

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

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 25th day of July 2022, beginning at 7:00 p.m. in the Board Meeting Room of the County Administration Building and via Zoom.

**Agenda Item 1. CALL TO ORDER**

Chairman Moren called the meeting to order.

**Agenda Item 2. ROLL CALL**

The members were polled:

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

**Agenda Item 3. MOMENT OF SILENCE**

The Chairman called for a moment of silence.

**Agenda Item 4. PLEDGE OF ALLEGIANCE**

The Chairman led the pledge of allegiance.

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

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

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

**Agenda Item 6. PUBLIC COMMENT**

Chairman Moren opened the Public Comment period.

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

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

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

**Agenda Item 7. CONSENT AGENDA**

Consent Agenda items were:

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

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

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

The members were polled:

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

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

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

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

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

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

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

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

**DONE** this 25th day of July, 2022.

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

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

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

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

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

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

<u>Revenues Increase</u>	<u>Expense Increase</u>
Use of Unassigned Fund Balance \$129,827	Pamunkey Regional Library Local Share \$129,827

**DONE** this 25 day of July, 2022.

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

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

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

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

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

**DONE** this 25th day of July, 2022.

**Agenda Item 8. PRESENTATION**

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

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

**Agenda Item 9. OLD BUSINESS**

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

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

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

Purina and Food Lion both passed with 100%.

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

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

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

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

Ms. Funkhouser showed presented information (Attachment B) and charts showing different revenue amounts based on prospective personal property tax rates. She said the actual increase in values for motorcycles, cars, trucks, and vans was 46%. Because of the September 1 deadline, she

said the Board must decide tonight whether they want to provide a discount or create a special class with a lower tax rate so they could vote on it on August 25<sup>th</sup>. She said a resolution would also need to be passed allowing her to set the PPTRA rate for 2022 without prior Board approval. State Code doesn't allow the Board to increase the PPTRA past the amount allocated by the state - \$1,204,131.

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

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

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

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

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

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

Supervisor Moskalski made a motion to authorize the Commissioner of the Revenue to move forward with creating a new personal property tax class and rate with the intent to equalize revenues with FY 2022. Supervisor Garber seconded the motion. The Chairman called for any discussion. The members were polled:

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

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

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

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

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

Vice Chair Hodges made a motion to give \$10,000 to Tappahannock out of the Unassigned Fund and authorize Mr. Ashcraft to contact them to find out where the funds would most be needed. Supervisor Garber seconded the motion. The Chairman called for any discussion. Supervisor Greenwood asked how much was left in the Unassigned Fund since money was just given to the library. Mr. Ashcraft said the balance is more than adequate. Supervisor Greenwood said this is what churches and Go Fund Me is for.

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

Vice Chair Hodges said the money is to help residents.

The members were polled:

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

### **Agenda Item 11. PUBLIC HEARING**

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

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

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

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

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

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

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

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

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

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

Vice Chair Hodges said the applicant had no permits.

The members were polled:

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

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

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

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

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

Mr. Ayres asked the supporters for the applicant to stand. He said Zebulon's Grotto (ZG) started in 2018 as an official business and has had its problems and violations. He said the letters from the County began in April 2022 and Mr. Snead filed for the CUP on May 3, 2022 to address the issues. He said on June 29, 2022, the County filed a lawsuit against Mr. Snead and he voluntarily entered into an injunction with which he has been complying. (At 8:07 pm, Chairman Moren told Mr. Ayres he was granting him five more minutes since the ten minutes allowed had passed.) Mr. Ayres said

the application has been substantially modified and downscaled in scope. He said ZG would stay within its existing footprint. No alcohol is served. A prior Planning Director told Mr. Snead a campsite was permitted by rights (3 tents, 6 people). ZG has permits pending from VDH. Mr. Snead created a road on his property in 2019 and is pending approval with VDOT to widen the entrance to his property. The applicant is requesting a total guest cap at 90, excluding employees. He said only 7 of the applicant's 36 acres are included in the CUP, leaving 29 acres open.

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

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

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

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

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

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

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

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

Patricio Traversone-Di Benedetto from Prince William spoke via Zoom. He said he moved to Virginia for work and to establish community and one of the few places he can do that is ZG. He likes to visit and stay with friends. While here, he spends money in the County. He said ZG means a lot to him and his family and is an excellent establishment. He said he served his country for 20 years and he

feels safe, wanted, and welcome at ZG. He recommends the CUP for approval with the owner's modifications to be in line with code.

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

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

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

Ray Luder – no longer wished to comment.

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

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

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

Kevin Rutkowski from Norfolk said he's a retired police officer and spent 30 years in the Marines. He said people from all walks of life go to ZG and feel safe and secure and it's a disservice not to allow it to continue. It brings in tax revenue. He's been coming there six years and never saw a problem. He said a speed limit or caution sign could be put up and the County should do what needs to be done to protect the neighbors and ZG. He said it's a great place.

Wayne Gauthier – no comment

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

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

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

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

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

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

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

Rich Verbeke of Norwich, CT said he started coming to ZG in 2017. He is retired from 38 years in the Navy and finds camaraderie and relaxation at ZG. He said it is challenging that it's limited in space and should be allowed to expand. He said people spend money in local restaurants and buy gas. He

said he has bought Chinese and visited Red's Chicken. Money is being spent in the community and others should be allowed to enjoy ZG.

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

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

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

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

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

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

David Alhideff said equity is giving a person an opportunity. He said the Bible promotes forgiveness and opportunity. He said people committed crimes against Mr. Snead. He said there should be a balance between rural and suburban lifestyles. He said giving Mr. Snead a continuance allows him the opportunity to build trust and rectify the situation. He said there needs to be compromise on both sides and punishment should be logical. He said Mr. Snead is taking steps in the right direction.

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

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

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

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

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

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

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

Supervisor Garber said the history of violations goes back to 2016 and asked if any have been corrected. Ms. Graham said she is not sure. She said Mr. Snead was cited twice again in 2018. She

said he is not in compliance with the zoning permits he does have for the B&B and camping. Supervisor Garber said he agrees with Supervisor Moskalski. He said the codes are there to protect both the owner and the clientele.

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

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

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

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

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

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

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

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

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

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

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

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

Supervisor Moskalski said it was an emotional meeting but was predicated on facts. He said he takes umbrage at the insinuation of discrimination. Any business needs to follow the rules. He told Mr. Hudgins to make sure All Points Broadband knows Dominion is moving some wiring underground. Supervisor Greenwood said he's the only one to give Mr. Snead another chance. He thinks there are underlying factors of discrimination. He thanked people for coming from so far.

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

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

**Agenda Item 14. CLOSED MEETING**

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

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

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

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

Supervisor Moskalski made a motion to reconvene in Open Session. Supervisor Greenwood seconded the motion. The Chairman called for any discussion. The members were polled:

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

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

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

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

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the King William County Board of Supervisors on this 25th day of July, 2022, hereby certifies that, to the best of each member’s knowledge:

1. Only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were heard, discussed, or considered in the closed meeting to which this certification resolution applies, by the King William County Board of Supervisors.
2. Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the King William County Board of Supervisors.

**DONE** this the 25th day of July, 2022.

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

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

**Agenda Item 15. ADJOURN OR RECESS**

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

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

COPY TESTE:

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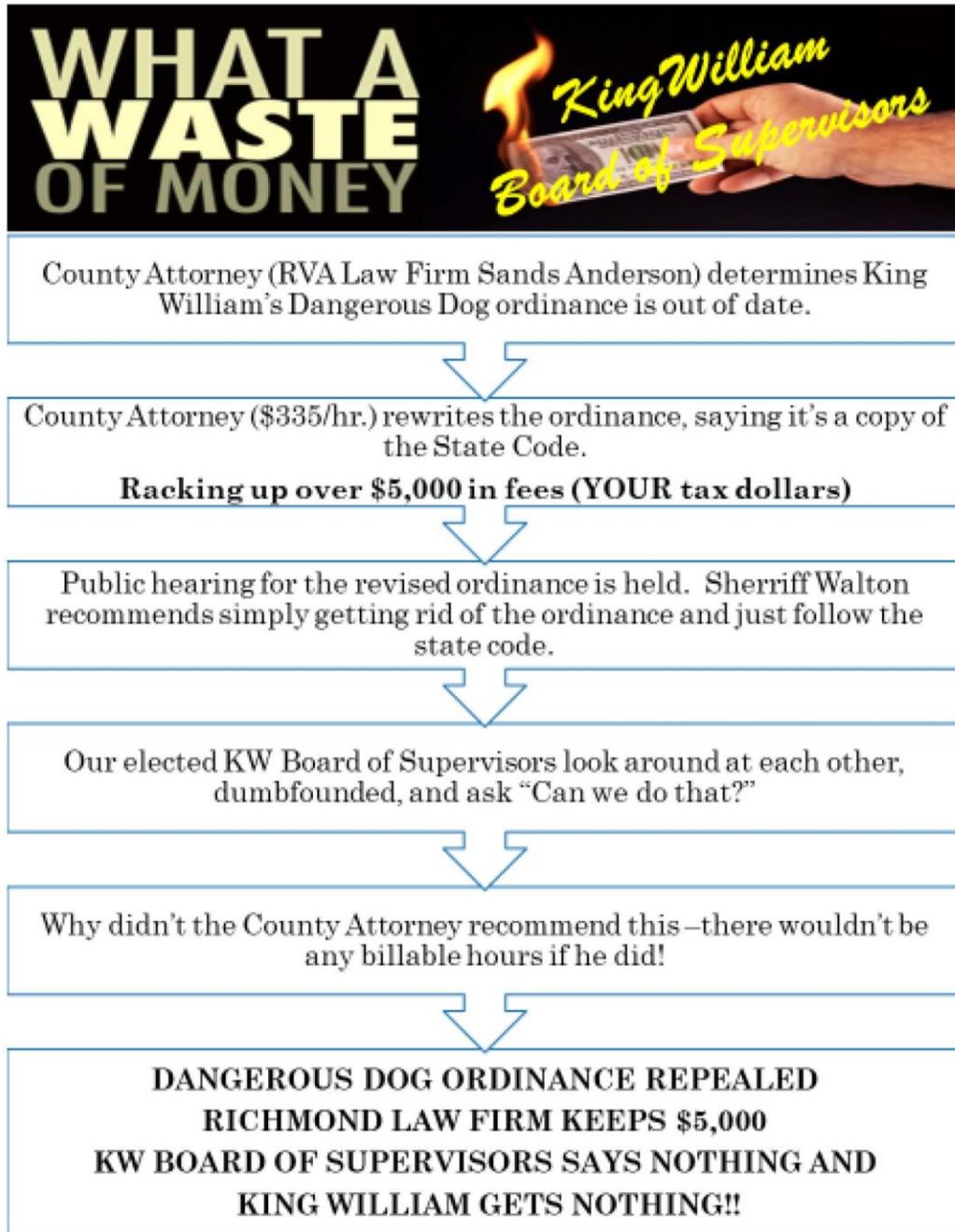
Edwin H. Moren, Jr., Chairman  
Board of Supervisors

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Christine H. Branch  
Deputy Clerk to the Board of Supervisors

ATTACHMENT A

Public Comment submitted by Chris Couch, District 5



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

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

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First & Last Names Tyla Matteson

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Email Address

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Choose the District in Which You Reside Outside King William County

---

Phone Number

---

Address

---

City North Chesterfield

---

State Virginia

---

Zip Code 23234

---

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

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

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

**ATTACHMENT B**  
**Remarks from Commissioner of the Revenue**

**BoS Meeting 07/25/2022**

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

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

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

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

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

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

Slide three shows the same calculations for the Town.

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

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

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

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