



County of King William, Virginia

**BOARD OF SUPERVISORS  
REGULAR MEETING OF NOVEMBER 28, 2022 - 7:00 PM  
KING WILLIAM COUNTY ADMINISTRATION BUILDING  
KING WILLIAM, VIRGINIA**

## **A G E N D A**

- 1. Call to Order**
- 2. Roll Call**
- 3. Moment of Silence**
- 4. Pledge of Allegiance**
- 5. Review and Adoption of Meeting Agenda**
- 6. Public Comment Period** *One Opportunity of Three Minutes per Individual or Five Minutes per Group on Non-Public Hearing Matters*
- 7. Consent Agenda**
  - a. Approval of Minutes:
    - i. September 26, 2022 Regular Meeting Draft Minutes
    - ii. October 3, 2022 Work Session Draft Minutes
    - iii. October 24, 2022 Regular Meeting Draft Minutes
  - b. Approval of Expenditures - October 2022
  - c. **Resolution 22-96** - Awarding KWHS HVAC Contract
- 8. Old Business**
  - a. General Reassessment Update - Fred Pearson, Pearson's Appraisal Service, Inc.
  - b. **Resolution 22-97** - Adopt Revisions to Rappahannock Regional Criminal Justice Training Academy Charter - Jeff Walton, Sheriff

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

- a. **Resolution 22-98** - Approving CUP 02-22: Owner/Applicant Liberty Hall, LLC, Registered Agent James Gottwald
- b. **Ordinance 02-22C** - Corrections to Errors in Polling Locations and Street Name
- c. **Ordinance 11-22** - Update Property Maintenance Ordinance to Comply with State Code
- d. **Ordinance 12-22** - Update King William County Code Chapter 86 Article XIX. FLOODS to Reflect and Adopt New FEMA Flood Plain Maps
- e. **Ordinance 13-22** - Update King William County Code Section 74-34 to Clarify License Fee Exemptions

**10. New Business**

- a. **Resolution 22-99** - Amend FY23 Capital Improvement Plan to Appropriate Funds for Reimbursement to West Point Volunteer Fire Department for Purchase of 2022 Ford F-550 Road Rescue Ultramedic - Natasha Brown, Director of Financial Services
- b. FY24 VPPSA Budget Discussion - Steve Hudgins, Deputy County Administrator
- c. Ordinance Change Needed: Section 70-46 Hearings of the Board of Equalization - Christine H. Branch, Deputy Clerk

**11. Administrative Matters from County Administrator**

- a. Administration Report - Steve Hudgins, Deputy County Administrator
- b. Board Information
  - i. Animal Activities Report
  - ii. Building Department Report
  - iii. Fire & EMS Department Report
  - iv. Sheriff's Department Activity Report
  - v. Utilities Department Report
  - vi. Synopsis from MPPDC Meeting
  - vii. VPSA Status Report

## 12. Board of Supervisors' Comments

## 13. Closed Meeting

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

## 14. Appointments

- a. **Resolution 22-100** - Recommendations of Appointments to the Board of Equalization

## 15. Adjourn or Recess

### NOTES REGARDING AGENDA:

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

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

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



## **AGENDA ITEM 7.a.**

Approval of Minutes:

## **AGENDA ITEM 7.a.i.**

September 26, 2022 Regular Meeting Draft Minutes

**DRAFT MINUTES  
KING WILLIAM COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING OF SEPTEMBER 26, 2022**

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 26th 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 were polled:

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

**Agenda Item 3. MOMENT OF SILENCE**

The Chairman called for a moment of silence.

**Agenda Item 4. PLEDGE OF ALLEGIANCE**

The Chairman led the pledge of allegiance.

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

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

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

**Agenda Item 6. PUBLIC COMMENT**

Chairman Moren opened the Public Comment period.

Mr. Wayne Owens of District 3 spoke regarding the King William Animal Shelter and said serious steps should be taken to change procedures. He said a person should be able to adopt an animal without a background check. He was told he'd have to pay \$300 per shot for two heartworm shots. His request to adopt a dog was denied because the dog wouldn't be brought into the house. He said the questions asked were invasive and not applicable to adopting an animal and he believes he was discriminated against because of his age.

Two representatives from Thrive Virginia presented information about Domestic Violence Awareness month including statistics and local events being held to raise awareness.

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

**Agenda Item 7. CONSENT AGENDA**

Consent Agenda items were:

- a. Approval of Minutes:
  - i. August 8, 2022 Work Session Draft Minutes
  - ii. August 22, 2022 Regular Meeting Draft Minutes  
 Corrections were made including pg. 21 – change \$67,000 to \$6,000-\$7,000; pg. 22 under Supervisor Garber’s comments – change Mr. Hardwick to Mr. Robinson spoke with Nestle ...
- b. Approval of Expenditures - August 2022
- c. **Resolution 22-75** - Supporting Operation Green Light for Veterans
- d. **Resolution 22-76** - Amending and Appropriating the FY23 Budget to Include the Sheriff's Office SRO Grant Award
- e. **Resolution 22-77** - Approving the PPTRA Rate for the Personal Property 2022 Billing
- f. **Resolution 22-78** - Honoring the Life and Accomplishments of Queen Elizabeth II
- g. Approval to Sign Engagement Letter for FY22 Audit
- h. **Resolution 22-82** - Amendment to FY23 Budget - King William Public Schools

Supervisor Garber moved for approval of the Consent Agenda with the above corrections to the August 22, 2022 minutes; motion was seconded by Supervisor Moskalski. 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

**RESOLUTION 22-75  
Supporting Operation Green Light for Veterans**

**WHEREAS** the residents of King William County have great respect, admiration, and the utmost gratitude for all the men and women who have selflessly served our country and this community in the Armed Forces; and

**WHEREAS** the contributions and sacrifices of the men and women who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

**WHEREAS** King William County seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all; and

**WHEREAS** veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil service, and by functioning as County Veteran Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability and compensation benefits each year; and

**WHEREAS** approximately 200,000 service members transition to civilian communities annually; and

**WHEREAS** an estimated 20 percent increase of service members will transition to civilian life in the near future; and

**WHEREAS** studies indicate that 44-72 percent of service members experience high levels of stress during transition from military to civilian life; and

**WHEREAS** Active Military Service Members transitioning from military service are at a high risk for suicide during their first year after military service; and

**WHEREAS** King William County appreciates the sacrifices of our United State Military Personnel and believes specific recognition should be granted;

**NOW, THEREFORE, BE IT RESOLVED**, by the King William County Board of Supervisors designates King William County as a Green Light for Veterans County and hereby declares October through Veterans Day, November 11<sup>th</sup> 2022 as a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from Active Service; and

**BE IT FURTHER RESOLVED**, that in observance of Operation Green Light, King William County encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying a green light in a window of their place of business or residence.

**DONE** this 26th day of September, 2022.

**RESOLUTION 22-76  
AMENDING AND APPROPRIATING THE FY23 BUDGET  
TO INCLUDE THE SHERIFF'S OFFICE SRO GRANT AWARD**

**WHEREAS** the King William County Board of Supervisors wishes to amend its Fiscal Year (FY) 2023 Budget to reflect additional revenue and expenses related to FY2023 SRO Grant Award; and

**WHEREAS** the King William County Sheriff's Office has been awarded FY2023 SRO Grant Program Funds from the Virginia Department of Criminal Justice Services for \$120,527 which will increase anticipated revenues for FY2023; and

**WHEREAS** the Sheriff's Office Department budget will increase by \$120,527 for salaries to abide by the terms of Grant Agreement;

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

FUND/ORGANIZATION

General Fund

Expenditures:

Sheriff Office Salaries	Department 031200	\$120,527
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General Fund

Revenues:

SRO Grant Revenue	019020-0022	\$120,527
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**DONE** this 26th day of September, 2022.

**RESOLUTION 22-77**

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

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

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

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

**WHEREAS** the King William County Commissioner of the Revenue has made a projection based upon the County's historical growth in personal property tax values of the level necessary to fully exhaust the PPTRA relief fund provided to the County by the Commonwealth, as called for in the ordinance; and

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

**NOW THEREFORE BE IT RESOLVED** that, for Calendar Year 2022, qualifying vehicles with assessed values of more than One Thousand Dollars (\$1,000.00) shall have their tax computed by reducing the amount otherwise owed on the first Twenty Thousand Dollars (\$20,000.00) of assessed value of such qualifying vehicle by a dollar amount equal to 29.5% of the amount otherwise owed.

**DONE** this 26th day of September, 2022.

**RESOLUTION 22-78**

**HONORING THE LIFE AND ACCOMPLISHMENTS OF QUEEN ELIZABETH II**

**WHEREAS** Elizabeth Alexandra Mary Windsor was born on April 21, 1926 to the Duke and Duchess of York and ascended to the throne on February 6, 1952 as sovereign of the United Kingdom; and

**WHEREAS** during her reign, Queen Elizabeth II met with 13 United States Presidents, more than any other head of state, and worked to maintain a strong relationship between the United Kingdom and the United States; and

**WHEREAS**, upon her passing on September 8, 2022, Queen Elizabeth II was the longest reigning monarch in the history of the British monarchy, serving for more than 70 years; and

**WHEREAS** Queen Elizabeth II was second cousin, eight times removed to King William III, who reigned from 1689 until his death in 1702 and for whom King William County was named;

**NOW, THEREFORE, BE IT RESOLVED** that the King William County Board of Supervisors remembers Her Majesty, Queen Elizabeth II, and her more than 70 years of service in support of the British people and the Commonwealth of Nations; expresses gratitude for her efforts to maintain strong bilateral relations between the United Kingdom and the United States; and extends condolences to her family, the people of the United Kingdom of Great Britain and Northern Ireland, and to the peoples of the Commonwealth of Nations.

**DONE** this 26th day of September, 2022.

**RESOLUTION 22-82  
AMENDMENT TO THE KING WILLIAM COUNTY FISCAL YEAR 2023 BUDGET  
KING WILLIAM PUBLIC SCHOOLS**

**WHEREAS** the King William County Board of Supervisors (Board) wishes to amend its Fiscal Year (FY) 2023 Budget for additional revenues and expenditures for King William County Public Schools; and

**WHEREAS** the King William County School Board accepted on September 20, 2022 the budget amendments of funds and additional funding and requests the Board of Supervisors to appropriate same;

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

FUND/ORGANIZATION

Grants Received:

Health Workforce Grant	\$80,000
VRSA Security Grant	\$4,000
MP Race Adult Education Innovation Grant	\$82,000

<u>School Nutrition from Department of Education</u>	\$37,576.61
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2022 VPSA Funding

Cools Spring Primary School HVAC Project	\$1,315,000
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**DONE** this 26th day of September, 2022.

**Agenda Item 8. PRESENTATIONS**

**8.a. Resolution 22-79 - Proclaiming October as Domestic Violence Awareness Month – Thrive Virginia**

Supervisor Moskalski moved for approval of Resolution 22-79; motion was 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

**RESOLUTION 22-79  
PROCLAIMING OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH**

**WHEREAS** domestic violence is a serious crime that affects people of all races, ages, gender, and income levels; and

**WHEREAS** domestic violence is widespread and affects over four million Americans each year; and

**WHEREAS** one in three Americans have witnessed an incident of domestic violence; and

**WHEREAS** children that grow up in violent homes are believed to be abused and neglected at a rate higher than the national average; and

**WHEREAS** domestic violence costs the nation billions of dollars annually in medical expenses, police and court costs, shelters, foster care, sick leave, absenteeism, and non-productivity; and

**WHEREAS** only a coordinated community effort will put a stop to this heinous crime; and.

**WHEREAS** Domestic Violence Awareness Month provides an excellent opportunity for citizens to learn more about preventing domestic violence and to show support for the numerous organizations and individuals who provide critical advocacy, services, and assistance to victims;

**NOW, THEREFORE, BE IT RESOLVED** the King William County Board of Supervisors hereby proclaims the month of October as Domestic Violence Awareness Month and asks the citizens of King William County to work together to eliminate domestic violence from our community.

**DONE** this 26th day of September, 2022.

**8.b. Draft Report & Audit Results - Aaron B. Hawkins, CPA, CFE, Robinson, Farmer, Cox Associates (RFC)**

Mr. Hawkins said the firm was unable to finish the audit in a timely manner because bank reconciliations were not done. He took over the County’s audit after Ann Wall retired. He came on site in June-July of 2022 and couldn’t start the process until the cash was right. He said the most important thing is keeping the reconciliations up-to-date

Supervisor Greenwood asked why pages were missing from the document. Mr. Hawkins said it's only a draft and doesn’t contain narratives yet. RFC just sent the draft to King William Finance last week and they are finalizing the County’s parts. He does not anticipate changes to any numbers.

Supervisor Garber asked if this is the first time the Board is seeing the document. Chairman Moren said it was emailed last Friday to Board members.

Supervisor Moren asked the level of seriousness of the issues. Mr. Hawkins said if it's included in the report, it's serious.

**8.c. Regional Animal Shelter Strategic Plan Discussion - Lauri Betts, RAS Manager**

Ms. Betts said the Regional Animal Shelter is not included in the Comprehensive Plan for some reason so they have their own Strategic Plan. Her vision and future goals for the Shelter are listed on pages 4 through 7.

Chairman Moren asked if King & Queen are holding up their part of the bargain. Ms. Betts said she can't speak about financially, however King William provides everything including landscaping, building repair, etc. She doesn't know if King & Queen wants to do more. She said King & Queen has one part-time animal control officer and they are mostly reactive. She said there needs to be a conversation about what their vision is.

Chairman Moren asked about the differences in dates between when the Agreement with King & Queen began and when the Shelter opened. Ms. Betts said construction kept getting pushed back.

Chairman Moren asked if, based on the public comment made, changes are needed. Ms. Betts said yes, that is the purpose of the Strategic Plan. She said staffing needs to be solidified in order to reach the objectives in the Plan.

Supervisor Garber said release rates are vastly improved. He said some dogs don't do well in a house and asked how much they lean on the questionnaires when deciding if an animal will be adopted to an applicant. Ms. Betts said they follow industry best practices. She said the animals are adopted as companion animals as State law requires. Companion animals are household pets.

Supervisor Garber asked Mr. Ashcraft about the King & Queen agreement. Mr. Ashcraft said it is a 50% cost share. Ms. Brown said King & Queen is current with their obligations.

Sheriff Walton said King William has a mutual aid agreement with King & Queen but they haven't been called out for animal control help.

Ms. Betts provided the fiscal summary and said one full-time coordinator is needed and she would like to reclassify one technician to a Supervisor. She said a personnel request is coming and she hopes the Board is able to help. She said her staff is in crisis mode and it's hard to find and retain employees. She said they handled 100 more animals than last year.

Mr. Ashcraft said the agreement with King & Queen is 15 years old and he will talk with their new County Administrator.

Vice Chair Hodges asked who owns the building if King & Queen were to leave the Regional Animal Shelter. Mr. Ashcraft said King William County owns it. We are past the five-year buyout that was in the original agreement.

Chairman Moren suggested doing a survey to assess the community's stomach for changes.

**Agenda Item 9. NEW BUSINESS**

**9.a. Resolution 22-83 - Amend the FY23 Budget to Include Siding Expenses at the Parks & Rec Community Center**

Mr. Hudgins requested the board approve a CIP adjustment for replacing the siding at the 360 Complex. The cost to replace the T1-11 siding with vinyl siding is above the previously approved capital budget for this purpose due to construction cost increases. After multiple rounds of procurement, the cost is at \$58,092.56. Staff would like approval to pull forward \$32,348.60 in previously approved capital for this purpose and take the remaining from the roofing deferred maintenance capital line.

Vice Chair Hodges asked what the roofing project line was meant for. Mr. Hudgins said the Courthouse; they've been adding to it every year to build it up, however a new estimate will be needed when the roof is ready to be replaced. He said we'll have to make up for it next budget in capital deferred maintenance.

A typographical error was noted on the Resolution. Instead of saying FY2023, it says FY2024. Supervisor Moskalski made a motion to approve Resolution 22-83R with that correction. Supervisor Garber seconded. The Chairman called for any discussion. The members were polled:

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

**RESOLUTION 22-83R**

**AMENDMENT TO THE KING WILLIAM COUNTY FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN FOR SIDING REPLACEMENT AT THE 360 COMPLEX**

**WHEREAS** the King William County Board of Supervisors wishes to amend its Fiscal Year (FY) 2023 Capital Improvement Plan to appropriate funds for 360 Complex renovation in FY2023 in the amount of \$58,092.56; and,

**WHEREAS** funds in the amount of \$32,348.60 as previously approved for this purpose in the FY22 CIP will be moved forward to FY23; and,

**WHEREAS** further funds for the siding replacement in the amount of \$25,743.96 will be taken from the roofing projects FY2023 capital budget line;

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

<u>GENERAL DESCRIPTION</u>	<u>FY2022</u>	<u>FY20242023</u>
360 RENO	<del>32,348.60</del> 0.00	58,092.56
ROOFING PROJECTS	104,156.00	<del>175,000</del> 149,256.04

**DONE** this 26th day of September, 2022.

**Agenda Item 10. ADMINISTRATIVE MATTERS FROM COUNTY ADMINISTRATOR**

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

Mr. Ashcraft provided the Board with an updated copy of his monthly report (Attachment A). He pointed out that the King William NAACP was hosting a veterans event on September 28th from 9:00 AM to 3:00 PM. Vice Chair Hodges said to keep alert to any weather changes which might affect the West Point Crab Carnival. Mr. Ashcraft noted that County-wide trick or treat hours have been set from 5:00 to 8:00 PM. He also said early voting has started and pre voting was available at the County Administration building along with curbside service. Mr. Ashcraft said that King William County's unemployment rate was 2.6% in August which is one of the lowest rates in the Middle Peninsula. He also pointed out that West Point Elementary School has been named a Blue Ribbon School and congratulated those involved. The Board will be asked to consider appointments to the Board of Equalization on November 28th. Citizens interested in serving on the BOE can submit a community service application available on the County website.

Vice Chair Hodges asked if some voting precincts had accessibility issues. Supervisor Moskalski and Mr. Ashcraft said all precincts have curbside service available as required. Chairman Moren asked if it was still required to address the accessibility issues since we offer curbside voting. Mr. Ashcraft said he will present a plan at the October 3rd meeting.

**Agenda Item 11. BOARD OF SUPERVISORS' COMMENTS**

Vice Chair Hodges reminded people about the Crab Carnival. He said parking was available with shuttle service and handicap parking is also available. The event is weather dependent.

Supervisor Moskalski thanked people for coming.

Supervisor Greenwood thanked people for coming.

Supervisor Garber said he had concerns for the people in Florida with the hurricane and offered congratulations to West Point Elementary School.

Supervisor Moren thanked people for coming.

**Agenda Item 12. CLOSED MEETING**

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

Supervisor Moskalski made a motion to convene in Closed Meeting in accordance with Section 2.2-3711 (A)(1) of the Code of Virginia to consider appointment of individuals to Boards and Commissions and to consider a personnel matter involving the assignment of a specific public officer/appointee/employee; in accordance with Section 2.2-3711 (A)(3) of the Code of Virginia regarding the acquisition of real property for a public purpose; and in accordance with Section 2.2-3711 (A)(8) of the Code of Virginia to consult with legal counsel regarding taxation of federally recognized tribes requiring the provision of legal advice by counsel. Vice Chair Hodges seconded the motion. The Chairman called for any discussion. The members were polled:

Supervisor, 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

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

Supervisor Moskalski made a motion to reconvene in Open Session. Vice Chair Hodges 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

**12.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, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges – Vice Chair	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Chairman	Aye

**STANDING RESOLUTION – 1 (SR-1)**

**A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT REGARDING MEETING IN CLOSED MEETING**

**WHEREAS**, the King William County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and,

**WHEREAS** Section 2.2-3712 (D) of the Code of Virginia requires a certification by the King William County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law,

**NOW, THEREFORE, BE IT RESOLVED** that the King William County Board of Supervisors on this 26th 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 26th day of September, 2022.

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

Vice Chair Hodges made a motion to approve Resolution 22-80. Supervisor Moskalski 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.	Nay
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Chairman	Aye

**RESOLUTION 22-80  
AMENDMENT TO THE KING WILLIAM COUNTY FISCAL YEAR 2023 BUDGET  
SALARIES & GENERAL EXPENDITURES FOR TREASURER OFFICE**

**WHEREAS** the King William County Board of Supervisors (Board) wishes to amend its Fiscal Year (FY) 2023 Budget for salaries and general expenditures of the Treasurer’s office;

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

**FUND/ORGANIZATION**

General Fund

Expenditures:

Reduce	\$ 32,552	Department Salaries & Fringe
Increase	\$ 30,000	Professional Services
Increase	\$ 2,000	Postal Service
Increase	\$ 152	Travel (Convention & Education)
Increase	\$ 400	Dues & Associations

**DONE** this 26th day of September, 2022.

**Agenda Item 13. APPOINTMENT**

**13.a. Resolution 22-81 – Appointment to the Board of Zoning Appeals**

Supervisor Moskalski made a motion to approve Resolution 22-81 appointing Keith Fogg to the Board of Zoning Appeals for an unexpired term ending June 30, 2027. Supervisor Garber seconded the motion. The Chairman called for any discussion. The members were polled:

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

**RESOLUTION 22-81  
APPOINTMENT TO THE BOARD OF ZONING APPEALS**

**WHEREAS** W. Brian Hodges was appointed to the Board of Zoning Appeals (BZA) for a five-year term ending June 30, 2027; and

**WHEREAS** Mr. Hodges resigned his position on the Board of Zoning Appeals effective September 2, 2022; and

**WHEREAS** there are currently two applicants who have expressed interest in serving on the BZA – Keith Fogg, and Jeanette Wagner; and

**WHEREAS** the Board of Zoning Appeals has provided the Board of Supervisors with their recommendation; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County, Virginia that Keith Fogg be appointed to the Board of Zoning Appeals for an unexpired term ending June 30, 2027.

**DONE** this 26th day of September, 2022.

**Agenda Item 14. ADJOURN OR RECESS**

Vice Chair Hodges made a motion to adjourn the meeting; 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

COPY TESTE:

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

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Christine H. Branch  
Deputy Clerk to the Board of Supervisors

DRAFT

## ATTACHMENT A



# County Administrator's Report

## **September 26, 2022 Meeting of the Board of Supervisors (Updated)**

### Meetings & Special Dates

#### September

1. King William NAAACP Veteran's Event – September 28, 9 a.m. – 3 p.m.; 694 Sharon Road
2. Middle Peninsula Planning Commission – September 28, 7 p.m.; Saluda
3. West Point Crab Carnival – September 30, 5-9:30 p.m.; Downtown West Point
4. Mangohick VFD Turkey Shoot – September 30, 6:30 p.m.; MVFD

#### October

1. West Point Crab Carnival – October 1, 10 a.m. – 6 p.m.
2. Board of Supervisors Work Session – October 3, 7 p.m.; Administration Building
3. King William Planning Commission – October 4, 7 p.m.; Administration Building
4. Recreation Commission Meeting – October 6, 7 p.m.; 360 Recreation Complex
5. Mangohick VFD Turkey Shoot – October 7, 6:30 p.m.; MVFD
6. Parks & Rec Movies in the Park – October 8, 7 p.m.; KW Rec Park
7. Columbus Day Holiday (County Offices Closed) – October 10
8. EDA-Planning Commission Joint Meeting – October 12, 7 p.m.; Administration Building
9. Archeological Dig Day – October 13, 10 a.m. – 4 p.m.; Historic Courthouse Complex
10. Mangohick VFD Turkey Shoot – October 14, 6:30 p.m.; MVFD
11. 360 Hardware Farm & Chicken Swap Event – October 15, 8 a.m. – 1 p.m.
12. King William School Board Meeting – October 18, 6 p.m.; Hamilton-Holmes
13. Food Trucks by the River – October 21, 5-8 p.m.; West Point
14. Mangohick VFD Turkey Shoot – October 14, 6:30 p.m.; MVF
15. Board of Supervisors Regular Meeting – October 24, 7 p.m.; Administration Building
16. Middle Peninsula Planning Commission – October 26, 7 p.m.; Saluda
17. County-Wide Trick-or-Treat Hours – October 31, 5-8 p.m.

### Notes & Updates

1. Personnel
  - a. Alex Cohn-White resigned as medic firefighter.
  - b. Laura Stephens hired as full time School Resource Officer.
  - c. Todd Perseghin hired as part-time IT Specialist.
  - d. Amanda Tevis hired as Director of Social Services.

2. Dollar General on Route 30 is taking shape. Still have many items to get in order before a Certificate of Occupancy can be issued.
3. Middlesex Social Services continues to assist our Family Services Unit on a 90-day contract.
4. King William County is at a high **medium** level for COVID-19 exposure per the State Department of Health.
5. Next Generation 9-1-1 is expected to be launched in January by the Sheriff's Office.
6. King William County unemployment rate was 2.6 percent for August.
7. Fire & EMS has received a \$10,000 grant for improvements to the Emergency Operations Center.
8. The EDA is seeking an individual or group to form a Citizens Board and operate the Farmers Market in the future. The EDA and County staff are willing to provide guidance but would no longer be involved in the planning, coordination, or running of the events.
9. A recommendation on keyless locks to the New Courthouse and Administration Building will be presented at the October 3rd BOS Work Session.
10. Construction plans for the new water tower are now 50 percent complete.
11. Breezeline and the owner of King William Place are looking to add internet to all apartments.
12. Social Services is now assisting Christmas Dreams with its holiday giving project. Visit [kwchristmasdreams.com](http://kwchristmasdreams.com) for more information. For help with your child's dream, submit your [application](#) by November 11th.
13. The former Treasurer and our auditor Robinson, Farmer, Cox signed off on the turnover audit on September 23.
14. West Point Elementary School has been named a Blue Ribbon School.
15. The BOS will be asked to consider appointments to the Board of Equalization at its November 28 meeting. Submit a Community Service Application – available online at [kingwilliamcounty.us](http://kingwilliamcounty.us) under Government, County Boards & Commissions.



**AGENDA ITEM 7.a.ii.**

October 3, 2022 Work Session Draft Minutes

**DRAFT MINUTES  
KING WILLIAM COUNTY BOARD OF SUPERVISORS  
WORK SESSION MEETING OF OCTOBER 3, 2022**

A work session meeting of the Board of Supervisors of King William County, Virginia, was held on the 3rd day of October, 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**

Vice Chair Hodges asked why the Regional Animal Shelter discussion was included in the Closed Session. Mr. Ashcraft said the performance of a named person would be discussed.

Supervisor Garber made a motion to approve the amended agenda as presented. Supervisor Moskalski seconded. The Chairman called for any discussion. The members were polled:

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

**Agenda Item 4. WORK SESSION MATTERS**

**4.a. Resolution 22-84 - Appropriating Additional Funds to VICCCA/Community Connection Program FY2023 Budget from Fund Balance for Purchase of a New Vehicle - Veda G. Frazier, Program Manager**

Supervisor Garber asked if Ms. Frazier was allowed to use her fund balance for this purchase. Ms. Frazier said yes.

Vice Chair Hodges asked if the amount she was requesting was enough. Ms. Frazier said most vehicles she has looked at have been under that amount but they go quickly. She said she does not need anything fancy, just something reliable and safe.

Chairman Moren asked if she had looked into leasing. Supervisor Moskalski said it becomes a funding issue because Ms. Frazier's fund is different than County funds. Ms. Frazier said she did not look into leasing. They put a lot of mileage on the cars since they serve multiple localities.

Supervisor Garber made a motion to approve Resolution 22-84. Supervisor Moskalski seconded. The Chairman called for any discussion. The members were polled:

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

**RESOLUTION 22-84  
AMENDMENT TO THE KING WILLIAM COUNTY FISCAL YEAR 2023 BUDGET  
VJCCCA COMMUNITY CONNECTION PROGRAM**

**WHEREAS** the King William County Board of Supervisors wishes to amend its Fiscal Year (FY) 2023 Budget to appropriate funds from VJCCCA/Community Connection Program fund balance (Fund 737); and

**WHEREAS** VJCCCA/Community Connection Program, servicing the counties of King William (Fiscal Agent), King & Queen, Charles City, Middlesex and New Kent, has obtained the approval of the County Administrators to add \$30,000 for the purchase of a new vehicle from the VJCCCA Program Fund Balance to the FY2023 Budget; and

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

FUND/ORGANIZATION

VJCCCA Fund 737		
Expenditures:		
Contingency	737-091900-5840	\$30,000
VJCCCA Fund 737		
Revenues:		
Use of Fund Balance	737-041999-0737	\$30,000

**DONE** this 3rd day of October, 2022.

**4.b. Resolution 22-85 - Authorizing County Administrator to Sign Deed of Gift & Expressing Gratitude to Carlyle P. Clements & Brenda H. Clements - Steve Hudgins, Deputy County Administrator**

Mr. Hudgins said the Clements have gifted the property where the new water tower will be built along with a 40 ft. easement accessing the property. Chairman Moren asked if it was in perpetuity. Mr. Hudgins said yes. He said the Clements want to be held harmless for anything that might happen in the easement.

Supervisor Garber thanked the Clements for the gift.

Supervisor Garber made a motion to approve Resolution 22-85. Supervisor Moskalski seconded. The Chairman called for any discussion. The members were polled:

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

### **RESOLUTION 22-85**

#### **AUTHORIZING THE COUNTY ADMINISTRATOR TO SIGN DEED OF GIFT CONVEYING REAL PROPERTY OR INTERESTS THEREIN TO KING WILLIAM COUNTY AND EXPRESSING GRATITUDE TO CARLYLE P. CLEMENTS AND BRENDA H. CLEMENTS FOR SAME**

**WHEREAS** Carlyle P. Clements and Brenda H. Clements, as trustees of the Carlyle P. Clements and Brenda H. Clements revocable living trust have executed a Deed of Gift to the Board of Supervisors of King William County of a parcel of land designated as “Public Utility Lot, Tax Map 28-32 (Portion)” along with a certain non-exclusive easement further described on such Deed of Gift attached hereto; and

**WHEREAS** §15.2-1803 of the Code of Virginia provides that no deed purporting to convey real estate to a locality shall be valid unless accepted by the locality; and

**WHEREAS** that statute also requires that such acceptance appear on the face of the deed or on a separately recorded instrument and be executed by a person authorized to act on behalf of the locality; and

**WHEREAS** the Board of Supervisors wishes to authorize the County Administrator to act in its behalf in accepting certain deeds conveying real property or any interests therein to the County;

**NOW, THEREFORE, BE IT RESOLVED** by the King William County Board of Supervisors this 3rd day of October, 2022 that the County Administrator is hereby authorized to act on behalf of King William County in accepting the Deed of Gift from Carlyle P. Clements and Brenda H. Clements, as trustees of the Carlyle P. Clements and Brenda H. Clements revocable living trust; and

**BE IT FURTHER RESOLVED**, the County Administrator is authorized to evidence such acceptance by signing a statement of acceptance appearing on the face of any and all such deeds or by signing a separately recorded instrument, provided that any such deed or instrument is approved as to form by the County Attorney or other qualified attorney selected by this board; and

**BE IT FURTHER RESOLVED** that the King William County Board of Supervisors does express its sincere gratitude to Carlyle P. Clements and Brenda H. Clements for this Deed of Gift to the County.

**DONE** this 3rd day of October, 2022.

#### **4.c. Creating an Assessor's Office - Karena L. Funkhouser, Commissioner of the Revenue**

Commissioner Funkhouser said that the DMV connect program has been successful and people are happy with it. The next one is scheduled for December 13th. She thanked the Board for their support. Commissioner Funkhouser gave an update on the Newport News property.

The Commissioner presented information on creating a County Assessment Office and prorating personal property taxes. (Attachment A). She said Real Estate taxes make up 48% of the County's revenues. This has not changed much over the past five years.

Because building value increases are not added to the land books until the next reassessment, they have not been taxed for the last seven years. Supervisor Garber asked why this is not tracked. Commissioner Funkhouser said there is no staff assigned to do this – there is no in-house assessor to add it to the tax rolls. Supervisor Garber said building permits require an estimated cost. Vice Chair Hodges asked if the Commissioner's office could do this. Commissioner Funkhouser said yes, if she had the staff to do it.

Supervisor Garber asked if this pertains to new homes. Commissioner Funkhouser said new homes are picked up, improvements are not. Commissioner Funkhouser said sometimes things are added to the books before there's a dwelling, so nothing is picked up. This impacts the real estate ratio which the state uses to determine the amount of money allocated to schools. Over the past five years, the County has lost \$427,895 in revenue.

Vice Chair Hodges asked about salaries. Commissioner Funkhouser said they need an assessor and an assistant to do data entry. They would need someone with special skills to do assessments and market analysis.

Chairman Moren asked if it could easily pay for itself. Commissioner Funkhouser said yes. She said there are only six companies certified in Virginia to do general reassessments. An in-house assessment office would eliminate that cost.

Supervisor Garber asked if having an assessor's office eliminates a general reassessment. Commissioner Funkhouser said yes because the assessor would do it continuously. Everything has to be assessed the same, so everything is at 2015 rates now. Commissioner Funkhouser said she could get a college graduate at \$55,000 who could then take classes through the department of taxation to get certified. It would take two years of training and they would need an employment contract. Vice Chair Hodges said he was concerned what would happen if they could not find someone. Supervisor Moskalski said a quality assessment depends on who's doing it and he would prefer a more qualified individual to do it to get the best product we can. Commissioner Funkhouser said they need a person in her office to continue being involved. Supervisor Garber asked how one person could do it all Commissioner Funkhouser said they can't. Mr. Pearson had four or five appraisers. The code requires every property to be looked at every six years. Vision will record field visits so the assessor could get a list of what properties need to be visited on a rotating basis. She said they could take a person from her office to support the new assessor's office.

Chairman Moren asked for a timeline. Commissioner Funkhouser said July 1, 2023 makes sense. They could begin advertising the position earlier. Supervisor Garber asked about market analysis

and maximum increases. Commissioner Funkhouser said if values raise more than 1%, we have to advertise and equalize the rate. She said Mr. Pearson is doing two studies now.

The Commissioners of Revenue Association recommends creating the office and getting input from other localities. A General Assembly committee is currently performing a study of local property tax assessment certifications and is scheduled to report its findings by November 1. She said the new Kent Commissioner of Revenue is a certified assessor.

#### **4.d. Twice Per Year Personal Property Tax Payments**

#### **4.e. Proration of Personal Property Tax Discussion - Karena L. Funkhouser, Commissioner of the Revenue**

Commissioner Funkhouser presented information about prorating personal property (Attachment A). She said prorating will wipe out the vehicle license fee for one year because you're already collecting it a year in advance. Eliminating the fee would result in a loss of \$490,000 to the schools. Vice Chair Hodges said that would create a split levy issue with the schools. Supervisor Moskalski said we need to understand it more clearly.

Supervisor Garber asked if billing twice would help. Commissioner Funkhouser said no because citizens have already paid the fee. Supervisor Moskalski said we need to go back a few years to see what's more normal. Commissioner Funkhouser said the software can't do proration right now and this is something that needs to be looked at for the future

Chairman Moren asked if prorating is fairer to the citizens. Commissioner Funkhouser said it depends if they upgrade to a higher value vehicle.

Chairman Moren asked when action is needed on these items. Commissioner Funkhouser said long range planning would be one or two years for proration. Twice per year billing is too much data entry right now. She said there are 693 business accounts that have to be entered manually by June 1st and until more things are automated, she can't handle the workload. She said 50% of people can no longer file online. Regarding the assessor, a more timely action is needed and she can have better numbers for November.

#### **4.f. Update Property Maintenance Ordinance to Comply with State Code - Sherry Graham, Director of Planning**

Ms. Graham said the County's Property Maintenance Ordinance had not been updated since 2000. Updates are needed to incorporate changes made by the adoption of the 2018 Virginia Maintenance Code.

Chairman Moren asked if property maintenance is complaint driven. Ms. Graham said yes. Staff is trying to look along route 30 and 360 to get those areas cleaned up.

Vice Chair Hodges asked if the grass height is the same as West Point. Ms. Graham said she would check.

A public hearing would need to be set for November in order to change the ordinance. The general consensus of the Board was to move forward with advertising the Public Hearing for November 28, 2022.

**4.g. FY24 Capital Projects - Percy C. Ashcraft, County Administrator**

Mr. Ashcraft presented a list of FY2024 Department Capital Requests.

Chairman Moren asked how often the dog park is used. Mr. Ashcraft said he would get that information.

**4.h. FY24 New Personnel Discussion - Percy C. Ashcraft, County Administrator r**

Mr. Ashcraft presented a preliminary list of FY2024 Department New Personnel Requests. He noted the Assessor position was currently listed in two places – under Administration and Commissioner of the Revenue, however, it is the same position.

**4.i. King William Library Discussion - Percy C. Ashcraft, County Administrator**

Vice Chair Moren asked staff to contact Mr. Shepley with Pamunkey Regional Library for an idea of what the budget ask might be.

Supervisor Garber asked about other localities. Mr. Ashcraft said King & Queen wants us to share their location.

Supervisor Garber asked how we get out of the Pamunkey Regional Library. The Code of Virginia § 42.1-42 states, “No county or city participating in a regional library system shall withdraw therefrom without two years’ notice to the other participating counties and cities without the consent of such other participating political subdivisions.”

**4.j. West Point Library Discussion - Percy C. Ashcraft, County Administrator**

Mr. Ashcraft said West Point had hoped to move the current library into the space the Sheriff’s office is currently in, and move the Sheriff’s office to the old School Board building. They had estimated the project would cost about \$500,000 and Town Council had committed to that amount. However, estimates for upgrading the new space are coming in at just over \$1 million. They asked Pamunkey Regional Library for \$100,000 and are asking for \$300,000-\$400,000 from the County.

Supervisor Garber said Upper King William doesn't even have a physical library, it is rented. He said West Point has a 100-person meeting room and UKW’s holds 50. He is not in favor.

Chairman Moren asked the time frame for a decision. Mr. Ashcraft said if there's not a funding commitment, West Point will not move forward and bid out the project. Chairman Moren asked if they could downsize to fit their budget.

Vice Chair Hodges said the current West Point Library building used to belong to the friends of West Point library and they gifted it to the town.

Mr. Ashcraft said Mr. Edwards could come to the November work session to provide more information and answer the Board’s questions.

**4.k. Resolution22-80R - Amend Resolution 22-80 - Nita McInteer, Human Resources Manager**

Ms. McInteer said the minimum salary for the Treasurer and Deputy positions per the Virginia Compensation Board were updated after the approved budget was published to their website

making the amounts in Resolution 22-80 incorrect. She presented a revised resolution for the Board's consideration.

Vice Chair Hodges made a motion to approve Resolution 22-80R. Supervisor Moskalski seconded. The Chairman called for any discussion. The members were polled:

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

**RESOLUTION 22-80R**  
**AMENDMENT TO THE KING WILLIAM COUNTY FISCAL YEAR 2023 BUDGET**  
**SALARIES & GENERAL EXPENDITURES FOR TREASURER OFFICE**

**WHEREAS** the King William County Board of Supervisors (Board) wishes to amend its Fiscal Year (FY) 2023 Budget for salaries and general expenditures of the Treasurer's office;

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

FUND/ORGANIZATION

General Fund

Expenditures:

Reduce	\$ 32,552	<b>28,795</b>	Department Salaries & Fringe
Increase	\$ 30,000	<b>26,243</b>	Professional Services
Increase	\$ 2,000		Postal Service
Increase	\$ 152		Travel (Convention & Education)
Increase	\$ 400		Dues & Associations

**DONE** this 3rd day of October, 2022.

**Agenda Item 5. BOARD OF SUPERVISORS' REQUESTS**

Supervisor Greenwood said he wants more information from Mr. Edwards regarding the library. He said he would like a white board of items discussed and project tracking and it should be shared with the public.

Supervisor Garber congratulated Amanda Tevis on her first day as King William County Director of Social Services and thanked Mr. Ashcraft for stabilizing the Department. He said Fort Myers is struggling and he thanked people for coming.

Vice Chair Hodges thanked people for coming. He said things in Florida are still bad. He said West Point originally was going to present the library idea before the last budget but decided to wait.

Supervisor Moskalski said he's looking forward to the All Points Broadband presentation at the next meeting.

Chairman Moren said there was a lot of damage in Florida from the storm. He thanked everyone for the information presented and said he wants to look at mid to long range planning.

**Agenda Item 6. CLOSED MEETING**

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

Supervisor Moskalski made a motion to convene in closed meeting in accordance with Section 2.2-3711 (A)(1) of the Code of Virginia to consider a personnel matter involving the appointment of individuals to Boards and Commissions and involving the promotion of a specific public employee. Vice Chair Hodges 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.b. Motion to Reconvene in Open Session**

Supervisor Moskalski made a motion to reconvene in Open Session. Vice Chair Hodges 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

**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 Garber. The Chairman called for any discussion. The members were polled:

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

**STANDING RESOLUTION – 1 (SR-1)**

**A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT REGARDING MEETING IN CLOSED MEETING**

**WHEREAS**, the King William County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and,

**WHEREAS** Section 2.2-3712 (D) of the Code of Virginia requires a certification by the King William County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law,

**NOW, THEREFORE, BE IT RESOLVED** that the King William County Board of Supervisors on this 3rd day of October, 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 3rd day of October, 2022.

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

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

**Agenda Item 7. APPOINTMENTS**

**Resolution 22-86 - Appointment(s) to Social Services Advisory Board**

Supervisor Moskalski made a motion to approve Resolution 22-86 appointing Robert Hardwick to the Social Services Advisory Board for a One-Year term expiring September 30, 2023; Jason Brown for a Two-Year term expiring September 30, 2024; and Veda Frazier for a Three-Year term expiring September 30, 2025. Vice Chair Hodges seconded the motion. The Chairman called for any discussion. The members were polled:

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

**RESOLUTION 22-86  
APPOINTMENT(S) TO THE SOCIAL SERVICES ADVISORY BOARD**

**WHEREAS** the King William County Board of Supervisors established the King William County Social Services Advisory Board on May 23, 2022 in accordance with Virginia Code § 63.2-305 consisting of five citizen members to be appointed by the King William County Board of Supervisors, plus the County Administrator as an *ex officio* member, with initial appointments of citizen members as follows: (i) one member for a term of one year; (ii) one member for a term of two years; (iii) one member for a term of three years, and (iv) two members for terms of four years, and subsequent appointments for a term of four years each, except that appointments to fill vacancies that occur during terms shall be for the remainder of these unexpired terms; and

**WHEREAS** the Board of Supervisors now desires to make appointments to the Social Services Advisory Board; and

**WHEREAS** three applicants have expressed interest in serving on the Social Services Advisory Board – Jason Brown, Veda Frazier, and Robert Hardwick;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County, Virginia that the following individual(s) be appointed to the Social Services Advisory Board for the following term(s):

<u>Name:</u>	<u>Term</u>	<u>Expiration</u>
Robert Hardwick	One-Year	September 30, 2023
Jason Brown	Two-Year	September 30, 2024
Veda Frazier	Three-Year	September 30, 2025

**DONE** this 3rd day of October, 2022.

**Resolution 22-87 - Appointment(s) to King William County VA250 Planning Committee**

Vice Chair Hodges made a motion to approve Resolution 22-87 appointing David Brown, Karena Funkhouser, Sarah Heinsman, Shaleigh Howells, and Debi Moren to the VA250 Planning Committee through the commemoration period of 2022-2026. Supervisor Garber 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

**RESOLUTION 22-87  
APPOINTMENT(S) TO THE VA250 PLANNING COMMITTEE**

**WHEREAS** the King William County Board of Supervisors established the King William County VA250 Planning Committee via Resolution 22-66 on August 22, 2022 to plan and coordinate programs occurring within the County and communicate regularly with VA250 in order to promote and commemorate the 250th anniversary of Virginia's participation in American independence; and

**WHEREAS** the Board of Supervisors now desires to make appointments to the VA250 Planning Committee; and

**WHEREAS** five applicants have expressed interest in serving on the VA250 Planning Committee – David Brown, Karena Funkhouser, Sarah Heinsman, Shaleigh Howells, and Debi Moren;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County, Virginia that the following individual(s) be appointed to the VA250 Planning Committee through the commemoration period of 2022-2026:

David Brown, Karena Funkhouser, Sarah Heinsman, Shaleigh Howells, and Debi Moren.

**DONE** this 3rd day of October, 2022.

**Agenda Item 8. ADIURN OR RECESS**

Supervisor Greenwood made a motion to adjourn the meeting; seconded by Supervisor Garber. The Chairman called for any discussion. All were in favor with none opposing.

COPY TESTE:

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

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Christine H. Branch  
Deputy Clerk to the Board of Supervisors

DRAFT

# ATTACHMENT A



County of King William, Virginia

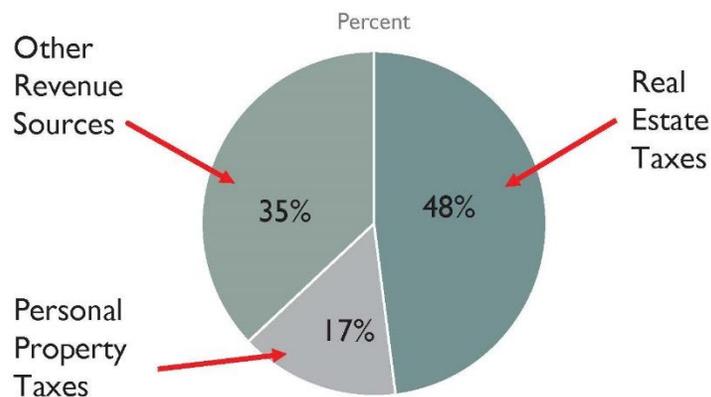
## COUNTY EFFICIENCY OPPORTUNITIES

1. KWC Assessment Office
2. Prorating Personal Property

Karena Funkhouser  
Commissioner of the Revenue  
October 3, 2022

## County Revenue Summary

2022 Adopted



### ATTACHMENT A

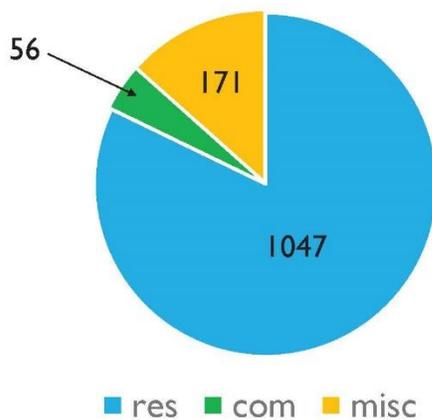
DRAFT Minutes of the King William County Board of Supervisors  
Work Session Meeting of October 3, 2022

Page 12 of 22

## Residential Certificates of Occupancy Issued



## 2020 PERMITS ISSUED



Total Value =  
\$48,635,940



**Assumption of Revenue Loss  
From  
2020 Building Permits**

**\$29,114,493 – 11,233,521 = \$17,880,972**

**\$17,880,972 \* 20% \* \$0.86/\$100 = **\$30,755****



**BUILDING PERMITS  
VALUE INCREASES NOT CAPTURED TODAY**

1. **New Dwelling Phase %**
2. **Renovations**
3. **Additions**
4. **Garages (1- \$12K, 2- \$24K)**
5. **Decks & Porches**
6. **Signs**
7. **Homesite Clearing (\$40K)**
8. **In Ground Swimming Pools (\$25K)**
9. **Piers and Sea Walls**
10. **Other Accessory Structures (Barns, Sheds, Car Ports ...)**



## Real Estate Ratio Revenue Impact



## Salary for Assessor Office Staff Local County Postings (2022)

<u>Position</u>	<u>Salary Range</u>	<u>County</u>
Real Estate Director (CIR)	- \$88 – \$149K	Chesterfield
Real Estate Appraiser III	- \$58 - \$99K	Chesterfield
Real Estate Appraiser III	- \$55 - \$71K	James City
Real Estate Appraiser II	- \$55 - \$94	Chesterfield
Real Estate Appraiser II	- \$48 - \$62K	James City
Real Estate Appraiser I	- \$45 - \$58K	James City
Real Estate Technician	- \$36 - \$57K	Prince George



## SAVINGS/ REVENUE OPPORTUNITIES (ANNUAL ESTIMATE)

Annual Cost General Assessment -	\$100,000
Building Permits -	\$ 30,000
Maximize Public Service Revenue -	\$ 20,000
Increase from Biennial Reassessments -	<u>\$ 63,000</u>
<b>Total</b>	<b>\$ 213,000</b>



## OPTION ONE – DO NOTHING

### Pros

- Status Quo

### Cons

- **Contractor Interest and Availability Risk**
- **No revenue from building permits**
- **No Biennial Increase in Value** (other than new dwellings)
- **Declining revenue from Public Service Corporations**

**Annual Cost = \$100,000**



## OPTION II – CREATE ASSESSMENT OFFICE

### Pros

- Biennial Increases in Value
- Maximum Public Service Corp. Revenue
- Revenue from Building Permits

### Cons

- Two additional staff
- New Department Overhead Expenses
- No familiarity with KWC
- No Inhouse Knowledge (systems)
- Lose Comp Board Funding

Personnel Cost = \$192,000



## OPTION III – COR ASSESSMENT OFFICE

### Pros

- Biennial Increases in Value
- Maximize Public Service Corp Revenue
- Revenue from Building Permits
- Inhouse Knowledge & Experience
- Maximize State School Funding
- Keep Comp Board Funding

### Cons

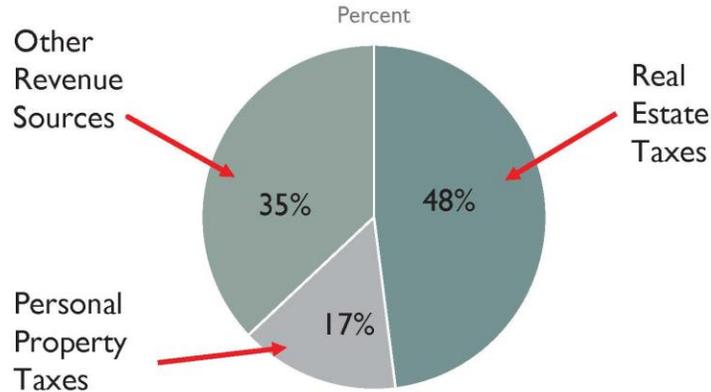
- One additional staff required

Personnel Cost = \$ 75,000



# County Revenue Summary

2022 Adopted



## Legislative Studies/Reports

### Study of Local Property Tax Assessment Certifications

- ▶ Budget language requires the Department to study and develop a proposal to require that all individuals who conduct local property tax assessments receive state certification and ongoing recertification to ensure more effective, consistent, and equitable assessments across all jurisdictions in Virginia
  - ▶ Consultation required with various stakeholder groups
- ▶ The Department must report its findings to the Governor and the Chairs of the House Committee on Finance and the Senate Finance and Appropriations Committee by November 1, 2022





## Assessment Recommendation

**CREATE AN ASSESSMENT OFFICE AFTER PERFORMING ADDITIONAL RESEARCH TO BETTER IDENTIFY THE POTENTIAL REVENUE AND COSTS ASSOCIATED WITH CREATING AN ASSESSMENT OFFICE TO INCLUDE INPUT FROM THE PLANNING DEPARTMENT, FINANCE DEPARTMENT & OTHER COR OR ASSESSOR**

## PRORATING PERSONAL PROPERTY

### Background:

- State allows prorating in two categories
  - Boats
  - Motor Vehicles, Trailers, Motorcycles & RVs
- 74 Localities in State prorate
  - Avg Population for prorating = 117,547
  - Avg Population for non-prorating = 23,248



## MODEL DATA 2022

<u>Category</u>	<u>Count</u>	<u>Value</u>	<u>Avg Price</u>	<u>Increase</u>
Bikes	655	\$ 3,730,355	\$ 12,197	54
Boats	1,631	\$ 5,338,306	\$ 6,346	14
Cars	12,308	\$133,694,514	\$ 22,345	5385
Trucks	6,428	\$ 88,701,618	\$ 27,275	(4767)
Vans	606	\$ 3,761,346	\$ 11,749	(216)
Rvs	70	\$ 1,876,459	\$ 52,725	3
Trailers	5,694	\$ 12,913,110	\$ 4,486	194



## PRORATING PERSONAL PROPERTY

### Motor Vehicles Model

Description	Value
Average Vehicle Value	\$ 11,614
New Vehicles Year	357
Tax Rate	\$ 2.65
New Vehicles / Month	30
Total 12mo Tax per Vehicle	\$ 308

**Additional Revenue \$60,015**

Month	Month Value	Total Revenue	Per Vehicle
January	12	\$ 9,233	\$ 308
February	11	\$ 8,464	\$ 282
March	10	\$ 7,694	\$ 256
April	9	\$ 6,925	\$ 231
May	8	\$ 6,155	\$ 205
June	7	\$ 5,386	\$ 180
July	6	\$ 4,617	\$ 154
August	5	\$ 3,847	\$ 128
September	4	\$ 3,078	\$ 103
October	3	\$ 2,308	\$ 77
November	2	\$ 1,539	\$ 51
December	1	\$ 769	\$ 26
<b>Total</b>		<b>\$ 60,015</b>	



## TOTAL ADDITIONAL REVENUE

County Cars, Trucks & Vans	\$ 60,015
County Trailers	\$ 6,270
Town Cars, Trucks & Vans	\$ 3,230
Town Trailers	\$ <u>161</u>
<b>TOTAL:</b>	<b><u>\$ 69,676</u></b>

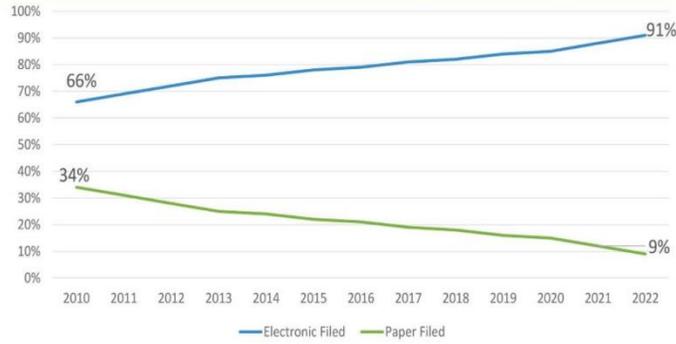


## PRORATING ANNUAL COST

• Personnel	\$ 54,000
• On-Line Vehicle Valuation Service	\$ 2,000
• Postage	\$ 8,154
• Printing	\$ 2,700
• Other Expenses	?
Total:	<u>\$ 66,854</u>



### Individual Returns Filed by Medium, CY 2010 – CY 2022



Note: CY 2022 data through August 1, 2022.



DRAFT



## **AGENDA ITEM 7.a.iii.**

October 24, 2022 Regular Meeting Draft Minutes

**DRAFT MINUTES  
KING WILLIAM COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING OF OCTOBER 24, 2022**

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 24th day of October, 2022 beginning at 7:00 p.m. in the Board Meeting Room of the County Administration Building and via Zoom.

**Agenda Item 1. CALL TO ORDER**

Chairman Moren called the meeting to order.

**Agenda Item 2. ROLL CALL**

The members were polled:

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

**Agenda Item 3. MOMENT OF SILENCE**

The Chairman noted the recent passing of Cat Wilkinson and former Supervisor, Tom Smiley. The Chairman called for a moment of silence.

**Agenda Item 4. PLEDGE OF ALLEGIANCE**

The Chairman led the pledge of allegiance.

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

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

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

**Agenda Item 6. PUBLIC COMMENT**

Chairman Moren opened the Public Comment period.

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

**Agenda Item 7. CONSENT AGENDA**

Consent Agenda items were:

- a. Approval of Expenditures - September 2022

- b. **Resolution 22-30R** - Revised Pay and Classification and Salary Adjustment Plan for Fiscal Year 2023 (Due to Adjusted Salary Scales for Sheriff's Dept. Approved at 08-22-2022 Regular Meeting)
- c. **Resolution 22-88** - Amendment to FY23 Budget ARPA Funding Transfer to Regional Animal Shelter for Staffing
- d. **Resolution 22-89** - Appropriating Restricted Split Levy Funds to Reimburse King William County for King William County Public Schools Expenses
- e. **Resolution 22-90** - Appreciation of Middlesex County Department of Social Services
- f. **Resolution 22-91** - Appropriating Additional Capital Funds for Keyless Security Project
- g. **Resolution 22-92** - Budget Amendment - ARPA Funding for Motorola UEM License
- h. **Resolution 22-93** - Amendment to King William County Fiscal Year 2023 Budget King William Public Schools
- i. **Resolution 22-95** - Honoring United States Veterans and Recognizing November 11, 2022 as Veterans Day

Supervisor Moskalski moved for approval of the Consent Agenda; motion was seconded by Supervisor Garber. 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

**RESOLUTION 22-30R**  
**APPROVING A PAY AND CLASSIFICATION AND SALARY ADJUSTMENT PLAN FOR FISCAL YEAR 2023**

**WHEREAS**, on the 14<sup>th</sup> of December 2015, the King William County Board of Supervisors adopted an updated personnel policy that directs the County Administrator to provide and annually update on the adjustments needed to the class and compensation plan each fiscal year; and

**WHEREAS**, on the 24<sup>th</sup> of February 2020, the King William County Board of Supervisors adopted an updated Classification and Compensation Plan and anticipated salary adjustments for implementation in the Fiscal Year 2021 budget,

**WHEREAS**, the Classification and Compensation Plan update was initiated to address the County’s pay structure, market competitiveness and internal equity within the Fiscal Year 2023 budget preparation; and

**WHEREAS**, the Board has been presented with an updated class and compensation plan for FY 2023 that meets the needs of the personnel compliment of the County; and

**WHEREAS**, the Board unanimously approved adjusted salary scales for the Sheriff's Department at their August 22, 2022 Regular Meeting resulting in an update to the previously approved FY 2023 Pay Plan; and

**NOW, THEREFORE, BE IT RESOLVED** by the King William County Board of Supervisors this 24th day of October, 2022, that the Updated FY 2023 Pay Plan showing the pay grades and pay ranges in the County pay system is approved; and that the County Administrator is authorized to implement the Plan of Adjustment in substantially the form as presented to this Board.

**DONE** this 24th day of October, 2022.

**RESOLUTION 22-88  
AMENDMENT TO THE KING WILLIAM COUNTY FISCAL YEAR 2023 BUDGET  
ARPA FUNDING TRANSFER TO REGIONAL ANIMAL SHELTER FOR STAFFING**

**WHEREAS** the King William County Board of Supervisors wishes to amend its Fiscal Year (FY) 2023 Budget to appropriate funds from the American Rescue Plan Act (ARPA) (Fund 215) to Regional Animal Shelter (Fund 204); and

**WHEREAS** the King William County Board of Supervisors wishes to amend the Salaries and Fringe expenditures for the Regional Animal Shelter to be funded from the ARPA Fund; and

**WHEREAS** the appropriation of these funds from ARPA would result in no additional funding from King and Queen County or King William County;

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

FUND/ORGANIZATION

ARPA Fund 215	
Expenditures:	
Transfer to Fund 204/Payroll Cost	\$16,567.20
Regional Animal Shelter Fund 204	
Expenditures:	
Salaries and Fringe	\$16,567.20
ARPA Fund 215	
Revenues:	
Use of Fund Balance	\$16,567.20
Regional Animal Shelter Fund 204	
Revenues:	
Transfer from ARPA	\$16,567.20

**DONE** this 24th day of October, 2022.

**RESOLUTION 22-89**  
**APPROPRIATE FY2022 RESTRICTED SPLIT LEVY FUNDS TO REIMBURSE KING WILLIAM COUNTY FOR KING WILLIAM COUNTY PUBLIC SCHOOLS EXPENSES**

**WHEREAS** the Restricted Split Levy Fund (150) is designated for use by King William County Public Schools upon request to and approval of the Board of Supervisors to supplement the operational funding of KWCPs or for capital expenditures; and

**WHEREAS** King William County pays directly to vendors certain King William County Public Schools operating expenditures; and

**WHEREAS** the King William County Director of Financial Services is requesting \$118,778.97 for reimbursement of annual operating costs associated with the King William County Public Schools; and

**WHEREAS** the reimbursement amount described will be expended from the Split Levy Restricted Fund (150);

**NOW, THEREFORE, BE IT RESOLVED** that the King William County Board of Supervisors does hereby authorize the Director of Financial Services to reimburse King William County for King William County Public Schools expenditures in the amount of \$118,778.97 from the Split Levy Restricted Fund (150).

**DONE** this 24th day of October, 2022.

**RESOLUTION 22-90**  
**RESOLUTION OF APPRECIATION FOR MIDDLESEX COUNTY DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS** the King William County Department of Social Services faced staffing challenges in July 2022 in the Family Services Division; and

**WHEREAS** the Middlesex County Board of Supervisors and County Administrator provided invaluable assistance to the King William County Board of Supervisors and Department of Social Services by allowing the Middlesex Department of Social Services to provide services to King William County citizens and staff; and

**WHEREAS** the Director of Middlesex Department of Social Services, Ms. Rebecca Morgan provided case administration and review while Ms. Moriah Elkins served as Family Services Supervisor and Ms. Erin Laster served as Family Services Specialist II, such services provided to King William County in addition to their normal duties for Middlesex County;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of King William County, Virginia expresses their deep gratitude and appreciation to Middlesex County Department of Social Services for aiding King William County Department of Social Services during our time of need.

**DONE** this 24th day of October, 2022.

**RESOLUTION 22-91**  
**AMENDMENT TO THE KING WILLIAM COUNTY FISCAL YEAR 2023 BUDGET**  
**CAPITAL IMPROVEMENT PLAN**  
**KEYLESS SECURITY PROJECT AT HISTORIC SOCIETY AND MUSEUM**

**WHEREAS** the King William County Board of Supervisors wishes to amend its Fiscal Year (FY) 2023 Capital Improvement Plan to appropriate funds for Keyless Security Project at Historic Society and Historic Museum in FY2023 in the amount of \$20,630; and

**WHEREAS** the balance of Information Technology Capital Fund from FY22 of \$35,080 was not utilized in FY22 and is available to roll forward for appropriation for the expense of \$20,630 for the Keyless Security Project;

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

FUND/ORGANIZATION

Expense	
Keyless Security Project	\$ 20,630
Revenue	
Use of Information Technology Capital Fund Balance FY22	\$ 20,630

**DONE** this 24th day of October, 2022.

**RESOLUTION 22-92**  
**AMENDMENT TO THE KING WILLIAM COUNTY FISCAL YEAR 2023 BUDGET**  
**ARPA FUNDING FOR MOTOROLA UEM**

**WHEREAS** the King William County Board of Supervisors wishes to amend its Fiscal Year (FY) 2023 Budget to appropriate funds from the American Rescue Plan Act Fund 215 to for one time license fee for Motorola Unified Event Manager (UEM); and

**WHEREAS** the King William County Board of Supervisors wishes to appropriate \$32,977.25 to be funded from ARPA Fund.

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

FUND/ORGANIZATION

ARPA Fund 215	
Expenditures:	
Motorola UEM	\$ 32,977.25

**DONE** this 24th day of October, 2022.

**RESOLUTION 22-93  
AMENDMENT TO THE KING WILLIAM COUNTY FISCAL YEAR 2023 BUDGET  
KING WILLIAM PUBLIC SCHOOLS**

**WHEREAS** the King William County Board of Supervisors wishes to amend its Fiscal Year (FY) 2023 Budget for additional revenues and expenditures for King William County Public Schools; and

**WHEREAS** the King William County School Board accepted on October 18, 2022 the budget amendments of funds and additional funding and requests the Board of Supervisors to appropriate;

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

FUND/ORGANIZATION

Grants Received:	
Health Workforce Grant-Part 2	\$ 23,400
Insurance Damage:	
HHMS Lightning Strike	\$ 10,217.37

**DONE** this 24th day of October, 2022.

**RESOLUTION 22-95  
HONORING UNITED STATES VETERANS AND  
RECOGNIZING NOVEMBER 11, 2022 AS VETERANS DAY**

**WHEREAS** Veterans Day is a celebration honoring all American Veterans who have served in times of war and in times of peace; and

**WHEREAS** the theme for Veterans Day 2022 is "Honor." Veterans are proud of their military service in defending our Nation and deserve honor for fulfilling their patriotic duties. Honor reflects the military value and tradition of answering the call to duty. There is distinct honor in serving to protect our way of life and the Constitution of the United States of America; and

**WHEREAS** the demanding environments of military life and experiences of combat can cause many Veterans to experience psychological distress, with many service members facing such critical issues as trauma, suicide, homelessness, and others; and

**WHEREAS** veterans continue to serve our community and nation in numerous ways after leaving military service;

**NOW, THEREFORE, BE IT RESOLVED** that the King William County Board of Supervisors does hereby pay honor to all United States Veterans and recognizes November 11, 2022 as Veterans Day; and

**BE IT FURTHER RESOLVED** that the King William County Board of Supervisors expresses their deep gratitude to our brave and dedicated military, Veterans, and their families for their service to our nation.

**DONE** this 24th day of October, 2022.

**Agenda Item 8. OLD BUSINESS**

**8.a. General Reassessment Update – Fred Pearson, Pearson’s Appraisal Service. Inc.**

Mr. Pearson said they were ready to turn data over to the County on Friday to get notices sent out. Hearings would be held where people could call and come in to speak to the assessor or ask for a phone appeal. They can e-mail or mail the information they’d like considered.

Chairman Moren asked that we add an FAQ to go along with the notices. Mr. Pearson said by state code the equalized market value cannot raise revenue for the County. He recommends putting an ad in the newspaper that notices have been sent. Vice Chair Hodges agreed that an explanation needs to go out with the notice.

**8.b. West Point Library Discussion – John B. Edwards, Jr., Town Manager**

Mr. Edwards said West Point has an opportunity to relocate their library. It would be a small increase in size from 5400 square feet to 5800 square feet but would be a modernization of the space. He said the current meeting room which had been questioned in the past holds 50 to 60 people, not 100. He said they originally thought the renovations would cost about \$500,000 however the estimates have come in from \$900,000 to \$1,000,000 and the Town cannot afford this on their own.

Chairman Moren asked what would happen if we delayed the decision. Mr. Edwards said the police would stay where they are the library would stay where they are. The current library building is in need of roof and carpet replacement.

Supervisor Garber asked what would happen to the current library. Mr. Edwards said there is an offer to purchase it and the money from the sale would be used for the project. Mr. Garber said King William doesn't have a library building on this end of the County. He said the rest of the County is growing and West Point is not. He said he is not in favor of it. Mr. Edwards said West Point library serves the whole County, not just West Point.

Chairman Moren asked how many people outside the County use the West Point branch. Mr. Edwards said he has asked for that information but hasn't gotten an answer. Mr. Edwards said the County is a member of Pamunkey Regional Library not the Town.

Supervisor Moskalski said half a million can't be done and perhaps they could scale down the project. Mr. Edwards said they've looked at that possibility.

Chairman Moren asked if it could be done in phases. Mr. Edwards said it's difficult to do because they have to bring the new building up to code. He has reached out to someone in the shopping center to see if they could do it cheaper. Vice Chair Hodges said they'll have to pay rent in the new space.

Supervisor Garber said there was no ask during budget negotiations.

Supervisor Greenwood asked how much it would cost to renovate the old building. Mr. Edwards said \$100,000-\$200,000 but probably more.

Chairman Moren said we should delay making a decision because the County is looking at other options and is working aggressively towards an answer. He said to delay the discussions to December.

Mr. Edwards said to please contact him with any questions or if they would like to take a tour of the proposed new space.

Supervisor Moskalski said he would like to continue to see what could be done.

Vice Chair Hodges asked if Pamunkey Regional Library has offered any funding. Mr. Edwards said the library board has not discussed it yet.

**Agenda Item 10. PUBLIC HEARING**

**10.a. Ordinance 10-22 – Amending King William County Code Section 10-69 – Dogs Running at Large**

Mr. Ashcraft presented Ordinance 10-22 with proposed changes to King William County code section 10-69B. The ordinance would change section B to say any property zoned R1 suburban residential is included in the year-round leash law. It would remove those properties listed which are already R1. Those which are not R1 would remain listed. In addition, section E would be added which gives citizens a process by which they can petition the County to be added to the list of included subdivisions.

Supervisor Moskalski asked if 50% of the residents of a particular subdivision was too many. Vice Chair suggested households instead. Supervisor Moskalski said we are talking about properties that are not zoned R1 and he thought 50% was reasonable.

The Chairman opened the public comment. There being no speakers the Chairman closed the public comment.

Supervisor Moskalski made a motion to adopt Ordinance 10-22; Supervisor Garber seconded. The Chairman called for any discussion. The members were polled:

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

**ORDINANCE 10-22  
AMENDING KING WILLIAM COUNTY CODE SECTION 10-69 DOGS RUNNING AT LARGE**

**WHEREAS** the King William County Board of Supervisors (the Board) wishes to amend King William County Code Section 10-69 – Dogs running at large; and

**WHEREAS** the Board conducted a duly advertised public hearing on October 24, 2022 to accept public comment in consideration of the changes as shown below (additions shown in red text and highlighted in yellow, deletions shown in strikethrough):

**Sec. 10-69. – Dogs running at large.**

- (a) In order to facilitate inspection of current dog licenses and the capture of unlicensed stray dogs, no dog shall be permitted to run at large in any part of the county from April 1 through May 31 of each year. All dogs shall be confined, restricted, or penned up during these months. For the purpose of this section, a dog shall be deemed to be running at large while roaming, running, or self-hunting off the property of its owner or custodian and not under its owner's or custodian's immediate control.
- (b) It shall be unlawful for the owner or custodian of any dog to permit the dog to go upon any public street, sidewalk, or right-of-way or upon the property of another within the hereafter described areas of the county, unless it is kept secured by a leash or lead or other means of restraint not harmful or injurious to the dog, and under the control of a responsible person capable of physically restraining the dog:

**(1) Any property zoned R-1, Suburban-Residential**

- (2)** 1) The area and property known as Corinth Heights Subdivision, and more particularly shown on those certain plats of survey on record in the clerk's office of the county circuit court, in the clerk's Plat Book 10, page 27, to which reference is made here. (Zoned R-R)
- ~~(2) — The area and property known as Venter Heights Subdivision, and more particularly shown on those certain plats of survey on record in the clerk's office of the county circuit court, in the clerk's Plat Book 10, page 10, to which reference is made here. (Zoned R-1)~~
- ~~(3) — The area and property known as Oak Springs Subdivision, and more particularly shown on those certain plats of survey on record in the clerk's office of the county circuit court, in the clerk's Plat Book 11, page 67, to which reference is made here. (Zoned R-1)~~
- ~~(4) — The area and property known as Aylett Farms Subdivision, and more particularly shown on those certain plats of survey on record in the clerk's office of the county circuit court, in the clerk's Plat Book 10, page 64, to which reference is made here. (Zoned R-1)~~
- ~~(5) — The area and property known as Manquin Farms Subdivision, and more particularly shown on those certain plats of survey on record in the clerk's office of the county circuit court, in the clerk's Plat Book 10, page 106, to which reference is made here. (Zoned R-1)~~
- (3)** 6) The area and property known as Corr Walker Subdivision, also known as Beaver Creek, King William Estates, and Timberland Estates Subdivisions, and more

particularly shown on those certain plats of survey on record in the clerk's office of the circuit court of King William, Virginia, in clerk's Plat Book 13, page 15, page 30, page 34 to which reference here is here made. (Zoned R-R)

- ~~(7) The area and property known as Terra Alta Subdivision, and more particularly shown on those certain plats of survey on record in the clerk's office of the county circuit court, in the clerk's Plat Book 13, page 3, to which reference is made here. (Zoned R-1)~~
- ~~(8) The area and property known as Fairfield Subdivision, and more particularly shown on those certain plats of survey on record in the clerk's office of the county circuit court, in the clerk's Plat Book 13, page 94, to which reference is made here. (Zoned R-1)~~
- (4 9) The area and property known as Rose Garden Estates Subdivision, and more particularly shown on those certain plats of survey on record in the clerk's office of the county circuit court, in the clerk's Plat Book 15, page 65, to which reference is made here. (Zoned A-C)
- (5 10) The area and property known as Reed Brothers Subdivision, and more particularly shown on those certain plats of survey on record in the clerk's office of the county circuit court, in the clerk's Plat Book 16, page 150, to which reference is made here. (Zoned A-C)
- (6 11) The area and property known as Edge Hill Farms Subdivision, and more particularly shown on those certain plats of survey on record in the clerk's office of the county circuit court, section A in the clerk's Plat Book 10, page 94; section B in Plat Book 10, page 126; and section C in Plat Book 11, page 52, to which reference is made here. (Zoned A-C)
- (7 12) The area and property known as Cherry Hill Subdivision, and more particularly shown on those certain plats of survey on record in the clerk's office of the circuit court of King William County, Virginia, in clerk's Plat Book 10, pages 119—124, to which reference here is here made. (Zoned R-R)
- ~~(13) The area and property known as Rosewood Subdivision, and more particularly shown on those certain plats of survey on record in the clerk's office of the circuit court of King William County, Virginia, section A in clerk's Plat Book 16, page 187; section B in Plat Book 16, page 230; section C in Plat Book 17, page 4; and two lots of record in clerk's Deed Book 306, page 403, to which reference here is here made. (Zoned R-1)~~
- (8 14) The area and property known as Spring Pleasants Subdivision, and more particularly shown on those certain plats of survey on record in the clerk's office of the circuit court of King William County, Virginia, in clerk's Plat Book 13, page 140, to which reference here is here made. (Zoned A-C)

~~(15) The area and property known as Indian Fields Subdivision, and more particularly shown on those certain plats of survey on record in the clerk's office of the circuit court of King William County, Virginia, in clerk's Plat Book 18, page 108-109, to which reference here is made. (Zoned R-1)~~

- (c) Any person who does not restrain his dog in accordance with this section, whether such person is the owner or custodian of such dog, shall be guilty of a Class 4 misdemeanor. The animal control officer or sheriff's deputies shall have the duty to enforce the provisions of this section.
- (d) This section shall not apply to any person who uses a dog under his direct supervision while lawfully hunting, while engaged in a supervised formal obedience training class or show, or during formal sanctioned field trials.

**(e) The process by which citizens may petition the county to be added to the list of described properties in Section 10.69 (b) shall be as follows:**

- (1) Citizens obtain the signatures of 50% of the residents of a particular Subdivision, identifiable by plat book number, and plat book page of survey on record in the clerk's office of the county circuit court.**
- (2) Citizens present such petition to the County Administrator's office by October 1 for consideration by the Board of Supervisors at their October Work Session meeting.**
- (3) If in agreement with the addition(s), the Board, by general consensus, authorizes staff to research and prepare the necessary ordinance change and to advertise a Public Hearing to be held at the October Regular Meeting of the Board of Supervisors, such that notice is provided at least five business days prior to the date of the Public Hearing.**
- (4) The Public Hearing is held on the date advertised, or as soon thereafter as the public may be heard.**
- (5) The Board votes to approve or deny the petition.**

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** that the Board of Supervisors of King William County, Virginia does hereby amend King William County Code Section 10-69 – Dogs running at large as outlined above effective immediately upon passage.

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

**Agenda Item 11. NEW BUSINESS**

**11.a. DEQ ARPA Wastewater Funds Application: Sewer Service Expansion to Commerce Park – Steve Hudgins, Deputy County Administrator**

Mr. Hudgins said there was DEQ ARPA money available to help with the potential sewer service expansion to Commerce Park however a Preliminary Engineering Report (PER) was required first in order to apply.

Supervisor Garber asked what the linear feet distance was and if it would be better to go E-W and not N-S. Mr. Hudgins said the funds can be used to replace, not develop. He said they have confirmed with DEQ that the expansion to Commerce Park would qualify.

Supervisor Greenwood asked what the \$7500 for the PER covers. Mr. Hudgins said for costing and applying. He said the County can reimburse themselves with the DEQ ARPA funds if they are awarded.

Vice Chair Hodges asked if Mr. Hudgins had talked to the people who bought Commerce Park. Mr. Hudgins said yes, they're in favor.

Supervisor Greenwood made a motion to go ahead with the Preliminary Engineering Report (PER) for sewer service expansion to King William Commerce Park in order to apply for DEQ ARPA Wastewater funds; Supervisor Garber seconded. The Chairman called for any discussion. The members were polled:

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

#### **Agenda Item 12. ADMINISTRATIVE MATTERS FROM COUNTY ADMINISTRATOR**

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

Mr. Ashcraft pointed out the upcoming Saturday voting hours and early voting during the weekdays. He also pointed out the drug take back day and the Crab Carnival which has been rescheduled. He said Friday 10/28 is a King William versus West Point football game. Trick or treat hours in both the County and West Point are from 5:00 to 8:00 PM. There's a powder puff football fundraiser going on for the husband of a teacher at King William High School who is in need of a transplant. The new Dollar General on Route 30 is now open. He said the Board of Supervisors needs to seat the Board of Equalization by November 28th.

#### **Agenda Item 13. BOARD OF SUPERVISORS' COMMENTS**

Mr. Greenwood thanked people for coming.

Supervisor Garber expressed thanks to Middlesex County and to Mr. Ashcraft for their services to the Department of Social Services. He said he was glad to see the dogs running at large ordinance updated and said he received a positive e-mail of support from Carter Garnett about hunting with dogs. He wished everyone a safe Halloween.

Vice Chair Hodges reminded everyone of the Crab Carnival and said there were fireworks at 7:30.

Supervisor Moskalski said he was disappointed in the territorial attitude between the County and West Point. He said an opportunity for West Point is an opportunity for the County. He thanked everyone for coming.

Chairman Moren thanked everyone for coming and said we were in a difficult quandary with the library. He said the County's financial report is scheduled to be approved at the November 7th Board meeting and then will be posted to the County website.

**Agenda Item 14. CLOSED MEETING**

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

Supervisor Moskalski made a motion to convene in Closed Meeting in accordance with Section 2.2-3711 (A)(1) of the Code of Virginia to consider a personnel matter involving the appointment of individuals to Boards and Commissions, and in accordance with Section 2.2-3711 (A)(8) of the Code of Virginia to consult with legal counsel on a specific legal matter regarding a potential property matter requiring the provision of legal advice by counsel. Vice Chair Hodges seconded the motion. The Chairman called for any discussion. The members were polled:

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

**14.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, 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

**14.c. Certification of Closed Meeting**

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

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

**STANDING RESOLUTION – 1 (SR-1)  
A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT  
REGARDING MEETING IN CLOSED MEETING**

**WHEREAS**, the King William County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and,

**WHEREAS**, Section 2.2-3712 (D) of the Code of Virginia requires a certification by the King William County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law,

**NOW, THEREFORE, BE IT RESOLVED** that the King William County Board of Supervisors on this 24th day of October, 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 24th day of October, 2022.

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

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

**Agenda Item 15. APPOINTMENT**

**15.a. Resolution 22-94 – Appointment to the Social Services Advisory Board**

Vice Chair Hodges made a motion to approve Resolution 22-94 appointing Dr. Tara Temple to the Social Services Advisory Board for a four-year term ending September 30, 2026. Supervisor Moskalski seconded the motion. The Chairman called for any discussion. The members were polled:

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

**RESOLUTION 22-94  
APPOINTMENT TO THE SOCIAL SERVICES ADVISORY BOARD**

**WHEREAS** the King William County Board of Supervisors established the King William County Social Services Advisory Board on May 23, 2022 in accordance with Virginia Code § 63.2-305 consisting of five citizen members to be appointed by the King William County Board of Supervisors, plus the County Administrator as an *ex officio* member, with initial appointments of citizen members as follows: (i) one member for a term of one year; (ii) one member for a term of two years; (iii) one member for a term of three years, and (iv) two members for terms of four years,

and subsequent appointments for a term of four years each, except that appointments to fill vacancies that occur during terms shall be for the remainder of these unexpired terms; and

**WHEREAS** the Board of Supervisors appointed members to the one, two, and three-year terms at their October 3, 2022 Work Session; and

**WHEREAS** the Board of Supervisors now desires to make an additional appointment to the Social Services Advisory Board;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County, Virginia that Dr. Tara Temple is appointed to the Social Services Advisory Board for a four-year term expiring September 30, 2026.

**DONE** this 24th day of October, 2022.

**Agenda Item 16. ADJOURN OR RECESS**

Supervisor Greenwood made a motion to adjourn the meeting; seconded by Supervisor Moskalski. All were in favor with none opposing.

COPY TESTE:

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

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Christine H. Branch  
Deputy Clerk to the Board of Supervisors

## **AGENDA ITEM 7.b.**

Approval of Expenditures - October 2022



Natasha L. Brown  
Director of Financial Services

Board of Supervisors

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

**MEMO**

DATE: November 28, 2022  
TO: King William County Board of Supervisors  
FROM: Natasha Brown, Director of Financial Services  
SUBJECT: Monthly Expenditures - October 31, 2022

**County Administration Expenditures (excluding Payroll)**

Checks and ACH processed	<b>1,278,892.28</b>
Transfer from Treasurer to Schools	<b>907,132.67</b>

**County Administration Payroll**

Payroll Net	383,158.15
Employer Benefit Portion	145,382.04
Employer State Unemployment	149.51
Employer FICA/Med Portion	39,872.32
County Costs	<b>568,562.02</b>
<i>Employee Portion of Taxes</i>	<i>105,073.03</i>
<i>Employee Portion of Benefits</i>	<i>60,146.60</i>
	<u>733,781.65</u>

<b>ARPA Funds (Fund 215)</b>	<b>3,377.87</b>
<b>Comprehensive Services Act</b>	<b>94,667.99</b>

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

Checks and ACH processed	<b>12,361.59</b>
Special Welfare	-
<b>DSS Payroll</b>	
Payroll Net	29,144.51
Employer Benefit Portion	15,034.51
Employer State Unemployment	172.84
Employer FICA/Med Portion	3,034.63
DSS Costs	<b>47,386.49</b>
<i>Employee Portion of Taxes</i>	<i>7,327.92</i>
<i>Employee Portion of Benefits</i>	<i>6,551.14</i>
	<u>61,265.55</u>

**TREASURER MANUAL CHECKS ISSUED**

*Expenses*

<i>Tax Authority</i>	<i>9,842.23</i>
<i>Pass Thru</i>	<i>\$1,377.41</i>
<i>Refunds</i>	<i>\$2,312.34</i>

*working with Treasure to identify of this what is "pass thru"*

**13,531.98**

Total County Administration, ARPA, Social Services, CSA, & Treasurer Manual Checks	<b>2,925,912.89</b>
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## **AGENDA ITEM 7.c.**

**Resolution 22-96 - Awarding KWHS HVAC Contract**



**SCHOOL BOARD AGENDA ITEM**

**MEETING DATE:** November 15, 2022 FY23-08

**Closed Session:** \_\_\_\_\_

**Special Recognition/Announcement:** \_\_\_\_\_

**Instructional Highlights:** \_\_\_\_\_

**Consent:** \_\_\_\_\_

**Action:** \_\_\_\_\_

**Information/Discussion:** \_\_\_\_\_ X \_\_\_\_\_

**Materials for Board Review :** \_\_\_\_\_

**STAFF OR BOARD CONTACT PERSON:** **Staci Longest, Director of Finance**

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**SUBJECT: King William High School- HVAC Project VPSA Funding**

King William County Public Schools would like to move forward with awarding KWHS HVAC work to Southern Air, currently we are facing 30 to 45 week lead times on work and therefore to get any of this work done over the summer, we will need to put before the Board of Supervisors at the November 28, 2022 meeting. We have received multiple cooperative contract prices and are seeking to award the Contract to Southern Air with the lowest price of \$798,985.25.

With your awareness, we will move forward with presenting this to the Board of Supervisors as soon as possible to lock into contract pricing.



## **AGENDA ITEM 8.a.**

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

# PRESS RELEASE



## **Reassessment Progress as of 11/18/2022**

Pearson's Appraisal Service Inc. has completed all field work and all data entry. All edit reports and final review have been completed. County Administration has completed the mail merge process and sent the notices to the printer for assembly and mailing. At this time, the Reassessment Notices should be mailed out on December 2, 2022. On the back of each notice will be a FAQ with more information about the process.

The Real Estate Tax rate for 2023 has NOT yet been set. County tax rates will be determined by the Board of Supervisors during the annual budget process in the spring of 2023. A public hearing is scheduled to occur at the March 27, 2023 Board of Supervisors meeting. The West Point Town Council sets the rate for the Town of West Point and meets separately from the Board of Supervisors.

If a property owner has any additional information they would like the appraisers to know, please call (804) 769-3027 or (804) 560-9200 or email [assessor@kingwilliamcounty.us](mailto:assessor@kingwilliamcounty.us). Pearson's office in the County Administration building (180 Horse Landing Road, King William) is open to the public during regular business hours and may be reached at (804) 769-3027.

Other questions or comments can be addressed to County Administration at [deputyclerk@kingwilliamcounty.us](mailto:deputyclerk@kingwilliamcounty.us).

# Frequently Asked Questions

## 1. What is a reassessment and why must we have them?

Reassessment is the process of re-determining the value of property or land for tax purposes. Periodic reassessments are required by law. The Constitution of Virginia, Article X, Section 2 states, "All assessments of real estate and tangible personal property shall be at their fair market value, to be ascertained as prescribed by law." King William County is required to reassess all real property at least every 4 years per [Section 70-45](#) of the King William County Code (Ordinance 02-21 adopted March 8, 2021).

The purpose of property tax reassessment is to ensure every property is valued fairly and to realign those values with values of other kinds of property which are assessed annually, such as personal property, utilities, and mobile homes. The Code of Virginia requires that all property be assessed at market value. Because market value changes over time, periodic reassessment is required. For detailed information, see the Code of Virginia, [Chapter 32](#).

## 2. What should I expect from a reassessment and how will it affect my taxes?

A reassessment will result in a new value being established for your property. This new value will replace the current value on your property and will be the basis used for determining the amount of Real Estate Tax owed. **Please remember that an increase/decrease in property value does not automatically mean an increase/decrease in the amount of tax owed.**

General reassessments are not designed to be a county-wide tax increase. This process is intended to fairly and equitably distribute the real estate tax burden among property owners in proportion to the fair market value of their real estate. **The law ensures that a general reassessment cannot be the cause of an increase in taxes. Once the reassessment is complete, state law requires that the tax rate be equalized.** It is the responsibility of the Board of Supervisors to determine the budgetary needs of the County and the tax rate necessary to effectively meet those needs. It is the responsibility of the Town of West Point Town Council to do the same for the Town.

## 3. When was the last reassessment?

The last reassessment took place in 2020 and was invalidated by the Board of Supervisors in early 2021 due to numerous discrepancies. The last valid reassessment took place between 2014 and 2015. Those results went into effect on January 1, 2015. The 2015 reassessment encompassed over 11,000 parcels with a total value of more than \$1.5 billion.

## 4. Who conducted this reassessment and what if I disagree with their assessed value?

The professional appraisal firm, Pearson's Appraisal Services, Inc., was contracted by King William County to perform real estate value assessments of every property in the County. You can appeal the Assessor's valuation for one or more of the following reasons only:

- Fair Market Value – The property is assessed greater or less than its Fair Market Value.
- Lack of Uniformity – The property assessment is out of line with generally similar properties.
- Factual Errors – Assessment is based upon inaccurate information concerning the property.

## 5. How do I appeal the Assessor's valuation of my property?

Call 804-769-3027 between 8:30am-4:30pm Monday through Friday or email [assessor@kingwilliamcounty.us](mailto:assessor@kingwilliamcounty.us) no later than December 23, 2022. Mail correspondence to: Assessor, 180 Horse Landing Rd #4, King William, VA 23086 postmarked by December 23, 2022 or earlier.

## 6. What if I continue to disagree with the assessment after speaking with the Assessor?

After January 16, 2023, owners who continue to disagree with the reassessment results may appeal to the Board of Equalization by downloading an application from the County website – [kingwilliamcounty.us](http://kingwilliamcounty.us), emailing [appeals@kingwilliamcounty.us](mailto:appeals@kingwilliamcounty.us), or calling 804-769-4927 between 8:30am-4:30pm Monday through Friday to receive an application. The last day to submit applications is March 3, 2023. Mail correspondence to: BOE Appeal, 180 Horse Landing Rd #4, King William, VA 23086 postmarked by March 3, 2023 or earlier. A hearing date will be scheduled and you will be contacted.

## 7. When will the 2023 Real Estate Tax Rate be determined?

The County tax rates will be determined by the Board of Supervisors during the annual budget process in the spring of 2023. A public hearing is scheduled to occur at the March 27, 2023 Board of Supervisors meeting. The West Point Town Council sets the rate for the Town of West Point and meets separately from the Board of Supervisors.

**Please Note: The assessment does not reflect Land Use, Elderly Exemptions, Disabled Exemptions, or Veterans Exemptions. For information regarding these exemptions, contact the Commission of the Revenue's office at 804-769-4941.**



## **AGENDA ITEM 8.b.**

**Resolution 22-97** - Adopt Revisions to Rappahannock Regional Criminal Justice Training Academy Charter - Jeff Walton, Sheriff

**RESOLUTION 22-97**

**AMENDMENT TO THE CHARTER AGREEMENT OF THE RAPPAHANNOCK  
REGIONAL CRIMINAL JUSTICE TRAINING ACADEMY**

1  
2  
3  
4       **WHEREAS** King William County is a Charter member of the Rappahannock Regional  
5 Criminal Justice Training Academy; and

6       **WHEREAS** the original Academy Charter and By-laws designate only the Charter  
7 members as having a financial interest in the academy and the authority to approve and/or  
8 adjust the academy budget and requires that three-fourths of the members of the Executive  
9 Board be Charter members; and

10       **WHEREAS** the Executive Board convened a Charter Committee to examine the  
11 current Academy Charter and By-laws and to propose changes allowing for full equity of all  
12 its members; and

13       **WHEREAS** the Charter Committee found no evidence that Charter members have  
14 ever assumed a higher burden of dues payment or separately funded any capital project or  
15 debt service and all members have consistently paid the same level of dues payments across  
16 the history of the academy; and

17       **WHEREAS** the Charter Committee made and approved several revisions to the  
18 Charter and By-laws on August 24, 2022; and

19       **WHEREAS**, in accordance with the Code of Virginia 15.2-1747 - Creation of  
20 Academies, the Charter must be approved by each member locality's governing body in the  
21 form of a Resolution or Ordinance;

22       **NOW, THEREFORE, BE IT RESOLVED** that the King William County Board of Supervisors  
23 does hereby approve that the Charter Agreement for the Rappahannock Regional Criminal  
24 Justice Training Academy shall be amended, revised, and updated by the adoption of the  
25 changes reflected in the document entitled, "CHARTER AGREEMENT FOR THE  
26 RAPPAHANNOCK REGIONAL CRIMINAL JUSTICE TRAINING ACADEMY, (AS AMENDED  
27 2022)" attached hereto and incorporated herein which shall become effective on January 1,  
28 2023.

29       **DONE** this 28th day of November, 2022.

CHARTER AGREEMENT  
FOR THE  
RAPPAHANNOCK REGIONAL CRIMINAL JUSTICE TRAINING ACADEMY  
(EFF. 01/01/2023, AMENDED 08/24/2022)

Section 1. Creation

On July 13, 1978 the participating Counties, Cities and Towns created the Rappahannock Regional Criminal Justice Training Academy (hereinafter called the "Academy") which shall exist under and be subject to the terms and conditions of this charter, which shall be deemed to constitute the agreement required by Section 15.2-1747 Code of Virginia, 1950, as amended, for the joint exercise of powers of participating political subdivisions.

Section 2. Purpose

The purpose of the Academy is to furnish the highest achievable level of professional law enforcement and criminal justice-related training to the participating jurisdictions through the development and operation of initial recruit training, continuing in-service training and advanced training programs.

Section 3. Duration

The Academy and this charter shall exist in perpetuity, subject, however, to the dissolution under one of the following conditions:

- A. At any time, by unanimous agreement of the governing bodies of the academy.
- B. In the event the governing body of a jurisdiction desiring to withdraw receives approval.
  - Withdrawal: Pursuant to Virginia Code 15.2-1747, an agency seeking to withdraw membership from RRCJA must signify its desire by resolution or ordinance issued from the agency's governing body and submitted to the Board of Directors. Withdrawals are only considered in October, once every five (5) years, commencing in October, 2001, and will not be considered at any other time, unless agreed to unanimously. Approval for the withdrawal requires a favorable vote of two-thirds of the Board of Directors of the academy. Withdrawals agreed to by the Board will be effective on June 30 of the following year, unless stipulated as otherwise by the Board. In addition to fulfilling any financial obligations for the current fiscal year, agencies granted withdrawal will be required to satisfy any outstanding debt service as outlined in the current fiscal budget.

Section 4. Board of Directors

There is hereby created the Academy Board of Directors (hereinafter called the "Board") which shall be comprised of the Chief of Police, Sheriff, Superintendent or Director from each of the member agencies.

- A. Organization - - The Board shall conduct an annual meeting on a date selected by the Chairperson. Board officers and Executive Committee members shall be elected at this annual meeting in accordance with the Academy by-laws. Members shall serve a two-year term and may be re-elected at the expiration of the term. The secretary need not be a member of the Board. The Board shall fix such other meeting times as it deems necessary. Written minutes shall be recorded for all board and committee meetings.

B. Powers of the Board - - The Board shall have the following powers and duties:

1. To develop and approve the Academy curriculum in cooperation with and subject to review by the Virginia Department of Criminal Justice Services, and the academy policy.
2. To oversee and be responsible for the operation of the Academy, giving due consideration to the needs of the participating jurisdictions for recruit and in-service training and to the maximum benefits of instruction available, in fixing length and frequency of training, and in accordance with demand fixing the operational and staffing levels of the Academy, with which it shall have the power to expend funds appropriated to it.
3. To appoint a Director of the Academy, fix compensation and prescribe powers and responsibilities.
4. To contract with participating jurisdictions for necessary administrative and maintenance services.
5. To provide for the admission of trainees not employed by a participating jurisdiction and to fix necessary fees.
6. To create such standing committees as are deemed necessary to assist in developing plans for regional training programs and projects for criminal justice agencies and for proper administration and operation of the Academy.

Section 5. Financing and Budget

The Board shall designate the Chief Financial Officer of one of the participating jurisdictions to act as its fiscal agent. The Board shall provide for the manner in which and by whom disbursements may be authorized provided that it shall ensure that the disbursement authorization system of the fiscal agent is employed.

A. Capital Assets and Expenditures

1. Real Estate - - The Board may own or lease necessary real property, or may contract for its location needs. In the event an Academy location is furnished by a participating jurisdiction; the Board shall determine the method by which payment and/or credit for the furnishing of the physical facilities shall be given.
2. Equipment - - The Board shall, from time to time as it deems necessary, approve a schedule of equipment requirements, provided, however, that one or more participants may purchase the interests of one or more of the other participants in the property.
3. Debt Service – The Board, by majority vote, may enter into debt service to secure real property or equipment necessary to meet the needs and requirements of the academy. Each agency shall be responsible for its share of the debt service as outlined in the initial debt approval and subsequent budget reviews.

B. Operating Expenses

1. The Executive Committee shall be responsible for preparation of an annual operating budget, and shall submit its approved proposal to the Board not later than December 15<sup>th</sup> preceding the next fiscal year. Upon the receipt of the proposed budget, the Board may make adjustments as approved by a majority of the Board members.

2. The operating budget and debt service appropriations shall be determined by the number of sworn personnel and that cost shall be established by the Board. Payments of the operational and debt appropriation to the academy shall be made at such intervals as the Board may provide.

#### Section 6. Termination

Termination of this cooperative endeavor shall occur only as provided for in Section 3. In the event this charter is terminated, payment and/or credit for the furnishing and use of real property owned by a member shall be adjusted ratable to the date of termination. All property shall be scheduled and valued by or at the direction of the Board and distributed in kind to the members as nearly as is feasible in the same proportion as each member contributed to acquiring it; provided, however, that one or more members may purchase the interests of one or more of the other members in the property.

#### Section 7. Amendments

The Executive Committee may recommend minor amendments to this Charter to keep the academy in compliance with any state or federal law or regulation change. Such amendments shall become effective upon approval by two-thirds of the Board Members.

The board may recommend amendments to this Charter. Such amendments shall become effective upon approval by two-thirds of the Board Members, and by Resolution duly adopted by their respective governing bodies.

FORM OF RESOLUTION FOR ADOPTING 2022 CHARTER AMENDMENTS

Amendment to the Charter Agreement of the Rappahannock Regional Criminal Justice Training Academy:

**RESOLVED** that the Charter Agreement for the Rappahannock Regional Criminal Justice Training Academy shall be amended, revised and updated by the adoption of the changes reflected in the document entitled, "CHARTER AGREEMENT FOR THE RAPPAHANNOCK REGIONAL CRIMINAL JUSTICE TRAINING ACADEMY, (AS AMENDED 2022)" attached hereto and incorporated herein.

The foregoing Resolution was duly adopted by the governing body of the County/City/Town of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
County/City/Town Executive

\_\_\_\_\_  
Governing Body Chairperson

## **AGENDA ITEM 9.a.**

**Resolution 22-98** - Approving CUP 02-22: Owner/Applicant Liberty Hall, LLC,  
Registered Agent James Gottwald

**RESOLUTION 22-98**

**APPROVING CONDITIONAL USE PERMIT (CUP) 02-22**

**OWNER/APPLICANT LIBERTY HALL, LLC, REGISTERED AGENT JAMES GOTTWALD**

**WHEREAS** the applicant is requesting a Conditional Use Permit to construct a 33'x38' covered boathouse to be located at 5239 Green Level Road, such property located on the Pamunkey River, tax map parcel 51-9 zoned A-C; and

**WHEREAS** the current King William County Comprehensive Plan discusses the need for outdoor recreation, water access, and boating. While the proposed boathouse will be for private use only, it will provide the property owner better access to the water; and

**WHEREAS** the proposed boathouse will not block any of the navigable waters; and

**WHEREAS**, the King William County Planning Commission met on November 1, 2022 and recommended approval to the Board of Supervisors with the following conditions:

1. The proposed work must meet all requirements of the State and Local agencies.
2. All work must be completed within two (2) years of the approval date, or the permit becomes invalid, and the applicants will need to re-apply.
3. The applicant must obtain approvals from the Army Corps of Engineers and the Virginia Marine Resources Commission.; and

**WHEREAS** the Board of Supervisors conducted a duly advertised public hearing on November 28, 2022 to receive public comments on the matter;

**NOW, THEREFORE, BE IT RESOLVED** by the King William County Board of Supervisors that CUP 02-22 is approved with the above-mentioned three conditions.

**DONE** this 28th day of November, 2022.



King William County  
Est. 1702

Board of Supervisors

Department of Community Development

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

**Date:** November 28, 2022  
**To:** Board of Supervisors  
**From:** Sherry Graham, Director of Planning  
**Subject:** CUP – 02-2022

### **Request**

This is a request by Liberty Hall VA, LLC, property owner and James Gottwald, Registered Agent, for a Conditional Use Permit 02-22, in order to construct a 33' x 38' covered boathouse to be located at 5239 Green Level Road. The boat house will be located on tax map parcel 51-9 and located on the Pamunkey River. The property is zoned A-C, (Agricultural-Conservation).

### **Comprehensive Plan**

The comprehensive plan discusses the need for outdoor recreation, water access and boating. While the proposed boathouse will be for private use only, it will provide the property owner better access to the water with his boat.

### **Conditional Use Permit Analysis**

The designation of a use as a conditional use in a zoning district means that the use may not be appropriate in all cases, depending upon whether CUP conditions can be met.

Section 86-44 provides general guide and standards for obtaining a Conditional Use Permit. The Zoning Ordinance, Section 86-44 states that a conditional use should be approved if it is found that:

- a. The proposed use will not adversely affect the health, safety, or welfare of persons residing or working in the general proximity, of the proposed use. Nor will the proposed use be detrimental to public welfare or injurious to the property or improvements in the

neighborhood. Among matters to be considered in this connection are traffic congestion, noise, lights, dust, odor, fumes, and vibrations, with due regard for timing of operation, screening, and other matters which might be regulated to mitigate adverse impact.

Staff Comment: This will be an open-pile private structure and will not create any impacts to the public or increase any impacts to the Chesapeake Bay.

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

Staff Comment: The proposed boathouse will not block any of the navigable waters. Article II also requires that boathouses to be fitted with reflectors and lighting as to make them visible at night to water traffic.

### **Materials/Background**

The Conditional Use packet includes the following:

Application  
Receipt  
Public Hearing Notice  
Public Notice – Adjacent Property Owners  
Owner Letter  
JPA application  
Site Map  
Zoning Map  
GIS View  
Pictures

### **Recommendation**

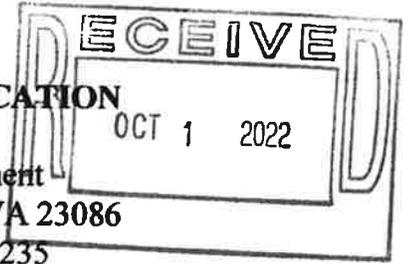
At their November 1, 2022, meeting, the Planning Commission recommended approval to the Board of Supervisors with the following conditions:

1. The proposed work must meet all requirements of the State and Local agencies.
2. All work must be completed within two (2) years of the approval date, or the permit becomes invalid, and the applicants will need to re-apply.
3. The applicant must obtain approvals from the Army Corps of Engineers and the Virginia Marine Resources Commission.

App# 4569  
CUP-02-22



**CONDITIONAL USE PERMIT APPLICATION**  
King William County  
Department of Community Development  
180 Horse Landing Rd. #4 King William, VA 23086  
Phone (804) 769-4980 Fax (804) 769-2235



1. Owner: James Gottwald  
Name: \_\_\_\_\_  
Address: 5239 Green Level Road King William VA 23086  
Phone Number: 804 513 1391

2. Applicant:  
Name: James Gottwald  
Address: 5239 Green Level Road King William VA 23086  
Phone Number: 757 337 7225

3. Property description:  
(a) Size (acres): 858.21 Road frontage: \_\_\_\_\_  
Parcel ID 51-3a ALSO 4-4A-5-6-7-8-9-10-11  
(b) Deed recorded in Deed Book \_\_\_\_\_ at Page \_\_\_\_\_  
Parcel in question is 51-9  
Plat recorded in Plat Book \_\_\_\_\_ at Page \_\_\_\_\_  
Tax Map: \_\_\_\_\_ Section \_\_\_\_\_, Parcel \_\_\_\_\_  
(c) Zoning District: Zone A-C

4. Hours of operation of the planned facility: N/A

5. Describe water supply plans: N/A

6. Describe sewage disposal plans: N/A

**INSTRUCTIONS FOR COMPLETING THE APPLICATION FOR  
CONDITIONAL USE PERMIT  
KING WILLIAM COUNTY, VA**

1. The application form must be filled out completely, with full answers to every statement and question. If spaces provided are not adequate, supplemental sheets may be attached. The form **MAY NOT** be signed by an agent or attorney, but **MUST BE** signed by the owner or applicant before a Notary Public in the space provided.
2. A preliminary site plan which complies with the requirements of Article XI, Sec. 86-491 of the Zoning Ordinance must accompany the application.
3. A non-refundable application fee of **\$2,500.00**, payable to King William County, must accompany the application.

**Effective 12-2019**

7. Attach a statement describing how specific conditions stated in Article X, Sec. 86-451, of the Zoning Ordinance for the type of project planned will be met.

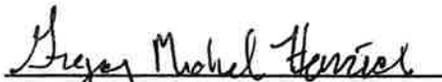
I hereby certify that the information presented in this application and on the accompanying site plan is complete and accurate to the best of my knowledge. County officials and employees are authorized to enter upon the property described herein during regular working hours for the purpose of performing assigned duties in connection with this application.

Signature of Owner or Applicant: 

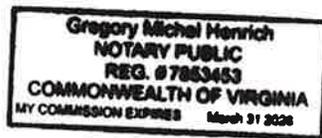
\*\*\*\*\*

STATE OF: Virginia COUNTY OF: King William, to-wit:

The foregoing instrument was acknowledged before me this 29 day of September 2022.

  
Notary Public

March 31 2026  
My Commission Expires



King William County

Date: 10/03/2022 Time: 12:00 PM

Invoice Payment

Customer: 0-000692  
Name: HUNTER CHARLES S III

Invoice: 22-04993  
Permit App Id: 4569  
Item 1 2,500.00  
CONDITIONAL USE - ACCESSORY  
-----  
2,500.00

Chk#: 20222  
Batch Id: ACARLTON  
Ref Num: 6310 Seq: 13 to 13

Cash Amount: 0.00  
Check Amount: 2,500.00  
Credit Amount: 0.00  
-----  
Total: 2,500.00

Thank You for your payment!



**King William County  
Public Hearing Notice**

The King William County Board of Supervisors will hold a Public Hearing on Monday, November 28, 2022, at 7:00 p.m., or as soon thereafter, in the Board Meeting Room of the County Administration Building, 180 Horse Landing Road, King William, Virginia, and via Zoom to receive public comments on the following matter:

**CUP-02-22: Owner/Applicant – Liberty Hall VA, LLC  
Registered Agent - James Gottwald**

A request for Conditional Use Permit 02-22 to construct 33' x 38' covered boathouse to be located at 5239 Green Level Road. The boat house will be located on tax map parcel 51-9 and will be located on the Pamunkey River. The property is zoned A-C, (Agricultural-Conservation).

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

By Authority of  
Sherry L. Graham  
Director of Community Development  
**Ad to run November 16<sup>th</sup> and November 23<sup>th</sup>, 2022**

**Liberty Hall VA, LLC  
Mr. James Gottwald  
5239 Green Level Road  
Tax Map 51-9**

**Adjacent Property Owners:**

Liberty Hall owns the following parcels:

51-7, 51-8, 51-10, 51-11, 51-6, 51-5, 51-3A, and 51-4A

Siegel Family LP

4910 Lockgreen Circle

Richmond, VA 23226

Tax Map 51-3 and 51-1



King William  
County  
Est. 1702

Board of Supervisors

Office of  
Community Development

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

November 14, 2022

**RE: Notice to Adjacent Property Owners  
Request for Conditional Use Permit 02-22  
Tax Map Parcel: 51-9  
Owner/Applicant: Liberty Hall VA, LLC  
Registered Agent: James Gottwald**

Dear Property Owner:

The King William County Board of Supervisors will hold a Public Hearing on Monday, November 28, 2022, at 7:00 p.m., or as soon thereafter, in the Board Meeting Room of the County Administration Building, 180 Horse Landing Road, King William, Virginia and via Zoom to receive public comment on the following matter:

A request for Conditional Use Permit 02-22 to construct 33' x 38' covered boathouse to be located at 5239 Green Level Road. The boat house will be located on tax map parcel 51-9 and will be located on the Pamunkey River. The property is zoned A-C, (Agricultural-Conservation).

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

Sherry L. Graham  
Director of Planning



King William County  
Est. 1702

Board of Supervisors

Department of Community Development

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

November 14, 2022

Liberty Hall VA, LLC  
Mr. James Gottwald  
5239 Green Level Road  
King William, VA 23086

**RE: Application for a Conditional Use Permit**

Dear Mr. Gottwald:

The Board of Supervisors will hold a Public Hearing on Monday, November 28, 2022, at 7:00 p.m. in the Board Meeting Room of the County Administration Building, 180 Horse Landing Road, King William, Virginia to consider your request for a conditional use permit in order to construct a 22' x 38' covered boathouse located at 5239 Green Level Road, Tax Map Parcel 51-9.

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

Sincerely,

*Sherry L. Graham*

Sherry L. Graham  
Director of Planning

180 Horse Landing Road, No.4 • King William, Virginia 23086  
804-769-4969 • Fax: 804-769-4964  
[www.kingwilliamcounty.us](http://www.kingwilliamcounty.us)

**From:** [permitdivision@gmail.com](mailto:permitdivision@gmail.com)  
**To:** [JPA.permits@mrc.virginia.gov](mailto:JPA.permits@mrc.virginia.gov)  
**Subject:** James Gottwald 5239 Green Level Road JPA  
**Date:** Monday, August 1, 2022 9:08:07 AM  
**Attachments:** [JPA King William James Gottwald 5239 Green Level Road.pdf](#)

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Thanks, please get in touch with me if you have any questions

Mike Henrich  
757 337 7225

Received by VMRC August 1, 2022 /blh



**Part 1 - General Information (continued)**

1. Applicant's legal name\* and complete mailing address: Contact Information:

James Gottwald  
5239 Green Level Road  
King William Va 23086

Home ( ) \_\_\_\_\_  
Work ( ) \_\_\_\_\_  
Fax ( ) \_\_\_\_\_  
Cell ( ) \_\_\_\_\_  
e-mail 804 513-1391 \_\_\_\_\_  
jgottwald@gmail.com \_\_\_\_\_

State Corporation Commission Name and ID Number (if applicable) \_\_\_\_\_

2. Property owner(s) legal name\* and complete address, if different from applicant: Contact Information:

Home ( ) \_\_\_\_\_  
Work ( ) \_\_\_\_\_  
Fax ( ) \_\_\_\_\_  
Cell ( ) \_\_\_\_\_  
e-mail \_\_\_\_\_

State Corporation Commission Name and ID Number (if applicable) \_\_\_\_\_

3. Authorized agent name\* and complete mailing address (if applicable): Contact Information:

Gregory M. Henrich  
P.O Box 1021  
West Point VA

Home ( ) \_\_\_\_\_  
Work (577) 337 7225 \_\_\_\_\_  
Fax ( ) \_\_\_\_\_  
Cell ( ) \_\_\_\_\_  
e-mail permitdivision@gmail.com \_\_\_\_\_

State Corporation Commission Name and ID Number (if applicable) \_\_\_\_\_

**\* If multiple applicants, property owners, and/or agents, each must be listed and each must sign the applicant signature page.**

4. Provide a detailed description of the project in the space below, including the type of project, its dimensions, materials, and method of construction. Be sure to include how the construction site will be accessed and whether tree clearing and/or grading will be required, including the total acreage. If the project requires pilings, please be sure to include the total number, type (e.g. wood, steel, etc), diameter, and method of installation (e.g. hammer, vibratory, jetted, etc). If additional space is needed, provide a separate sheet of paper with the project description.

Construction of a Noncommercial pier  
treated timber, open-pile  
6'x25' walkway 10' wide by 35' Deck, 5x 94' of finger piers 2 1000LB Boat Lift  
with 33' x 38' roof over boat slips with 3 ladders (roof 1254sqft)  
38 timber piles, no greater than 12" diameter, to be installed with vibratory hammer  
3 mooring piles  
See attached description for further details  
Site to be accessed from the water  
No tree Clearing and/or grading required

## Part 1 - General Information (continued)

5. Have you obtained a contractor for the project? \_\_\_ Yes\* \_\_\_ No. \*If your answer is "Yes" complete the remainder of this question and submit the Applicant's and Contractor's Acknowledgment Form (enclosed)

Contractor's name\* and complete mailing address:

Joe Foulis  
 Waterfront Construction & Design Inc  
 Po. Box 1553  
 West Point Va 23181  
 State Corporation Commission Name and ID Number (if applicable)

Contact Information:

Home ( ) \_\_\_\_\_  
 Work ( ) \_\_\_\_\_  
 Fax ( ) \_\_\_\_\_  
 Cell ( ) \_\_\_\_\_  
 email 804 815 8227 \_\_\_\_\_  
 wncdi@cox.net \_\_\_\_\_

**\* If multiple contractors, each must be listed and each must sign the applicant signature page.**

6. List the name, address and telephone number of the newspaper having general circulation in the area of the project. Failure to complete this question may delay local and State processing.

Name and complete mailing address:

Telephone number

Country Courier Inc.  
 PO Box 160  
 St. Stephens Church, VA 23148  
 \*(direct billing to Applicant)

(804 ) 769.0259 \_\_\_\_\_

7. Give the following project location information:

Street Address (911 address if available) 5239 Green Level Road \_\_\_\_\_

Lot/Block/Parcel# 51-9 \_\_\_\_\_

Subdivision \_\_\_\_\_

City / County King William \_\_\_\_\_ ZIP Code 23086 \_\_\_\_\_

Latitude and Longitude at Center Point of Project Site (Decimal Degrees):  
 37.60437 / - 77.06755 (Example: 36.41600/-76.30733)

If the project is located in a rural area, please provide driving directions giving distances from the best and nearest visible landmarks or major intersections. *Note: if the project is in an undeveloped subdivision or property, clearly stake and identify property lines and location of the proposed project. A supplemental map showing how the property is to be subdivided should also be provided.*

King William County 351 Courthouse Ln, King William, VA 23086  
 Continue to VA-30 W  
 2 min (0.3 mi)  
 Sharp right onto VA-30 W  
 2 min (1.3 mi)  
 Continue on State Rte 629 to your destination  
 13 min (7.4 mi)  
 5239 Green Level Rd (will need gate code to access property)  
 King William, VA 23086

8. What are the *primary and secondary purposes of and the need for* the project? For example, the primary purpose may be "to protect property from erosion due to boat wakes" and the secondary purpose may be "to provide safer access to a pier."  
 Primary, to gain access to navigable water.

Secondary, to provide safer means to debark from watercraft.

## Part 1 - General Information (continued)

9. Proposed use (check one):

Single user (private, non-commercial, residential)

Multi-user (community, commercial, industrial, government)

10. Describe alternatives considered and the measures that will be taken to avoid and minimize impacts, to the maximum extent practicable, to wetlands, surface waters, submerged lands, and buffer areas associated with any disturbance (clearing, grading, excavating) during and after project construction. *Please be advised that unavoidable losses of tidal wetlands and/or aquatic resources may require compensatory mitigation.*

Access to the work area will be via the water with the use of a barge.

No impacts to wetlands proposed

No Clearing, will have Land disturbance landward to install the walkway inside of the RPA

11. Is this application being submitted for after-the-fact authorization for work which has already begun or been completed?  Yes  No. If yes, be sure to clearly depict the portions of the project which are already complete in the project drawings.

12. Approximate cost of the entire project (materials, labor, etc.): \$ \_\_\_\_\_  
Approximate cost of that portion of the project that is channelward of mean low water:  
\$ \_\_\_\_\_

13. Completion date of the proposed work: TBD \_\_\_\_\_

14. Adjacent Property Owner Information: List the name and complete mailing address, including zip code, of each adjacent property owner to the project. (NOTE: If you own the adjacent lot, provide the requested information for the first adjacent parcel beyond your property line.) Failure to provide this information may result in a delay in the processing of your application by VMRC.

The Lafferty Foundation Southern Property line  
1048 Elsing Green Lane King William Va 23086

Siegel Family Northern Property line  
Lockgreen Circle Richmond Va 23226

## Part 2 - Signatures

### 1. Applicants and property owners (if different from applicant).

**NOTE: REQUIRED FOR ALL PROJECTS**

<p><b>PRIVACY ACT STATEMENT:</b> The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that authorize structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters prior to undertaking the activity. Information provided in the Joint Permit Application will be used in the permit review process and is a matter of public record once the application is filed. Disclosure of the requested information is voluntary, but it may not be possible to evaluate the permit application or to issue a permit if the information requested is not provided.</p>
<p><b>CERTIFICATION:</b> I am hereby applying for all permits typically issued by the DEQ, VMRC, USACE, and/or Local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions, both in reviewing a proposal to issue a permit and after permit issuance to determine compliance with the permit.</p> <p>In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.</p>

**James Gottwald**

Applicant's Legal Name (printed/typed)

(Use if more than one applicant)

DocuSigned by:  
  
 08C88A2761A148D

Applicant's Signature

(Use if more than one applicant)

7/8/2022

Date

Property Owner's Legal Name (printed/typed)  
(If different from Applicant)

(Use if more than one owner)

Property Owner's Signature

(Use if more than one owner)

Date

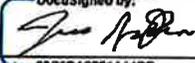
### Part 2 – Signatures (continued)

**2. Applicants having agents (if applicable)**

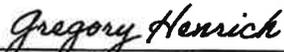
**CERTIFICATION OF AUTHORIZATION**

I (we), James Gottwald, hereby certify that I (we) have authorized Gregory Henrich  
(Applicant’s legal name(s)) (Agent’s name(s))  
to act on my behalf and take all actions necessary to the processing, issuance and acceptance of this permit and any and all standard and special conditions attached.

We hereby certify that the information submitted in this application is true and accurate to the best of our knowledge.

DocuSigned by:  
  
\_\_\_\_\_  
(Agent’s Signature)  
7/8/2022

\_\_\_\_\_  
(Use if more than one agent)

\_\_\_\_\_  
(Date)  
  
\_\_\_\_\_  
(Applicant’s Signature)  
7/8/2022  
\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Use if more than one applicant)

**3. Applicant’s having contractors (if applicable)**

**CONTRACTOR ACKNOWLEDGEMENT**

I (we), James Gottwald, have contracted Waterfront Construction and Design INC  
(Applicant’s legal name(s)) (Contractor’s name(s))  
to perform the work described in this Joint Permit Application, signed and dated TBD.

We will read and abide by all conditions set forth in all Federal, State and Local permits as required for this project. We understand that failure to follow the conditions of the permits may constitute a violation of applicable Federal, state and local statutes and that we will be liable for any civil and/or criminal penalties imposed by these statutes. In addition, we agree to make available a copy of any permit to any regulatory representative visiting the project to ensure permit compliance. If we fail to provide the applicable permit upon request, we understand that the representative will have the option of stopping our operation until it has been determined that we have a properly signed and executed permit and are in full compliance with all terms and conditions.

Waterfront Construction and Design  
\_\_\_\_\_  
Contractor’s name or name of firm

PO Box 1553 West Point, VA 23181  
\_\_\_\_\_  
Contractor’s or firms address

\_\_\_\_\_  
Contractor’s signature and title

2705096470  
\_\_\_\_\_  
Contractor’s License Number

\_\_\_\_\_  
Applicant’s signature

\_\_\_\_\_  
(use if more than one applicant)

\_\_\_\_\_  
Date

Southern Property line 1048 Elsing Green Lane King William Va 23086

**Part 2 – Signatures (continued)**

**ADJACENT PROPERTY OWNER’S ACKNOWLEDGEMENT FORM**

I (we), The Lafferty Foundation, own land next to (across the water  
(Print adjacent/nearby property owner’s name)

from/on the same cove as) the land of James Gottwald.  
(Print applicant’s name(s))

I have reviewed the applicant’s project drawings dated \_\_\_\_\_  
(Date)

to be submitted for all necessary federal, state and local permits.

I HAVE NO COMMENT \_\_\_\_\_ ABOUT THE PROJECT.

I DO NOT OBJECT \_\_\_\_\_ TO THE PROJECT.

I OBJECT \_\_\_\_\_ TO THE PROJECT.

**The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.**

(Before signing this form be sure you have checked the appropriate option above).

\_\_\_\_\_  
Adjacent/nearby property owner’s signature(s)

\_\_\_\_\_  
Date

**Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.**

Northern Property line Lockgreen Circle Richmond Va 23226  
**Part 2 – Signatures (continued)**

**ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM**

I (we), Siegel Family, own land next to (across the water  
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of James Gottwald.  
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated \_\_\_\_\_  
(Date)

to be submitted for all necessary federal, state and local permits.

I HAVE NO COMMENT \_\_\_\_\_ ABOUT THE PROJECT.

I DO NOT OBJECT \_\_\_\_\_ TO THE PROJECT.

I OBJECT \_\_\_\_\_ TO THE PROJECT.

**The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.**

(Before signing this form, be sure you have checked the appropriate option above).

\_\_\_\_\_  
Adjacent/nearby property owner's signature(s)

\_\_\_\_\_  
Date

**Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.**



**U.S. Army Corps  
Of Engineers**  
Norfolk District

**APPENDIX B**

**REGIONAL PERMIT 17 CHECKLIST**

Expires: September 5, 2023

Please review the 18-RP-17 enclosure before completing this form and note 18-RP-17 can only be used for proposed **PRIVATE USE** structure(s) that comply with the terms and conditions of 18-RP-17. Copies can be obtained online at <http://www.nao.usace.army.mil/Missions/Regulatory/RBregional/>.

- YES NO   (1) Has the permittee reviewed the 18-RP-17 enclosure and verified that the proposed structure(s) is in compliance with all the terms, conditions, and limitations of 18-RP-17?
- YES NO   (2) Does the proposed structure(s) extend no more than one-fourth of the distance across the waterway measured from either mean high water (MHW) to MHW (including all channelward wetlands) or ordinary high water (OHW) to OHW (including all channelward wetlands)?
- YES NO   (3) Does the proposed structure(s) extend no more than 300 feet from MHW or OHW (including all channelward wetlands)?
- YES NO N/A  (4) Does the proposed structure(s) attach to the upland at a point landward of MHW or OHW (including all channelward wetlands)?
- YES NO N/A  (5) If the proposed structure(s) crosses wetland vegetation, is it an open-pile design that has a maximum width of five (5) feet and a minimum height of four (4) feet between the decking and the wetland substrate?
- YES NO N/A  (6) Does the proposed structure(s) include no more than two (2) boatlifts and no more than two (2) boat slips?
- YES NO N/A  (7) Is the open-sided roof structure designed to shelter a boat ≤ 700 square feet and/or is the open sided roof structure or gazebo structure designed to shelter a pier ≤ 400 square feet?
- YES NO N/A  (8) Are all piles associated with the proposed structure(s) non-steel, less than or equal to 12" in diameter, and will less than or equal to 25 piles be installed channelward of MHW? 32 timber piles
- YES NO N/A  (9) Is all work occurring behind cofferdams, turbidity curtains, or other methods to control turbidity being utilized when operationally feasible and federally listed threatened or endangered species may be present?
- YES NO N/A  (10) If the proposed structure(s) is to be located within an anadromous fish use area, the prospective permittee will adhere to the anadromous fish use area time of year restriction (TOYR) prohibiting in-water work from occurring between February 15 through June 30 of any given year if (1) piles are to be installed with a cushioned impact hammer and there is less than 492 feet between the most channelward pile and mean low water (MLW) on the opposite shoreline or (2) piles are to be installed with a vibratory hammer and there is less than 384 feet between the most channelward pile and MLW on the opposite shoreline.
- YES NO   (11) Is all work occurring outside of submerged aquatic vegetation (SAV) mapped by the Virginia Institute of Marine Sciences' (VIMS) most recent survey year and 5 year composite?
- YES NO   (12) Has the permittee ensured the construction and/or installation of the proposed structure(s) will not affect federally listed threatened or endangered species or designated critical habitat?
- YES NO   (13) Will the proposed structure be located outside of Broad Creek in Middlesex County, Fisherman's Cove in Norfolk, or the Salt Ponds in Hampton?
- YES NO   (14) Will the proposed structure(s) be located outside of the waterways containing a Federal Navigation Project listed in Permit Specific Condition 12 of 18-RP-17 and/or will all portions of the proposed structure(s) be located more than 85 feet from the Federal Navigation Project?

- YES NO   (15) Will the proposed structure(s) be located outside a USACE Navigation and Flood Risk Management project area?
- YES NO   (16) Will the proposed structure(s) be located outside of any Designated Trout Waters?
- YES NO N/A    (17) If the proposed structure(s) includes flotation units, will the units be made of materials that will not become waterlogged or sink if punctured?
- YES NO N/A    (18) If the proposed structure(s) includes flotation units, will the floating sections be braced so they will not rest on the bottom during periods of low water?
- YES NO   (19) Is the proposed structure(s) made of suitable materials and practical design so as to reasonably ensure a safe and sound structure?
- YES NO   (20) Will the proposed structure(s) be located on the property in accordance with the local zoning requirements?
- YES NO N/A    (21) If the proposed structure(s) includes a device used for shellfish gardening, will the device be attached directly to a pier and limited to a total of 160 square feet?
- YES NO N/A    (22) If the proposed structure(s) includes a device used for shellfish gardening, does the permittee recognize this RP does not negate their responsibility to obtain an oyster gardening permit (General Permit #3) from Virginia Marina Resources Commission's Habitat Management Division?
- YES NO   (23) Does the permittee recognize this RP does not authorize any dredging or filling of waters of the United States (including wetlands) and does not imply that future dredging proposals will be approved by the Corps?
- YES NO   (24) Does the permittee understand that by accepting 18-RP-17, the permittee accepts all of the terms and conditions of the permit, including the limits of Federal liability contained in the 18-RP-17 enclosure? Does the permittee acknowledge that the structures permitted under 18-RP-17 may be exposed to waves caused by passing vessels and that the permittee is solely responsible for the integrity of the structures permitted under 18-RP-17 and the exposure of such structures and vessels moored to such structures to damage from waves? Does the permittee accept that the United States is not liable in any way for such damage and that it shall not seek to involve the United States in any actions or claims regarding such damage?

**IF YOU HAVE ANSWERED "NO" TO ANY OF THE QUESTIONS ABOVE, REGIONAL PERMIT 17 (18-RP-17) DOES NOT APPLY AND YOU ARE REQUIRED TO OBTAIN WRITTEN AUTHORIZATION FROM THE CORPS PRIOR TO PERFORMING THE WORK.**

**IF YOU HAVE ANSWERED "YES" (OR "N/A", WHERE APPLICABLE) TO ALL OF THE QUESTIONS ABOVE, YOU ARE IN COMPLIANCE WITH REGIONAL PERMIT 17 (18-RP-17). PLEASE SIGN BELOW, ATTACH, AND SUBMIT THIS CHECKLIST WITH YOUR COMPLETED JOINT PERMIT APPLICATION (JPA). THIS SIGNED CERTIFICATE SERVES AS YOUR LETTER OF AUTHORIZATION FROM THE CORPS. YOU WILL NOT RECEIVE ANY OTHER WRITTEN AUTHORIZATION FROM THE CORPS; HOWEVER, YOU MAY NOT PROCEED WITH CONSTRUCTION UNTIL YOU HAVE OBTAINED ALL OTHER NECESSARY STATE AND LOCAL PERMITS.**

**I CERTIFY THAT I HAVE READ AND UNDERSTAND ALL CONDITIONS OF THE REGIONAL PERMIT 17 (18-RP-17), DATED SEPTEMBER 2018, ISSUED BY THE US ARMY CORPS OF ENGINEERS, NORFOLK DISTRICT REGULATORY BRANCH (CENAO-WRR), NORFOLK, VIRGINIA.**

Gregory Henrick  
 Signature of Property Owner(s) or Agent  
 7/9/2022

Date \_\_\_\_\_

5209 Greenbottle Road, Kings William, VA

VMRC Number: \_\_\_\_\_

## Part 3 – Appendices

Please complete and submit the appendix questions applicable to your project, and attach the required vicinity map(s) and drawings to your application. If an item does not apply to your project, please write "N/A" in the space provided.

---

**Appendix A: (TWO PAGES) Projects for Access** to the water such as private and community piers, boathouses, marinas, moorings, and boat ramps. Answer all questions that apply.

### 1. Briefly describe your proposed project.

Construction of a Noncommercial pier  
treated timber, open-pile  
6'x25' walkway 10' wide by 35' Deck, 5x 94' of finger piers 2 1000LB Boat Lift  
with 33' x 38' roof over boat slips with 3 ladders (Roof 1254sqft)  
38 timber piles, no greater than 12" diameter, to be installed with vibratory hammer  
3 mooring piles  
See attached description for further details  
Site to be accessed from the water  
No tree Clearing and/or grading required

### 2. For private, noncommercial piers:

Do you have an existing pier on your property? \_\_\_ Yes  No

If yes, will it be removed? \_\_\_ Yes  No

Is your lot platted to the mean low water shoreline?  Yes \_\_\_ No

What is the overall length of the proposed structure? 60' feet.

Channelward of Mean High Water? 17 feet.

Channelward of Mean Low Water? 14 feet.

What is the area of the piers and platforms that will be constructed over

Tidal non-vegetated wetlands 60 square feet.

Tidal vegetated wetlands 0 square feet.

Submerged lands 1600 square feet.

What is the total size of any and all L- or T-head platforms? 350 sq. ft.

For boathouses, what is the overall size of the roof structure? 1250 sq. ft.

Will your boathouse have sides? \_\_\_ Yes  No.

**NOTE:** All proposals for piers, boathouses and shelter roofs must be reviewed by the Virginia Marine Resources Commission (Commission or VMRC), however, pursuant to § 28.2-1203 A 5 of the Code of Virginia a VMRC permit may not be required for such structures (except as required by subsection D of § 28.2-1205 for piers greater than 100 feet in length involving commercially productive leased oyster or clam grounds), provided that (i) the piers do not extend beyond the navigation line or private pier lines established by the Commission or the United States Army Corps of Engineers (USACE), (ii) the piers do not exceed six feet in width and finger piers do not exceed five feet in width, (iii) any L or T head platforms and appurtenant floating docking platforms do not exceed, in the aggregate, 400 square feet, (iv) if prohibited by local ordinance open-sided shelter roofs or gazebo-type structures shall not be placed on platforms as described in clause (iii), but may be placed on such platforms if not prohibited by local ordinance, and (v) the piers are determined not to be a navigational hazard by the Commission. Subject to any applicable local ordinances, such piers may include an attached boat lift and an open-sided roof designed to shelter a single boat slip or boat lift. In cases in which open-sided roofs designed to shelter a single boat, boat slip or boat lift will exceed 700 square feet in coverage or the open-sided shelter roofs or gazebo structures exceed 400 square feet, and in cases in which an adjoining property owner objects to a proposed roof structure, permits shall be required as provided in § 28.2-1204.

**Part 3 – Appendices (continued)**

3. **For USACE permits**, in cases where the proposed pier will encroach beyond one fourth the waterway width (as determined by measuring mean high water to mean high water or ordinary high water mark to ordinary high water mark), the following information must be included before the application will be considered complete. For an application to be considered complete:

- a. The USACE MAY require depth soundings across the waterway at increments designated by the USACE project manager. Typically 10-foot increments for waterways less than 200 feet wide and 20-foot increments for waterways greater than 200 feet wide with the date and time the measurements were taken and how they were taken (e.g., tape, range finder, etc.).
- b. The applicant MUST provide a justification as to purpose if the proposed work would extend a pier greater than one-fourth of the distance across the open water measured from mean high water or the channelward edge of the wetlands.
- c. The applicant MUST provide justification if the proposed work would involve the construction of a pier greater than five feet wide or less than four feet above any wetland substrate.

4. Provide the type, size, and registration number of the vessel(s) to be moored at the pier or mooring buoy.

Type	Length	Width	Draft	Registration #
<i>To be bought in future</i>				

**X** For **Marinas, Commercial Piers, Governmental Piers, Community Piers and other non-private piers**, provide the following information:

- A) Have you obtained approval for sanitary facilities from the Virginia Department of Health? \_\_\_\_\_ (required pursuant to Section 28.2-1205 C of the Code of Virginia).
- B) Will petroleum products or other hazardous materials be stored or handled at your facility? \_\_\_\_\_.
- C) Will the facility be equipped to off-load sewage from boats? \_\_\_\_\_.
- D) How many wet slips are proposed? \_\_\_\_\_. How many are existing? \_\_\_\_\_.
- E) What is the area of the piers and platforms that will be constructed over
  - Tidal non-vegetated wetlands \_\_\_\_\_ square feet
  - Tidal vegetated wetlands \_\_\_\_\_ square feet
  - Submerged lands \_\_\_\_\_ square feet

**X** For **boat ramps**, what is the overall length of the structure? \_\_\_\_\_ feet.  
 From Mean High Water? \_\_\_\_\_ feet.  
 From Mean Low Water? \_\_\_\_\_ feet.

Note: drawings must include the construction materials, method of installation, and all dimensions. If tending piers are proposed, complete the pier portion.

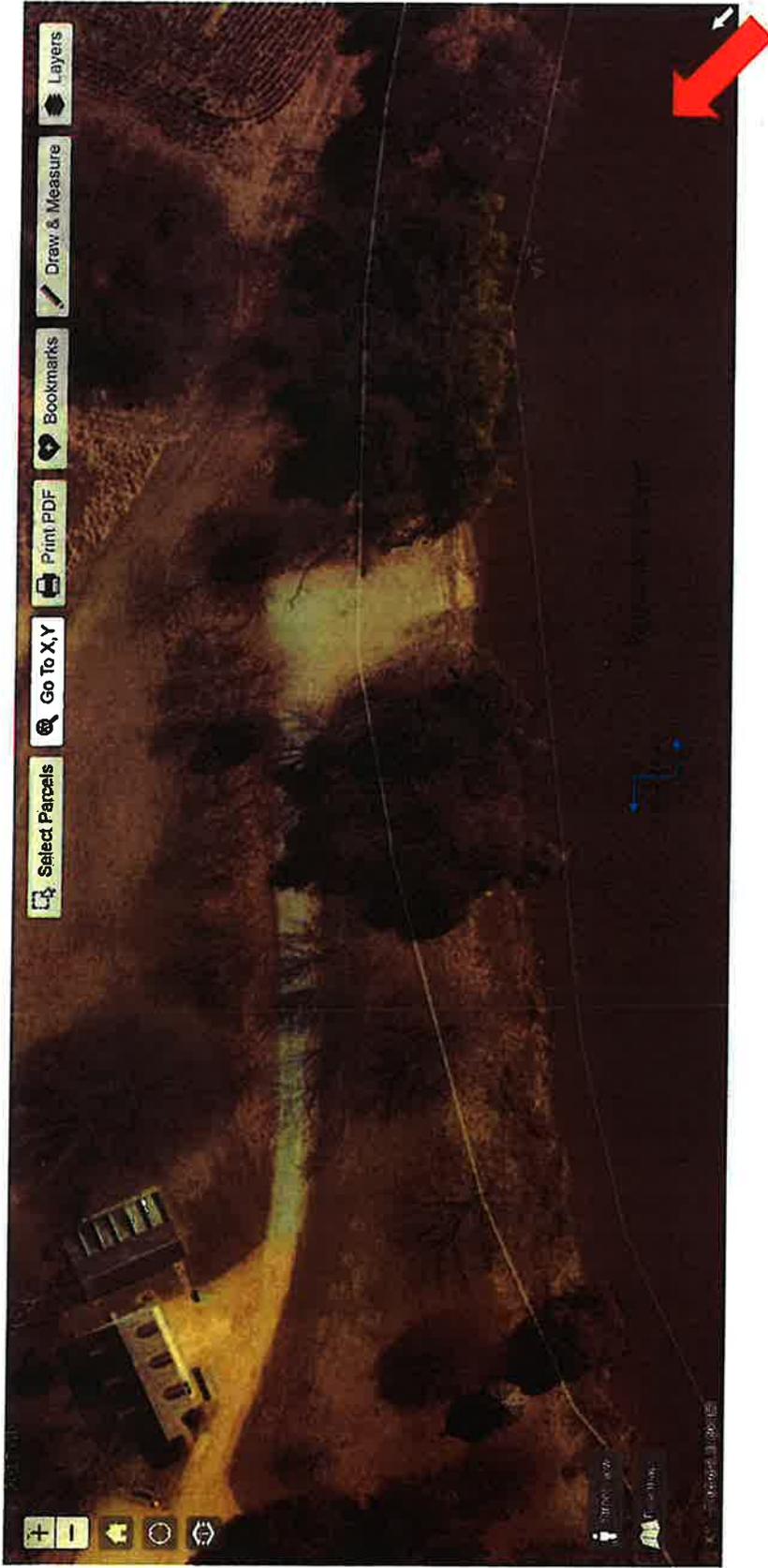
Note: If dredging or excavation is required, you must complete the Standard Joint Point Permit application.

James Gottwald  
5239 Green Level Rd.  
King William, VA



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5239 Green Level Rd.  
King William, VA



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5239 Green Level Rd.  
King William, VA  
2022 Google



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James Gottwald  
5239 Green Level Rd.  
King William, VA  
Picture July 2022



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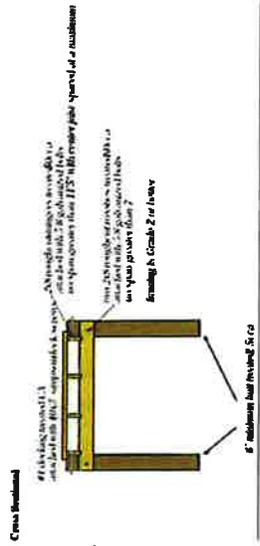
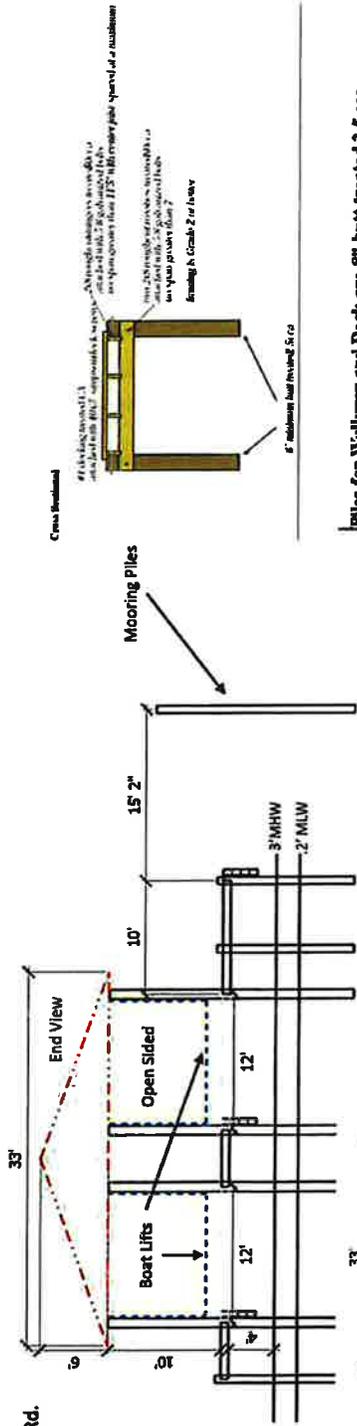
James Gottwald  
5239 Green Level Rd.  
King William, VA  
Picture  
July 2022



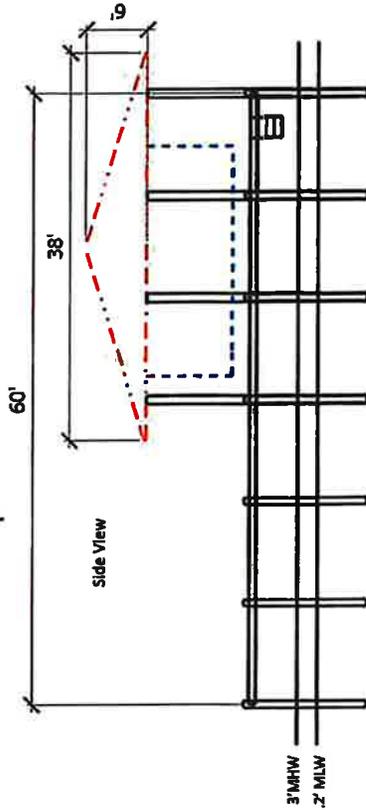
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James Gottwald  
5239 Green Level Rd.  
King William, VA

NOT TO SCALE

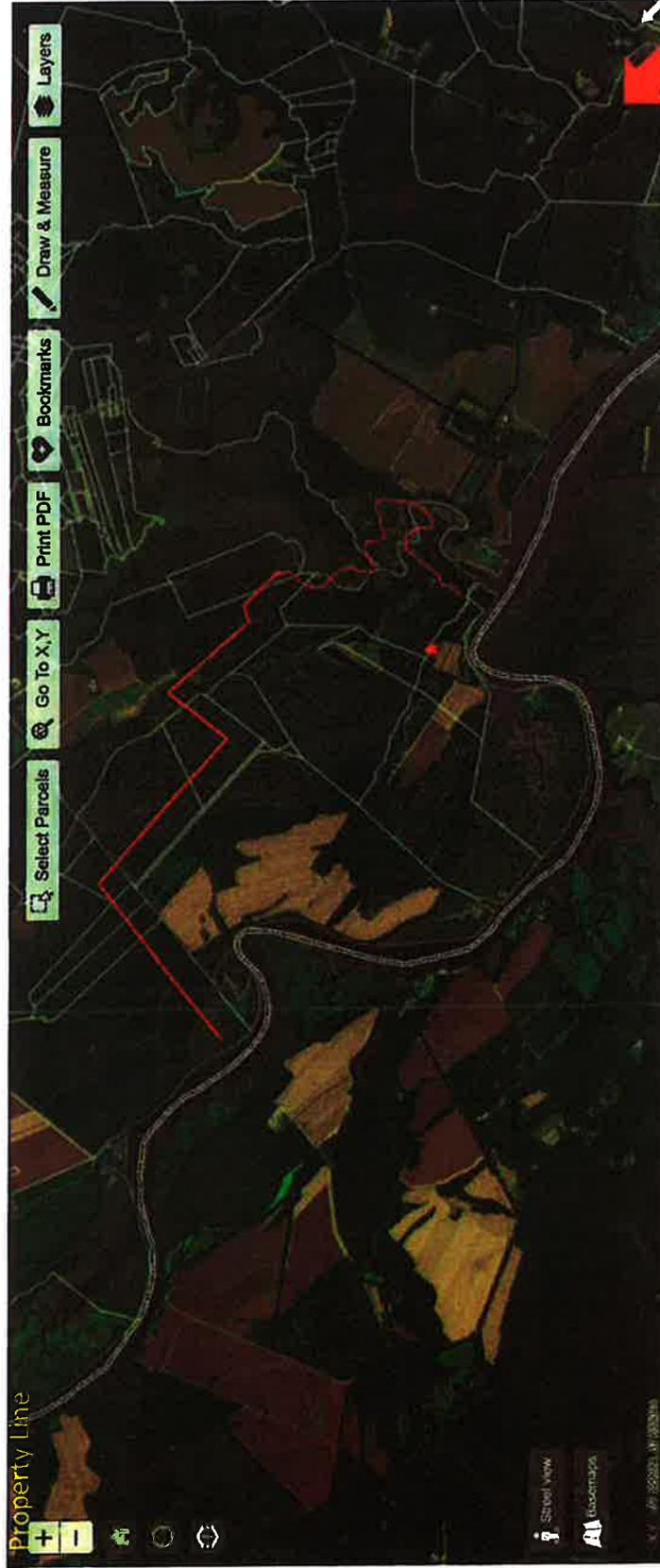


Piles for Walkway and Deck are 8" butt treated 2.6 cca  
Piles for Boat Lift and roof are 10" butt treated 2.6 cca  
Stringers and Cross ties are 2 by 8 rough cut  
treated 2.6 cca  
Cross ties and stringers are bolted with 5/8" galvanized bolts  
Decking is #1 2 by 6 dress treated CA  
Deck is Fastened with 3" coated Deck screws



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King William, VA



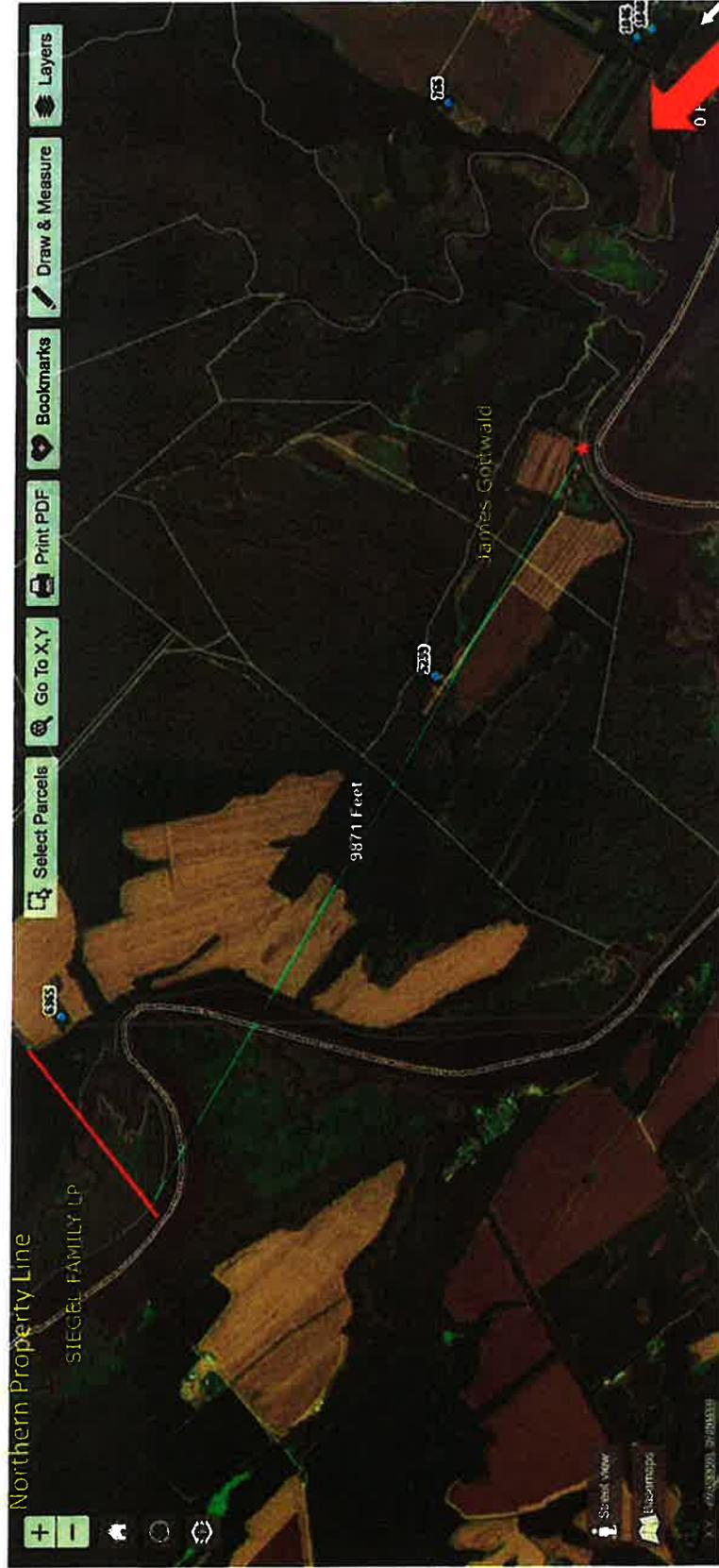
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King William, VA



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5239 Green Level Rd.  
King William, VA



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National Wetlands Inventory

5239 Green Level Rd.  
King William, VA  
Wetlands

LEGEND

STREETS  
SATELLITE  
HYBRID  
TOPO  
TERRAIN  
GRAY  
OPEN STREET MAP  
NATGEO  
USGS TOPO  
NAT'L MAP

MAP LAYERS >

- Wetlands
- Riparian
- Riparian Mapping Areas
- Data Source
  - Source Type
  - Image Scale
  - Image Year
- Areas of Interest
- PWS Managed Lands
- Historic Wetland Data

1:2,257  
37 603 | -77 068

esri

Received by VMRC August 1, 2022 /blh

## Part 4 - Project Drawings

**Plan view and cross-sectional view drawings are required for all projects.** Application drawings do not need to be prepared by a professional draftsman, but they must be clear, accurate, and should be to an appropriate scale. If a scale is not used, all dimensions must be clearly depicted in the drawings. If available, a plat of the property should be included, with the existing and proposed structures clearly indicated. Distances from the proposed structure(s) to fixed points of reference (benchmarks) and to the adjacent property lines must be shown. A vicinity map (County road map, USGS Topographic map, etc.) must also be provided to show the location of the property. **NOTE:** The sample drawings have been included at the end of this section to provide guidance on the information required for different types of projects. Clear and accurate drawings are essential for project review and compliance determination. Incomplete or unclear drawings may cause delays in the processing of your application.

**The following items must be included on ALL project drawings: (plan and cross-sectional, as appropriate)**

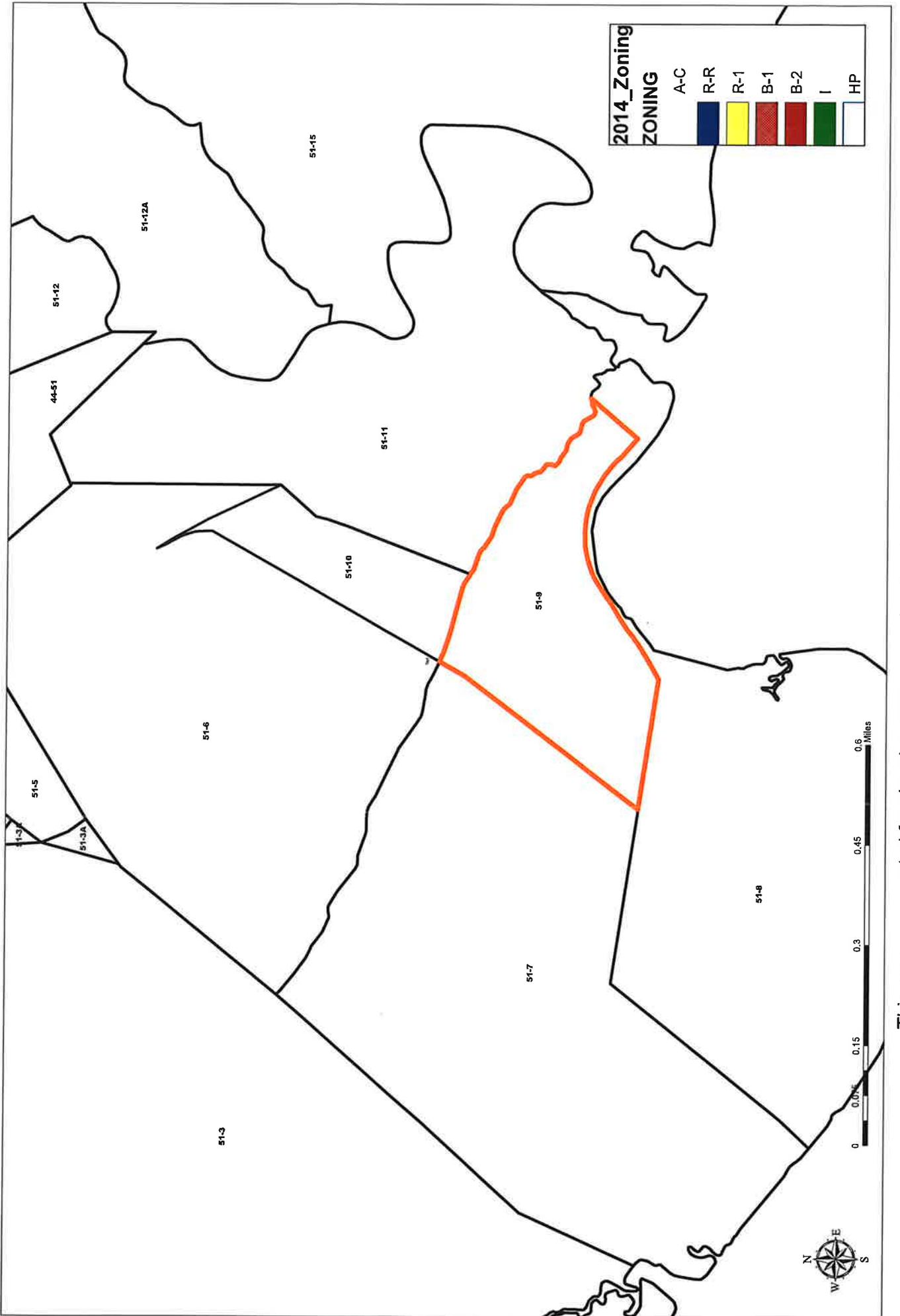
- name of project**
- north arrow**
- scale**
- waterway name**
- existing and proposed structures, labeled as such**
- dimensions of proposed structures**
- mean high water and mean low water lines**
- all delineated wetlands and all surface waters on the site, including the Cowardin classification (i.e., emergent, scrub-shrub, or forested) for those surface waters (if applicable)**
- limits of proposed impacts to surface waters, such as fill areas, riprap scour protection placement, and dredged areas, and the amount of such impacts in square feet and acres**
- ebb/flood direction**
- adjacent property lines and owner's name**
- distances from proposed structures to fixed points of reference (benchmarks) and adjacent property lines**

CASE # CUP-02-22  
OWNER/APPLICANT: Liberty Hall VA, LLC  
TAX MAP: 51-9

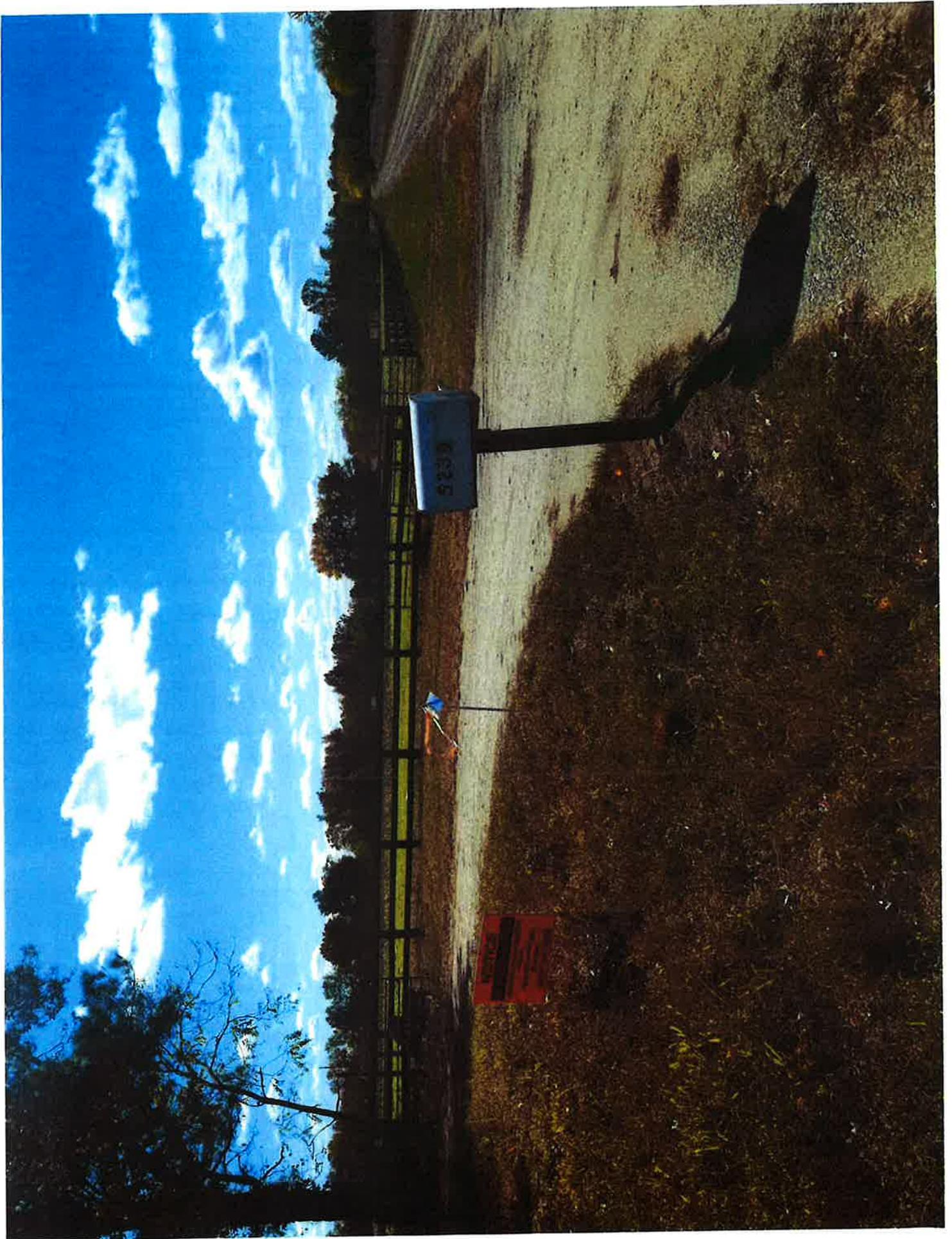


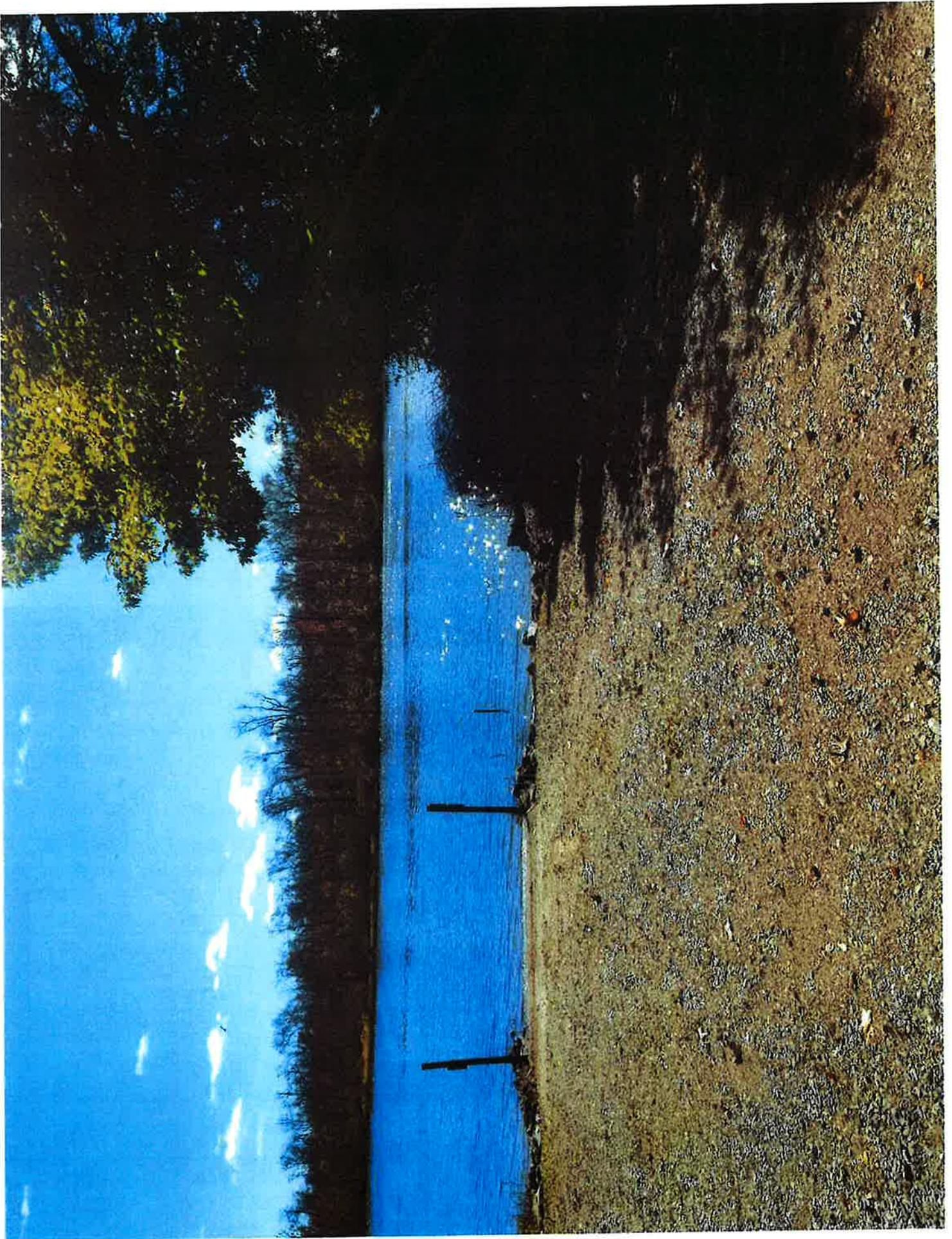
This map was created for planning purposes only. October 24, 2022 B. Brooks

CASE # CUP-02-22  
OWNER/APPLICANT: Liberty Hall VA, LLC  
TAX MAP: 51-9



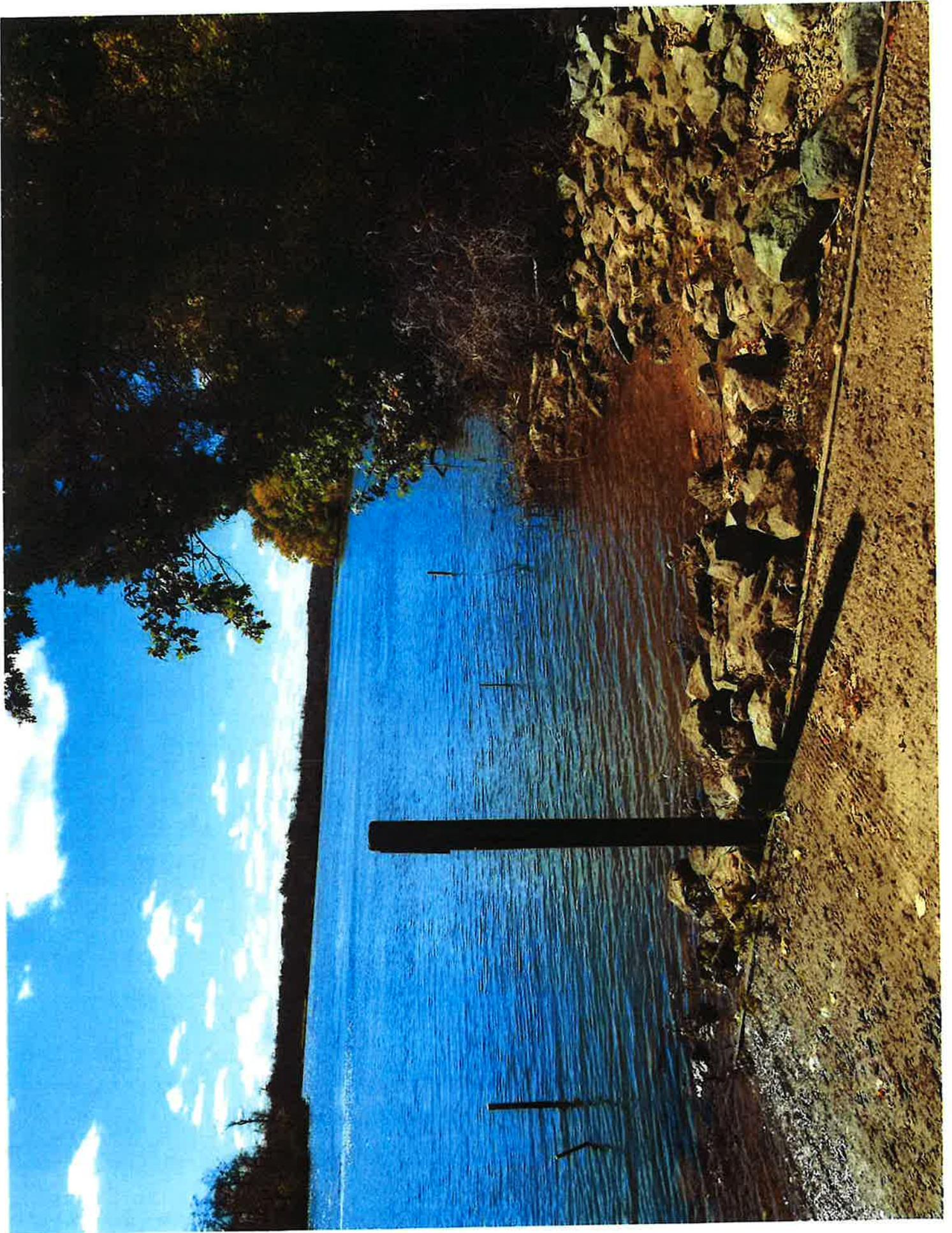
This map was created for planning purposes only. October 24, 2022 B. Brooks

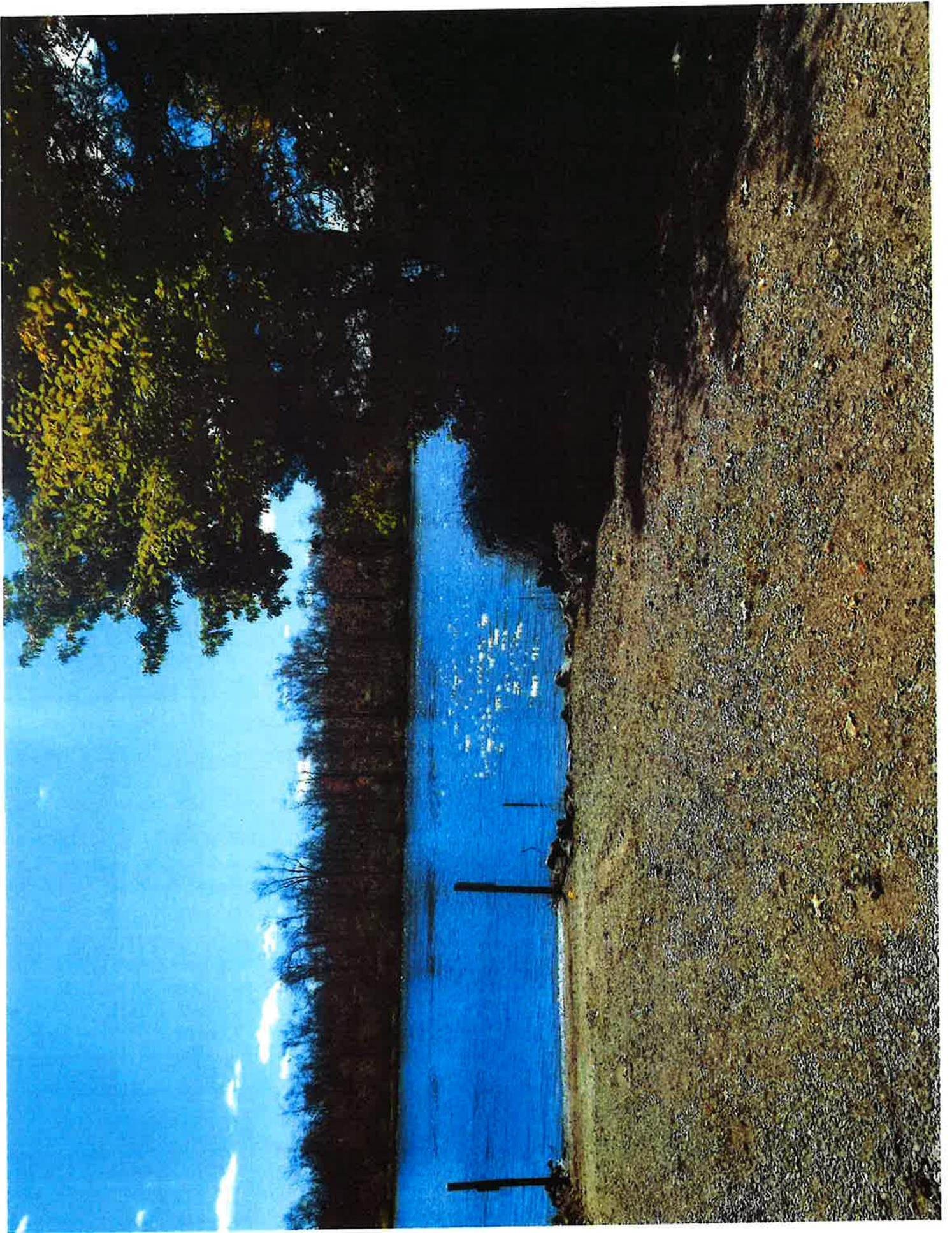


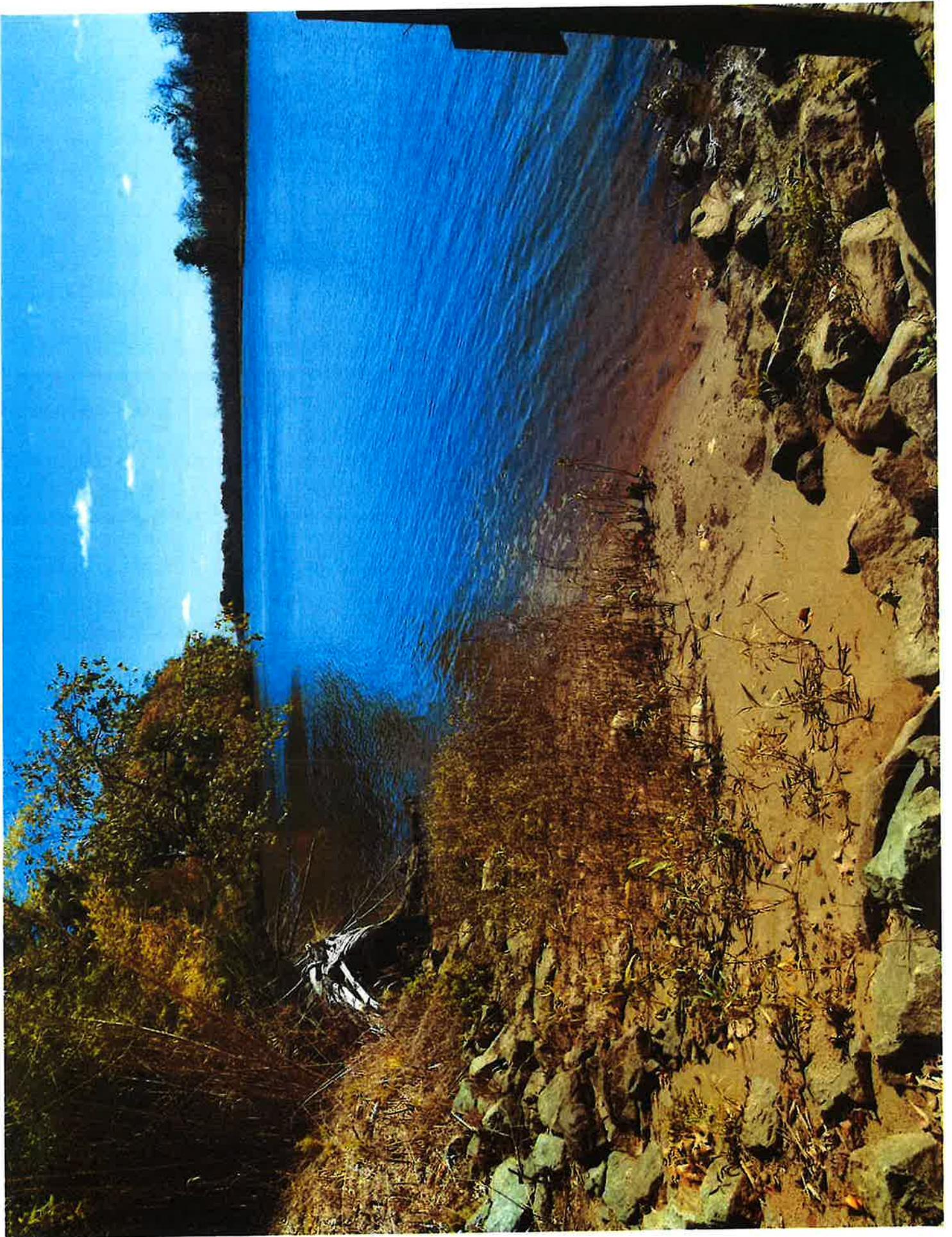


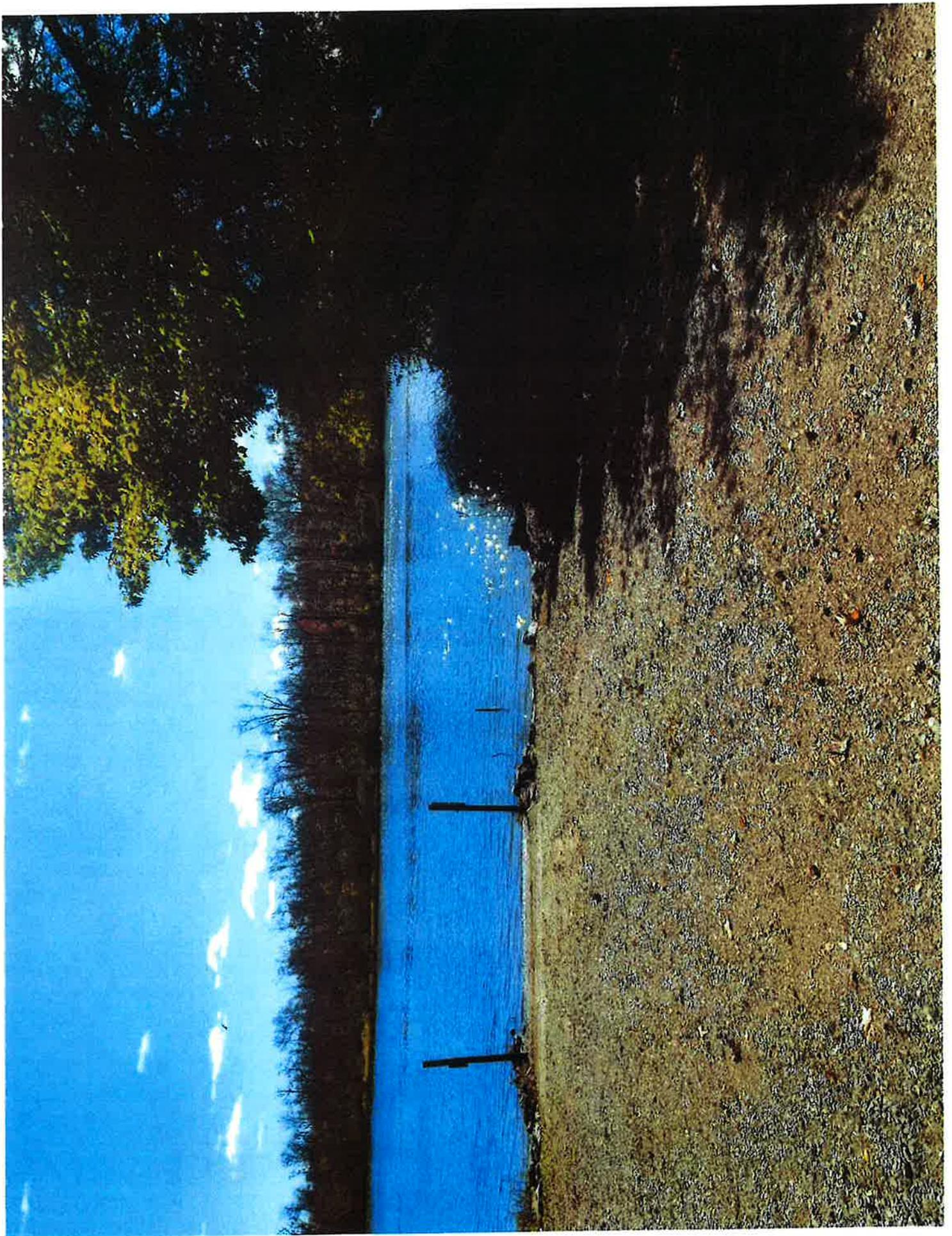












## **AGENDA ITEM 9.b.**

**Ordinance 02-22C** - Corrections to Errors in Polling Locations and Street Name

**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 **November**, 2022 that Ordinance 02-22C 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 **28<sup>th</sup> day of November**, 2022.

## **AGENDA ITEM 9.c.**

**Ordinance 11-22** - Update Property Maintenance Ordinance to Comply with State Code



### **ARTICLE III. PROPERTY MAINTENANCE CODE AND REGULATIONS**

#### *DIVISION 1. GENERALLY*

##### **Sec. 14-121. Code adopted.**

The ~~city's~~ ~~county's~~ property maintenance code shall be in accordance with the ~~BOCA National Property~~ **Virginia Uniform Statewide Building Code (USBC) and the Virginia** Maintenance Code, as adopted by the county.

#### *DIVISION 2. ADMINISTRATION*

##### **Sec. 14-141. Failure to maintain property or structures.**

The failure to maintain property and/or structures, residential and nonresidential, including surrounding areas, shall constitute violations of the ~~property maintenance code~~ **Virginia Maintenance Code**.

##### **Sec. 14-142. Enforcement of article provisions.**

- (a) Notice of failure to maintain shall be given to the owner or occupant by **first class mail**, certified mail, or personal delivery by a county official. The ~~first~~ notice, if not an immediate health, safety, or welfare issue, shall allow ~~60~~ **30** days for compliance. If at the end of 60 days, a second and final notice shall be given for an additional 15 days for compliance. The allowable time for emergency correction notices shall be at the code official's discretion. If the owner or occupant fails to comply with this order, the code official shall contract with available sources to abate the violations, and all costs incurred shall be the responsibility of the owner of such property **plus a charge for administrative costs of one hundred fifty dollars (\$150.00) shall be charged to such person to whom the notice was directed**. Such costs and expenses incurred shall be collected by the county as taxes and levies are collected. Every charge to the owner, which remains unpaid, shall constitute a lien against such property on a parity with liens for unpaid taxes.
- (b) The county may as an alternative, issue a summons for abatement of the violations in subsection (a) of this section.
- (c) This section is in addition to the ~~BOCA National Property~~ **Virginia** Maintenance Code.

##### **Sec. 14-143. Penalties for violation of property maintenance code.**

Violations of the ~~property maintenance code~~ **Virginia Maintenance Code** shall be punishable as provided in Code of Virginia, § 36-106.

#### *DIVISION 3. AMENDMENTS*

##### **Sec. 14-161. Future amendments.**

Future amendments for this article shall change automatically with the Virginia Uniform Statewide Building Code, as adopted by the state board of housing and community development (~~VCHD~~ **VHCD**) per Code of Virginia, § 36-97 et seq., and shall become effective concurrently with the USBC Amendments.

**Sec. 14-162. Scope of county authority.**

Local governments have not been given authority to amend the provisions of the USBC.

*DIVISION 4. OPERATIONAL REGULATIONS*

**Subdivision I. In General**

**Sec. 14-181. Definitions.**

All terms are as defined in the Virginia Maintenance Code.

~~The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Where terms are not defined, through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.~~

~~*Approved* means approved by the code official.~~

~~*Code official* means the official who is charged with the administration and enforcement of this code, or any duly authorized representative.~~

~~*Exterior property* means the open space on the premises and on adjoining property under the control of owners or operators of such premises.~~

~~*Extermination* means the control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.~~

~~*Garbage* means the animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.~~

~~*Infestation* means the presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.~~

~~*Let for occupancy and let* means to permit, provide or offer possession of a premises by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.~~

~~*Occupant* means any person having possession of a space or premises.~~

~~*Operator* means any person who has charge, care or control of a premises which is let or offered for use.~~

~~*Owner* means any person, agent, operator, firm, or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such~~

~~person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.~~

~~*Promises* means a lot, plot or parcel of land.~~

~~*Public nuisance* means any of the following:~~

- ~~(1) The physical condition or occupancy of any premises regarded as a public nuisance at common law;~~
- ~~(2) Any physical condition or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, excavations and unsafe fences;~~
- ~~(3) Any premises that has unsanitary sewer facilities;~~
- ~~(4) Any premises designated as unsafe for human habitation;~~
- ~~(5) Any premises that is manifestly capable of being a fire hazard, or is manifestly unsafe or insecure so as to endanger life, limb or property;~~
- ~~(6) Any premises that is unsanitary, or that is littered with rubbish or garbage, or that has an uncontrolled growth of weeds.~~

~~*Rubbish* means combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass crockery and dust and other similar materials.~~

~~*Tenant* means a person, corporation, partnership or group, whether or not the legal owner of record, occupying the premises.~~

~~*Yard* means an open space on the same lot with a structure.~~

## **Subdivision II. Administration**

### **Sec. 14-201. Scope and intent of division.**

**The scope and intent of this division are as defined in the Virginia Maintenance Code.**

- ~~(a) *Scope.* This property maintenance code is to protect the public health, safety and welfare on all, residential and nonresidential, premises by establishing minimum requirements and standards for premises, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; fixing the responsibility of owners, operators and occupants; regulating the occupancy of existing premises; and providing for administration, enforcement and penalties.~~
- ~~(b) *Intent.* This property maintenance code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and~~

~~maintenance of premises. Existing premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required.~~

**Sec. 14-202. Saving clause.**

**Saving clause is as defined in the Virginia Maintenance Code.**

~~This property maintenance code shall not affect violations of any other ordinance, code or regulation existing prior to the effective date of such code, and any such violation shall be governed and shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.~~

**Sec. 14-203. Duties and powers of the code official.**

**Duties and powers of the code official are as defined in the Virginia Maintenance Code.**

- ~~(a) *Generally.* The code official shall enforce all of the provisions of this property maintenance code.~~
- ~~(b) *Notices and orders.* The code official shall issue all necessary notices or orders to ensure compliance with this code.~~
- ~~(c) *Right of entry.* The code official is authorized to enter the premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searched and seizures. If entry is refused or not obtained, the code official is authorized to pursue recourse as provided by law.~~
- ~~(d) *Access by owner or operator.* Every occupant of a premises shall give the owner or operator thereof, or agent or employee, access to any part of such premises at reasonable times for the purpose of making such inspection, maintenance, repairs or alterations as are necessary to comply with the provisions of this code.~~
- ~~(e) *Identification.* The code official shall carry proper identification when inspecting premises in the performance of duties under this code.~~
- ~~(f) *Coordination of enforcement.* Inspection of premises, the issuance of notices and orders and enforcement thereof shall be the responsibility of the code official so charged by the jurisdiction. Whenever inspections are necessary by any other department, the code official shall make reasonable effort to arrange for the coordination of such inspections so as to minimize the number of visits by inspectors, and to confer with the other departments for the purpose of eliminating conflicting orders before any are issued. A department shall not, however, delay the issuance of any emergency orders.~~
- ~~(g) *Rule making authority.* The code official shall have power as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and regulations to interpret and implement the provisions of this code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions.~~
- ~~(h) *Organization.* The code official shall appoint such number of officers, technical assistants, inspectors and other employees as shall be necessary for the administration of this code and as authorized by~~

~~the appointing authority. The code official is authorized to designate an employee as deputy who shall exercise all the powers of the code official.~~

- ~~(i) *Restriction of employees.* An official or employee connected with the enforcement of this code, except one whose only connection is that of a member of the board of appeals established under the provisions of section 14-231, shall not be engaged in, or directly or indirectly connected with, the furnishing of labor, materials or equipment for the alteration or maintenance of existing premises unless that person is the owner of the premises; nor shall such officer or employee engage in any work that conflicts with official duties or with the interests of the department.~~
- ~~(j) *Relief from personal responsibility.* The code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of any act required or permitted in the discharge of official duties. Any suit instituted against any officer or employee because of any act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in any action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of building inspection, acting in good faith and without malice; shall be free from liability for acts performed under any of its provisions or by reason of any act performed under any of its provisions or in connection therewith.~~
- ~~(k) *Official records.* An official record shall be kept of all business and activities of the department specified in the provisions of the code, and all such records shall be open to public inspection at all appropriate times and according to reasonable rules to maintain the integrity and security of such records.~~

#### **Sec. 14-204. Violations.**

**Violations are as defined in the Virginia Maintenance Code.**

- ~~(a) *Unlawful acts.* It shall be unlawful for any person, firm or corporation to maintain, fail to maintain, provide, fail to provide, occupy, let to another or occupy or permit another person to occupy any premises, regulated by this property maintenance code, or cause same to be done, contrary to or in conflict with or in violation of any of the provisions of this code, or to fail to obey a lawful order of the code official, or to remove or deface a placard or notice posted under the provisions of this code.~~
- ~~(b) *Failure to maintain; enforcement.* The failure to maintain premises, residential and nonresidential including surrounding areas, shall constitute violations of this code. Notice of failure to maintain shall be given to the owner or occupant by certified mail or personal delivery by county official. The first notice, if not an immediate health, safety or welfare issue, shall allow 60 days for compliance. If at the end of 60 days, a second and final notice shall be given for an additional 15 days for compliance. The allowable time for emergency correction notices shall be at the code official's discretion. If the owner or occupant fails to comply with this order, the code official shall contract with available sources to abate the violations, and all costs incurred shall be the responsibility of the owner of such property. Such costs and expenses incurred shall be collected by the county as taxes and levies are collected. Every charge to the owner, which remains unpaid, shall constitute a lien against such property on a~~

~~parity with liens for unpaid taxes. The county may as an alternative, issue a summons for abatement of these violations.~~

- ~~(c) *Penalty.* Violations of this division shall be punishable as provided in Code of Virginia, § 36-106.~~
- ~~(d) *Prosecution.* In case of any unlawful acts the code official shall institute an appropriate action or proceeding at law to exact the penalty provided in subsection (c) of this section. Also, the code official shall ask the jurisdiction's legal representative to proceed at law or in equity against the person responsible for the violation for the purpose of ordering that person to correct or remove the violation.~~

### **Sec. 14-205. Notices and orders.**

**Notices and orders are as defined in the Virginia Maintenance Code.**

- ~~(a) *Notice to owner or to persons responsible.* Whenever the code official determines that there has been a violation of this property maintenance code or has grounds to believe that a violation has occurred, notice shall be given to the owner or the persons responsible therefor in the manner prescribed in subsections (b), (c) and (d) of this section.~~
- ~~(b) *Form.* Such notice prescribed in subsection (a) of this section shall:~~
- ~~(1) Be in writing;~~
  - ~~(2) Include a description of the real estate sufficient for identification;~~
  - ~~(3) Include a statement of the reasons why the notice is being issued; and~~
  - ~~(4) Include a correction order allowing a reasonable time for the repairs and improvements required to bring the premises into compliance with the provisions of this code.~~
- ~~(c) *Abatement of violation.* The imposition of the penalties prescribed in this division shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a premises, or to stop an illegal act, conduct, business or utilization of the premises.~~
- ~~(d) *Method of service.* Such notice shall be deemed to be properly served if a copy thereof is either delivered to the owner personally, or sent by certified or registered mail addressed to the owner at the last known address with return receipt requested. If the certified letter is returned receipt that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the premises affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the premises shall constitute service of notice upon the owner.~~
- ~~(e) *Transfer of ownership.* It shall be unlawful for the owner of any premises who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of to another until the provisions of the complied order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order notice of violation issued by the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of~~

~~such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.~~

#### **Sec. 14-206. Emergency measures.**

**Emergency measures are as defined in the Virginia Maintenance Code.**

- ~~(a) *Imminent danger.* When, in the opinion of the code official, there is imminent dangers to the life, health, safety, and welfare of the occupants or those in proximity of the premises because of explosives, explosive fumes or vapors, or the presence of toxic fumes, gases or materials, or the operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall post at the entrances to such premises a sign stating: "Keep Out Uninhabitable." It shall be unlawful for any person to enter premises except for removing the hazardous condition.~~
- ~~(b) *Temporary safeguard.* Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, and shall cause other action to be taken as the code official deems necessary to meet such emergency.~~
- ~~(c) *Emergency.* For the purpose of this section, the code official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.~~
- ~~(d) *Costs of emergency repairs.* Costs incurred in the performance of emergency work shall be paid from the treasury of the jurisdiction on approval of the code official. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the violation was located for the recovery of such costs.~~
- ~~(e) *Hearing.* Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.~~

#### **Sec. 14-207. Means of appeal.**

**Means of appeal are as defined in the Virginia Maintenance Code.**

- ~~(a) *Application for appeal.* Any person affected by a decision of the code official or a notice or order issued under this property maintenance code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 21 days after the day decision, notice or order was served. Application for appeals shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.~~
- ~~(b) *Membership of the board.* The board of appeals shall be the building board of appeals as set forth in the Uniform Statewide Building Code.~~
- ~~(c) *Notice of meeting.* The board shall meet upon notice from the chairman, within ten days of filing of an appeal, or at stated periodic meetings.~~

- ~~(d) *Open hearing.* All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official, and any person whose interests are affected shall be given an opportunity to be heard.~~
- ~~(e) *Procedure.* The board shall adopt and make available to the public through the secretary, procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.~~
- ~~(f) *Postponed hearing.* When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.~~
- ~~(g) *Board decision.* The board shall modify or reverse the decision of the code official by a concurring vote of three members.~~
- ~~(h) *Resolution.* The decision of the board shall be by resolution. Certified copies shall be furnished to the appellant and to the code official.~~
- ~~(i) *Administration.* The code official shall take immediate action in accordance with the decision of the board.~~
- ~~(j) *Court review.* Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of laws. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.~~

### **Subdivision III. General Requirements**

#### **Sec. 14-231. Exterior property areas.**

- (a) *Scope.* In addition to the Virginia Maintenance Code and the Virginia Uniform Statewide Building Code (USBC), the provisions of this article shall govern the minimum conditions and the responsibilities of persons for maintenance of exterior property. This section shall not apply to farmland, unless such farmland is within one hundred (150) feet of a structure or another owner on an adjacent tract or parcel of land.
- (b) *Responsibility.* The owner of the premises shall maintain the exterior property in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy premises which do not comply with the requirements of this article.
- (c) *Enforcement.* The failure, neglect, or refusal of any person responsible for real property to comply with the requirements set forth in this section shall be considered detrimental to the health, safety, peace, good order, comfort, convenience, morals, or general welfare of the citizens of the county. The Director of Planning is authorized to have violation(s) corrected by county forces or by contract and the actual cost, plus an administrative fee of one hundred fifty dollars (\$150.00), shall be charged to such person to whom the notice was directed. Use of tarps, or the like shall not constitute correction of the violation.

Every cost authorized by this section with which the owner of the premises has been assessed shall constitute a lien against the property from which the violation was corrected, the lien to continue until actual payment of such costs has been made to the county. Each violation shall constitute a misdemeanor, punishable by a fine of not more than \$500.00, and each day that any such violation shall continue shall constitute a separate offense.

- (e d) *Vacant land.* All ~~vacant premises thereof~~ or vacant land shall be maintained in a clean, safe, secure, and sanitary condition as provided in this section so as not to cause a blighting problem or adversely affect the public health or safety.
- (d e) *Sanitation.* All exterior property and premises shall be maintained in a clean, safe, and sanitary condition. The occupant shall keep that part of the exterior property, which such occupant occupies or controls, in a clean and sanitary condition.
- (e f) *Grading and drainage.* All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon. Exception: Water retention areas and reservoirs approved by the code official.
- ~~(f) *Sidewalks and driveways.* All sidewalks, walkways, stairs, driveways, parking spaces, and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.~~
- (g) *Grass or Weeds.* It shall be unlawful for any person responsible for real property within the county, including the area adjoining such property extending to the paved portion of the roadway, ~~All premises and exterior property shall be maintained free from~~ to permit the accumulation of grass or weeds or plant growth in excess of ten (10) inches (254 mm) in height. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants, and vegetation, other than trees or shrubs; provided, however, that this term shall not include cultivated flowers and gardens.
- (h) *Rat harborage.* All exterior property shall be kept free from rat infestation. Where rats are found, they shall be promptly exterminated by approved processes, which will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.
- (i) *Accumulation of rubbish and garbage.* All exterior property and premises shall be free from any accumulation of rubbish and garbage.
- (j) *Disposal of rubbish.* Every occupant of a premises shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.
- (k) *Disposal of garbage.* Every occupant of a premises shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.
- (l) *Rubbish storage facilities.* The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.
- (m) *Garbage facilities.* The owner of every premises shall supply an approved leakproof, covered, outside garbage container.

**Sec. 14-232. Motor vehicles.**

See Sec. 74-201.1. - Keeping of inoperative motor vehicles on property zoned for residential, commercial, or agricultural purposes.

~~(a) Keeping of inoperative motor vehicle or trailer. Except as provided for in subsection (b) of this section, not more than one currently unregistered or uninspected motor vehicle or trailer shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled.~~

~~Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.~~

~~(b) Keeping of more than one inoperative motor vehicles or trailers. It shall be unlawful for any person, firm or corporation to keep more than one inoperative motor vehicle or trailer, except within a fully enclosed building, structure or screened from view by fence not less than six feet in height. The fence shall be of approved fencing material to fully screen vehicles from public view on any property zoned for residential, commercial or agricultural purposes, any motor vehicle or trailer, as such are defined in Code of Virginia, § 46.2-100, which is inoperative. As used in this section, an inoperative motor vehicle shall mean any motor vehicle which is not in operating condition; or which, for a period of 30 days or longer, has been partially or totally disassembled by the removal of tires and wheels, the engine or other essential parts required for operation of the vehicle or on which there are displayed neither valid license plates nor a valid inspection decal. Use of tarps, or the like shall not constitute correction of the violation.~~

~~(c) Removal of inoperative motor vehicles. The owners of property zoned for residential, commercial or agricultural purposes shall, within 60 days after receiving written notice from the county, remove therefrom any such inoperative motor vehicles or trailers that are not kept within a fully enclosed building, structure or screened from public view by a fence. If at the end of 60 days, a second and final notice shall be given for an additional 15 days. Upon failure to remove such vehicles after final notice, the county through its agents or employees, shall remove such inoperative motor vehicles or trailers. If the county removes any such motor vehicles or trailers, the county may dispose of such motor vehicles or trailers after giving 15 days' notice to the owner of the vehicle. The cost of any such removal and disposal shall be chargeable to the owner of the vehicle who shall be primarily responsible for such cost. If the county cannot collect from the owner of the vehicle, the owner of the premises shall be responsible for the cost. Such cost may be collected by the county as taxes and levies are collected. Every cost authorized by this section with which the owner of the premises has been assessed shall constitute a lien against the property from which the vehicle was removed, the lien to continue until actual payment of such costs has been made to the county. The county may, as an alternative, issue a summons for abatement of these violations.~~

**Sec. 14-233. Rubbish and garbage.**

See Sec. 14-231. Exterior property areas.

- ~~(a) *Accumulation of rubbish and garbage.* All exterior property and premises, shall be free from any accumulation of rubbish and garbage.~~
- ~~(b) *Disposal of rubbish.* Every occupant of a premises shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.~~
- ~~(c) *Rubbish storage facilities.* The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.~~
- ~~(d) *Disposal of garbage.* Every occupant of a premises shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.~~
- ~~(e) *Garbage facilities.* The owner of every premises shall supply an approved leakproof, covered, outside garbage container.~~

**Sec. 14-234. Extermination.**

**See Sec. 14-231. Exterior property areas.**

- ~~(a) *Infestation.* All premises shall be kept free from insects and rat infestation. All premises in which insects or rats are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.~~
- ~~(b) *Owner.* The owner of any premises shall be responsible for extermination prior to renting or leasing the premises.~~
- ~~(c) *Occupant.* The occupant of a premises shall be responsible for extermination on the premises. The occupant of any premises shall be responsible for the continued ratfree condition of the premises, and if the occupant fails to maintain the ratfree condition, the cost of extermination shall be the responsibility of the occupant.~~



## **AGENDA ITEM 9.d.**

**Ordinance 12-22** - Update King William County Code Chapter 86 Article XIX. FLOODS to Reflect and Adopt New FEMA Flood Plain Maps



## **ARTICLE XIX. FLOODS**

### **DIVISION 1. GENERAL REGULATIONS**

#### **Sec. 86-550. ~~Purpose of article.~~ *Statutory Authorization and Purpose***

*Va. Code § 15.2-2283 specifies that zoning ordinances shall be for the general purpose of promoting the health, safety, or general welfare of the public and of further accomplishing the objectives of § 15.2-2200 which encourages localities to improve the public health, safety, convenience, and welfare of their citizens. To these ends, flood ordinances shall be designed to provide for safety from flood, to facilitate the provision of flood protection, and to protect against loss of life, health, or property from flood.*

*In accordance with these directed provisions, this ordinance is specifically adopted pursuant to the authority granted to King William County by Va. Code § 15.2 - 2280.*

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.

#### **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).

#### **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.

**Sec. 86-553. Records.**

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

**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. These regulations are not intended to repeal or abrogate any existing ordinances including subdivision regulations, zoning ordinances, or building codes. In the event of a conflict between these regulations and any other ordinance, the more restrictive shall govern.

**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.

**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.

**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.

#### *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:

- (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.

##### **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 *in perpetuity* 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
    - 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).

**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.

**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.

**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.

**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.

**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).

*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.

- (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 **one-percent annual chance flood** ~~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.

**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.

*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.

**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.
  - (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.

**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 the base flood elevation plus eighteen inches.** ~~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 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 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;
  - 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.

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

*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.

**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;
  - 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 **one-percent annual chance flood** ~~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)~~ (15) 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 **one-percent annual chance flood** 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))

*DIVISION 6. ENACTMENT*

**Sec. 86-575. Enactment; effective date.**

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

Enacted and ordained this 28th of November, 2022. This article of King William, Virginia, shall become effective [date will be provided in FEMA's Letter of Final Determination].



## **AGENDA ITEM 9.e.**

**Ordinance 13-22** - Update King William County Code Section 74-34 to Clarify License Fee Exemptions



## **AGENDA ITEM 10.a.**

**Resolution 22-99** - Amend FY23 Capital Improvement Plan to Appropriate Funds for Reimbursement to West Point Volunteer Fire Department for Purchase of 2022 Ford F-550 Road Rescue Ultramedic - Natasha Brown, Director of Financial Services

**RESOLUTION 22-99**  
**AMENDMENT TO THE KING WILLIAM COUNTY FISCAL YEAR 2023 BUDGET**  
**CAPITAL IMPROVEMENT PLAN**  
**WEST POINT VOLUNTEER FIRE DEPARTMENT**

**WHEREAS** the King William County Board of Supervisors wishes to amend its Fiscal Year (FY) 2023 Capital Improvement Plan to appropriate funds in the amount of \$30,000 from FY2022 Capital Fund Balance for reimbursement to West Point Volunteer Fire Department for the purchase of a 2022 Ford F-550 Road Rescue Ultramedic; and

**WHEREAS** the balance of West Point Volunteer Fire Department's committed Capital Fund from FY22 of \$30,000 was not utilized in FY22 and is available to roll forward for appropriation for the reimbursement for purchase of equipment; and

**WHEREAS** the total purchase price of the ambulance was \$246,750 and was purchased by West Point Volunteer Fire Department July 19, 2022; and

**WHEREAS** West Point Volunteer Fire Department is requesting reimbursement in the amount of \$80,000 which consists of FY2023 appropriated Capital funds of \$50,000 plus the \$30,000 dedicated amount from FY2022 Capital funds;

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

**FUND/ORGANIZATION**

Expense

West Point Volunteer Fire Department Capital \$ 30,000

Revenue

FY2022 Capital Fund Balance for West Point Volunteer Fire Department \$ 30,000

**DONE** this 28th day of November, 2022.



# West Point Volunteer Fire Department

Post Office Box X

West Point, Virginia 23181

(804) 843-4865

*"Serving the Community Since 1904"*

The West Point Volunteer Fire Department formally requests payment from the Capital Improvement Plan line item dedicated to the Department for the purchase of a recent ambulance. We request both the \$30,000 from Fiscal Year 2022 and the \$50,000 from Fiscal Year 2023 be disbursed into our account.

This ambulance was initially ordered in Q1 of 2021, but given significant supply chain constraints and manufacturing delays as a result of the COVID-19 Pandemic the ambulance was not delivered to the Department until August of this year. After completing equipment installation and regulatory inspections we placed the ambulance in service in October. Since placing the ambulance in service it has responded to 44 emergency incidents.

We appreciate the financial support and look forward to continuing to provide the highest level of service to the citizens of King William County.

Respectfully,

Andrew Smith, Fire Chief

**Invoice**

**Invoice # : I-1404**  
**Invoice Date : 07/19/2022**  
**Invoice Due Date : 07/19/2022**

**Sold**

**To:** West Point Volunteer Fire  
P.O. Box X  
West Point Virginia  
United States 23181

**Job # : 565882**

**Customer PO # :**

**Payment Terms :** On Receipt

**Customer ID : 17600**

**Sales Person : Jeff Hawkins**

Name	Quantity	Unit Price	Total Price
2022 Ford F-550 4x2 / Road Rescue Ultramedic Type 1	1.00	\$ 245,450.00	\$ 245,450.00
Changes made at final inspection	1.00	\$ 1,300.00	\$ 1,300.00
<b>Total:</b>			<b>\$ 246,750.00</b>

How can we better serve you? Please go to [www.atlanticemergency.com/survey](http://www.atlanticemergency.com/survey)

**Thank you for your Business!**

## **AGENDA ITEM 10.b.**

FY24 VPPSA Budget Discussion - Steve Hudgins, Deputy County Administrator

**BUDGET SUMMARY  
KING WILLIAM**

Description	FY 21 Actual	FY 22 Actual	FY 23 Budget	FY 24 Budget
<b>Drop Off Recycling</b>	\$0	\$0	\$0	\$0
<b>Administrative Services</b>	\$11,000	\$11,000	\$11,000	\$11,000
<b>Landfill Monitoring</b>	\$31,920	\$37,148	\$28,240	\$28,814
<b>Transfer System Operation</b>	\$466,089	\$479,790	\$559,920	\$732,601
<b>Landfill Disposal - Middle Peninsula</b>	\$202,251	\$207,225	\$222,260	\$222,652
<b>Convenience Center Operation</b>	\$180,288	\$191,975	\$226,958	\$252,823
<b>Middle Peninsula Household Chemical Collection</b>	\$2,400	\$2,110	\$3,000	\$3,000
<b>Vehicle Maintenance Facility</b>	\$26,120	\$26,120	\$26,120	\$26,120
<b>Totals</b>	\$920,069	\$955,368	\$1,077,499	\$1,277,009
	\$40,388	\$35,299	\$122,132	\$199,510
	4.59%	3.84%	12.78%	18.52%

## **AGENDA ITEM 10.c.**

Ordinance Change Needed: Section 70-46 Hearings of the Board of Equalization -  
Christine H. Branch, Deputy Clerk



Christine H. Branch  
Deputy Clerk

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:** November 28, 2022  
**TO:** King William County Board of Supervisors  
**FROM:** Christine H. Branch, Deputy Clerk  
**SUBJECT:** Ordinance Change Needed: Section 70-46 – Hearings of the Board of Equalization

### REQUEST FOR ACTION

- Staff asks the Board's direction in moving forward with advertising a Public Hearing at the December 19, 2022 Regular Meeting to amend County Code 70-46 - Hearings of the board of equalization, to remove the April 1 deadline by which the BOE must conclude its work.

### SUMMARY

County Code currently requires the Board of Equalization to "conclude its work by April 1 of the year in which it was appointed". Because of the timing of the current reassessment, meeting this date may not be possible.

### BACKGROUND

To appeal to the Assessor (Pearson's Appraisals), the last day to set an appointment is December 23, 2022 and the last date they will hear appeals is January 16, 2023. County Code says those wishing a hearing with the Board of Equalization must file an application within "45 days of the termination of the hearings by the assessing officer," which makes March 3, 2023 the deadline to file an application for a BOE hearing.

County Code also says, "In no event shall such hearings be held earlier than 60 days after the date the assessing officer has completed hearings." This means the first hearing could not take place before Monday, March 20, 2023.

Any applicants with real property containing less than four residential units must be given 45 days written notice of their hearing date along with other information as required by the Code of Virginia §58.1-3331(E). Applicants may waive the 45-day notice requirement and request an earlier hearing date. However, if someone were to apply on the last day (March 3) and not choose to waive the 45-day notice requirement, their hearing could not be scheduled before April 24, 2023. Therefore, it is possible that the BOE might not conclude its work by April 1 as required by County Code. Staff suggests updating the language of County Code to remove the April 1 deadline and allow the BOE the time needed to hear all appeals.

### ATTACHMENTS

- Ordinance XX-22 Proposed changes to County Code Section 70-46





## **AGENDA ITEM 11.a.**

Administration Report - Steve Hudgins, Deputy County Administrator



# County Administration Report

## *November 28, 2022 Meeting of the Board of Supervisors*

### **Meetings & Special Dates**

#### **November**

1. MPPDC Monthly Meeting - November 30th, 7pm - Saluda

#### **December**

1. Recreation Commission Meeting - December 1st, 7pm - KW Recreation Center
2. The Christmas Elf Cottage - December 2nd, 4-8pm - KW Ruritan Club
3. Reindeer Run 5K & 1 Mile Kids Run - December 3rd, 8am - Cool Spring Primary School
4. The Christmas Elf Cottage - December 3rd, 9am-3pm - KW Ruritan Club
5. West Point Christmas on the Town - December 4th, 9am-5:30pm - Downtown West Point
6. 2nd Half 2021 Real Estate Tax Due - December 5th
7. Christmas Dream Gifts Due - December 5th
8. Planning Commission Meeting – December 6th, 7pm - County Board Room & Zoom
9. Library Board Meeting - December 7th, 10am - Atlee Branch Library
10. Mangohick VFD Santa Breakfast – December 10th, 8-11am – Mangohick VFD
11. Board of Supervisors Work Session – December 12th, 7pm - County Board Room & Zoom
12. DMV Connect – December 13th, 9:30am-3:30pm – KW Recreation Center
13. King William School Board Meeting – December 13th, 6pm – Hamilton-Holmes MS
14. West Point School Board Meeting – December 13th, 6pm – West Point School Board Office
15. Economic Development Authority (EDA) – December 14th, 7pm – County Board Room & Zoom
16. Staff Christmas Luncheon – December 16th, 11:30am – County Board Room
17. Board of Supervisors Regular Meeting – December 19th, 7pm - County Board Room & Zoom
18. MPPDC Meeting – December 21st, 7pm - Saluda
19. County Offices Closed – December 23rd & 26th, January 2nd

## **AGENDA ITEM 11.b.**

Board Information





20201 King William Road  
P.O. Box 215  
King William, Virginia 23086  
804-769-4983 Fax: 804-769-4993

### October 2022 Animals Euthanized Explanation

#### Cats Euthanized: 2

- 1 surrendered feral cat by King William Animal Control
- 1 surrendered feral cat by King William Animal Control

#### Dogs Euthanized: 6

- 1 aggressive German Shepherd by King William Animal Control whose owner passed away. No next of kin, held 19 days
- 1 stray Pit Bull by King & Queen citizen. Held 57 days without interest in adoption
- 2 seized Pit Bulls by King & Queen Animal Control, declared dangerous by the Court
- 1 owner surrendered aggressive Lab mix by King & Queen Citizen. Shelter staff still could not handle dog after 4 days due to aggression.
- 1 stray Pit Bull by King & Queen Animal Control. Heartworm positive, held 18 days

***SPAY/NEUTER SAVES LIVES***



## 2022 Dog Heartworm Testing Results

Month	Number of Dogs Tested	Tested Heartworm Pos.	YTD Dogs Tested	YTD HW Positive
January	31	7	31	7
February	18	3	49	10
March	15	3	64	13
April	15	5	74	18
May	23	10	87	28
June	33	12	120	40
July	18	6	138	46
August	19	8	157	54
September	22	9	179	63
October	14	3	193	66
November				
December				

## King William County Building Department Report - October 2022

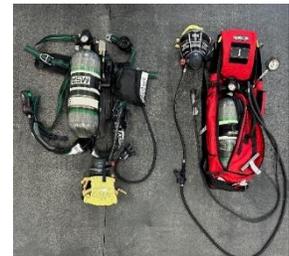
	JAN 2022	FEB 2022	MAR 2022	APR 2022	MAY 2022	JUN 2022	JUL 2022	AUG 2022	SEP 2022	Oct-22
TOTAL PERMITS ISSUED	56	67	65	115	94	126	140	125	129	101
BUILDING INSPECTIONS COMPLETED	287	463	425	483	456	474	486	825	562	359
NEW COMMERCIAL PERMITS	1	1	2	1	2	2	1	2	3	1
NEW DWELLINGS	11	15	9	6	18	22	12	11	4	5
CERTIFICATE OF OCCUPANCY	7	12	19	15	9	5	21	22	13	10
PLAN REVIEW	11	28	12	18	39	43	26	12	16	21



Stacy Reaves, Fire Chief

## King William Fire & Emergency Services Department November 28, 2022 Report

- **CODERED:** Citizens interested in receiving emergency alerts from King William County can sign up for CodeRed using the links provided on the [County website](#).
- **CERT:** Citizens Emergency Response Team. Assistant Chief Jones will be the point of contact for those interested in becoming a CERT member and will organize the training for the program. Please sign up on the [County website](#) on the Fire and EMS page if you are interested in learning about becoming a member.
- Chief Jones is planning to have a meet and greet the 1<sup>st</sup> week of December for prospective CERT members.
- **CARBON MONOXIDE AND SMOKE DETECTORS:** King William Fire and EMS has started a [carbon monoxide detector program](#) in conjunction with the [smoke detector program](#) to provide these life saving detection devices to our citizens **FREE OF CHARGE**. To request either type of detector please visit the County website and fill out the form on the Fire and EMS page.
- PUBLIC INTERACTION REQUEST: If you would like to have the Fire Department present for a public event please fill out the form on the [Fire and EMS webpage](#).
- All EMS Field Training Programs have been updated to reflect the new state required Red Dot training. The programs have been reviewed and approved by the department's Operational Medical Director, Dr. Lisa Dodd.
- All mandated Red Dot EMS training for all full-time employees has been completed and submitted to Dr. Dodd.
- Assistant Emergency Manager Liz Bartol has completed the Virginia Department of Emergency Management Basic Academy. This is a great accomplishment and has taken a lot of hard work and sacrifice from Liz.
- KWFE completed surface water certification classes with the Virginia Dept of Fire Programs on October 14, 2022.
- The brush truck continues to struggle with mechanical issues including starting, running, chassis rust, pump operation, and pump engine run issues.
- The new fire engine is in production but is now delayed until January for completion.
- The RSAF Grant cycle is finishing up and awards should be coming out soon.
- The regional AFG with KWFE and WPVFR for SCBA has been awarded. Both departments will replace all the old, non-compliant, and mis-matched equipment with current compliant equipment matching all the brands in the County with the SCBA recently purchased by MVFD and all but one of the surrounding counties greatly improving interoperability and safety for our firefighters. The equipment has been received and training is in process. Once the training has been completed the equipment will be placed in service.





# KING WILLIAM C O U N T Y F I R E & E M S



Stacy Reaves, Fire Chief

October 2022 calls based on reporting software. Note: if the Agency (individual fire department) report is not completed it will not show in the count. Mangohick's numbers are not accurate. We are working on the data issue.

	MVFD	KWFE	WPVFR	District Totals
Fire	1	20	24	45
EMS	14	109	57	180
Total	15	129	81	225

Immediate life	55
MVA	15
MVA Extrication	3
MVA Pedestrian	1
Structure Fire	0
Wildland Fire	0
Car Fire	0
Civilian Injury	0
Cardiac Arrest	2
ROSC	1



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

**SHERIFF'S OFFICE ACTIVITY**  
**OCTOBER 1, 2022 – OCTOBER 31, 2022**

Calls for Service	967
Incident Reports	97
Traffic Summons	69
Warrants Served	92
Civil Papers Served	514
13B-Simple Assault	1
13C-Intimidation	1
16.1-253.2-PROTECTIVE ORDER: 3RD VIOL W/IN 20YRS	1
18.2-102-UNAUTHORIZED USE:ANIMAL/VEHICLE/ETC, >=1000	1
18.2-108.1-FIREARM: RECEIVE STOLEN OR AID IN CONCEALING	1
18.2-154-SHOOT/THROW @ OCCUPIED VEH ETC-DELIBRATE DEATH	1
18.2-181-BAD CHECK: LARCENY >=\$1000	1
18.2-255.2-DRUGS: MANUF/DISTRIBUTE ON CERTAIN PROPERTIES	1
18.2-266-DWI: 1ST OFFENSE	2
18.2-266-DWI: 2ND OFF W/IN 5Y, BAC .15-.20%	1
18.2-308-CONCEALED WEAPON: CARRY	1
18.2-456(6)-FAIL TO APPEAR-FEL/MISD/SUMONS	1
18.2-67.4-BATTERY, SEXUAL	1
18.2-96-PETIT LARCENY: <\$1000 NOT FROM A PERSON	4
23F-Theft From Motor Vehicle	1
23H-All Other Larceny	1
26A-False Pretenses/Swindle/Confidence Game	3
26E-Wire Fraud	2
290-Destruction/Damage/Vandalism of Property	2
3.2-6503-ANIMAL:INADEQUATE CARE OF ANIMAL(S) BY OWNER	1
46.2-301-DRIVE WHILE LICENSE REVOKED/SUSPENDED	1
46.2-817-LAW ENF COMMAND: DISREGARD OR ELUDE, ENDANGER	1
46.2-894-HIT & RUN: ATTENDED PROPERTY DAMAGE >\$1000	1
90C-Disorderly Conduct	1
90F-Family Offenses, Nonviolent	5
90Z-All Other Offenses	7
99VCC999.107-ORDINANCE VIOLATIONS: STALKING OR THREATENING	1
ANIMBF-ANIMAL BITE - CAT / FELINE	1
CHECKW-CHECK WELFARE OF SUBJECT	1
CHILD-CHILD ABUSE/NEGLECT/ENDANGERMENT COMPLAINT	1
CIVILD-CIVIL DISTUBANCE/VERBAL DISPUTE	5
DOA-DEAD ON ARRIVAL/DECEASED PERSON	2
FOUND-FOUND PROPERTY	2
JUVI-JUVENILE ISSUE	4
LOST-LOST PROPERTY	1
MENTAL-MENTAL SUBJECT	3
SUIC-T-SUICIDE THREATENED	1
WARR-WARRANT SERVICE	16
** TOTAL **	97

**KING WILLIAM UTILITY DEPARTMENT  
MONTHLY ACTIVITY REPORT - OCTOBER 2022**

**PROJECTS**

<b>ITEM</b>	<b>STATUS</b>	<b>NOTES</b>
Industrial Park Water System	Ongoing	Submittals have been turned into DEQ
Kennington Office Warehouse	Started 1/25/2021	Waiting for BAC-T samples
Central Crossings Sec 2B	100% Completed	Water line tied in.
DEQ Withdrawl Permit : Central Garage System	Ongoing	Submittals have been turned into DEQ for evaluation
Kennington Section 2B	Under Review	Second Submittal
Kennington Section 2C	Review Approved	Fourth Submittal - Approved for Construction
Highview Section 1	Under Review	First Submittal
McCauley Townhomes	Under Review	Third Submittal
Manfield Water Tower	Approval from Board	Plans are at 50%.

**INFRASTRUCTURE GROWTH**

	<b>MONTHLY</b>	<b>FYTD</b>
Water Connections	0	12
Sewer Connections	0	12
Water Meter Sales	11	35

**SERVICE AND REPAIRS**

	<b>MONTHLY</b>	<b>FYTD</b>
Miss Utility tickets	114	397
Repair items addressed	2	3
Flow Tests	0	0
Customer Transfers (Manual meter reads)	13	66
Replace defective meters	10	50
Manual Meter reads after Electronic Billing Reads	0	22
Bac't Samples per month	7	42
Number of inspection per working project	23	70
DEQ readings using Levelogger	2	8
Daily Water Usage Readings (3 wells)	21	87
Weekly Well Inspections (4 wells)	19	79
Total Water Utility Customers Accounts	718	



**COMMISSIONERS**

Essex County  
*Hon. Edwin E. Smith, Jr.*  
*Hon. John C. Magruder*  
*Ms. Sarah Pope*

Town of Tappahannock  
*Hon. Fleet Dillard*

Gloucester County  
*Hon. Ashley C. Chriscoe*  
*(Chairman)*  
*Hon. Kenneth W. Gibson*  
*Dr. William G. Reay*  
*Ms. Carol Steele*

King and Queen County  
*Hon. Sherrin C. Alsop*  
*Hon. R. F. Bailey*  
*Ms. Vivian Seay*

King William County  
*Hon. Ed Moren, Jr.*  
*Hon. Travis J. Moskalski*  
*(Vice-Chairman)*  
*Mr. Otto O. Williams*  
*Mr. Percy Ashcraft*

Town of West Point  
*Hon. James Pruett*  
*Mr. John Edwards*

Mathews County  
*Hon. David Jones*  
*Hon. Melissa Mason*  
*Mr. Harry Meeks*

Middlesex County  
*Hon. Wayne H. Jessie, Sr.*  
*(Treasurer)*  
*Hon. Reggie Williams, Sr.*  
*Ms. Kendall Webre*

Town of Urbanna  
*Hon. Marjorie Austin*

Secretary/Director  
*Mr. Lewis L. Lawrence*

**TO: Middle Peninsula County Administrators and Town Managers  
Assistant Co. Administrators and Assistant Town Managers  
County Board of Supervisors  
Town Council Members  
MPPDC Board of Commissioners Planning Directors  
Economic Development Authority Members**

**FROM: Lewie Lawrence, MPPDC Executive Director**

**DATE: November 4, 2022**

**RE: Synopsis of MPPDC Meeting of October 26, 2022**

In an effort to bring broader awareness to the work of the Middle Peninsula Planning District Commission to all elected officials and locality administrators and to alert you as to items that may require local participation or input, after each monthly meeting MPPDC staff will transmit a quick update on items discussed at the PDC meeting.

We hope this is of benefit to you. Please do not hesitate to contact me or my staff if you have any questions or want more information on any of the topics discussed.

Thank you.

Attachment

## ***Middle Peninsula Planning District Commission Meeting***

**7:00 P.M.**

**Wednesday, October 26, 2022**

**125 Bowden Street**

**Saluda VA 23149**

- I. Welcome and Introductions  

The monthly meeting of the Middle Peninsula Planning District Commission was held in the Regional Board Room at the Middle Peninsula Planning District Commission office in Saluda, Virginia on Wednesday, October 26, 2022 at 7:00 p.m. MPPDC Chairman Chriscoe welcomed everyone in attendance.
- II. Approval of September Minutes
- III. Approval of Financial Reports for July, August, September
- IV. Executive Director's Report on Staff Activities for the month of October
- V. MPCBPAA Update
- VI. MPA Update
- VII. MPPDC Public Relations/Communications Update
- VIII. Public Comment

### **AGENDA ITEMS FOR DISCUSSION**

- IX. Municipal Dredging Program Development Update  

MPPDC Executive Director, Lewie Lawrence provided an overview of the draft Operating Agreement submitted to the Virginia Port Authority (VPA). This agreement outlines the allocation of \$5M awarded by the General Assembly for dredging projects in Accomack, Gloucester, Mathews, Middlesex, and Northampton Counties utilizing a Middle Peninsula Municipal Dredge.
- X. Release of Virginia Tourism Spending
  - [Economic Impact of Travel - Virginia Tourism Corporation \(vatc.org\)](https://www.vatc.org)
  - <https://www.vatc.org/research/economicimpact/>

MPPDC Executive Director, Lewie Lawrence drew the Commissioners' attention to a graph in their meeting packet illustrating the economic impact of tourism on each locality in the Middle Peninsula. All localities, except for King William County, have rebounded to pre-COVID pandemic levels.
- XI. VDOT Weight Restricted Bridges in the Middle Peninsula Update  

MPPDC Deputy Director, Curt Smith provided information and maps summarizing weight restrictions in the Middle Peninsula and funds allocated towards addressing some of those bridges in need of rehabilitation or repair. The new policy, adopted by the federal government requiring states to adjust weight restrictions, results in 8 bridges in the Middle Peninsula unable to support the average weight of a firetruck (19-30 tons).

- XII. Review of the Virginia Sea Grant – Middle Peninsula: Water Adaptation & Innovation Campus Collaborative Research • Workforce Development • Economic Opportunities
- [WaterAdaptationEconomy.org](http://WaterAdaptationEconomy.org) – Collaborative Research, Workforce Development, Economic Opportunities
  - <https://wateradaptationeconomy.org/>

MPPDC Executive Director, Lewie Lawrence provided an update of the collaboration between Virginia Sea Grant and the Middle Peninsula Chesapeake Bay Public Access Authority.

XIII. Other Business

- DEQ postpones the mandate to update the Water Supply Plan.
- Announcement of available public sewer funding.
- Internal Assessment offices in MP localities.

IX. Adjournment



# King William County Public Schools

P.O. Box 185  
18548 King William Road  
King William, Virginia 23086



Phone  
(804) 769-3434

Fax  
(804) 769-3312

To: Board of Supervisors

From: Staci M. Longest, Director of Finance  
Tony Stone, Director of Operations & Transportation

Subject: Status of VPSA Projects

As of November 15, 2022, The Acquinton Elementary School HVAC project is at 90% completion. We have working A/C in all classrooms and the boilers have been replaced. To date we have completed all 83 water source heat pumps replaced. The cooling towers because of lead times will be replaced during between winter break and February. The BAS Controls are about 50% done with controls being tied in, but won't be complete until all equipment is installed. The target completion date at this point is February 2023, if no additional lead time delays occur.



## **AGENDA ITEM 13.a.**

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

## **CLOSED MEETING MOTIONS**

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

**✗**  1. appointment of individuals to Boards and Commissions.

2. interview of a prospective candidate for employment.

(or the)

3. Employment

6. Promotion

9. Salary

4. Assignment

7. Performance

10. Discipline

5. Appointment

8. Demotion

11. Resignation

of a specific public officer / appointee / employee.

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

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

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

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

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

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

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

## **CERTIFICATION OF CLOSED MEETING**

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

### **STANDING RESOLUTION – 1 (SR-1) A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT REGARDING MEETING IN CLOSED MEETING**

**WHEREAS**, the King William County Board of Supervisors has convened a Closed Meeting on this date pursuant to an affirmative recorded vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and,

**WHEREAS**, Section 2.2-3712 (D) of the Code of Virginia requires a certification by the King William County Board of Supervisors that such Closed Meeting was conducted in conformity with Virginia law,

**NOW, THEREFORE, BE IT RESOLVED** that the King William County Board of Supervisors on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, hereby certifies that, to the best of each member's knowledge:

1. Only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were heard, discussed, or considered by the King William County Board of Supervisors in the Closed Meeting to which this certification resolution applies; and
2. Only such public business matters as were identified in the motion convening the Closed Meeting were heard, discussed, or considered by the King William County Board of Supervisors.

**[ROLL CALL VOTE]**



## **AGENDA ITEM 14.a.**

**Resolution 22-100** - Recommendations of Appointments to the Board of Equalization

**RESOLUTION 22-100**

**RECOMMENDATIONS OF APPOINTMENTS**

**TO THE KING WILLIAM COUNTY BOARD OF EQUALIZATION**

**WHEREAS** it is necessary for the King William County Board of Supervisors to recommend the appointments of members to the King William County Board of Equalization; and

**WHEREAS** §58.1-3370 of the Code of Virginia provides for the appointment of members to the Board of Equalization by the Circuit Court of King William County in each tax year immediately following the year a general reassessment is conducted in the County; and

**WHEREAS** §58.1-3374 of the Code of Virginia calls for the number of regular members to be not less than three (3) or more than five (5), plus, at the request of the County, two (2) alternate members;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of King William County, Virginia, hereby recommends to the Circuit Court of King William County the following individuals to serve as members of the King William County Board of Equalization; each for a term to expire one year after the effective date of the reassessment for which they were appointed and in accordance with §58.1-3370 of the Code of Virginia, and to pay each member \$135 per meeting attended:

**First District:**

**Second District:**

**Third District:**

**Fourth District:**

**Fifth District:**

**Alternate #1:**

**Alternate #2:**

**DONE** this the 28th day of November, 2022.