

**APPROVED MINUTES  
KING WILLIAM COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING OF JUNE 27, 2022**

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 27th day of June 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**

Vice Chair Hodges made a motion to add a discussion of the Pamunkey Regional Library as Item 9d. 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.	Aye
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Chairman	Aye

Supervisor Garber moved for the adoption of the amended agenda with the addition approved above; 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

**Agenda Item 6. PUBLIC COMMENT**

Chairman Moren opened the Public Comment period.

Libby from Aylett addressed Mr. Ashcraft. Chairman Moren told the young lady to only address the Board. She said she was told that everything regarding DSS decisions were on hold in the interest of the department as well as those affected. She said that she is one of the 23 cases DSS currently has and you cannot put a child's life on hold. She further said she needed transportation home at the conclusion of the meeting.

Lisa Mason of District 2 said Zebulon's Grotto continues to operate despite violations and is out of compliance with Planning & Zoning regulations. She asked for a VDOT site study on the road and asked how long is this going to go on. She asked who they are to call next weekend when guests arrive for the holiday.

Charles Snead of District 2 said he currently has an application for a CUP for a campground on his property. He said his CUP did not get a fair hearing at the Planning Commission meeting and public hearing on June 7, 2022. He said he attended expecting to address questions however there were no questions and no discussion on the CUP or permit. Instead the discussion was over past violation notices and neighbor complaints and he was subjected to a litany of negative viewpoints. He said he was not prepared to discuss and defend past violations. He said he was demonized and discriminated against by his neighbors who were allowed to continue speaking for more than six minutes. He said he has been working with Planning and Zoning to meet compliance and has been through four Zoning Administrators, each with a different interpretation of the codes. He said there is intolerance and harassment by ill-intentioned neighbors. He has emailed each Board member and would like to meet with them individually to discuss his concerns. He said his goal is to be a strong financial asset to King William which people will be proud to mention to others.

Written comments from Chris Couch of District 5 were provided to the Board (Attachment A).

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

**Agenda Item 7. CONSENT AGENDA**

Consent Agenda items were:

- a. Approval of Minutes:
  - i. May 9, 2022 Work Session Draft Minutes
  - ii. May 23, 2022 Regular Meeting Draft Minutes
- b. Approval of Expenditures - May 2022
- c. **Resolution 22-47** – Directing the Treasurer to Issue a Business License Tax Overpayment

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, 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 22-47**

### **A RESOLUTION DIRECTING THE TREASURER OF KING WILLIAM COUNTY TO ISSUE A BUSINESS LICENSE TAX REFUND DUE TO OVERPAYMENT**

**WHEREAS**, the Commissioner of the Revenue has determined an overpayment of business license tax in the amount of \$28,915.52 has been made by [REDACTED] (“the taxpayer”); and

**WHEREAS**, the Commissioner of the Revenue has determined that the taxpayer paid all taxes due based on an erroneous estimation of gross receipts on their 2022 Business License application and is entitled to a refund of excess taxes paid. Such refund has been consented to by the County Attorney as provided for in Section 58.1-3981 of the Code of Virginia; and

**WHEREAS**, the Board is required to direct the Treasurer to issue a tax refund for erroneous tax payments for amounts exceeding \$2,500;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of King William County directs the Treasurer to issue a refund of \$28,915.52 to [REDACTED].

**DONE**, this the 27th day of June, 2022.

#### **Agenda Item 8. PRESENTATION**

##### **8.a. Taxing Authority Consulting Services (TACS) Presentation – John A. Rife, Attorney**

Mr. Rife said TACS has worked with the King William County Treasurer for about 1.5 years and collected approximately \$1 million. Originally, 271 accounts were placed with TACS. 100 have been paid in full and balances are left on 171 of them. Of those, and 70 are making payments with about 30 of the 70 making regular payments.

Supervisor Garber asked how many accounts have balances. Mr. Rife said 171 which includes those on payment plans.

Mr. Rife said they will hold their first sale in September of about 20 parcels. The auction, conducted through Virginia Auction Company, is not yet scheduled. There is no cost to the County for the auction. It is held on a buyer’s premium basis and will be hybrid (online and in-person).

Mr. Rife said they make a concerted effort to locate owners, heirs, etc. and try to keep costs as low as possible. If they qualify for non-judicial sale, they go that way.

Supervisor Garber asked if owners pay all the fees. Mr. Rife said yes, the first thing they pay is the County's cost. They have recovered \$12,500 in costs and approximately \$20,000 is still outstanding. Another auction will be held in early 2023.

Vice Chair Hodges asked if they have been unable to locate some heirs. Mr. Rife said they find most during the title review stage.

Supervisor Garber how long an account is delinquent before it can be turned over to TACS. Mr. Rife said it must be at least 90 days but most don't turn over that quickly.

Supervisor Greenwood asked if there has been no contact with the remaining 100 outstanding accounts. Mr. Rife said some of them are in a payment plan. They must pay 25% down if the case is pre-litigation or 50% down if the case is post-litigation.

Supervisor Garber asked if parcels are sold if the payment plan is defaulted. Mr. Rife said not necessarily. The statute says you can't go on another payment plan if you have defaulted on one. Supervisor Garber asked when it goes into delinquency. Mr. Rife said 15 days after the due date.

Mr. Rife said there are currently only two accounts in litigation.

Chairman Moren asked if TACS performs the work on auto pilot or receives direction from the Treasurer. Mr. Rife said the Treasurer's office tells TACS what's being advertised as delinquent and coordinates with them on the auction location. It is the Treasurer's decision if someone wants to stretch out the payment plan due to hardship.

Chairman Moren asked if people are being driven from their homes. Mr. Rife said no. Less than 5% of the parcels are owner occupied.

Chairman Moren asked up until what point can a person still pay. Mr. Rife said until the gavel falls.

Vice Chair Hodges asked if TACS tracks lottery winners. Mr. Rife said they research that as well as other resources of possible sources of payment.

## **Agenda Item 9. OLD BUSINESS**

### **9.a. Lease Agreement with the King William Historical Society - Percy C. Ashcraft, County Administrator**

Supervisor Moskalski made a motion to approve the lease agreement with the King William Historical Society as presented. 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

**9.b. Recreation Expansion Plan Discussion - Percy C. Ashcraft, County Administrator**

Mr. Ashcraft said Hill Studio has the lower bid and a better feel for the County since they worked on the Comprehensive Plan.

Supervisor Moskalski made a motion to approve the Parks & Recreation Extension to the King William County Comprehensive Plan agreement with Hill Studio. Supervisor Garber seconded the motion. The Chairman called for any discussion. All were in favor with none opposed.

Chairman Moren asked where we'd be in five to ten years. Mr. Ashcraft said we have the core in place now but it is underutilized, especially the state forests. Parks & Recs numbers are increasing and we only have one soccer field. The baseball fields need improvement and expansion, especially for parking. The youth football program has no home. There are no walking trails or tennis courts. The plan covers anything having to do with recreation in the County and will focus on the Central Garage area and investigating ways to move the next wave of expansion towards the center of the County.

Chairman Moren asked who is managing the expansion plan program. Mr. Ashcraft said County Administration with the Planning Department, Recreation Commission, and school divisions.

Vice Chair Hodges said he got a parking complaint today. Mr. Ashcraft said parking is needed at King William Park. Supervisor Garber said it is currently too far from the ball field.

**9.c. DSS Personnel Discussion - Percy C. Ashcraft, County Administrator**

Mr. Ashcraft said the Board recently brought the Social Services Board in-house. Traditionally, DSS employees have followed state guidelines and policies. Mr. Ashcraft and Nita McInteer, HR Manager, have met with state representatives and recommend DSS employees stay under the state policies with three deviations. Mr. Ashcraft said nothing in state policy conflicts with County policy. He said DSS employees are similar to Constitutional Officers in that they are funded in part by the State Comp Board. The three deviations recommended are following the County holiday schedule, inclement weather policy, and grievance procedure.

Supervisor Garber asked how the DSS employees have responded. Mr. Ashcraft said some were nervous but everyone is on board as far as he can tell. He said this provides a stable policy for them.

Supervisor Garber made a motion to approve the DSS Human Resources policies as presented. 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

#### **9.d. Library Discussion - Percy C. Ashcraft, County Administrator**

Chairman Moren said he, Mr. Ashcraft, Mr. Edwards from West Point, and King William's PRL Board of Trustees representative, Mary Shipman, met earlier that day with Mr. Shepley to discuss the cutting of hours and learned a few things about how Mr. Shepley arrived at his budget figure.

Vice Chair Hodges proposed the County pay the extra money to get the hours back. He said he doesn't want to pay \$400,000 for 16 hours of service.

Supervisor Greenwood said he is not in favor of giving in to them just to get hours.

Supervisor Garber said he is not in favor either.

Supervisor Greenwood asked if the library guaranteed they'd give back the hours.

Chairman Moren said the reduced hours were scheduled to begin July 5<sup>th</sup>.

Supervisor Garber said there was no negotiation on the library's part. Vice Chair Hodges said he thought there was some. Supervisor Garber said they came down \$17,000 from their initial ask.

Chairman Moren said we either pay \$444,597 for 15 hours of service or \$590,000 for 52 hours.

Supervisor Garber asked if the amount would go up again next year. Chairman Moren said we don't know.

Supervisor Greenwood said we needed to look for other options.

Chairman Moren said we can't have another option in place by July 5<sup>th</sup> and we don't have another option yet.

Supervisor Moskalski said we can't do anything in two weeks. More legwork, meetings, etc. are needed. He said he doesn't appreciate the way this was done by the library and is very displeased. He said he is sympathetic to those using the services and it seems unnecessarily cruel to users. He asked if the Board wanted their legacy to be that they shut down the library. He said it doesn't make good sense to pay \$444,597 for 15 hours.

Supervisor Garber asked the County Attorney, Andrew McRoberts, the legal implications of withdrawing and how it could be done without being sued. Mr. McRoberts said he'd need to talk with the County Administrator and look into it.

Supervisor Greenwood asked if using Unassigned Funds was allowed without a public hearing. Mr. McRoberts said a public hearing is only required if the amount is over 2% of the budget.

Supervisor Greenwood asked if all the other counties gave in to the library's demands. Mr. Ashcraft said yes.

Vice Chair Hodges made a motion to increase funding to the library using the Unassigned Fund. Supervisor Moskalski seconded the motion. The Chairman called for any discussion. The members were polled:

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

Chairman Moren encouraged people to use the services and not make the County waste this money. He asked the Friends of the Library to provide feedback to the Board.

### **Agenda Item 10. NEW BUSINESS**

#### **10.a. Resolution 22-48 - Endorsing the Submission of Smart Scale Applications Requesting Transportation Funding - Sherry Graham, Director of Planning**

Ms. Graham said the County is down to three Smart Scale applications from five.

Chairman Moren asked why left turns and U-turns were being prohibited on Mill Road. Ms. Graham said VDOT said they weren't going to stop the turns completely but having a concrete island so both lanes can't go at the same time because it was causing accidents.

Supervisor Greenwood asked what was dropped. Ms. Graham said West Point did not want the one there and the other VDOT said they didn't feel warranted Smart Scale.

Ms. Graham said updates on the projects would begin in January.

Supervisor Garber made a motion to approve Resolution 22-48. 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

#### **10.b. Regional Jail In-House Road Crew - Jeff Walton, Sheriff**

Sheriff Walton said the Middle Peninsula Regional Security Center (MPRSC) has discussed bringing back an in-house road crew. This service was stopped in the past due to budget cuts and all the landscaping equipment was sold.

The County would provide the tools and equipment for any work they'd want done. The estimated cost is \$141,173 for the first year. If all member jurisdictions chose to participate, each would pay \$28,235.

Sheriff Walton said all other localities may not be on board. He knows of at least two who are not. He said there are not a lot of people needing community service hours right now in the County who could be used to help pick up trash. The crew would have 4-5 workers and they'd all have to do the same task because there would only be one guard allocated. He said he told the MPRSC Superintendent that he doesn't like asking for more money after the budget has just passed.

Chairman Moren asked if the opportunity to participate would still be around in a year. Sheriff Walton said yes. He thinks it's a good idea because we don't have a concentrated effort to keep the County clean. The work crew would be available one day per week.

Supervisor Garber asked if they'd work eight-hour days. Sheriff Walton said probably six.

Chairman Moren asked if they'd come every week. Sheriff Walton said yes, depending on weather.

Vice Chair Hodges said if only three localities participated, they could be available more often but it would also be more expensive.

Chairman Moren asked if the work crew would stress the Sheriff's resources. Sheriff Walton said no.

Chairman Moren asked if all members of the crew would be non-violent offenders. Sheriff Walton said yes and the size and availability of the crew would also be dependent on the current inmate population.

Sheriff Walton recommended waiting until next year and exploring the idea in more depth before budget time. The general consensus of the Board was to follow the Sheriff's recommendation.

#### **10.c. July 18, 2022 Special Work Session w/Planning Commission - Percy C. Ashcraft, County Administrator**

Mr. Ashcraft said the Planning Commission has requested a joint work session with the Board to discuss revisions to the current Zoning Ordinance. They would like the Board's input before advancing further. The general consensus of the Board was to propose Wednesday, July 20<sup>th</sup>, as the date.

#### **Agenda Item 11. 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. He added to the Meetings & Special Dates July 21<sup>st</sup> – Blood Drive. He said the foliage testing for the new Public Safety Radio System began June 20<sup>th</sup> and has been successfully implemented but not yet completed. He also mentioned that three KW Little League teams are headed to the state championship.

Supervisor Garber asked if the Reassessment field appraisers need permission to go on private property. Sheriff Walton said if people don't want them there, ask them to leave and they will leave. The field appraisers knock on the door to ask homeowners' permission and they've been mostly agreeable.

Chairman Moren asked staff to check with Dominion to see if they're expecting supply chain problems like Rappahannock Electric Cooperative.

Supervisor Garber asked if King & Queen County was paying 50% towards the new flooring at the Regional Animal Shelter. Mr. Hudgins said yes, they pay as part of their budget.

Vice Chair Hodges asked if the graduating firefighters were already in the budget. Mr. Ashcraft said yes.

Supervisor Garber asked if the dispatcher recently hired was already in the budget. Sheriff Walton said yes, it was a vacant position.

### **11.b. Six-Month Work Plan – Percy C. Ashcraft, County Administrator**

Mr. Ashcraft said department heads submitted their goals and objectives for the next six months based on the Comprehensive Plan and Board direction. This is a roadmap for what the department hopes to accomplish over and above their daily tasks. Department heads will be held accountable and evaluated on completion of each item. There are 187 goals submitted and agreed upon by County Staff and Administration.

Chairman Moren said he'd like to see it go for six months and see how it works. He asked if the six hours of professional development were for every employee. Mr. Ashcraft said yes utilizing Weldon Cooper, in-house training, and outside sources. It will jump to 12 hours next year.

Each department has also been tasked with visiting another locality to learn and share best practices.

### **11.c. Board Information**

Chairman Moren said there is great detail provided on the reports and remarked that VDOT seems busy in the County.

Vice Chair Hodges asked if recycling drop-off sites are listed on the County website. Mr. Ashcraft said yes.

### **Agenda Item 12. BOARD OF SUPERVISORS' COMMENTS**

Vice Chair Hodges said he's glad they did something with the library and we need to continue looking at other options. He said it would be very expensive to do it on our own.

Supervisor Moskalski said it didn't make sense to pay all that money for 16 hours and funding the library was financially wise, at least for the short-term. He said the situation could've been handled better from the start and he places a lot of that on the Library Director. He feels much better now that Mr. Edwards is on the Library Board and he answered questions Mr. Shepley didn't. He said we owe it to the taxpayers and library users to look further.

Supervisor Greenwood thanked people for coming and said he didn't want to be held hostage by someone demanding more money. He feels others will now do the same.

Supervisor Garber said \$88,000 of the library request was for salaries, \$89,000 with West Point and that's not a majority. He said he sat in on the library meeting today and didn't get any answers to his questions. He said we need to continue looking at other options. He agrees with Supervisor Greenwood that he doesn't want to be held hostage and this opens the door for others to do the same. He wished everyone a happy 4<sup>th</sup> of July.

Chairman Moren said to be safe on the 4<sup>th</sup> and celebrate as Americans. He congratulated the KW Little League champs and wished them good luck.

**Agenda Item 13. CLOSED MEETING**

**13.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 employment and performance of specific public employees and the appointment of individuals to Boards and Commissions and in accordance with Section 2.2-3711 (A)(7) of the Code of Virginia to consult with legal counsel, consultants, and/or staff on a matter of probable litigation in which the County may become involved. 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

**13.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

**13.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 27th day of June, 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 27th day of June, 2022.

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

No action was taken as a result of the Closed Meeting other than Appointments in Item 14.

**Agenda Item 14. APPOINTMENTS**

**14.a. Resolution 22-49 - Appointments to the Board of Zoning Appeals**

Supervisor Moskalski moved for adoption of Resolution 22-49 recommending William “Walt” Bailey to the Board of Zoning Appeals for an unexpired term ending June 30, 2025 and W. Brian Hodges for a five-year term ending June 30, 2027; the motion was seconded by Supervisor Garber. 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 22-49  
RECOMMENDATION FOR APPOINTMENT(S) TO THE BOARD OF ZONING APPEALS**

**WHEREAS** there is currently one vacancy on the Board of Zoning Appeals (BZA) due to the resignation of Doris White with a term expiration of June 30, 2025; and

**WHEREAS** there is currently one additional term on the BZA expiring June 30, 2022 which is currently held by Benjamin Shumaker, who is not seeking reappointment; and

**WHEREAS** Benjamin Shumaker has expressed a willingness to fill Ms. White’s unexpired term until a replacement can be appointed; and

**WHEREAS** three additional applicants have expressed interest in serving on the BZA – Walt Bailey, Brian Hodges, and Jeanette Wagner; and

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

**WHEREAS** the Board of Supervisors now desires to make a recommendation to the King William County Circuit Court for appointments to these positions;

**NOW, THEREFORE, BE IT RESOLVED** that the King William County Board of Supervisors does recommend to the King William County Circuit Court that William “Walt” Bailey be appointed to the Board of Zoning Appeals for an unexpired term ending June 30, 2025; and

**BE IT FURTHER RESOLVED** that W. Brian Hodges is recommended for appointment to the Board of Zoning Appeals for a five-year term ending June 30, 2027.

**DONE** this 27th day of June, 2022.

**14.b. Resolution 22-50 - Appointments to the Economic Development Authority Board**

Supervisor Moskalski moved for adoption of Resolution 22-50 appointing D. Straughan Robinson, III for an unexpired term ending June 30, 2023 and Robert Hardwick for a four-year term ending June 30, 2026; the motion was seconded by Supervisor Greenwood. 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 22-50  
APPOINTMENT/REAPPOINTMENT TO THE  
ECONOMIC DEVELOPMENT AUTHORITY BOARD OF DIRECTORS**

**WHEREAS**, there is currently one vacancy on the Economic Development Authority (EDA) Board of Directors due to the resignation of Travis Longest with a term expiration of June 30, 2023; and

**WHEREAS**, there is currently one additional term on the EDA expiring June 30, 2022 which is currently held by W. Brian Hodges; and

**WHEREAS**, six applicants have expressed interest in serving on the EDA – Raymond Carter, Elizabeth Copeland, Brian Hodges, Robert Hardwick, Justin Horning, and D. Straughan Robinson, III; and

**WHEREAS**, the Economic Development Authority met to review applicants during a Closed Meeting on June 8, 2022 and have provided the Board of Supervisors with their recommendations; and

**WHEREAS**, the Board of Supervisors now desires to make appointments or reappointments to these open positions;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County, Virginia that D. Straughan Robinson, III be appointed to the Economic Development Authority Board of Directors for an unexpired term ending June 30, 2023; and

**BE IT FURTHER RESOLVED** that Robert Hardwick be appointed/reappointed to the Economic Development Authority Board of Directors for a four-year term ending June 30, 2026.

**DONE** this 27th day of June, 2022.

**14.c. Resolution 22-51 - Appointment to the Planning Commission**

Supervisor Garber moved for adoption of Resolution 22-51 appointing James D. Kellum to the Planning Commission for a four-year term ending June 30, 2026; 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	Nay
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges – Vice Chair	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Chairman	Nay

**RESOLUTION 22-51  
APPOINTMENT TO THE PLANNING COMMISSION**

**WHEREAS**, there is currently one term on the Planning Commission for District 3 expiring June 30, 2022 which is currently held by John Breeden; and

**WHEREAS**, Mr. Breeden has expressed his desire for reappointment; and

**WHEREAS**, three additional applicants from District 3 have expressed interest in serving on the Planning Commission – Walt Bailey, Elizabeth Copeland, and James D. Kellum; 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 James D. Kellum be appointed to the Planning Commission for a four-year term ending June 30, 2026.

**DONE** this 27th day of June, 2022.

**14.d. Resolution 22-52 - Appointments to the Recreation Commission**

Supervisor Moskalski moved for adoption of Resolution 22-52 reappointing William Faulkner (District 3), Veda Frazier (District 4), and Troy Simons (District 5) to the Recreation Commission, each for a three-year term ending June 30, 2025; 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

**RESOLUTION 22-52  
REAPPOINTMENTS TO THE RECREATION COMMISSION**

**WHEREAS**, there are currently three terms expiring on the Recreation Commission on June 30, 2022 which are currently held by William Faulkner (District 3), Veda Frazier (District 4), and Troy Simons (District 5); and

**WHEREAS**, Mr. Faulkner, Ms. Frazier, and Mr. Simons have all expressed their desire for reappointment; and

**WHEREAS**, one additional applicant from District 4 has expressed interest in serving on the Recreation Commission – Robert Hardwick; and

**WHEREAS**, the Board of Supervisors now desires to make appointments/reappointments to these positions;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County, Virginia that William Faulkner (District 3), Veda Frazier (District 4), and Troy Simons (District 5) be reappointed to the Recreation Commission, each for a three-year term ending June 30, 2025.

**DONE** this 27th day of June, 2022.

**14.e. Resolution 22-53 - Appointments to the Wetlands Board**

Supervisor Moskalski moved for adoption of Resolution 22-53 appointing Charles F. Piersa to the Wetlands Board of Directors for an unexpired term ending September 30, 2023 and Elizabeth Copeland as an alternate member for an unexpired term ending September 30, 2027; the motion was seconded by Supervisor Greenwood. The Chairman called for any discussion. The members were polled:

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

**RESOLUTION 22-53  
APPOINTMENT(S) TO THE WETLANDS BOARD OF DIRECTORS**

**WHEREAS**, there is currently one member with a term expiration of September 30, 2023 who has expressed a desire to step down from the Wetlands Board of Directors; and

**WHEREAS**, the Code of Virginia §28.2-1303 requires that at least one but not more than three alternate members be appointed with the same qualifications, terms, and compensation of other members and that any member who knows that he will not be able to attend a board meeting shall notify the chairman at least 24 hours in advance of such meeting and the chairman shall select an alternate member to serve in place of the absent member at the board meeting; and

**WHEREAS**, Elizabeth Copeland and Benjamin Shumaker have expressed interest in appointment to the Wetlands Board of Directors; and

**WHEREAS**, the Board of Supervisors now desires to make an appointment(s) to these open positions;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of King William County, Virginia that Charles F. Piersa is appointed to the Wetlands Board of Directors for an unexpired term ending September 30, 2023; and

**BE IT FURTHER RESOLVED** that Elizabeth Copeland is appointed as an alternate member to the Wetlands Board of Directors for an unexpired term ending September 30, 2027.

**DONE** this 27th day of June, 2022.

**14.e. Resolution 22-XX - Appointment(s) to the Social Services Advisory Board (Tentative)**

No appointments to the Social Services Advisory Board were made.

**Agenda Item 15. ADJOURN OR RECESS**

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

Supervisor, 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

# ATTACHMENT A

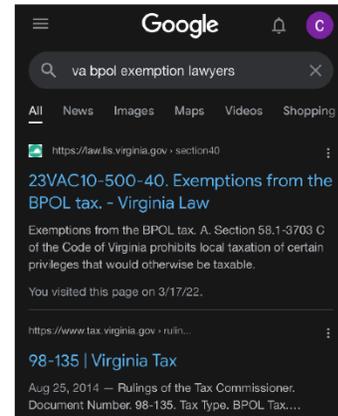
## Comments for the Board of Supervisors, June, 2022 from Chris Couch, District

In the March 2022 meeting three separate issues regarding Sands Anderson's engagement with King William County (KW) were raised: the increase to the hourly rate card, the out-of-pocket expenses, and the lack of a KW business license while providing services in and to KW.

Only one of these questions was addressed – the business license.

Over \$1k in fees were charged to research this issue that could have been confirmed in a 5-minute discussion with the KW CoR. Even a simple Google search for "VA BPOL EXEMPTION LAWYER" brings up the two documents referenced by the firm at the top of the search. It took \$1k from a firm that supposedly has existing, specialized expertise in VA State Code to research a 5-minute question – one they should have already known.

In providing this answer to the BoS, this confirms the KW Board of Supervisors has full awareness and acceptance that 100% of the fees paid by KW taxpayers to Sands Anderson (~\$380,000 to date) goes directly to increasing Richmond City's business tax revenue and contributes \$0 to KW tax base.



What does this firm do for our community? What KW charities does Sands Anderson support? What local businesses do they frequent?

### **Failure to Respond & Selective Responses**

What about Sands Anderson's justification for the "out-of-pocket costs" they are charging KW taxpayers? On April 2, 2022, these questions were again asked in an email to the BoS, the County Attorney, and the County Administrator. Not a single response has been provided to support these pass-through expenses.

A consistent theme with Sands Anderson services is a failure to fully respond to all relevant and material questions. In another example, 30 pages of materials were provided clearly articulating a position and the lawyers at Sands Anderson charged KW on a ~\$1,700 line item (on their way to over \$50k in fees) to "review with co-counsel which taxpayer's arguments to respond to".

Date	Init	Description of Service	Hours	Amount
2/27/20	DLM	Draft response from Commissioner to taxpayer administrative appeal regarding applicability of food and beverage tax to salads; Review with co-counsel which taxpayer's arguments to respond to.	5.10	1,657.50

Seems to be standard operating procedures when Sands Anderson lawyers can't or don't want to address a legitimate question, they just ignore it. Is this what the BoS considers highly specialized, professional services?

### **Expenses**

The term out of pocket reimbursable cost implies that if \$1 is taken out of pocket, then \$1 is reimbursed to put back in pocket. It does not mean that \$10 is paid back – that would be profit. If Sands Anderson can support their out-of-pocket cost with a detailed build up (and how could they charge the expense if they haven't already determined it) then I stand to be corrected.

### **Dangerous Dog Ordinance**

After racking up ~\$5,000 in fees this board received better legal counsel from Sheriff Walton, who suggested rather than revise an outdated ordinance to repeal it and follow the state code. This advice was taken by the Board and \$5,000 was spent on Sands Anderson for NOTHING to show for it! Stakeholder, scope, and requirement management are basic professional service services this law firm fails to perform.

### **KW Historical Society Lease**

Over \$7,000 in fees to support the renewal of a contract with a financial value to King William County of \$10/year.

### **County Attorney Strategy**

What is this Board's strategy for the county legal services? Is the strategy to outsource legal counsel indefinitely, never bringing resident knowledge and capability in-house?

Does this Board fully support all the fees and expenses incurred by Sands Anderson to date?

**Summary of Sands Anderson Fees to King William County**

Sands Anderson Legal Time and Fees Invoiced to King William County (9/19 - Present)										
MONTH YEAR	Lawyer Hours	Paralegal Hours	Total Hours	Lawyer Hour %	Paralegal Hour %	Lawyer Fees	Paralegal Fees	Total Service Fees	Lawyer Fee % of Total	Paralegal Fee % of Total
Sep-19	47.7	0.3	48.0	99.4%	0.6%	\$ 15,502.50	\$ 55.50	\$ 15,558.00	99.6%	0.4%
Oct-19	74.7	0.0	74.7	100.0%	0.0%	\$ 24,277.50	\$ -	\$ 24,277.50	100.0%	0.0%
Nov-19	83.3	2.4	85.7	97.2%	2.8%	\$ 27,072.50	\$ 444.00	\$ 27,516.50	98.4%	1.6%
Dec-19	40.1	1.0	41.1	97.6%	2.4%	\$ 13,032.50	\$ 185.00	\$ 13,217.50	98.6%	1.4%
Jan-20	60.6	0.0	60.6	100.0%	0.0%	\$ 19,695.00	\$ -	\$ 19,695.00	100.0%	0.0%
Feb-20	67.1	2.0	69.1	97.1%	2.9%	\$ 21,807.50	\$ 370.00	\$ 22,177.50	98.3%	1.7%
Mar-20	45.7	0.0	45.7	100.0%	0.0%	\$ 14,852.50	\$ -	\$ 14,852.50	100.0%	0.0%
Apr-20	38.4	3.2	41.6	92.3%	7.7%	\$ 12,480.00	\$ 592.00	\$ 13,072.00	95.5%	4.5%
May-20	29.3	5.0	34.3	85.4%	14.6%	\$ 9,522.50	\$ 925.00	\$ 10,447.50	91.1%	8.9%
Jun-20	50.3	0.0	50.3	100.0%	0.0%	\$ 16,347.50	\$ -	\$ 16,347.50	100.0%	0.0%
Jul-20	49.1	1.1	50.2	97.8%	2.2%	\$ 15,957.50	\$ 203.50	\$ 16,161.00	98.7%	1.3%
Aug-20	54.4	3.0	57.4	94.8%	5.2%	\$ 17,680.00	\$ 555.00	\$ 18,235.00	97.0%	3.0%
Sep-20	31.9	0.0	31.9	100.0%	0.0%	\$ 10,367.50	\$ -	\$ 10,367.50	100.0%	0.0%
Oct-20	18.4	2.9	21.3	86.4%	13.6%	\$ 5,980.00	\$ 536.50	\$ 6,516.50	91.8%	8.2%
Nov-20	22.6	3.5	26.1	86.6%	13.4%	\$ 7,345.00	\$ 647.50	\$ 7,992.50	91.9%	8.1%
Dec-20	15.2	3.5	18.7	81.3%	18.7%	\$ 4,940.00	\$ 647.50	\$ 5,587.50	88.4%	11.6%
Jan-21	17.8	1.5	19.3	92.2%	7.8%	\$ 5,785.00	\$ 277.50	\$ 6,062.50	95.4%	4.6%
Feb-21	49.8	1.8	51.6	96.5%	3.5%	\$ 16,185.00	\$ 333.00	\$ 16,518.00	98.0%	2.0%
Mar-21	28.4	0.6	29.0	97.9%	2.1%	\$ 9,230.00	\$ 111.00	\$ 9,341.00	98.8%	1.2%
Apr-21	15.0	0.0	15.0	100.0%	0.0%	\$ 4,875.00	\$ -	\$ 4,875.00	100.0%	0.0%
May-21	21.8	0.0	21.8	100.0%	0.0%	\$ 7,085.00	\$ -	\$ 7,085.00	100.0%	0.0%
Jun-21	18.8	0.0	18.8	100.0%	0.0%	\$ 6,110.00	\$ -	\$ 6,110.00	100.0%	0.0%
Jul-21	32.9	2.1	35.0	94.0%	6.0%	\$ 10,692.50	\$ 388.50	\$ 11,081.00	96.5%	3.5%
Aug-21	21.3	0.4	21.7	98.2%	1.8%	\$ 6,922.50	\$ 74.00	\$ 6,996.50	98.9%	1.1%
Sep-21	13.9	0.0	13.9	100.0%	0.0%	\$ 4,517.50	\$ -	\$ 4,517.50	100.0%	0.0%
Oct-21	18.6	0.2	18.8	98.9%	1.1%	\$ 6,045.00	\$ 37.00	\$ 6,082.00	99.4%	0.6%
Nov-21	16.4	1.7	18.1	90.6%	9.4%	\$ 5,330.00	\$ 314.50	\$ 5,644.50	94.4%	5.6%
Dec-21	19.0	0.0	19.0	100.0%	0.0%	\$ 6,175.00	\$ -	\$ 6,175.00	100.0%	0.0%
Jan-22	21.2	1.8	23.0	92.2%	7.8%	\$ 7,102.00	\$ 351.00	\$ 7,453.00	95.3%	4.7%
Feb-22	14.6	1.4	16.0	91.3%	8.8%	\$ 4,891.00	\$ 273.00	\$ 5,164.00	94.7%	5.3%
Mar-22	26.3	7.0	33.3	79.0%	21.0%	\$ 8,810.50	\$ 1,365.00	\$ 10,175.50	86.6%	13.4%
Apr-22	39.7	2.4	42.1	94.3%	5.7%	\$ 13,299.50	\$ 468.00	\$ 13,767.50	96.6%	3.4%
May-22	37.6	1.3	38.9	96.7%	3.3%	\$ 12,596.00	\$ 253.50	\$ 12,849.50	98.0%	2.0%
<b>Total</b>	<b>1,141.9</b>	<b>50.1</b>	<b>1,192.0</b>	<b>95.8%</b>	<b>4.2%</b>	<b>\$372,511.50</b>	<b>\$ 9,407.50</b>	<b>\$ 381,919.00</b>	<b>97.5%</b>	<b>2.5%</b>
<b>Monthly Average</b>	<b>34.6</b>	<b>1.5</b>	<b>36.1</b>	<b>95.8%</b>	<b>4.2%</b>	<b>\$ 11,288.23</b>	<b>\$ 285.08</b>	<b>\$ 11,573.30</b>	<b>97.5%</b>	<b>2.5%</b>

**Analysis of Time and Expense**

		Hours	Labor Cost	
Sands Anderson	Monthly Average	36	\$ 11,884	Hours for Lawyer: 34.6
Actuals	Annualized	433	\$ 142,602	
Comparison to Full Time Equivalent (FTE) (2080 Annual Hours)	Percentage of FTE	21%		Paralegal: 1.5
	Equivalent Salary		\$ 684,700	