disability Insurance Program

Additionally, the VRS includes on their website available GASB 68 Pension and GASB 75 OPEB resources to assist local governments with their FY2021 financial reporting. This information can be accessed on the VRS website, employers.varetire.org at the [Financial Reporting section](#).

VRS Pension Guidelines and Resources website page

- Refer to the **2021 Documents** tab; the following information is available at the applicable drop-down lists:
 - GASB 68 Reports with Audit Opinions: Includes the Report on Managements Assertions for Census data, and the individual plan level schedules with APA opinions (**also available on the APA website as noted above**)
 - Sample Journal Entries
 - Sample Note Disclosures
 - Analysis of Net Pension Liability
 - Covered Payroll & Contributions

VRS OPEB Guidelines and Resources website page

- The website link above should automatically route to the **2021 Audit Opinions & Disclosure Guidance OPEB page**. The following information is available at the various drop-down lists for each individual OPEB plan—
Health Insurance Credit (HIC); Group Life Insurance (GLI); Line of Duty Act (LODA); Virginia Local Disability Program (VLDP); Virginia Sickness & Disability Program (VSDP).

- GASB 75 Reports with Audit Opinions: Includes the individual plan level schedules with APA opinions **(also available on the APA website as noted above)**
- Sample Journal Entries
- Sample Note Disclosures
- Analysis of Changes in Net OPEB Liability
- Covered Payroll & Contributions
- Report on Management's Assertions for the OPEB Census Data

[VRS Actuarial Reports website page](#)

- Refer to this page to review the [GASB 68 2020 Report](#) (all-inclusive report) and the [GASB 75 2020 Report](#) (all-inclusive report), which contain employer-specific information for the applicable plans to be included in your financial statements.

December 15 Reporting Deadline

Section 15.2-2510 of the Code of Virginia requires local governments to submit the Comparative Report Transmittal Forms and their audited Annual Financial Reports to the Auditor of Public Accounts by **December 15** each year. The Auditor of Public Accounts (APA) annually reports to the Joint Legislative Audit and Review Commission in January each year regarding the status of any localities that are delinquent in submitting their annual financial reports and transmittal data. The Auditor of Public Accounts also discloses information about a locality's delayed financial reports and transmittal submissions in the annual Comparative Report footnotes and as part of the report transmittal letter to the General Assembly.

The Auditor of Public Accounts also reserves the right to exclude those localities that do not meet the December 15 deadline from the Comparative Report. We will place an emphasis on the locality's submission by the deadline and highlight a locality's exclusion from the report.

To comply with the statutory deadline of December 15, the locality or auditor should only submit a **final audited financial report** to the Auditor of Public Accounts. **The locality or auditor should not email or send any "draft" version of the financial report to this Office.** The Auditor of Public Accounts will only accept a final copy of the audited financial report.

Because the December 15 submission due date is a Code mandated deadline, the Auditor of Public Accounts has no authority to grant an extension for submissions past this deadline. The Auditor of Public Accounts requests a written statement from the local government officials stating the reason for any significant delay in submitting the financial report and/or transmittal data after the December 15 deadline. If the locality's audit completion is also delayed, in accordance with the requirement at §15.2-2511 to post a public statement (refer to the *Delay of Audit Completion* section below), the locality's requirement to submit the audit delay notification to our Office may serve this same purpose in notifying our Office about the locality's reporting submission delay.

The local government should send any written statement regarding reporting submission delays to the office of the Auditor of Public Accounts by email to localgovernment@apa.virginia.gov, or by mail to:

Auditor of Public Accounts/Attn: Local Government Manager
P.O. Box 1295
Richmond, VA 23218

Should the local government have any questions, please contact Rachel Reamy, Local Government manager by email at rachel.reamy@apa.virginia.gov, or by phone, 804-362-8436.

Delay of Audit Completion

In accordance with requirements at the Code of Virginia [§15.2-2511](#), if a locality's audit is not completed as required by this statute, the locality must promptly post a statement on its website, if such website exists, with the following information:

- That the required audit is pending,
- The reasons for the delay,
- And the estimated date of completion.

This statement must also be posted and made available to the public at the next scheduled meeting of the local governing body. The locality should continue to post the statement and update accordingly until the audit is complete. A copy of the statement must also be sent to the Auditor of Public Accounts.

In addition, [§15.2-2511](#) imposes a civil penalty enforcement mechanism related to the audit delay notification. Section 15.2-2511 states that if a locality, which is late in completing its required audit, fails to give proper notification of the delayed audit, *any aggrieved person may proceed to enforce action by filing a petition for mandamus to the general district court, supported by an affidavit showing good cause*. The court, if it finds that a violation has occurred, may issue a writ of mandamus and impose a civil penalty of not less than \$500 nor more than \$2,000 against the locality, which amount shall be paid into the Literary Fund. **Please note that the Auditor of Public Accounts does not impose the civil penalty nor is our office involved in this process.**

The local government should send the statement regarding audit completion delays to the office of the Auditor of Public Accounts by email to localgovernment@apa.virginia.gov. The local government may accomplish this by emailing the APA a website link to where this statement is posted on the locality's website, or sending an electronic letter or email with the statement regarding the audit delay.

Should the locality have any questions, please contact Rachel Reamy, Local Government manager by email at rachel.reamy@apa.virginia.gov, or by phone, (804) 362-8436.

Cities, Counties, and Towns Submissions

- ***Audited Financial Reports and Transmittal Data***

Local governments must submit their **final** audited Annual Financial Report and any separately issued written management letter (if applicable) to the Auditor of Public Accounts. **School Boards and other component units that issue separate financial statements are also required to submit these reports to the Auditor of Public Accounts by December 15.** Section 30-140 of the Code of Virginia requires most authorities, boards, commissions, districts, and other political subdivisions to file an audit report with the Auditor of Public Accounts within 90 days after the close of their fiscal year end.

The Auditor of Public Accounts prefers to only receive an electronic copy of the locality's final audited financial report. You should email electronic versions of the Annual Financial Report to

localgovernment@apa.virginia.gov; however, the email size must be less than 10MB. For larger files, you may be able to compress to a smaller size by zipping or removing the graphic covers. Additionally, you may contact the Local Government Manager, Rachel Reamy, to inquire about other available methods for submitting the required reports (i.e.: file sharing, website links to reports, etc.), if the files exceed the email 10MB size limit.

If a locality submits only a printed Annual Financial Report, they should mail one copy to:

Auditor of Public Accounts
Attn: Local Government Manager
P.O. Box 1295
Richmond, VA 23218

Comparative Report transmittal preparers should email the completed transmittal file and Auditor's Report on Agreed-Upon Procedures to localgovernment@apa.virginia.gov. For multi-locality transmittal preparers/auditors, please only attach one transmittal file to each separate email. Please do not mail the printed transmittal forms; **the Auditor of Public Accounts will only accept an electronic transmittal form.**

Refer to additional guidance at the [Separate Single Audit report issuance](#) section on page 8.

- **Management Letters**

Local governments must also submit to the Auditor of Public Accounts (APA) any separately issued management comment letters received from the independent auditors. In accordance with Chapter 552 of the 2021 Acts of Assembly, Item 2.E., any auditor communication related to other internal control deficiencies and/or financial matters that are not included in the internal control report but merit the attention of locality management and the governing body (commonly referred to as a "management letter") must be made in the form of official, written communication; this communication cannot be made orally.

To ensure the APA is made aware that this management letter requirement is being met, local governments should submit written confirmation of whether the independent auditor has issued a written management letter when submitting the final audited Annual Financial Report to the APA. The local government can fulfill this requirement by stating that the independent auditor has not issued a separate management letter in an email correspondence when submitting the final audited financial report to the APA. Alternatively, the local government can fulfill this requirement by stating that the independent auditor has not issued a separate management letter in an email or written letter accompanied with the submission of the required notarized statement that the audit results have been presented to the governing body (see section below regarding the notarized statement).

If the independent auditor has issued a written management letter, the local government (or its auditor if delegated as such) must provide a copy to the APA when submitting the final audited Annual Financial Report, or as soon as the management letter is available. Please email an electronic version of any issued Management Letter to localgovernment@apa.virginia.gov.

The Auditor of Public Accounts publishes on our website, along with the locality's annual financial report, any written Management letters. **Accordingly, the locality and Auditor should ensure that sensitive/FOIA exempt information (for example sensitive information related to an internal control weakness in information systems) has been redacted from the written Management letter that is submitted to the APA.**

- **Local Officials Notarized Statement of Audit Results Presentation**

In accordance with §15.2-2510 of the Code of Virginia, the locality's submission to the Auditor of Public Accounts should also include a notarized statement from the chief elected official and the chief administrative officer of the locality stating that the locality's audited financial report has been presented to the local governing body. **The local government official should submit this notarized statement to the Auditor of Public Accounts along with the submission of the final, audited Annual Financial Report, if practicable. If the locality's governing body meeting is scheduled to occur after the December 15 deadline, the locality should separately submit the notarized statement as soon as the results of the audit have been presented to the local governing body.**

The applicable local government official must submit this notarized statement to the Auditor of Public Accounts; this submission should **not** be delegated to the locality's auditor. The APA prefers to receive a scanned, electronic submission of the notarized statement, emailed to localgovernment@apa.virginia.gov. The locality may also mail a printed letter to the following address.

Auditor of Public Accounts
Attn: Local Government Manager
P.O. Box 1295
Richmond, VA 23218

The locality may refer to a template statement provided by the Auditor of Public Accounts as a resource to assist in preparation of this notarized statement. This template is located on the APA's website, at the following link:

[http://www.apa.virginia.gov/data/download/local_government/guidelines/Locality Notarized Statement template.docx](http://www.apa.virginia.gov/data/download/local_government/guidelines/Locality%20Notarized%20Statement%20template.docx)

Submission to State Agency for State Compliance Requirements

The Auditor of Public Accounts' *Specifications for Audits of Counties, Cities, and Towns* requires auditors to submit a copy of their audited Annual Financial Report (financial statements) and Single Audit report to state agencies if the report indicates noncompliance with state requirements. Appropriate contact information is available on the Auditor of Public Accounts' website at the document, [State Agency Contacts](#). Localities should contact individual state agencies for their policy on electronically submitted reports. In addition, a state agency may require submission of the locality's audited financial statements and SEFA/Single Audit report for federal sub-recipient monitoring purposes. The locality should contact the state agency for their instructions on annual audit reporting submissions if the locality receives pass-through state or federal funding from the state agency.

Authorities, Boards, Commissions, Districts, and Other Political Subdivisions Submissions

- **Audited Financial Reports**

The Code of Virginia §30-140 requires that each authority, commission, district or other political subdivision (entity), the members of whose governing body are not elected by popular vote and having financial transactions in excess of \$25,000, shall file an audit report within 5 months after the close of the fiscal year with the Auditor of Public Accounts (or within 3 months after the close

of the fiscal year for those Commonwealth related entities; refer to additional guidance in the FY2021 [Specifications for Audits of Authorities, Boards, and Commissions](#)).

The Code of Virginia §30-140 further requires those entities that are audited to publish a summary statement of financial condition in a newspaper of general circulation in the locality of the entity. The summary statement should include at a minimum total assets, liabilities, and fund balances; total revenues, expenditures, and other sources or uses; and the resulting net change in fund balances.

The Auditor of Public Accounts prefers to only receive an electronic copy of the entity's final audited financial report. You should email electronic versions of the Financial Report to localgovernment@apa.virginia.gov; however, the email size must be less than 10MB. For larger files, you may be able to compress to a smaller size by zipping or removing the graphic covers. Additionally, you may contact the Local Government Manager, Rachel Reamy, to inquire about other available methods for submitting the required reports (i.e.: file sharing, website links to reports, etc.), if the files exceed the email 10MB size limit.

If the entity submits only a printed report, they should mail one copy to:

Auditor of Public Accounts
Attn: Local Government Manager
P.O. Box 1295
Richmond, VA 23218

- **Management Letters**

Entities must also submit to the Auditor of Public Accounts (APA) any separately issued management comment letters received from the independent auditors. In accordance with Chapter 552 of the 2021 Acts of Assembly, Item 2.E., any auditor communication related to other internal control deficiencies and/or financial matters that are not included in the internal control report but merit the attention of management and the governing body (commonly referred to as a "management letter") must be made in the form of official, written communication; this communication cannot be made orally.

To ensure the APA is made aware that this management letter requirement is being met, entities should submit written confirmation of whether the independent auditor has issued a written management letter when submitting the final audited Annual Financial Report to the APA. The entity can fulfill this requirement by stating that the independent auditor has not issued a separate management letter in an email correspondence when submitting the final audited financial report to the APA.

If the independent auditor has issued a written management letter, the entity (or its auditor if delegated as such) must provide a copy to the APA when submitting the final audited Annual Financial Report, or as soon as the management letter is available. Please email an electronic version of any issued Management Letter to localgovernment@apa.virginia.gov.

The Auditor of Public Accounts publishes on our website, along with the entity's annual financial report, any written Management letters. **Accordingly, the entity and Auditor should ensure that sensitive/FOIA exempt information (for example sensitive information related to an internal control weakness in information systems) has been redacted from the written Management letter that is submitted to the APA.**

Small Town's Audit Reporting

In accordance with §15.2-2511 of the Code of Virginia, a town with fewer than a population of 3,500, which voluntarily contracts for or performs an audit, must submit the results of such audit to the Auditor of Public Accounts upon completion of the audit. (The APA refers to these towns as "small towns.")

Small towns are **not** required to follow the APA's *Specifications for Audits of Counties, Cities, and Towns* during their audit, although they may elect to do so. Additionally, the December 15 reporting due date required by Code §15.2-2510 is not applicable to a small town that voluntarily elects to receive an audit. **Since a small town is voluntarily electing to receive an audit, there is no specific reporting due date or audit completion date. Please submit the audit report to our office as soon as the audit is completed, and the report has been issued. Please do not submit any "draft" copy of the audit report. The APA will only accept a final copy of the audit report.**

The Auditor of Public Accounts prefers to only receive an electronic copy of a small town's audit report. The town (or auditor, if specified in the audit contract) should submit an electronic version of the audit report to localgovernment@apa.virginia.gov; however, the email size must be less than 10MB. For larger files, you may be able to compress to a smaller size by zipping or removing the graphic covers. Additionally, you may contact the Local Government Manager, Rachel Reamy, to inquire about other available methods for submitting the required reports (i.e.: file sharing, website links to reports, etc.), if the files exceed the email 10MB size limit.

If a town submits only a printed report, they should mail a copy to:

Auditor of Public Accounts
Attn: Local Government Manager
P.O. Box 1295
Richmond, VA 23218

If the town also receives a written management letter from the independent auditor, the town should submit a copy of the letter to the APA along with the audit report. Please refer to additional information at the [Management Letters](#) section above (page 4).

Information specific to small town reporting is also available in a separate resource document called "Small Town Audit Reporting to the Auditor of Public Accounts" available on the APA's website at the following link,

http://www.apa.virginia.gov/data/download/local_government/guidelines/Small_Towns_Audit_Reporting_to_the_Auditor_of_Public_Accounts.docx

For any questions, please contact Rachel Reamy, Local Government manager by email at rachel.reamy@apa.virginia.gov, or by phone, 804-362-8436.

Other Reporting Requirements***Stormwater Utility Reporting***

In accordance with Chapter 552 of the 2021 Acts of Assembly (Item 2D), each locality establishing a utility or enacting a system of service charges to support a local stormwater management program pursuant to §15.2-2114, Code of Virginia, is required to provide to the Auditor of Public Accounts, by October 1 of each year, a report as to each program funded by these fees and the

expected nutrient and sediment reductions for each of these programs. This reporting was previously made to the Department of Environmental Quality. **Refer to additional information at Chapter 2.5 of the Uniform Financial Reporting Manual.**

The Auditor of Public Accounts provides the localities an annual report template on the APA website, available at this link:

http://www.apa.virginia.gov/data/download/local_government/guidelines/Locality_Stormwater_Utility_Reporting_Template.docx

Reporting PPEA Agreements

Any locality, School system, or other local entity (authority, board, commission, district, political subdivision) that participates in a PPEA agreement must follow the requirements set forth in the Public Private Education Facilities and Infrastructure Act of 2002, Chapter 22.1 of Title 56 of the Code of Virginia (§56-575.1-575.18). **The PPEA Act requires local governments to file a copy of any PPEA agreements and supporting documents with the Auditor of Public Accounts (§56-575.18).** The Auditor of Public Accounts houses these agreements on the Commonwealth Data Point website, located at <http://legacydatapoint.apa.virginia.gov/ppea.cfm>.

The local government should submit an electronic copy of the agreement with any additional supporting documents to localgovernment@apa.virginia.gov. Please ensure that all, complete documents supporting the PPEA agreement are sent to the APA. If the agreement and additional documents are too large in file size (larger than 10MB), the local government may send multiple files in more than one email, and our office will merge the files together as one document. The local government may also use a file sharing or other electronic transmission method (if any questions on this, please contact Rachel Reamy, rachel.reamy@apa.virginia.gov). **Please note that the APA prefers to receive an electronic copy as we are required by the Code statute to publish in an electronic format.**

Reporting for Suspected Fraud

If the local government discovers circumstances that suggest a reasonable possibility that a fraudulent transaction has occurred involving state funds or property under the control of a local government constitutional officer, and an officer or employee of the local government may be involved, the local government official must report the circumstance to the Auditor of Public Accounts, the State Inspector General, and the Superintendent of State Police in accordance with §30-138 of the Code of Virginia. The reporting should be made in writing (either via postal mail or email) and should be done when the local government initially determines there may be a problem. Send all notifications to Staci Henshaw, the Auditor of Public Accounts, staci.henshaw@apa.virginia.gov.

Federal Uniform Guidance Reporting Requirements

FAC Data Collection Form and Reporting Package

Federal reporting requirements under the Uniform Guidance (UG), Subpart F-Section 200.512(a)-(d) requires local governments (auditees) to submit a data collection form and the reporting package to the Federal Audit Clearinghouse (FAC) regarding their audit. The reporting package

information submitted to the FAC is available for public inspection; therefore, local governments and their auditors must ensure that their respective parts of the reporting package **do not include protected personally identifiable information.**

Information on the data collection form and related instructions can be obtained from the Federal Audit Clearinghouse's website at <https://facweb.census.gov/uploadpdf.aspx>.

In accordance with the UG, Subpart F-Section 200.512(c), the reporting package submission requirement includes the following:

- Financial statements and schedule of expenditures of Federal awards (refer to UG §200.510(a)-(b))
- Summary schedule of prior audit findings (refer to UG §200.511(b)), as applicable
- Auditor's report(s) (refer to UG §200.515)
- Corrective action plan (refer to UG §200.511(c)), as applicable

Management Letters

The UG, Subpart F-Section 200.512(e), requires local governments to submit a copy of any auditor issued management letter upon request by the pass-through entity or Federal agency.

Other Disclosures

The UG, Subpart B-Section 200.113, requires that local governments must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. In addition, local governments that have received a Federal award are required to report certain civil, criminal, or administrative proceedings to the System for Award Management (SAM). Failure to make required disclosures can result in any of the remedies described in UG Subpart D-Section 200.339, including suspension or termination.

Separate Single Audit report issuance

It is the APA's interpretation that the locality's submission of its final, audited Annual Financial Report (i.e.: audited financial statements in accordance with GASB) and the Comparative Report Transmittal data form meets the intent of the December 15 reporting submission required at Code of Virginia §15.2-2510. Specifically, the applicable excerpt from this statute states *...each locality shall file annually on or before December 15 with the Auditor of Public Accounts a detailed statement prepared according to the Auditor's specifications showing the amount of revenues, expenditures and fund balances [this is the Transmittal data] of the locality for the preceding fiscal year, accompanied by the locality's audited financial report.* Accordingly, it is a permissible approach for a locality to issue its Single Audit report with the SEFA and the related Independent Auditor Reports (opinion letters) separately from the audited Annual Financial Report after December 15, as long as appropriate auditing requirements are followed. The locality should adhere to OMB's current reporting deadline for the single audit submissions to the FAC. The auditor/CPA firm should appropriately follow auditing standards for the issuance of the *Governmental Auditing Standards* internal control and compliance report, and all related Independent Auditor's Reports.

If the Single Audit is issued separately, the locality should also submit a copy of the Single Audit, SEFA, and related compliance reports to our office as soon as the Single Audit is completed and issued.

Other Reporting Information

Cardinal State Disbursements Report

The Auditor of Public Accounts provides the Cardinal State Disbursement reports as a resource for local governments to use when reconciling revenues from state funds and federal pass-through funds received from state agencies. The Auditor of Public Accounts creates these reports from data that our office obtains directly from the Commonwealth's general ledger accounting system (Cardinal). Localities should refer to the Cardinal State Disbursement report(s) to review transactions included by quarters on individual tabs within the Quarterly Excel file report, and/or the Annual report. Localities can filter by their FIPS code and Vendor name data fields within the data in order to review their applicable disbursement transactions. The report files are available at the APA Website, Local Government page at the [Cardinal State Disbursement Reports](#) section.

As reminder regarding the use of the Cardinal accrual report, Cardinal payments processed at year-end no longer contain the legacy "P" coding designation on the voucher ID number; instead the state uses reporting queries to analyze the payment transactions to determine which vouchers represent an accrual for the Fiscal Year. The Cardinal accrual report includes accrual information for payments made to localities that were incurred prior to the fiscal year-end (June 30) but were not processed or paid until the first 2 months of the next Fiscal Year, July and August. Please note that the disbursements in this report will also be included on the following fiscal year's 1st Quarter State Disbursement report; please keep in mind when reconciling that these are not duplicate payments.

When using both the Annual and the Accrual Cardinal State Disbursements reports, please note the following important points:

- You should use both the "FIPS" field and "Vendor Name" field when identifying specific payments made to your locality, since often other entities/vendors are included in this report under your FIPS code. The Vendor ID (not shown in data) and the Vendor Name fields are the only fields that indicate actual payment receipt; the FIPS field does not impact the entity that received the payment.
- The state disbursement reports may not capture all funds a locality receives from the state, since our report is prepared based on specific coding criteria. Some transactions will not match this selection criteria. Local governments should review and analyze all revenue to ensure proper accounting and reporting, and the locality may need to make further contact with the State agency regarding any specific payments not shown in the APA report.
- **Any questions regarding payments from specific state agencies should be addressed directly to the state agency contact person listed for state disbursements in the [State Agency Contacts](#) file, available on the APA website> Local Government page> Annual Guidelines, Manuals, and Other Procedural Documents section.**



King William County
Est. 1702 in 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

October 24, 2022

Commonwealth of Virginia
Auditor of Public Accounts
PO Box 1295
Richmond, Virginia 23218

To Whom It May Concern,

We hereby attest, in accordance with Section 15.2-2510 of the Code of Virginia, that the County of King William’s audited financial report for the fiscal year ended June 30, 2021 has been presented to the local governing body at a public session on October 24, 2022.

Local chief elected official signature

Edwin H. Moren, Jr., Chairman
King William County Board of Supervisors

County of King William
Commonwealth of Virginia

Local chief administrative officer signature

Percy C. Ashcraft, County Administrator
King William County

The foregoing statement required by the laws of the Commonwealth was acknowledged before me this 24th day of October, 2022 in the State of Virginia, County of King William.

Christine H. Branch, Deputy Clerk to the Board of Supervisors
Notary Public Commission # 7108450
My commission expires March 31, 2023

AGENDA ITEM 6.b.

Changes to HPARB Bylaws - Christina Grover, Zoning Administrator



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: October 20, 2022
TO: King William County Board of Supervisors
FROM: Christina Grover, Zoning Administrator
SUBJECT: Historic Preservation and Architectural Review Board Bylaws

REQUEST FOR ACTION

- Request to amend the HPARB bylaws to meet the requirements for obtaining Certified Local Government Status
- Request to allow the HPARB to adopt the Historic Preservation and Architectural Review Board Bylaws

SUMMARY

The Historic Preservation and Architectural Review Board is requesting to amend their adopted bylaws to incorporate requirements requested by the Virginia Department of Historic Resources. Proposed amendments to current articles are notated in red and italicized. Articles X, XI, XII, XIII are additions to the bylaws.

In the past the Board of Supervisors has adopted the Historic Preservation and Architectural Review Board bylaws. The Historic Board's current laws do not address or grant authority to the Historic Board to amend the bylaws. Staff respectfully requests to amend the bylaws by adding "Article XIII Bylaw Amendments" to grant the HPARB authority to amend and adopt their bylaws.

BACKGROUND

Planning Staff is currently working through the application process of obtaining the Certified Local Government Status. The Virginia Department of Historic Resources has performed an initial checklist and sent back items for staff and the HPARB to either respond to or address. One item that the HPARB has



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

been requested to amend is the existing bylaws to meet the eligibility guidelines. If the bylaws are adopted, Planning Staff can resubmit all responses back to the Virginia Department of Historic Resources for review.

ATTACHMENTS

- Proposed amended bylaws

King William Historic Preservation and Architectural Review Board Bylaws

ARTICLE I: NAME

The name of this Board shall be:

The King William County Historic Preservation and Architectural Review Board

ARTICLE II: PURPOSE

- Nominate properties to be designated as local or historic districts, archaeological areas and landmarks;
- Shall hear and decide all applications for exterior alteration, demolition, and new construction in locally designated historic districts through a Certificate of Appropriateness (CoA) process;
- Comment on proposals and issues affecting local and national historic resources located in King William County;
- Advise the County Board on historic preservation matters;
- Maintain a comprehensive inventory of Historic Resources and Districts, which identifies those historic properties linked to the significant people, places and events that helped shape King William County;
- Develop markers for the County's important historic sites;
- Coordinate with community groups, neighborhood associations, and other County departments and Boards on projects in which historic preservation issues are present;
- Shall review and make advisory recommendations on all applications for Rezoning, Land Division, Conditional Use Permits, Special Exceptions, and Variances proposed within a Historic District;
- May propose the establishment of additional historic preservation districts, and revisions to existing HP Districts; and
- Shall make annual reports to the Board of Supervisors reviewing the activities of the previous year.

ARTICLE III: MEMBERS

1. There shall be up to seven (7) but no less than five (5) members of the Board, of which at least four (4) shall be residents of the County who have demonstrated knowledge of and interest in the preservation of historical architectural landmarks. One of these members shall be a member of the Board of Supervisors.
2. *Members of the Board shall be appointed for terms of four years as established by the Board of Supervisors.*
3. *Members shall be eligible for reappointment.*
4. *Vacancies shall be filled by appointment made by the Board of Supervisors and shall be for an unexpired term only. (CLG REVIEW BOARD "LOCAL REVIEW BOARD" ITEM 7 RECOMMENDATION)*
5. *A member may be dismissed without limitation in the event that the member is absent from any three consecutive meetings of the Board or is absent from any four meetings of the Board within any twelve-month period. (CLG "REVIEW BOARD BYLAWS" ITEM #6 RECOMMENDATION)*

ARTICLE IV: QUALIFICATION OF MEMBERS

There shall be at least four (4) members who are residents of the County. At least one member shall have professional training or equivalent experience in architecture, history, architectural history, archaeology, or planning.

ARTICLE V: TERM OF OFFICE

Members shall be appointed by the Board of Supervisors for terms deemed appropriate by the Board of Supervisors. Each HPARB member shall serve until a successor is appointed. An appointment to fill a vacancy shall be only for the unexpired term.

ARTICLE VI: VOTING

Each member shall be entitled to one (1) vote.

ARTICLE VII: QUORUM

The presence of at least three members of the HPARB shall be required to conduct business, and all decisions shall be made by the majority vote of those present.

ARTICLE VIII: OFFICERS

The office of the Board shall be the President, Vice-President, and Secretary.

ARTICLE IX: DUTIES OF OFFICERS

A. President

The president shall preside at all meetings of the Board.

B. Vice-President

The Vice President shall act for the President in his/her absence or incapacitated.

C. Secretary

The Secretary shall keep of a record of all proceedings of the Board and issue notice for all meetings.

ARTICLE X: ORDER OF BUSINESS FOR MEETINGS

The order of business for a regular meeting shall be:

Call to order by President.

Roll call.

Review and Adopt Meeting Agenda

Consideration of minutes.

Public Comment Period
Public Hearings.
Other Unfinished Business.
New Business.
Adjournment.

Parliamentary procedure in Board meetings shall be governed by a modified version of Robert's Rules of Order (Revised). Any Board member may, at any time, table a matter that has not been tabled previously without a second to the motion. A motion to table a matter upon a single members' motion may be overruled by a motion of another member, which is properly seconded and passed by a majority vote of the Board.

The Historic Board shall keep a set of minutes of all meetings, and these minutes shall become a public record.

The secretary shall sign all minutes, and at the end of the year shall certify that the minutes of the preceding year are true and correct. (CLG "REVIEW BOARD PUBLIC PARTICIPATION" ITEM #6 RECOMMENDATION)

ARTICLE XI-REGULAR MEETINGS

All regular meetings, work sessions, hearings, records, and accounts shall be open to the public except those meetings subject to the rules of executive session as set forth in the Code of Virginia. There shall be a Public Comment Period at each of the regular meetings. The Public Comment Period will allow a member of the Public three (3) minutes to speak or five (5) minutes if representing a group, about any historic matter, except agenda items scheduled for a Public Hearing.

Annual Meeting. The first meeting of each year shall be known as the annual meeting. At the annual meeting, the Board shall establish the day, time, and place for regular meetings of the HPARB for that year. At a minimum, the Board shall hold 4 regular meetings during the calendar year. (CLG "REVIEW BOARD PUBLIC PARTICIPATION" ITEM #6 RECOMMENDATION)

ARTICLE XII- PUBLIC HEARINGS

The Historic Board, at its discretion, may hold public hearings when it deems that a hearing is in the public interest.

Notice of a hearing shall be published in a newspaper having general circulation in the area once a week for two (2) successive weeks specifying the time and place of hearing at which persons affected may appear and present their views, not less than five (5) days nor more than twenty-one (21) days after final publication, or as otherwise set forth in the Code of Virginia.

The case before the Board shall be summarized by the President or by the Secretary or other members delegated by the President. Interested parties shall have the privilege of the floor. The

President, prior to the public hearing, may set time limits as to the length of time that the applicant, individuals, and persons representing groups may speak. Records or statements shall be recorded or sworn to, as evidence or any court of law, only after notice is given to the interested parties.

A record shall be kept of those speaking before the hearing. (CLG “REVIEW BOARD PUBLIC PARTICIPATION” ITEMS # 2, 4, 7 RECOMMENDATION)

ARTICLE XIII– BYLAW AMENDMENTS

These bylaws may be changed by a recorded two-thirds (2/3) vote of the entire Historic Board after thirty (30) days prior notice to Historic Board.

Approved by the King William County Board of Supervisors – March 2012

AGENDA ITEM 6.c.

Proposed Ordinance to Update King William County Code Article XIX. FLOODS to Reflect and Adopt New FEMA Flood Plain Maps - Sherry Graham, Director of Planning



King William County
Est. 1702

Board of Supervisors

County Administrator

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

DATE: November 7, 2022
TO: King William County Board of Supervisors
FROM: Sherry Graham, Director of Planning
SUBJECT: Floodplain Management

REQUEST FOR ACTION

- Review amendments to the Flood Ordinance.

SUMMARY

Every time a community receives a new Flood Insurance Rate Map (FIRM), an ordinance amendment must be adopted to update the FIRM's effective date. This amendment must be adopted and approved by the Federal Emergency Management Agency (FEMA) prior to the effective date of the new Flood Insurance Rate Map (FIRM) to avoid suspension from the National Flood Insurance Program (NFIP).

King William must amend its floodplain ordinance and adopt the new maps before the FIRM effective date to remain in the National Flood Insurance Program (NFIP). Before a public hearing for ordinance adoption, Department of Conservation and Recreation (DCR) must review the draft amended ordinance in order to confirm that it complies with the National Flood Insurance Program (NFIP) requirements. Once the ordinance is adopted, the locality must send the final, signed version back to the Department of Conservation and Recreation (DCR) for another review. After this review, the Department of Conservation and Recreation will submit the amended ordinance to FEMA for final review and approval. The ordinance amendment, adoption, and agency reviews must all be completed before the effective date of the new maps. This effective date will be included in the Letter of Final Determination. (LFD)

Under the Standards for Subdivision Proposals, the Department of Conservation and Recreation (DCR) recommends that the standard here be 5 lots instead of 50. Fifty lots is the breakpoint suggested in the federal regulations, but the 5/5 rule is less confusing and captures more commercial development.

Under Existing Structures in Floodplain Areas, the Department of Conservation and Recreation (DCR) has found that not having a time period for cumulative change can lead to people trying to split work up to avoid hitting the 50% limit which puts the community in a difficult place with enforcement and increases administrative burdens.

Accessory structure requirements were also added to the ordinance as recommended by the Department of Conservation and Recreation.

BACKGROUND

A Flood Risk Review Meeting was held to review the draft flood hazard data on September 17, 2020. On June 1, 2021, a preliminary Flood Insurance Rate Map was released. A Community Coordination & Outreach Meeting was held August 3, 2021, to discuss updates to the local floodplain management ordinance and flood insurance. On February 9, 2022, the appeal period started. The new Flood Insurance Rate Map become effective and flood insurance requirements take effect in April 2023.

ATTACHMENTS

- Copy of current ordinance with proposed changes.

ARTICLE XIX. FLOODS

DIVISION 1. GENERAL REGULATIONS

Sec. 86-550. Purpose of article.

The purpose of these provisions is to prevent the loss of life and property, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief, and the impairment of the tax base by:

- (1) Regulating uses, activities, and development which, alone or in combination with other existing or future uses, activities, and development, will cause unacceptable increases in flood heights, velocities, and frequencies;
- (2) Restricting or prohibiting certain uses, activities, and development from locating within districts subject to flooding;
- (3) Requiring all those uses, activities, and developments that do occur in flood-prone districts to be protected and/or floodproofed against flooding and flood damage; and
- (4) Protecting individuals from buying land and structures which are unsuited for intended purposes because of flood hazards.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

Sec. 86-551. Applicability of provisions.

These provisions shall apply to all privately and publicly owned lands within the jurisdiction of King William County and identified as areas of special flood hazard according to the flood insurance rate map (FIRM) that is provided to King William County by the Federal Emergency Management Agency (FEMA).

(Ord. No. 09-21R2, Att. A, 9-27-2021)

Sec. 86-552. Compliance and liability.

- (a) No land shall hereafter be developed, and no structure shall be located, relocated, constructed, reconstructed, enlarged, or structurally altered except in full compliance with the terms and provisions of this article and any other applicable ordinances and regulations which apply to uses within the jurisdiction of this article.
- (b) The degree of flood protection sought by the provisions of this article is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study but does not imply total flood protection. Larger floods may occur on rare occasions. Flood heights may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. This article does not imply that districts outside the floodplain district or land uses permitted within such district will be free from flooding or flood damages.

-
- (c) This article shall not create liability on the part of King William County or any officer or employee thereof for any flood damages that result from reliance on this article, or any administrative decision lawfully made thereunder.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

Sec. 86-553. Records.

Records of actions associated with administering this article shall be kept on file and maintained by the floodplain administrator, in compliance with federal and state retention laws and regulations.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

Sec. 86-554. Abrogation and greater restrictions.

This article supersedes any ordinance currently in effect in flood-prone districts. Any ordinance, however, shall remain in full force and effect to the extent that its provisions are more restrictive.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

Sec. 86-555. Severability.

If any section, subsection, paragraph, sentence, clause, or phrase of this article shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this article. The remaining portions shall remain in full force and effect; and for this purpose, the provisions of this article are hereby declared to be severable.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

Sec. 86-556. Penalties for violations.

- (a) Any person who fails to comply with any of the requirements or provisions of this article, directions of the floodplain administrator or any authorized employee of King William County shall be guilty of a misdemeanor of the first class and subject to the penalties therefor.
- (b) In addition to the above penalties, all other actions are hereby reserved, including an action in equity for the proper enforcement of this article. The imposition of a fine or penalty for any violation of, or noncompliance with, this article shall not excuse the violation or noncompliance or permit it to continue; and all such persons shall be required to correct or remedy such violations within a reasonable time. Any structure constructed, reconstructed, enlarged, altered or relocated in noncompliance with this article may be declared by King William County to be a public nuisance and abatable as such. Flood insurance may be withheld from structures constructed in violation of this article.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

Sec. 86-557. Definitions.

[The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Appurtenant or Accessory Structure – A non-residential structure which is on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures are not to exceed 600 square feet.

Base flood means the flood having a one percent chance of being equaled or exceeded in any given year.

Base flood elevation means the federal emergency management agency designated one percent annual chance water surface elevation of the base flood in relation to the datum specified on the community's flood insurance rate map. For the purposes of this article, the "base flood" is 100-year flood or one percent annual chance flood.

Basement means any area of the building having its floor sub-grade (below ground level) on all sides.

Board of zoning appeals means the board appointed to review appeals made by individuals with regard to decisions of the zoning administrator in the interpretation of this article.

Development means any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, **temporary structures**, mining, dredging, filling, grading, paving, excavation or drilling, **or other land-disturbing activities or permanent or temporary** storage of equipment or materials.

Elevated building means a non-basement building built to have the lowest floor elevated above the ground level by means of solid foundation perimeter walls, pilings, or columns (posts and piers).

Encroachment means the advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

Existing construction means structures for which the start of construction commenced before the effective date of the FIRM. "Existing construction" may also be referred to as "existing structures."

Flood or flooding means:

- (1) A general or temporary condition of partial or complete inundation of normally dry land areas from:
 - a. The overflow of inland or tidal waters;
 - b. The unusual and rapid accumulation or runoff of surface waters from any source; or
 - c. Mudflows which are proximately caused by flooding as defined in subsection (1)b. of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- (2) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in subsection (1)a. of this definition.

Flood insurance rate map (FIRM) means an official map of a community, on which FEMA has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a digital flood insurance rate map (DFIRM).

Flood insurance study (FIS) means a report by FEMA that examines, evaluates and determines flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudflow and/or flood-related erosion hazards.

Flood protection elevation means an elevation that is one foot or more above the base flood elevation.

Floodplain or flood-prone area means any land area susceptible to being inundated by water from any source.

Floodproofing means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Freeboard means a factor of safety usually expressed in inches or feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization in the watershed. When a freeboard is included in the height of a structure, the flood insurance premiums may be less expensive.

Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior; or
 - b. Directly by the Secretary of the Interior in states without approved programs.

Hydrologic and hydraulic engineering analysis means analyses performed by a licensed professional engineer, in accordance with standard engineering practices that are accepted by the Virginia Department of Conservation and Recreation (DCR) and FEMA, used to determine the base flood, other frequency floods, flood elevations, floodway information and boundaries, and flood profiles.

Letters of map change (LOMC) means an official FEMA determination, by letter that amends or revises an effective FIRM or FIS. Letters of map change include:

Letter of map amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective FIRM and establishes that a land as defined by metes and bounds, or structure is not located in a special flood hazard area.

Letter of map revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features. A letter of map revision based on fill (LOMR-F) is a determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer exposed to flooding associated with the base

flood. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

Conditional letter of map revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective FIRM or FIS.

Lowest floor means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR 60.3.

Manufactured home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days but does not include a recreational vehicle.

Manufactured home park or subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

New construction means, for the purposes of determining insurance rates, structures for which the start of construction commenced on or after February 6, 1991, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

Post-FIRM structures means a structure for which construction or substantial improvement occurred on or after February 6, 1991.

Pre-FIRM structures means a structure for which construction or substantial improvement occurred on or before February 6, 1991.

Recreational vehicle means a vehicle which is:

- (1) Built on a single chassis;
- (2) Four hundred square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light duty truck; and,
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use.

Repetitive loss structure means a building covered by a contract for flood insurance that has incurred flood-related damages on two occasions during a ten-year period ending on the date of the event for which a second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded 25 percent of the market value of the building at the time of each flood event.

Special flood hazard area means the land in the floodplain subject to a one percent or greater chance of being flooded in any given year as determined in section 86-568, overlay concept, of this article.

Start of construction means, for other than new construction and substantial improvement, under the Coastal Barriers Resource Act (P.L. 97-348), means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within 180 days of the permit date. The "actual start" means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home

on a foundation. "Permanent construction" does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the "actual start of the construction" means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. **It also means flood-related damages sustained by a structure on two occasions in a 5-year period, in which the cost of the repair, on the average, equals or exceeds 25 percent of the market value of the structure at the time of each such flood event.**

Substantial improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (2) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.
- (3) Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement, as defined above, must comply with all ordinance requirements that do not preclude the structure's continued designation as a historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places, or the State Inventory of Historic places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

Violation means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this article is presumed to be in violation until such time as that documentation is provided.

Watercourse means a lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. "Watercourse" includes specifically designated areas in which substantial flood damage may occur.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

DIVISION 2. ADMINISTRATION

Sec. 86-558. Designation of the floodplain administrator.

The zoning administrator or designee is hereby appointed to administer and implement these regulations and is referred to herein as the floodplain administrator. The floodplain administrator may:

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- (1) Do the work themselves.
 - (2) Delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees.
 - (3) Enter into a written agreement or written contract with another community or private sector entity to administer specific provisions of these regulations. Administration of any part of these regulations by another entity shall not relieve the community of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 C.F.R. 59.22.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

Sec. 86-559. Duties and responsibilities of the floodplain administrator.

The duties and responsibilities of the floodplain administrator shall include but are not limited to:

- (1) Review applications for permits to determine whether proposed activities will be located in the special flood hazard area (SFHA).
- (2) Interpret floodplain boundaries and provide available base flood elevation and flood hazard information.
- (3) Review applications to determine whether proposed activities will be reasonably safe from flooding and require new construction and substantial improvements to meet the requirements of these regulations.
- (4) Review applications to determine whether all necessary permits have been obtained from the federal, state or local agencies from which prior or concurrent approval is required; in particular, permits from state agencies for any construction, reconstruction, repair, or alteration of a dam, reservoir, or waterway obstruction (including bridges, culverts, structures), any alteration of a watercourse, or any change of the course, current, or cross section of a stream or body of water, including any change to the 100-year frequency floodplain of free flowing non-tidal waters of the state.
- (5) Verify that applicants proposing an alteration of a watercourse have notified adjacent communities, DCR, and other appropriate agencies (Virginia Department of Environmental Quality, U.S. Army Corps of Engineers) and have submitted copies of such notifications to FEMA.
- (6) Approve applications and issue permits to develop in flood hazard areas if the provisions of these regulations have been met or disapprove applications if the provisions of these regulations have not been met.
- (7) Inspect or cause to be inspected, buildings, structures, and other development for which permits have been issued to determine compliance with these regulations or to determine if noncompliance has occurred or violations have been committed.
- (8) Review elevation certificates and require incomplete or deficient certificates to be corrected.
- (9) Submit to FEMA, or require applicants to submit to FEMA, data and information necessary to maintain FIRMs, including hydrologic and hydraulic engineering analyses prepared by King William County, within six months after such data and information becomes available if the analyses indicate changes in base flood elevations.
- (10) Maintain records that are necessary for the administration of these regulations, including:
 - a. FISs, FIRMs (including historic studies and maps and current effective studies and maps) and letters of map change; and

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(Supp. No. 23)

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- b. Documentation supporting issuance and denial of permits, elevation certificates, documentation of the elevation (in relation to the datum on the FIRM) to which structures have been flood proofed, other required design certifications, variances, and records of enforcement actions taken to correct violations of these regulations.
- (11) Enforce the provisions of these regulations, investigate violations, issue notices of violations or stop work orders, and require permit holders to take corrective action.
 - (12) Advise the board of zoning appeals regarding the intent of these regulations and, for each application for a variance, prepare a staff report and recommendation.
 - (13) Administer the requirements related to proposed work on existing buildings:
 - a. Make determinations as to whether buildings and structures that are located in flood hazard areas and that are damaged by any cause have been substantially damaged.
 - b. Make reasonable efforts to notify owners of substantially damaged structures of the need to obtain a permit to repair, rehabilitate, or reconstruct, and prohibit the noncompliant repair of substantially damaged buildings except for temporary emergency protective measures necessary to secure a property or stabilize a building or structure to prevent additional damage.
 - (14) Undertake, as determined appropriate by the floodplain administrator due to the circumstances, other actions which may include but are not limited to: issuing press releases, public service announcements, and other public information materials related to permit requests and repair of damaged structures; coordinating with other federal, state, and local agencies to assist with substantial damage determinations; providing owners of damaged structures information related to the proper repair of damaged structures in special flood hazard areas; and assisting property owners with documentation necessary to file claims for increased cost of compliance coverage under NFIP flood insurance policies.
 - (15) Notify FEMA when the corporate boundaries of King William County have been modified and:
 - a. Provide a map that clearly delineates the new corporate boundaries or the new area for which the authority to regulate pursuant to these regulations has either been assumed or relinquished through annexation; and
 - b. If the FIRM for any annexed area includes special flood hazard areas that have flood zones that have regulatory requirements that are not set forth in these regulations, prepare amendments to these regulations to adopt the FIRM and appropriate requirements, and submit the amendments to the board of supervisors for adoption; such adoption shall take place at the same time as or prior to the date of annexation and a copy of the amended regulations shall be provided to DCR and FEMA.
 - (16) Upon the request of FEMA, complete and submit a report concerning participation in the NFIP which may request information regarding the number of buildings in the SFHA, number of permits issued for development in the SFHA, and number of variances issued for development in the SFHA.
 - (17) It is the duty of the floodplain administrator to take into account flood, mudslide and flood-related erosion hazards, to the extent that they are known, in all official actions relating to land management and use throughout the entire jurisdictional area of the county, whether or not those hazards have been specifically delineated geographically (e.g. via mapping or surveying).

(Ord. No. 09-21R2, Att. A, 9-27-2021)

Sec. 86-560. Use and interpretation of FIRMs.

The floodplain administrator shall make interpretations, where needed, as to the exact location of special flood hazard areas, floodplain boundaries, and floodway boundaries. The following shall apply to the use and interpretation of FIRMs and data:

- (1) Where field surveyed topography indicates that adjacent ground elevations:
 - a. Are below the base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as special flood hazard area and subject to the requirements of these regulations;
 - b. Are above the base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a letter of map change that removes the area from the SFHA.
- (2) In FEMA-identified special flood hazard areas where base flood elevation and floodway data have not been identified and in areas where FEMA has not identified SFHAs, any other flood hazard data available from a federal, state, or other source shall be reviewed and reasonably used.
- (3) Base flood elevations and designated floodway boundaries on FIRMs and in FISs shall take precedence over base flood elevations and floodway boundaries by any other sources if such sources show reduced floodway widths and/or lower base flood elevations.
- (4) Other sources of data shall be reasonably used if such sources show increased base flood elevations and/or larger floodway areas than are shown on FIRMs and in FISs.
- (5) If a preliminary FIRM and/or a preliminary FIS has been provided by FEMA:
 - a. Upon the issuance of a letter of final determination by FEMA, the preliminary flood hazard data shall be used and shall replace the flood hazard data previously provided from FEMA for the purposes of administering these regulations.
 - b. Prior to the issuance of a letter of final determination by FEMA, the use of preliminary flood hazard data shall be deemed the best available data pursuant to section 86-567 and used where no base flood elevations and/or floodway areas are provided on the effective FIRM.
 - c. Prior to issuance of a letter of final determination by FEMA, the use of preliminary flood hazard data is permitted where the preliminary base flood elevations or floodway areas exceed the base flood elevations and/or designated floodway widths in existing flood hazard data provided by FEMA. Such preliminary data may be subject to change and/or appeal to FEMA.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

Sec. 86-561. Reserved.**Sec. 86-562. Jurisdictional boundary changes.**

- (a) The county floodplain ordinance in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements for participation in the National Flood Insurance Program. Municipalities with existing floodplain ordinances shall pass a resolution acknowledging and accepting responsibility for enforcing floodplain ordinance standards prior to annexation of any area containing identified flood hazards. If the FIRM for any annexed area includes special flood hazard areas that have flood zones that have regulatory requirements that are not set forth in these regulations, prepare amendments to these

regulations to adopt the FIRM and appropriate requirements, and submit the amendments to the board of supervisors for adoption; such adoption shall take place at the same time as or prior to the date of annexation and a copy of the amended regulations shall be provided to department of conservation and recreation (division of dam safety and floodplain management) and FEMA.

- (b) In accordance with the 44 CFR 59.22(a)(9)(v), all NFIP participating communities must notify the Federal Insurance Administration and optionally the state coordinating office in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area.
- (c) In order that all FIRMs accurately represent the community's boundaries, a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed, or relinquished floodplain management regulatory authority must be included with the notification.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

Sec. 86-563. District boundary changes.

The delineation of any of the floodplain districts may be revised by King William County where natural or manmade changes have occurred and/or where more detailed studies have been conducted or undertaken by the U.S. Army Corps of Engineers or other qualified agency, or an individual documents the need for such change. However, prior to any such change, approval must be obtained from the FEMA.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

Sec. 86-564. Interpretation of district boundaries.

Initial interpretations of the boundaries of the floodplain districts shall be made by the floodplain administrator. Should a dispute arise concerning the boundaries of any of the districts, the board of zoning appeals shall make the necessary determination. The person questioning or contesting the location of the district boundary shall be given a reasonable opportunity to present his/her case to the board and to submit his/her own technical evidence if he/she so desires.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

Sec. 86-565. Submitting technical data.

A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the FEMA of the changes by submitting technical or scientific data. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements will be based upon current data.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

Sec. 86-566. Letters of map revision.

When development in the floodplain causes a change in the base flood elevation, the applicant, including state agencies, must notify FEMA by applying for a CLOMR or a LOMR. Examples [include]:

- (1) Any development that causes a rise in the base flood elevations within the floodway.

-
- (2) Any development occurring in zone AE without a designated floodway, which will cause a rise of more than one foot in the base flood elevation.
 - (3) Alteration or relocation of a stream (including but not limited to installing culverts and bridges) 44 CFR 65.3 and 65.6(a)(12).

(Ord. No. 09-21R2, Att. A, 9-27-2021)

DIVISION 3. ESTABLISHMENT OF ZONING DISTRICTS

Sec. 86-567. Description of special flood hazard districts.

- (a) Basis of districts. The various special flood hazard districts shall include the SFHAs. The basis for the delineation of these districts shall be the FIS and the FIRM for King William County prepared by the FEMA, federal insurance administration, dated September 2, 2014, and any subsequent revisions or amendments thereto. According to the FIRM provided by FEMA, King William County has the following special flood hazard areas: AE zone and A zone only.
- (b) King William County may identify and regulate local flood hazard or ponding areas that are not delineated on the FIRM. These areas may be delineated on a "local flood hazard map" using best available topographic data and locally derived information such as flood of record, historic high-water marks or approximate study methodologies.
- (c) The boundaries of the SFHA districts are established as shown on the FIRM which is declared to be a part of this article, and which shall be kept on file at the King William County offices.
 - (1) The floodway is in an AE zone and is delineated, for purposes of this article, using the criterion that certain areas within the floodplain must be capable of carrying the waters of the one percent annual chance flood without increasing the water surface elevation of that flood more than one foot at any point. The areas included in this floodway are specifically defined in Table 1—Summary of Discharges of the above-referenced FIS and shown on the accompanying FIRM. The following provisions shall apply within the floodway of an AE zone [44 CFR 60.3(d)]:
 - a. Within any floodway area, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment will not result in any increase in flood levels within the community during the occurrence of the base flood discharge. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough review by the floodplain administrator.
 - b. Development activities which increase the water surface elevation of the base flood may be allowed, provided that the applicant first applies, with King William County's endorsement, for a CLOMR, and receives the approval of the FEMA.
 - c. All new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of division 4 of this article.
 - d. The placement of manufactured homes (mobile homes) is prohibited, except in an existing manufactured home (mobile home) park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring, elevation, and encroachment standards are met.

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(Supp. No. 23)

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- (2) The AE zones on the FIRM accompanying the FIS shall be those areas for which one percent annual chance flood elevations have been provided and the floodway has not been delineated. The following provisions shall apply within an AE zone [44 CFR 60.3(c)]:
- a. Until a regulatory floodway is designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within the areas of special flood hazard, designated as zone AE on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within King William County.
 - b. Development activities in zone AE on King William County's FIRM which increase the water surface elevation of the base flood by more than one foot may be allowed, provided that the applicant first applies, with King William County's endorsement, for a CLOMR, and receives the approval of the FEMA.
- (3) The A zone on the FIRM accompanying the FIS shall be those areas for which no detailed flood profiles or elevations are provided, but the one percent annual chance floodplain boundary has been approximated. For these areas, the following provisions shall apply [44 CFR 60.3(b)]:
- a. The approximated floodplain district shall be that floodplain area for which no detailed flood profiles or elevations are provided, but where a 100-year floodplain boundary has been approximated. Such areas are shown as zone A on the maps accompanying the FIS. For these areas, the base flood elevations and floodway information from federal, state, and other acceptable sources shall be used, when available. Where the specific one percent annual chance flood elevation cannot be determined for this area using other sources of data, such as the U.S. Army Corps of Engineers Floodplain Information Reports, U.S. Geological Survey Flood-Prone Quadrangles, etc., then the applicant for the proposed use, development and/or activity shall determine this base flood elevation. For development proposed in the approximate floodplain the applicant must use technical methods that correctly reflect currently accepted non-detailed technical concepts, such as point on boundary, high water marks, or detailed methodologies hydrologic and hydraulic analyses. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough review by the floodplain administrator. **If no flood depth number is specified, the lowest floor, including basement, shall be elevated no less than two feet above the highest adjacent grade.**
 - b. The floodplain administrator reserves the right to require a hydrologic and hydraulic analysis for any development. When such base flood elevation data is utilized, the lowest floor shall be elevated to at least 18 inches above the base flood level.
 - c. During the permitting process, the floodplain administrator shall obtain:
 1. The elevation of the lowest floor (including the basement) of all new and substantially improved structures; and
 2. If the structure has been floodproofed in accordance with the requirements of this article, the elevation (in relation to mean sea level) to which the structure has been floodproofed.
 - d. Base flood elevation data shall be obtained from other sources or developed using detailed methodologies comparable to those contained in a FIS for subdivision proposals and other proposed development proposals (including manufactured home parks) that exceed 50 lots or five acres, whichever is the lesser.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

Sec. 86-568. Overlay concept.

- (a) The floodplain districts described above shall be overlays to the existing underlying districts as shown on the official zoning ordinance map, and as such, the provisions for the floodplain districts shall serve as a supplement to the underlying district provisions.
- (b) If there is any conflict between the provisions or requirements of the floodplain districts and those of any underlying district, the more restrictive provisions and/or those pertaining to the floodplain districts shall apply.
- (c) In the event any provision concerning a floodplain district is declared inapplicable as a result of any legislative or administrative actions or judicial decision, the basic underlying provisions shall remain applicable.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

DIVISION 4. DISTRICT PROVISIONS

Sec. 86-569. Permit and application requirements.

- (a) *Permit requirement.* All uses, activities, and development occurring within any floodplain district, including placement of manufactured homes, shall be undertaken only upon the issuance of a zoning permit. Such development shall be undertaken only in strict compliance with the provisions of this article and with all other applicable codes and ordinances, as amended, such as the Virginia Uniform Statewide Building Code (VA USBC) and King William County's Subdivision Regulations. Prior to the issuance of any such permit, the floodplain administrator shall require all applications to include compliance with all applicable state and federal laws and shall review all sites to assure they are reasonably safe from flooding. Under no circumstances shall any use, activity, and/or development adversely affect the capacity of the channels or floodways of any watercourse, drainage ditch, or any other drainage facility or system.
- (b) *Site plans and permit applications.* All applications for development within any floodplain district and all building permits issued for the floodplain shall meet the site plan requirements of this ordinance and incorporate the following information:
 - (1) The elevation of the base flood at the site.
 - (2) The elevation of the lowest floor (including basement).
 - (3) For structures to be floodproofed (nonresidential only), the elevation to which the structure will be floodproofed.
 - (4) Topographic information showing existing and proposed ground elevations.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

Sec. 86-570. General standards.

- (a) The following provisions shall apply to all permits:
 - (1) New construction and substantial improvements shall be according to the VA USBC, and anchored to prevent flotation, collapse or lateral movement of the structure.

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- (2) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state anchoring requirements for resisting wind forces.
 - (3) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
 - (4) New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
 - (5) Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities, including duct work, shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
 - (6) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
 - (7) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
 - (8) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (b) In addition to provisions (a)(1) through (8) above, in all special flood hazard areas, the additional provisions shall apply:
- (1) Prior to any proposed alteration or relocation of any channels or of any watercourse, stream, etc., within this jurisdiction, a permit shall be obtained from the U.S. Army Corps of Engineers, the Virginia Department of Environmental Quality, and the Virginia Marine Resources Commission. Furthermore, in riverine areas, notification of the proposal shall be given by the applicant to all affected adjacent jurisdictions, the DCR, other required agencies, and the FEMA.
 - (2) The flood carrying capacity within an altered or relocated portion of any watercourse shall be maintained.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

Sec. 86-571. Elevation and construction standards.

In all identified flood hazard areas where base flood elevations have been provided in the FIS or generated by a certified professional in accordance with section 86-567(c)(3), the following provisions shall apply:

- (1) *Residential construction.* New construction or substantial improvement of any residential structure (including manufactured homes) in zones AE and A with detailed base flood elevations shall have the lowest floor, including basement, elevated to or above 18 inches above the base flood level.
- (2) *Nonresidential construction.* New construction or substantial improvement of any commercial, industrial, or nonresidential building (or manufactured home) shall have the lowest floor, including basement, elevated to or above 18 inches above the base flood level. Buildings located in all AE zones may be floodproofed in lieu of being elevated provided that all areas of the building components below the elevation corresponding to the base flood elevation (BFE) plus ~~one foot~~ **two feet** are watertight with walls substantially impermeable to the passage of water and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such

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certification, including the specific elevation (in relation to mean sea level) to which such structures are floodproofed, shall be maintained by the floodplain administrator.

- (3) *Space below the lowest floor.* In zones A and AE, fully enclosed areas of new construction or substantially improved structures, which are below the regulatory flood protection elevation, shall:
- a. Not be designed or used for human habitation, but shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator).
 - b. Be constructed entirely of flood-resistant materials below the regulatory flood protection elevation.
 - c. Include measures to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet the following minimum design criteria:
 1. Provide a minimum of two openings on different sides of each enclosed area subject to flooding. **Each opening shall be located on exterior walls.**
 2. The total net area of all openings must be at least one square inch for each square foot of enclosed area subject to flooding **or the flood openings shall be engineered flood openings that are designed and certified by a licensed professional engineer to automatically allow entry and exit of floodwaters; the certification requirement may be satisfied by an individual certification, or an Evaluation Report issued by the ICC Evaluation Service, Inc.**
 3. If a building has more than one enclosed area, each area must have openings to allow floodwaters to automatically enter and exit.
 4. The bottom of all required openings shall be no higher than one foot above the adjacent grade.
 5. Openings may be equipped with screens, louvers, or other opening coverings or devices, provided they permit the automatic flow of floodwaters in both directions.
 6. Foundation enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires openings as outlined above.

d. Accessory Structures

1. **Accessory structures of any size shall be prohibited within the SFHA, and no variance shall be granted for accessory structures.**
Or
2. **Accessory structures in the SFHA shall comply with the elevation requirements and other Requirements of this section or, if not elevated or dry floodproofed, shall:**
 - a. **Not be used for human habitation;**
 - b. **Be limited to no more than 600 square feet in total floor area;**
 - c. **Be useable only for parking of vehicles or limited storage;**
 - d. **Be constructed with flood damage-resistant materials below the base flood elevation;**

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- e. Be constructed and placed to offer the minimum resistance to the flow of floodwaters'
 - f. Be anchored to prevent flotation;
 - g. Have electrical service and mechanical equipment elevated to or above the base flood elevation;
 - h. Shall be provided with flood openings which shall meet the following criteria;
 - 1. There shall be a minimum of two flood openings on different sides of each enclosed area; if a building has more than one enclosure below the lowest floor, each such enclosure shall have flood openings on exterior walls.
 - 2. The total net area of all flood opening shall be at least 1 square inch for each square feet of enclosed area (non-engineered flood openings), or the flood openings shall be engineered flood openings that are designed and certified by a licensed professional engineer to automatically allow entry and exist of floodwaters; the certification requirements may be satisfied by an individual certification, or an Evaluation Report issued by the ICC Evaluation Service, Inc.
 - 3. The bottom of each flood opening shall be 1 foot or less above the higher of the interior flood or grade, or the exterior grade, immediately below the opening.
 - 4. Any louvers, screens or other covers for the flood openings shall allow the automatic flow of floodwaters into and out of the enclosure areas.
 - i. A signed Declaration of Land Restriction (Non-Conservation Agreement) shall be Recorded on the property deed.

(4) Standards for manufactured homes and recreational vehicles.

- a. All manufactured homes placed, or substantially improved, on individual lots or parcels, must meet all the requirements for new construction, including the elevation and anchoring requirements in sections 86-570 and 86-571.
- b. All recreational vehicles placed on sites must either:
 - 1. Be on the site for fewer than 180 consecutive days, be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions); or
 - 2. Meet all the requirements for manufactured homes in subsection d.i. of this section.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

Sec. 86-572. Standards for subdivision proposals.

- (a) All subdivision proposals shall be consistent with the need to minimize flood damage;
- (b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
- (c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards; and
- (d) Base flood elevation data shall be obtained from other sources or developed using detailed methodologies, hydraulic and hydrologic analysis, comparable to those contained in a FIS for subdivision proposals and other

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proposed development proposals (including manufactured home parks and subdivisions) that exceed ~~50~~ 5 lots or five acres, whichever is the lesser.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

DIVISION 5. VARIANCES; CONTINUING USES

Sec. 86-573. Existing structures in floodplain areas.

A structure or use of a structure or premises which lawfully existed before the enactment of these provisions, but which is not in conformity with these provisions, may be continued subject to the following conditions:

- (1) Existing structures in the floodway area shall not be expanded or enlarged unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the proposed expansion would not result in any increase in the base flood elevation.
- (2) Any modification, alteration, repair, reconstruction, or improvement of any kind to a structure and/or use located in any floodplain areas to an extent or amount of less than 50 percent of its market value shall conform to the VA USBC.
- (3) The modification, alteration, repair, reconstruction, or improvement of any kind to a structure and/or use, regardless of its location in a floodplain area to an extent or amount of 50 percent or more of its market value, shall be undertaken only in full compliance with this article and shall require the entire structure to conform to the VA USBC.
- (4) Change is not a substantial repair or substantial improvements, and no new square footage is being building in the floodplain that is not complaint and no new square footage is being building in the floodway.
- (5) The change complies with this ordinance and the VA USBC and the change, which added to all the changes made during a rolling 5-year period does not constitute 50% of the structure's value.
- (6) The changes are required to comply with a citation for a health or safety violation.
- (7) The structure is a historic structure and the change required would impair the historic nature of the structure.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

Sec. 86-574. Variances: factors to be considered.

- (a) Variances shall be issued only upon:
 - (1) A showing of good and sufficient cause;
 - (2) After the board of zoning appeals has determined that failure to grant the variance would result in exceptional hardship to the applicant; and
 - (3) After the board of zoning appeals has determined that the granting of such variance will not result in:
 - a. Unacceptable or prohibited increases in flood heights;

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- b. Additional threats to public safety;
 - c. Extraordinary public expense; and will not:
 - d. Create nuisances,
 - e. Cause fraud or victimization of the public; or
 - f. Conflict with local laws or ordinances.
- (b) While the granting of variances generally is limited to a lot size less than one-half acre, deviations from that limitation may occur. However, as the lot size increases beyond one-half acre, the technical justification required for issuing a variance increases. Variances may be issued by the board of zoning appeals for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with the provisions of this section.
- (c) Variances may be issued for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria of this section are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
- (d) In passing upon applications for variances, the board of zoning appeals shall satisfy all relevant factors and procedures specified in other sections of the zoning ordinance and consider the following additional factors:
- (1) The danger to life and property due to increased flood heights or velocities caused by encroachments. No variance shall be granted for any proposed use, development, or activity within any floodway district that will cause any increase in the 100-year flood elevation.
 - (2) The danger that materials may be swept on to other lands or downstream to the injury of others.
 - (3) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.
 - (4) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.
 - (5) The importance of the services provided by the proposed facility to the community.
 - (6) The requirements of the facility for a waterfront location.
 - (7) The availability of alternative locations not subject to flooding for the proposed use.
 - (8) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
 - (9) The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
 - (10) The safety of access by ordinary and emergency vehicles to the property in time of flood.
 - (11) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site.
 - (12) The historic nature of a structure. Variances for repair or rehabilitation of historic structures may be granted upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
 - (13) **Variances will not be issued for any accessory structure within the SFHA**

Or

(14) No variance shall be granted for an accessory structure exceeding 600 square feet.

(13) Such other factors which are relevant to the purposes of this article.

- (e) The board of zoning appeals may refer any application and accompanying documentation pertaining to any request for a variance to any engineer or other qualified person or agency for technical assistance in evaluating the proposed project in relation to flood heights and velocities, and the adequacy of the plans for flood protection and other related matters.
 - (f) Variances shall be issued only after the board of zoning appeals has determined that the granting of such will not result in:
 - (1) Unacceptable or prohibited increases in flood heights;
 - (2) Additional threats to public safety;
 - (3) Extraordinary public expense; and will not:
 - a. Create nuisances;
 - b. Cause fraud or victimization of the public; or
 - c. Conflict with local laws or ordinances.
 - (g) Variances shall be issued only after the board of zoning appeals has determined that the variance will be the minimum required to provide relief.
 - (h) The board of zoning appeals shall notify the applicant for a variance, in writing that the issuance of a variance to construct a structure below the 100-year flood elevation:
 - (1) Increases the risks to life and property; and
 - (2) Will result in increased premium rates for flood insurance.
 - (i) A record shall be maintained of the above notification as well as all variance actions, including justification for the issuance of the variances.
 - (j) Variances will not be issued for any accessory structure within the SFHA. (Note: See article XIX, section 86-571(3))
- (Ord. No. 09-21R2, Att. A, 9-27-2021)

DIVISION 6. ENACTMENT

Sec. 86-575. Enactment; effective date.

Enacted and ordained this 27th of September, 2021. This article shall become effective [30 days] of King William, Virginia, shall become effective upon passage.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

Signature

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Title

Attested

AGENDA ITEM 6.d.

Ordinance Amendment Clarifying License Fee Exemptions - Steve Hudgins, Deputy
County Administrator

Amend Section 74-34 (c)

Sec. 74-34. Exemptions.

- (a) The commissioner of the revenue, upon request, shall waive the motor vehicle license fee to for nonresident personnel of the United States Armed Forces who register their vehicles in this state and who reside temporarily in the county.
- (b) The commissioner of the revenue is authorized to waive one motor vehicle license fee annually for one motor vehicle owned and used primarily by or for a veteran of the armed forces of the United States or the Virginia National Guard who has been rated by the United States Department of Veterans Affairs or its successor agency pursuant to federal law with a 100 percent service connected, permanent and total disability and whose application for the property tax exemption pursuant to Subdivision (a)(8) of Article X, Section 6 of the Constitution of Virginia under has been accepted.
- (c) The commissioner of the revenue, upon request by the chief officer of a volunteer fire department or volunteer rescue squad on behalf of eligible members, shall waive one motor vehicle license fee annually for each active member of a volunteer fire department or volunteer rescue squad. Each individual, so requesting seeking this waiver, shall ~~present request a letter from~~ the chief officer of the volunteer fire department or volunteer rescue squad to submit one letter, before March 1 of each year, to the commissioner of the revenue ~~indicating that~~ listing the individual is an active member(s) in good standing. No member shall be entitled to more than one such annual waiver.

AGENDA ITEM 6.e.

Ordinance 02-22C - Corrections to Errors in Polling Locations and Street Name -
Steve Hudgins, Deputy County Administrator

ORDINANCE 02-22C (CORRECTED)
AMENDING ORDINANCE 12-05 TO ADJUST THE BOUNDARY LINES OF THE SECOND, THIRD, FOURTH, AND FIFTH ELECTION DISTRICTS AND UPDATING KING WILLIAM COUNTY CODE ARTICLE II SCHOOL BOARD, DIVISION 2 ELECTIONS, SECTIONS 54-52 ELECTION DISTRICTS ENUMERATED, AND 54-55 ENUMERATION OF POLLING PLACES

WHEREAS, the King William County Board of Supervisors adopted Ordinance 12-05 on June 25, 2012 which delineated King William County's Election District Boundaries; and

WHEREAS, decennial redistricting is required following the U.S. Census Bureau's 2020 Census in accordance with Virginia Code §24.2-304.1(B) and §24.2-304.1(C); and

WHEREAS, populations within each district have changed since the 2010 Census causing inequal apportionment between the districts; and

WHEREAS, adjustments of boundaries are required to bring each district's population within acceptable equality parameters;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of King William County this 28th day of March, 2022 that Ordinance 02-22 amending Ordinance 12-05 is hereby enacted to read as follows:

AN ORDINANCE TO PROVIDE FOR THE APPORTIONMENT OF MEMBERS OF THE KING WILLIAM COUNTY BOARD OF SUPERVISORS, TO ALTER BOUNDARY LINES OF THE ELECTION DISTRICTS, AND TO DESIGNATE EACH ELECTION DISTRICT AND PRECINCT

Section 1. Pursuant to the authority contained in the Code of Virginia, 1950, as amended, the Election Districts of King William County, Virginia, are hereby altered and established as set forth in this Ordinance.

Section 2. The Election Districts with populations set forth are as follows:

<u>DISTRICT</u>	<u>POPULATION</u>
First Election District	3,414
Second Election District	3,671
Third Election District	3,600
Fourth Election District	3,411
Fifth Election District	3,714

First Election District

-West Point Precinct

The boundaries of the West Point Precinct shall be the corporate limits of the Town of West Point as described in an order of the Circuit Court of King William County entered on the ninth day of December, 1963, and of record in the clerk's office of that Court in Chancery Order Book 13, page 216 and as those limits were enlarged by the voluntary boundary agreement approved on the twenty-third day of August, 1999, by the Board of Supervisors of King William County and approved on the eighth day of September, 1999, by the Town Council of the Town of West Point.

41 **Second Election District**

42 ***-Courthouse Precinct***

43 From the intersection of the Pamunkey River and an unnamed tributary of the Pamunkey
44 River which forms the boundary of Census Blocks 3015 and 3037, then following the
45 boundary of the aforementioned Census Blocks easterly to its intersection with the boundary
46 between Census Blocks 3015 and 3041, then following the boundary between Census Blocks
47 3041 and 3037 easterly to its intersection with East River Road (Rt. 600). Then following
48 northerly along the centerline of East River Road (Rt. 600) to its intersection with King
49 William Road (Rt. 30). Then following the centerline of King William Road (Rt. 30)
50 northwesterly until its intersection with Indian Church Road (Rt. 658) at the boundary
51 between Census Blocks 4028 and 4030. Then following the boundary of Census Block 4030
52 northerly then easterly along an unnamed tributary of the Mattaponi River which forms the
53 boundary of Census Block 4030 until its intersection with an unnamed tributary of the
54 Mattaponi River forming the boundary between Census Blocks 4012 and 4011. Then
55 following the boundary of the aforementioned Census Blocks northerly to its intersection
56 with West River Road (Rt. 600). Then following the center line of West River Road (Rt. 600)
57 northerly to its intersection with Poplar Landing Road. Then following the centerline of
58 Poplar Landing Road northeasterly to its intersection with Aylett Creek. Then following the
59 centerline of Aylett Creek southerly to its intersection with the Mattaponi River. Then
60 following the centerline of the Mattaponi River downstream, southeasterly to its intersection
61 with the Mattaponi Indian Reservation's southern boundary which is the boundary between
62 Census Blocks 2012 and 2019, then following that boundary westerly to its intersection with
63 Indian Town Road (Rt. 625), then following the centerline of Indian Town Road southerly to
64 its intersection with East Rose Garden Road (Rt. 626), then following the centerline of East
65 Rose Garden Road (Rt. 626) westerly to its intersection with King William Road. Then
66 following centerline of West Rose Garden Road (Rt. 626) to its intersection with Powhatan
67 Trail (Rt. 633), and then along the centerline of Powhatan Trail to the Pamunkey River. Then
68 following the centerline of the Pamunkey River northwesterly to its intersection with
69 unnamed tributary of the Pamunkey River which forms the boundary of Census Blocks 3015
70 and 3037.

71 ***-Sweet Hall Precinct***

72 From the Mattaponi Indian Reservation's southern boundary which is the boundary between
73 Census Blocks 2012 and 2019, then following the centerline of the Mattaponi River
74 downstream, southeasterly to its intersection with the unnamed tributary of the Mattaponi
75 River that forms the West Point Town boundary between Census Blocks 1007 and 1003.
76 Then following the town boundary southwestly to its intersection with the Pamunkey
77 River, then northwesterly following the centerline of the Pamunkey River to Lester Manor
78 Landing, then following the centerline of Powhatan Trail (Rt. 633) to its intersection with
79 West Rose Garden Road (Rt. 626), then following the centerline of West Rose Garden Road
80 northeast to its intersection with King William Road (Rt. 30). Then following the centerline
81 of King William Road, northwesterly, to its intersection with East Rose Garden Road, then
82 following the centerline of East Rose Garden Road, northerly, to its intersection with Indian
83 Town Road, then following the centerline of Indian Town Road, northerly, to its intersection
84 with the Mattaponi Indian Reservation's southern boundary which is the boundary between
85 Census Block 2012 and 2019.

86 **Third Election District**

87 ***-Aylett Precinct***

88 From the confluence of Herring Creek and the Mattaponi River, westerly along the centerline
89 of Herring Creek, then westerly along the centerline of Millwood Rd. (Rt. 607) to the
90 intersection with Upshaw Rd. (Rt. 608), then following the centerline of Upshaw Road to the
91 intersection with Vessels ~~Road~~ Lane (Rt. 659). Then southerly along the centerline of Vessels
92 ~~Road~~ Lane (Rt. 659) along boundary line of census block-3011 to centerline of Cherry Hill
93 Drive (Rt. 1225) to its intersection with King William Road (Rt. 30) Then southeasterly along
94 the centerline of King William Road (Rt. 30) to its intersection with Indian Church Road (Rt.
95 XX) at the boundary between Census Blocks 4028 and 4030. Then following the boundary of
96 Census Block 4030 northerly then easterly along an unnamed tributary of the Mattaponi
97 River which forms the boundary of Census Block 4030 until its intersection with an unnamed
98 tributary of the Mattaponi River forming the boundary between Census Blocks 4012 and
99 4011. Then following the boundary of the aforementioned Census Blocks northerly to its
100 intersection with West River Road (Rt. 600). Then following the center line of West River
101 Road (Rt. 600) northerly to its intersection with Poplar Landing Road. Then following the
102 centerline of Poplar Landing Road northeasterly to its intersection with Aylett Creek. Then
103 following the centerline of Aylett Creek southerly to its intersection with the Mattaponi
104 River. Then following the Mattaponi River northwesterly to the confluence of Herring Creek.

105 **Fourth Election District**

106 ***-Manquin Precinct***

107 From the intersection of King William Road (Rt. 30) and Cherry Hill Drive (Rt. 1225) westerly
108 following the centerline of King William Road (Rt. 30) to the intersection with Enfield Road
109 (Rt. 610), then southerly along the centerline of Enfield Road to the intersection with
110 unnamed road that is the boundary for Census Blocks 1037 and 1004, then following the
111 boundary between Census Blocks 1037 and 1004 westerly then southerly to its intersection
112 with Webb Creek which forms the boundary between Census Blocks 1004 and 1036. Then
113 following the centerline of Webb Creek westerly to its intersection with an unnamed road
114 forming the boundary of Census Blocks 1032 and 1036, then following said unnamed road
115 southerly to its intersection with Dabneys Mill Rd (Rt. 604). Then following Dabneys Mill Rd
116 southerly to its intersection with the boundary of Census Blocks 1052 and 1053, then
117 following this boundary southerly to the Pamunkey River. Then following the centerline of
118 the Pamunkey River southerly to the intersection of Census Blocks 3015 and 3037, then
119 following the boundary of the aforementioned Census Blocks easterly to its intersection with
120 the boundary between Census Blocks 3015 and 3041, then following the boundary between
121 Census Blocks 3041 and 3037 easterly to its intersection with East River Road (Rt. 600).
122 Then following northerly along the centerline of East River Road (Rt. 600) to its intersection
123 with King William Road (Rt. 30). Then following the centerline of King William Road (Rt. 30)
124 northwesterly until its intersection with Cherry Hill Drive (Rt. 1225).

125 **Fifth Election District**

126 ***-Mangohick Precinct***

127 From the intersection of the county boundary with Caroline County and the Mattaponi River,
128 downstream along the centerline of the Mattaponi River, then westerly along the centerline
129 of Herring Creek, then westerly along the centerline of Millwood Rd. (Rt. 607) to the
130 intersection with Upshaw Rd. (Rt. 608), then following the centerline of Upshaw Rd. to the
131 intersection with Vessels ~~Road~~ Lane (Rt. 659), then following centerline of Vessels ~~Road~~ Lane

132 (Rt. 659) and along the boundary line of Census Block 3011 to centerline of Cherry Hill Drive
133 (Rt. 1225) and to its intersection with King William Road (Rt. 30). Then following the
134 centerline of King William Road (Rt. 30) westerly to its intersection with Enfield Road (Rt.
135 610). Then southerly along the centerline of Enfield Road to the intersection with unnamed
136 road that is the boundary for Census Blocks 1037 and 1004, then following the boundary
137 between Census Blocks 1037 and 1004 westerly then southerly to its intersection with Webb
138 Creek which forms the boundary between Census Blocks 1004 and 1036. Then following the
139 centerline of Webb Creek westerly to its intersection with an unnamed road forming the
140 boundary of Census Blocks 1032 and 1036, then following said unnamed road southerly to
141 its intersection with Dabneys Mill Rd (Rt. 604). Then following Dabneys Mill Rd southerly to
142 its intersection with the boundary of Census Blocks 1052 and 1053, then following this
143 boundary southerly to the Pamunkey River. Then upstream northwesterly along the
144 centerline of the Pamunkey River to its intersection with the county boundary with Caroline
145 County, and then returning to the origin, following the county boundary, at the intersection
146 of the county boundary with Caroline County and the Mattaponi River.

147 **Precinct Voting Locations**

148 First - ~~West Point Armory~~
149 ~~110 Thompson Ave~~

150 **Robinson-Olsson Auditorium**
151 **1040 Thompson Avenue - "West Point"**

152 Second-A - ~~VFW Post #8356~~
153 ~~1658 VFW Road~~

154 **Brett-Reed Memorial Presbyterian**
155 **29680 King William Road - "Sweet Hall"**

156 Second-B - King William Admin. Bldg.
157 180 Horse Landing Road - **"Courthouse"**

158 Third - King William Fire and EMS - Station 1
159 7936 Richmond-Tappahannock Hwy. - **"Aylett"**

160 Fourth - King William High School
161 80 Cavalier Drive - **"Manquin"**

162 Fifth - Mangohick Vol. Fire Dept.
163 3493 King William Road - **"Mangohick"**

164 **Section 3.** One supervisor shall be elected from each Election District as set forth
165 by this Ordinance by the qualified votes of such district.

166 **Section 4.** Map references are based on Census Bureau digital data incorporated
167 in the King William County geographic information system.

168 **Section 5.** Should any section or provision of this Ordinance be decided to be
169 invalid or unconstitutional, such decision shall not affect the validity or constitutionality of any
170 other section and provisions of this Ordinance.

171 **Section 6.** This Ordinance shall be in full force and effect upon certification of no
172 objection to be received from the Office of the Attorney General of Virginia.

173 **BE IT FURTHER ORDAINED AND ENACTED** by the Board of Supervisors of King William
174 County this **28th day of November, 2022** that County Code Article II School Board, Division
175 2 Elections, Sections 54-52 Election Districts Enumerated, and 54-55 Enumeration of Polling
176 Places are hereby amended as follows:

177 **Sec. 54-52. - Election districts enumerated.**

178 The election districts with populations set forth are as follows:

179 Second election district:	3,671
180 Third election district:	3,600
181 Fourth election district:	3,411
182 Fifth election district:	3,714
183 At-large election district:	14,396

184 **Sec. 54-55. - Enumeration of polling places.**

185 The polling places shall be as follows:

- 186 (1) Election district two: Precinct A—VFW Post #8356 **Brett-Reed Memorial**
187 **Presbyterian**
188 Precinct B—King William County Admin. Building
189 (2) Election district three: King William Fire & EMS – Station 1
190 (3) Election district four: King William High School
191 (4) Election district five: Mangohick Volunteer Fire Dept.

192 **ADOPTED** this the **28th day of November, 2022.**