

**APPROVED MINUTES  
KING WILLIAM COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING OF MAY 23, 2022**

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 23rd day of May 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.

Peter Mason of District 2 said he understands Zebulon’s Grotto has a Conditional Use Permit (CUP) application in process and asked why the County is entertaining issuing a CUP on a property which has so many violations. He said there were over 30 cars going in and out of the property the previous weekend and 8-10 tents were present. Mr. Mason said the owner continues not to care about the law and he assumes the owner plans to do even more given how he’s pushed the limit already. He said he is concerned about Memorial Day weekend. He said he heard gunfire or firecrackers at 3am on Sunday. He did not call the police.

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. March 28, 2022 Regular Meeting Draft Minutes
  - ii. April 11, 2022 Public Hearing & Work Session Draft Minutes
  - iii. April 25, 2022 Public Hearing & Regular Meeting Draft Minutes
- b. Approval of Expenditures - April 2022
- c. **Resolution 22-37** – Appropriating School Nutrition Funds for King William County Public Schools

Supervisor Garber moved for approval of the Consent Agenda; motion was seconded by Vice Chair Hodges. 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 22-37  
 APPROPRIATING ADDITIONAL FUNDING FOR KING WILLIAM COUNTY PUBLIC SCHOOLS  
 FISCAL YEAR 2022 SCHOOL CAFETERIA BUDGETS**

**WHEREAS**, the King William County School Board at the April 19, 2022 School Board meeting amended its nutrition budget to reflect increases in expenses as well as revenue resulting in a net increase in revenue in the amount of \$72,377.82; and

**WHEREAS**, the King William County Board of Supervisors wishes to amend the Fiscal Year 2022 School Operating budget and School Cafeteria budget to reflect these budget amendments.

**NOW, THEREFORE, BE IT RESOLVED** by the King William County Board of Supervisors that the FY2022 Budget is amended via the appropriation of \$72,377.82 to the School Cafeteria fund as delineated in the attached School Board budget amendment.

**DONE** this the 23rd day of May 2022.

**Agenda Item 8. PUBLIC HEARINGS**

**8.a. Resolution 22-38 - Subordination Agreement Between King William County and King William Little League, Inc. - Andrew R. McRoberts, County Attorney**

Mr. McRoberts said King William County Little League is purchasing lights for a field at King William Rec Park and the financing company they are using requires a subordination agreement from the County as the owner of the property.

Vice Chair Hodges asked for confirmation that this does not allow the County to take possession. Mr. McRoberts said that is correct.

Supervisor Garber asked if the financier can put a lien. Mr. McRoberts said only on the lights.

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

Supervisor Moskalski made a motion to approve Resolution 22-38. Supervisor Garber seconded the motion. The Chairman called for any discussion. The members were polled:

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

**RESOLUTION 22-38  
AUTHORIZATION TO SIGN SUBORDINATION AGREEMENT WITH MUSCO FINANCE, LLC IN  
RELATION TO LIGHTING IMPROVEMENT FINANCING BY KING WILLIAM LITTLE LEAGUE,  
INC.**

**WHEREAS**, King William Little League, Inc. (the “Borrower”) is seeking to finance lighting improvements to the baseball fields located at King William Recreation Park in Aylett, Virginia (the “Premises”) through Musco Finance, LLC (the “Lender”); and

**WHEREAS**, Lender requires a Subordination Agreement from King William County in order to finance Borrower’s purchase of lighting equipment; and

**WHEREAS**, King William County is the owner, landlord, or mortgagee of the real estate located at the Premises; and

**WHEREAS**, the following described equipment (the "Equipment") is or will be installed on or affixed to the Premises:

Musco Lighting system consisting of:

- 4 - pre-cast concrete bases
- 2 - 70' galvanized steel poles
- 2 - 60' galvanized steel poles
- 8- Total Light Control™ TLC-LED-1500 factory-aimed and assembled luminaires
- 11 - Total Light Control'M TLC-LED-900 factory-aimed and assembled luminaires
- 5 - Total Light Control'M TLC-BT-575 factory-aimed and assembled luminaires
- Electrical component enclosures
- Pole length wire harnesses
- 12 - pennant kits
- Control-Un~ control and monitoring system
- LED dimming

Built to the following specifications:

- Driver input voltage: 240
- Phase to pole: 1
- Structural integrity is based upon IBC 2018, 115 mph, exposure C
- Light levels: 50 footcandles infield, 30 footcandles outfield for Field 5; and

**WHEREAS**, King William County claims a lien or other interest in or has leased or otherwise granted the right to occupy to the Borrower, all or a portion of the Premises; and

**WHEREAS**, Lender has loaned or will loan or advance money for purchase of the Equipment to, or has obtained or will obtain a security interest in the Equipment from the Borrower.

**NOW, THEREFORE, BE IT RESOLVED** and agreed to by the Board of Supervisors of King William County as follows:

1. The interest of the Lender in the Equipment shall at all times be superior to any interest King William County (the "County") may now or hereafter have in the Equipment and the County hereby subordinates any lien it may have in the Equipment, whether such lien is statutory or by agreement, to the lien of Lender whether or not the Equipment is deemed a fixture to the Premises, and the County agrees that the Equipment is and shall at all times remain personal property notwithstanding that it may be installed on or affixed to the Premises.
2. Lender may inspect the Equipment on the Premises and may remove the Equipment from the Premises without further consent of the County. Lender shall pay for the cost of repairing any physical injury to the Premises caused by removal of the Equipment but not for any diminution in value of the Premises caused by absence of the removed Equipment or by any necessity of replacing the removed Equipment.
3. The Equipment may remain on the Premises free of charge for a period of 30 days following written notice from the County to Lender directing removal.
4. Lender may extend the time for payment or change in any other way the obligations of the Borrower to Lender without affecting the agreements of the County hereunder.

5. This agreement shall be binding upon and inure to the benefits of the estate, heirs, successors and assigns of the County and the successors and assigns of Lender; and

**BE IT FURTHER RESOLVED** that the County Administrator of King William County, Virginia is authorized to sign the Subordination Agreement with Musco Finance, LLC and do all things necessary to give this resolution effect.

**DONE** this 23rd day of May, 2022.

**8.b. Resolution 22-39 - Amend the FY 2021-2022 Operating Budget and Appropriate Funding for King William County Public Schools 2022 General Obligation Bond Capital Projects - James E. Sanderson, Jr., Senior Vice President - Davenport & Company LLC**

Mr. Sanderson said the bond has been closed on and the interest rates locked in. The FY 2021-2022 budget now needs to be amended to appropriate the funds. This is required by statute because the amount is greater than 1% of the budget.

Supervisor Garber asked the interest rate. Mr. Sanderson said 3.54%.

Vice Chair Hodges asked if this appropriates the full amount. Mr. Sanderson said yes.

Supervisor Garber asked if the term was 20 years. Mr. Sanderson said yes.

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

Supervisor Moskalski made a motion to approve Resolution 22-39. Supervisor Greenwood 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 22-39**

**AMEND THE FY 2021-2022 OPERATING BUDGET & APPROPRIATE FUNDING FOR KING WILLIAM COUNTY PUBLIC SCHOOLS 2022 GENERAL OBLIGATION BOND CAPITAL PROJECTS**

**WHEREAS**, the Board of Supervisors of King William County, Virginia approved the issuance of a General Obligation Bond to fund School Capital Improvements via Resolution 22-19 on March 28, 2022; and

**WHEREAS**, the Board of Supervisors of King William County, Virginia recommends an amendment to the FY 2021-2022 Capital Fund Budget for the Cost of Issuance and the School Capital Projects approved for Bond funding in the amount of \$6,663,123; and

**WHEREAS**, the Board of Supervisors of King William County, Virginia must appropriate funding for the School Capital Projects with the intention that this funding be assigned to these projects and carried forward to future Fiscal Years until completion; and

**WHEREAS**, the Board of Supervisors of King William County, Virginia held a duly advertised Public Hearing to receive public comment on this matter on May 23, 2022;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County, Virginia, that the FY 2021-2022 Budget is hereby amended, and funds appropriated in the amount of \$6,663,123 for the 2022 General Obligation Bond funded School Capital Projects.

**BE IT FURTHER RESOLVED** that the County Administrator of King William County, Virginia is authorized to make the appropriate accounting adjustments and to do all things necessary to give this resolution effect.

**DONE** this 23rd day of May, 2022.

**8.c. Resolution 22-40 - Adopt the King William County Comprehensive Plan - Blueprint 2041 -Sherry Graham, Director of Planning**

Ms. Graham went over a summary of the process of forming the Comprehensive Plan as well as the Plan itself. There were no questions from the Board.

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

Supervisor Greenwood made a motion to approve Resolution 22-40. Supervisor Garber seconded the motion. The Chairman called for any discussion.

Vice Chair Hodges asked about the Scenic River designation and resulting regulations with the waterways. Steve Hudgins, Deputy County Administrator, said that was not in the Comprehensive Plan.

Vice Chair Hodges said he thought it was crazy to even think about installing a roundabout at the intersection of Routes 360 & 30. Supervisor Moskalski said Hill Studio said it might be a dream plan and is just a general development concept. Supervisor Greenwood said VDOT wouldn't approve it for a long time anyway since they just completed significant improvements at the intersection. He said there are some roundabouts in Colonial Heights and elsewhere.

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 22-40**

**REPLACE THE 2016 KING WILLIAM COUNTY COMPREHENSIVE PLAN AND ADOPT A NEWLY REVISED COMPREHENSIVE PLAN – BLUEPRINT 2041**

**WHEREAS**, the County of King William has a Comprehensive Plan that was adopted on November 21, 2016 and §15.2-2229 of the Code of Virginia provides for the amendment of Comprehensive Plans; and

**WHEREAS**, in accordance with §15.2-2229 of the Code of Virginia the King William County Planning Commission conducted a duly advertised Public Hearing on May 3, 2022, to receive public comment and consider a recommendation to the Board of Supervisors to adopt the newly revised Comprehensive Plan - Blueprint 2041; and

**WHEREAS**, the Planning Commission voted to recommend approval of the newly revised King William County Comprehensive Plan – Blueprint 2041 with no provisions; and

**WHEREAS**, the Board of Supervisors conducted a duly advertised Public Hearing on May 23, 2022 to receive public comment and consider adoption of the newly revised Comprehensive Plan – Blueprint 2041; and

**WHEREAS**, the Board of Supervisors believes that public general welfare as well as good planning practices are served by updating the King William County Comprehensive Plan;

**NOW, THEREFORE, BE IT RESOLVED**, in accordance with §15.2-2229 of the Code of Virginia, the Board of Supervisors hereby adopts the newly revised King William County Comprehensive Plan – Blueprint 2041 in the form presented to the Board on this date.

**DONE** this 23rd day of May, 2022.

**8.d. Ordinance 06-22 - Repealing County Code Chapter 10, Article II, Division 3, Sections 10-91 through 10-93 Regarding Dangerous Dogs - Andrew R. McRoberts, County Attorney**

Mr. McRoberts said the General Assembly amended the dangerous dog provisions in State Code. Sheriff Walton recommended the repeal of the County’s parallel ordinance and simply enforcing the State Code provisions. This will eliminate the need to change the County Code in the future if the State Code changes again. The current County Code is word-for-word the same as the old State Code.

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

Supervisor Garber made a motion to approve Ordinance 06-22. Supervisor Moskalski seconded the motion. The Chairman called for any discussion. The members were polled:

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

**ORDINANCE 06-22**

**AN ORDINANCE TO REPEAL KING WILLIAM COUNTY CODE CHAPTER 10, ARTICLE II, DIVISION 3, SECTIONS 10-91 THROUGH 10-93 REGARDING DANGEROUS DOGS**

**WHEREAS**, §3.2-6543.1 of the Code of Virginia (1950), as amended, allows the governing body of any locality to enact an ordinance regulating dangerous dogs that is parallel to Code of Virginia § 3.2-6540, 3.2-6540.01, 3.2-6540.02, 3.2-6540.03, or 3.2-6540.04; and

**WHEREAS**, the King William County Board of Supervisors adopted such parallel ordinance on February 23, 2009 in County Code Chapter 10, Article II, Division 3, Sections 10-91 through 10-93; and

**WHEREAS**, the King William County Board of Supervisors now desires to remove such parallel code from the County Code and adhere to the Code of Virginia §3.2-6540 through 3.2-6544, 3.2-6562.2, and 18.2-52.2 relating to dangerous dogs; and

**WHEREAS**, the King William County Board of Supervisors conducted a duly advertised public hearing on May 23, 2022 to receive public comment and consider the above action;

**NOW, THEREFORE, BE IT ORDAINED** that the Board of Supervisors of King William County, Virginia, does this 23rd day of May, 2022, repeal King William County Code Chapter 10, Article II, Division 3, Sections 10-91 through 10-93 and thereby adheres to the Code of Virginia §3.2-6540 through 3.2-6544, 3.2-6562.2, and 18.2-52.2 relating to dangerous dogs.

**DONE** this the 23rd day of May, 2022.

**Agenda Item 9. PRESENTATION**

**9.a. All Points Broadband Update - Tom Innes, VP of Business Development (via Zoom)**

Mr. Innes went over the timeline and history of the County’s broadband project (Attachment A). He said the agency has not finalized the VATI contract with the Department of Housing and Community Development (DHCD). It is expected to be executed by June 15, 2022. All Points will be providing access to currently unserved locations remaining in the County. These are areas with no access to 24mb service via wire. Breezeline is also doing parts of the County under a different project award.

All service levels will be eligible for the Affordable Connectivity Program. If you qualify for federal assistance, you will also qualify for this. All Points is also working on identifying other discount programs.

Vice Chair Hodges said he didn’t understand the map shown. Chairman Moren said the blank portion in the middle shows the area belonging to Breezeline.

Supervisor Garber asked how many homes are currently served. Supervisor Moskalski said the red lines are data lines and the green dots are drops.

Vice Chair Hodges asked if it matters how far a home is from the line. Mr. Innes said there is no limit during the first year. After that, the fee includes 500 ft.

Supervisor Moskalski asked if burying lines would have an additional cost. Mr. Innes said if the current power lines are aerial, there would be an extra cost. If they are already buried, there would be no additional cost.

Supervisor Greenwood said Breezeline does not cover all the areas shown on the map. Chairman Moren said the Board will talk about that shortly as part of another agenda matter. Supervisor Moskalski said Breezeline also has an RDOF grant.

Supervisor Garber asked if there is a map showing roads. Chairman Moren said APB will give more detail once they have an approved plan. Mr. Innes said you can see it on the Commonwealth's website and follow the progress as it goes along.

Vice Chair Hodges asked if we have a contract with APB explaining what they'll cover. Chairman Moren said the fiber will follow the REC/Dominion lines. Vice Chair Hodges asked if Cable TV will also be available. Chairman Moren said no, but people will have access to streaming services. Mr. Innes said Voice Over IP (VOIP) phone services will be offered and they have a third party who can help people recreate other content.

**9.b. All Points Broadband Grant Administration Agreement - Steve Hudgins, Deputy County Administrator**

Mr. Hudgins said DHCD didn't come out with a contract until last Friday. The contract covers everything to make the grant happen. Staff is asking Board approval for the County Administrator to sign the contract.

Supervisor Moskalski made a motion to approve the County Administrator signing the DHCD contract. Supervisor Garber seconded the motion. The Chairman called for any discussion. The members were polled:

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

**Agenda Item 10. OLD BUSINESS**

**10.a. Resolution 22-41 - Creating the King William Fire & EMS Water Rescue Program, Approval for the Appropriation and Expenditure of Donated Funds, and Statement of Appreciation for a Gift from the Estate of Charles S. Hunter, III - Stacy Reaves, Fire Chief**

Chief Reaves presented Resolution 22-41 creating the King William Fire & EMS Water Rescue Program as presented to and discussed with the Board during the May 9, 2022 Work Session.

Vice Chair Hodges asked where the department would get the personnel to put both on the water and in the ambulance. Chief Reaves said it depends on the situation. He said there are three personnel members on shift at the present and that will go up to five once the recruits graduate in July.

Chairman Moren asked if Mangohick would be participating. Chief Reaves said they can if they want to be trained. He said West Point has some people already trained and he wouldn't turn help away as long as personnel was properly trained.

Supervisor Garber made a motion to approve Resolution 22-41. 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 22-41**  
**CREATION OF THE KING WILLIAM COUNTY FIRE & EMS WATER RESCUE PROGRAM,**  
**APPROVAL FOR THE APPROPRIATION AND EXPENDITURE OF DONATED FUNDS, AND**  
**STATEMENT OF APPRECIATION FOR A GIFT FROM**  
**THE ESTATE OF CHARLES S. HUNTER, III**

**WHEREAS**, there have been 72 water-related incidents dispatched in King William County, which is bordered by the Mattaponi and Pamunkey Rivers and contains 43 streams, since January 2017; and

**WHEREAS**, an efficient Water Rescue Program includes properly trained personnel; proper personal protective equipment for cold and abrasive environments; rescue equipment including ropes, victim harnesses, victim PFDs, lights, GPS, etc.; and

**WHEREAS**, startup costs for the program include one outboard powered rescue boat and trailer with two paddle boats for shallow and obstructed areas; ten qualified and trained rescuers to spread across the shifts; and all necessary equipment, personal protective equipment, and Victim Rescue Equipment estimated at approximately \$50,000; and

**WHEREAS**, a donation was given to King William County Fire & EMS from the estate of Charles S. Hunter, III which will fund 100% of the proposed Water Rescue Program;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County, Virginia that the King William County Fire & EMS Water Rescue Program is hereby approved; and

**BE IT FURTHER RESOLVED** that the above described donation of funds is hereby appropriated for and the expenditure of such funds approved for use for said program; and

**BE IT FINALLY RESOLVED** that the Board of Supervisors of King William County expresses their gratitude for the generous gift given by Mr. Hunter and offers their deepest condolences to his family and friends.

**DONE** this 23rd day of May, 2022.

**10.b. Resolution 22-42 - Adopting the All-Hazards Mitigation Plan - Sherry Graham, Director of Planning**

Ms. Graham said the Plan was done through the Middle Peninsula Planning District Commission funding through FEMA and VDEM. She said most other localities have already adopted the Plan.

Supervisor Moskalski made a motion to approve Resolution 22-42. Supervisor Greenwood seconded the motion. The Chairman called for any discussion. The members were polled:

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

**RESOLUTION 22-42**

**RESOLUTION TO ADOPT THE MIDDLE PENINSULA REGIONAL ALL HAZARDS MITIGATION PLAN**

**WHEREAS**, the County of King William, Virginia has experienced severe damage from a host of hazards such as flooding from hurricanes, nor’easters, wildfires, winter storms, tornadoes, and lightning on many occasions in the past century that have resulted in property losses, loss of life, economic hardships, and threats to public health and safety for all community residents, and

**WHEREAS**, the first Middle Peninsula Regional All Hazards Mitigation Plan (“the Plan”) was undertaken as a regional planning project with all nine (9) jurisdictions participating in its development and adoption in 2006, 2011, and 2016; and

**WHEREAS**, all nine (9) Middle Peninsula jurisdictions and federally recognized Tribes in the region participated in the update of the Plan within the Federal Emergency Management Agency’s required 5-year period; and

**WHEREAS**, the Plan update recommends many mitigation strategies that will help protect the residents and their property from the adverse effects of hazards that face King William County; and

**WHEREAS**, the Plan update was reviewed at a meeting of the King William County Board of Supervisors held on May 9, 2022, as required by law;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County, Virginia, that:

1. The Middle Peninsula Regional All Hazards Mitigation Plan update is hereby adopted as the official Plan for the County of King William, Virginia; and
2. The respective officials/staff identified in the implementation section of the Plan update are encouraged to implement the mitigation strategies and report on their activities, accomplishments, and progress to the King William County Board of Supervisors; and
3. The County Administrator and Board of Supervisors will report status updates on mitigation strategies to the Middle Peninsula Planning District Commission and the Federal Emergency Management Agency on an annual basis.

**DONE** this 23rd day of May, 2022.

**Agenda Item 11. NEW BUSINESS**

**11.a. Resolution 22-43 - Appropriating Additional Funds to KWCPs for FY '22 for Fuel - Natasha Joranlien, Director of Financial Services**

Ms. Joranlien said King William County Public Schools has requested additional funding be appropriated to their FY '2022 operating budget in the amount of \$100,000 to offset the increase in fuel expenses.

Vice Chair Hodges asked if this amount would carry them through June 30, 2022. Ms. Joranlien said it should carry them through the end of this financial year. She said she and Ms. Longest, KWCPs Director of Finance, look over actual revenues vs. what has already been appropriated monthly.

Supervisor Moskalski made a motion to approve Resolution 22-43; 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

**RESOLUTION 22-43  
 APPROPRIATING ADDITIONAL FUNDING FOR KING WILLIAM COUNTY PUBLIC SCHOOLS  
 FISCAL YEAR 2022 FOR FUEL EXPENSE**

**WHEREAS**, King William County Public Schools (KWCPs) has incurred increased fuel expenses over what was budgeted for FY '2022; and

**WHEREAS**, revenues available to KWCPs as of April 30, 2022 include:

Motor Vehicle License Revenue	\$421,508.93
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Food & Beverage Tax	<u>\$429,660.12</u>	
Total	\$851,169.05	and

**WHEREAS**, the FY '2022 Budget appropriated \$725,000 of these revenues to KWPCS, leaving a balance of \$126,169.05; and

**WHEREAS**, KWPS has requested additional funding be appropriated to their FY '2022 Operating Budget in the amount of \$100,000 to offset the increase in fuel expenses; and

**WHEREAS**, the King William County Board of Supervisors wishes to approve and appropriate additional funding in the amount of \$100,000 to the FY '2022 School Operating budget as requested by KWPCS;

**NOW, THEREFORE, BE IT RESOLVED** by the King William County Board of Supervisors that the FY '2022 School Operating Budget is amended via an appropriation of an additional \$100,000 to offset the increase in fuel expenses.

**DONE** this 23rd day of May, 2022.

**11.b. Broadband Conference Summary - Steve Hudgins, Deputy County Administrator and Edwin H. Moren, Jr., Chairman of the Board of Supervisors**

Chairman Moren provided an overview of topics discussed at the Broadband Together 2022 conference which he and Mr. Hudgins attended May 18-19, 2022. He said Virginia is leading Broadband development in the nation.

Mr. Hudgins went over the Commonwealth Connection map located at <https://commonwealth-connection.com/>. He said the data currently on the site is from last year. The information is sent to the state by ISPs. The FCC information is from 2020. Chairman Moren says the data on the FCC site shows King William County as being fully covered. This inaccurate information is what prompted the Commonwealth to create this site and begin updating the information. Supervisor Moskalski said this inaccurate FCC information was a barrier to the County in the past because federal money wasn't open to us due to their definition of rural. Chairman Moren said the site is under development and will get better. This is the site Mr. Innes referred to in his presentation. Supervisor Moren said the speed test shown on the site measures where the user is accessing the site from at that moment. It is not saying that is the speed available to the locality.

**11.c. FCC Affordable Connectivity Program - Edwin H. Moren, Jr., Chairman of the Board of Supervisors**

Chairman Moren provided information on the FCC's Affordable Connectivity Program. The program provides a discount towards monthly internet service and a one-time discount of up to \$100 for the purchase of a laptop, desktop computer, or tablet from participating providers for eligible households and those living on qualifying tribal lands. If you have received a federal Pell Grant during the current award year, you are also eligible for the discounts. Breezeline and Verizon

Wireless both participate in the program as will All Point Broadband. More information can be found at <https://affordableconnectivity.gov/> which is also where people can enroll.

Vice Chair Hodges said some discounts are available for people with disabilities. Chairman Moren said individual providers may offer a program.

Chairman Moren said DHCD also has a Line Extension Customer Assistance Program (LECAP) designed to support the extension of existing broadband networks to low-to-moderate income residents. <https://dhcd.virginia.gov/lecap>

**11.d. Resolution 22-44 - Reorganization of the King William County Social Services Board and Establishment of the King William County Social Services Advisory Board - Percy C. Ashcraft, County Administrator**

Mr. Ashcraft said the Director of Social Services resigned and left her position. He noted a correction needed to be made to the resolution presented deleting the end of line 12 and all of line 13, “and be governed by...”

Virginia Code §63.2-302 states the local board of Social Services for an individual county shall be, at the discretion of the governing body of the county, either a local government official or a local board consisting of residents of the county. King William currently has a local board which hires the Director of Social Services and provides oversight for the department. The County desires to move the department under the oversight of the Board of Supervisors by establishing the County Administrator as the local Social Services Board. When a local government official is the county board, State Code also requires the creation of an advisory board. The Advisory Board has no authority but monitors what’s going on in the community.

Mr. Ashcraft said right now, DSS follows all state policies except for two holidays and inclement weather procedures. Staff recommends the adoption of Resolution 22-44 which establishes the County Administrator as King William County’s local board of Social Services, eliminates the current Social Services Board, and establishes a Social Services Advisory Board. Staff will come back to the Board of Supervisors on June 13, 2022 with employee personnel policy recommendations. He said it is not the County’s intention to take anything away.

Vice Chair Hodges asked if we should wait until the personnel issues were determined. Supervisor Moskalski said he thinks we should know that first to make sure we don’t misunderstand what we’re getting into. He said he doesn’t want to rush in. Supervisor Garber said the intent of Resolution 22-44 is just a first step and defines the local board of Social Services. He said this is something that needs to be done quickly.

Vice Chair Hodges said we don’t know about personnel benefits. Supervisor Garber said we do know. The main difference is the roll-over of leave. He said no one is affected adversely. He said the courts are currently not happy with King William DSS.

Supervisor Moskalski said he has a bad feeling that we don’t have the full picture.

Supervisor Garber said the only way to regain the confidence of the courts is to do something now. The main issue is oversight of the department and providing an island for employees to bring grievances.

Mr. McRoberts said the Board of Supervisors has the authority to decide who is the local board of Social Services for King William County.

Supervisor Moskalski said he is concerned about benefits management and especially, if there are limits to the authority that can be exercised there.

Supervisor Garber said that the current Social Services Board appointed the County Administrator as interim Director of Social Services and can also dismiss him whenever they want.

Supervisor Moskalski asked if we are confident we have the resources to become the HR manager for the department. Mr. Ashcraft said yes.

Vice Chair Hodges asked why we aren't just bringing the department under the County's personnel policy. Mr. Ashcraft said he is concerned some senior employees may lose some accrued leave.

Mr. Ashcraft said passing the resolution would make the County Administrator the local board of Social Services immediately and give him authority. For now, the benefits would stay the same as they are currently.

Vice Chair Hodges asked if employees are compensated differently. Mr. Ashcraft said it is similar to Constitutional Officers and the Compensation Board. He said many other localities have switched to this model and it's working for them. He said 85% of the funding comes from the State Department of Social Services. It does not come from the Compensation Board.

Mr. Ashcraft gave the example of Governor Northam's desire to remove teleworking and bring state employees back to the office. Social Services doesn't fall under that currently. They have their own internal policy and have been continuing to telework. He said the State governs funding things and the locality governs other things. As interim, he has frozen teleworking and brought employees back to the office. Supervisor Garber said people go to DSS because they need help. Teleworking is a problem because no one is physically there to help them.

Supervisor Greenwood asked what happens with the Director. Mr. Ashcraft said they would be just like any other Department Head and would report to him.

Vice Chair Hodges asked if the Advisory Board would have a Board of Supervisors member. Mr. Ashcraft said if the Board wants it to. Supervisor Garber said the current members were asked to submit a community service application if they wanted to stay. There would be no compensation. There would be no Advisory Board until the Board of Supervisors appoints members to it.

Chairman Moren asked if there's anything that can't be done regarding HR. Mr. Ashcraft said some benefits will be lost. Supervisor Garber said the County also offers some benefits DSS staff currently do not have.

Supervisor Garber made a motion to approve Resolution 22-44; Supervisor Greenwood seconded the motion. The Chairman called for any discussion. The members were polled:

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

### **RESOLUTION 22-44R**

#### **REORGANIZATION OF THE KING WILLIAM COUNTY SOCIAL SERVICES BOARD AND ESTABLISHMENT OF THE KING WILLIAM COUNTY SOCIAL SERVICES ADVISORY BOARD**

**WHEREAS**, the Virginia Code § 63.2-302 states the local board of Social Services serving a single county shall be, at the discretion of the governing body of the county, either a local government official or a local board consisting of residents of the county; and

**WHEREAS**, the King William County Board of Supervisors desires the King William County Board of Social Services to be the County Administrator; and

**WHEREAS**, the King William County Board of Supervisors desires that all employees of the King William County Department of Social Services report to the local DSS Director, who is appointed and supervised by the King William County County Administrator ~~and be governed by the King William County Personnel Policies and Procedures~~; and

**WHEREAS**, the Virginia Code § 63.2-305 states if the governing body of the county designates, under the provisions of Virginia Code § 63.2-302, a local government official as constituting the local board, such governing body shall appoint a board to serve in an advisory capacity to such local government official with respect to the duties and functions imposed upon him by state law; and

**WHEREAS**, the King William County Board of Supervisors desires to create the advisory board as required by Virginia Code § 63.2-305;

**NOW, THEREFORE, BE IT RESOLVED** by the King William County Board of Supervisors as follows:

**BE IT RESOLVED** that the County Administrator of King William County, Virginia is hereby designated as the County’s Local Board of Social Services as permitted by Virginia Code § 63.2-302, effective immediately, with the powers and duties of such a board as stated therein and elsewhere in Chapter 3 of Title 63.2 of the Code of Virginia (1950), as amended; and

**BE IT FURTHER RESOLVED** that the current King William County Social Services Board is hereby eliminated, effective immediately; and

**BE IT FURTHER RESOLVED** that all employees of the King William County Department of Social Services shall report to the local DSS Director, who is appointed and supervised by the King William County County Administrator; and

**BE IT FURTHER RESOLVED** that the King William County Social Services Advisory Board is hereby established in accordance with Code of Virginia § 63.2-305, effective immediately, with the powers and duties as stated therein and elsewhere in Chapter 3 of Title 63.2 of the Code of Virginia (1950), as amended; and

**BE IT FURTHER RESOLVED** that the King William County Social Services Advisory Board shall consist 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

**BE IT FINALLY RESOLVED** that the King William County Board of Supervisors thank each of the members of the outgoing King William County Social Services Board for their service to the County and to its citizens.

**DONE** this 23rd day of May, 2022.

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

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

Mr. Ashcraft provided the Board with an updated copy of his monthly report.

**12.b. Consideration of Special Meeting for FOIA and Parliamentary Procedure Training - Percy C. Ashcraft, County Administrator**

Mr. Ashcraft said the County would like to present FOIA and parliamentary procedure training for all County Boards and Commissions and their staff liaisons. Chairman Moren said to also look for online resources. Supervisor Moskalski said in-person is more engaging and interactive. He asked if it would be done during a Work Session. Mr. Ashcraft said it would be offered on a different night. Staff will look at dates and coordinate with the Board.

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

Vice Chair Hodges said VDOT has started paving the crosswalks in West Point. He said the first Food Truck event at the Pavilion will be Friday night.

Supervisor Moskalski said it was nothing personal with the DSS matter, he just has a bad feeling about it. He reminded the Board that he would not be at the next Work Session.

Supervisor Greenwood said the Zoom numbers seem to be dwindling and thanked people for coming. He said there was an accident and garage fire on Route 30. He said COVID is coming back, be careful, and get your boosters.

Supervisor Garber said COVID is on the rise. He wished people a happy Memorial Day. He said the DSS resolution was needed and thanked people for coming.

Chairman Moren said he is proud of where the County is with Broadband expansion and thanked people for coming.

**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. Supervisor Greenwood seconded the motion. The Chairman called for any discussion. The members were polled:

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

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

Supervisor Moskalski made a motion to reconvene in Open Session. Supervisor 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

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

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

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

**STANDING RESOLUTION – 1 (SR-1)**

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the King William County Board of Supervisors on this 23rd day of May, 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 23rd day of May, 2022.

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

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

**Agenda Item 15. APPOINTMENTS**

**15.a. Resolution 22-45 - Appointment to the Wetlands Board**

Supervisor Garber moved for adoption of Resolution 22-45 appointing Stephanie Pollard to the Wetlands Board of Directors for a five-year term ending September 30, 2027; the motion was seconded by Supervisor Moskalski. 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 22-45  
APPOINTMENT TO THE WETLANDS BOARD OF DIRECTORS**

**WHEREAS**, there are currently at least two vacancies on the Wetlands Board of Directors; and

**WHEREAS**, Stephanie Pollard of District 1 has expressed interest in an appointment to the Wetlands Board of Directors; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County, Virginia that Stephanie Pollard is appointed to the Wetlands Board of Directors for a five-year term ending September 30, 2027.

**DONE** this 23rd day of May, 2022.

**15.b. Resolution 22-46 - Appointment to the Pamunkey Regional Library Board of Trustees for West Point**

Supervisor Greenwood moved for adoption of Resolution 22-46 appointing John B. Edwards, Jr. to the Pamunkey Regional Library Board of Trustees for the remainder of a four-year term ending June 30, 2025; the motion was seconded by Supervisor Moskalski. 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 22-46**

**APPOINTMENT TO THE PAMUNKEY REGIONAL LIBRARY BOARD OF TRUSTEES**

**WHEREAS**, the second term of Mary Montague Sikes representing the Town of West Point on the Pamunkey Regional Library Board of Trustees ended June 30, 2021; and

**WHEREAS**, the Code of Virginia §42.1-39 states no appointive member shall be eligible to serve more than two successive terms; and

**WHEREAS**, the Town of West Point has recommended the appointment of John B. Edwards, Jr. to fill the vacancy on the Pamunkey Regional Library Board; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the County of King William, Virginia that John B. Edwards, Jr. be appointed to the Pamunkey Regional Library Board of Trustees for the remainder of a four-year term ending June 30, 2025.

**DONE** this 23rd day of May, 2022.

**Agenda Item 16. ADJOURN OR RECESS**

Supervisor Greenwood made a motion to adjourn the meeting; seconded by Supervisor Moskalski. The Chairman called for any discussion. The members were polled:

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

COPY TESTE:

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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