

**APPROVED MINUTES
KING WILLIAM COUNTY BOARD OF SUPERVISORS
REGULAR MEETING OF NOVEMBER 28, 2022**

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 28th day of November, 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

Vice Chair Hodges said that James Bohannon passed away on November 24th. The Chairman called for a moment of silence.

Agenda Item 4. PLEDGE OF ALLEGIANCE

The Chairman led the pledge of allegiance.

Agenda Item 5. REVIEW AND ADOPTION OF AMENDED MEETING AGENDA

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

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

Agenda Item 6. PUBLIC COMMENT

Chairman Moren opened the Public Comment period.

Lisa Mason from District 2 said 127 animals were vaccinated at the recent rabies clinic and thanked staff who came out and worked at it.

C. L. Smith of District 4 said he is having an ongoing problem with 4-wheelers in his neighborhood and would like an ordinance passed. He presented a petition with 47 signatures, representing 28

homes in the subdivision, and said deputies have been called over 100 times. He said the 4-wheelers break the noise ordinance and go back and forth all night long.

Jennifer Smith of District 4 said she owns a 4-wheeler in the subdivision and her children are always indoors by the time the ordinance states. She said many times the calls to police are uncalled for. She said people have been hit by cars speeding through the neighborhood and swerving toward the 4-wheelers. They also cuss and use vulgar language toward her boys.

Laura Price of District 4 said she's lived in the county since 2020 and had no problems until 2021 with 4-wheelers. She said the actions of a few should not dictate for all. She did not feel comfortable signing the petition.

Thomas Macon of District 4 said this has been going on for several years and the neighborhood association has raised the issue with parents. He said the lots are five acres which is enough space to stay on your own property. He said riders aren't always operating safely. At their yearly meeting, property owners voted to disallow 4-wheelers. He said he doesn't want to be liable because the problem isn't dealt with.

Phillip Griffin of District 4 said he lives on the same road but not in the subdivision and has trails on his property. He said his children come in on time and drive safely, plus they only ride on the weekends they are with him. He said riders have been harassed and they've never had a problem until now. He also said Mr. Smith didn't go to any houses with ATVs with the petition.

Mary Sue Bancroft of District 5 said the treasurer should have two full-time and one part-time person.

Bryan Means of District 4 said the subdivision is private property and the ATVs are not an issue.

Lucille Richards of District 2 had a tax question regarding her boat. The Commissioner of the Revenue spoke with Ms. Richards to handle her issue.

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

Supervisor Moskalski said the 4-wheeler issue should be researched and discussed in January. If the road is private, there is nothing the Board or County can do.

Vice Chair Hodges suggested putting "No Trespassing" signs on their own property.

Agenda Item 7. CONSENT AGENDA

Consent Agenda items were:

- a. Approval of Minutes
 - i. September 26, 2022 Regular Meeting Draft Minutes
 - ii. October 3, 2022 Work Session Draft Minutes
 - iii. October 24, 2022 Regular Meeting Draft Minutes

b. Approval of Expenditures - September 2022

c. **Resolution 22-96** – Awarding KWHS HVAC Contract

Supervisor Moskalski moved for approval of the Consent Agenda; motion was seconded by Supervisor Garber. The Chairman called for any discussion. The members were polled:

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

RESOLUTION 22-96
AMENDMENT TO THE KING WILLIAM COUNTY FISCAL YEAR 2023 BUDGET
KING WILLIAM PUBLIC SCHOOLS – KWHS HVAC PROJECT VPSA FUNDING

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

WHEREAS the King William County School Board accepted on November 15, 2022 the budget amendments of funds and additional funding and requests the Board of Supervisors to appropriate to facilitate awarding the King William High School HVAC Project contract to Southern Air at a price of \$798,985.25;

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

FUND/ORGANIZATION

King William County Public Schools

Revenue:

VPSA Funding	\$ 798,985.25
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Expenditure:

King William High School HVAC Project contract to Southern Air	\$ 798,985.25
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DONE this 28th day of November, 2022.

Agenda Item 8. OLD BUSINESS

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

Mr. Pearson said the notices will mail out on Friday, December 2, 2022. He will be holding hearings and everything will be online soon. People have until December 23rd to contact the Assessor for a hearing.

Vice Chair Hodges asked the average increase. Mr. Pearson said the highest is 80%. He said there is a higher increase on industrial property as well.

Supervisor Moskalski reminded people that the Board’s intent and pledge is to equalize the tax rate.

Chairman Moren reminded people that property has not been reassessed since 2015.

Supervisor Moskalski said tax will not go up by the amount the assessment did and urged people to contact Pearson’s if something seems incorrect.

Vice Chair Hodges said some might see a slight increase in their tax bill.

Supervisor Greenwood asked Mr. Hudgins about the issues they had discussed. Mr. Hudgins said any issues brought to Mr. Pearson’s attention have been dealt with promptly.

Mr. Pearson said all the information they have is available – sales comparisons, market values, etc. He will listen to everyone and be as fair as possible.

Vice Chair Hodges said the Board will not wait this long again between reassessments.

Chairman Moren asked how long the appointments are and if Mr. Pearson would consider meeting with people on Saturdays. Mr. Pearson said 15 minutes and yes, he’d meet on Saturdays and evenings as well, however, people need to call during business hours to set their appointment as no one will be here to answer the phone.

Mr. Pearson said he will do an on-site visit if the person wants, but he would like a County staff member with him if he’s going inside.

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

Mr. Hudgins said this issue may have to be tabled on advice of the County Attorney.

Mr. Maxwell Hlavin, Attorney with Sands Anderson, said he recommends postponing this to December because the final language is still being worked out. He has concern about some debt issues.

Chairman Moren asked if delaying would affect our contract with the Academy. Sheriff Walton said no, however, the RRCJTA could approve it anyway and we’d have to comply.

Sheriff Walton said the only one he knows that has a problem with it is King & Queen. He said the debt language is the same as always and there's never been an issue before.

Chairman Moren asked if the attorney has recommended language. Mr. Hlavin said not specifically. He has run it past Mr. McRoberts but has not sent it to the RRCJTA Executive Director.

Chairman Moren asked if a letter of intent is doable. Mr. Hlavin said each agency should agree to the new charter. Trying to get the full complete document to everyone is difficult.

Supervisor Moskalski said the goal was to democratize the Charter and the language is not new. He said postponing and changing the language seems unnecessary.

Supervisor Garber said it's about protection and they should listen to the attorney.

Sheriff Walton said some have already signed.

Vice Chair Hodges asked if they've decided on the verbiage yet. Mr. Hlavin said yes but it hasn't gone to the Executive Director yet.

Chairman Moren asked for a timeline. Mr. Hlavin said by the end of the week.

Supervisor Garber made a motion to table Resolution 22-97; Supervisor Hodges seconded. The Chairman called for any discussion. The members were polled:

Supervisor, 2nd District: Travis J. Moskalski	Nay
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, 5th District: Edwin H. Moren, Jr. – Chairman	Aye

Agenda Item 9. PUBLIC HEARINGS

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

Ms. Graham said the Planning Commission held a public hearing and recommends approval with conditions. Her office has not received any opposition. VMRC will also hold a public hearing.

The Chairman opened the Public Hearing comment period.

There being no speakers, the Chairman closed the Public Hearing comment period.

Supervisor Moskalski made a motion to approve Resolution 22-98, CUP 02-22; Supervisor Garber seconded. The Chairman called for any discussion. The members were polled:

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

RESOLUTION 22-98
APPROVING CONDITIONAL USE PERMIT (CUP) 02-22
OWNER/APPLICANT LIBERTY HALL, LLC, REGISTERED AGENT JAMES GOTTWALD

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

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

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

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

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

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

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

DONE this 28th day of November, 2022.

9.b. Ordinance 02-22C - Corrections to Errors in Polling Locations and Street Name

Mr. Hudgins presented the corrections to Ordinance 02-22C.

The Chairman opened the Public Hearing comment period.

There being no speakers, the Chairman closed the Public Hearing comment period.

Vice Chair Hodges made a motion to approve Ordinance 02-22C; Supervisor Moskalski seconded. The Chairman called for any discussion. The members were polled:

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

ORDINANCE 02-22C (CORRECTED)

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

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

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

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

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

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

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

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

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

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

First Election District

-West Point Precinct

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

Second Election District

-Courthouse Precinct

From the intersection of the Pamunkey River and an unnamed tributary of the Pamunkey River which forms the boundary of Census Blocks 3015 and 3037, then following the boundary of the aforementioned Census Blocks easterly to its intersection with the boundary between Census Blocks 3015 and 3041, then following the boundary between Census Blocks 3041 and 3037 easterly to its intersection with East River Road (Rt. 600). Then following northerly along the centerline of East River Road (Rt. 600) to its intersection with King William Road (Rt. 30). Then following the centerline of King William Road (Rt. 30) northwesterly until its intersection with Indian Church Road (Rt. 658) at the boundary between Census Blocks 4028 and 4030. Then following the boundary of Census Block 4030 northerly then easterly along an unnamed tributary of the Mattaponi River which forms the boundary of Census Block 4030 until its intersection with an unnamed tributary of the Mattaponi River forming the boundary between Census Blocks 4012 and 4011. Then following the boundary of the aforementioned Census Blocks northerly to its intersection with West River Road (Rt. 600). Then following the center line of West River Road (Rt. 600) northerly to its intersection with Poplar Landing Road. Then following the centerline of Poplar Landing Road northeasterly to its intersection with Aylett Creek. Then following the centerline of Aylett Creek southerly to its intersection with the Mattaponi River. Then following the centerline of the Mattaponi River downstream, southeasterly to its intersection with the Mattaponi Indian Reservation's southern boundary which is the boundary between Census Blocks 2012 and 2019, then following that boundary westerly to its intersection with Indian Town Road (Rt. 625), then following the centerline of Indian Town Road southerly to its intersection with East Rose Garden Road (Rt. 626), then following the centerline of East Rose Garden Road (Rt. 626) westerly to its intersection with King William Road. Then following centerline of West Rose Garden Road (Rt. 626) to its intersection with Powhatan Trail (Rt. 633), and then along the centerline of Powhatan Trail to the Pamunkey River. Then following the centerline of the Pamunkey River northwesterly to its intersection with unnamed tributary of the Pamunkey River which forms the boundary of Census Blocks 3015 and 3037.

-Sweet Hall Precinct

From the Mattaponi Indian Reservation's southern boundary which is the boundary between Census Blocks 2012 and 2019, then following the centerline of the Mattaponi River downstream, southeasterly to its intersection with the unnamed tributary of the Mattaponi River that forms the West Point Town boundary between Census Blocks 1007 and 1003. Then following the town boundary southwestly to its intersection with the Pamunkey River, then northwesterly following the centerline of the Pamunkey River to Lester Manor Landing, then following the centerline of Powhatan Trail (Rt. 633) to its intersection with West Rose Garden Road (Rt. 626), then following the centerline of West Rose Garden Road northeast to its intersection with King William Road (Rt.

30). Then following the centerline of King William Road, northwesterly, to its intersection with East Rose Garden Road, then following the centerline of East Rose Garden Road, northerly, to its intersection with Indian Town Road, then following the centerline of Indian Town Road, northerly, to its intersection with the Mattaponi Indian Reservation's southern boundary which is the boundary between Census Block 2012 and 2019.

Third Election District

-Aylett Precinct

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

Fourth Election District

-Manquin Precinct

From the intersection of King William Road (Rt. 30) and Cherry Hill Drive (Rt. 1225) westerly following the centerline of King William Road (Rt. 30) to the intersection with Enfield Road (Rt. 610), then southerly along the centerline of Enfield Road to the intersection with unnamed road that is the boundary for Census Blocks 1037 and 1004, then following the boundary between Census Blocks 1037 and 1004 westerly then southerly to its intersection with Webb Creek which forms the boundary between Census Blocks 1004 and 1036. Then following the centerline of Webb Creek westerly to its intersection with an unnamed road forming the boundary of Census Blocks 1032 and 1036, then following said unnamed road southerly to its intersection with Dabneys Mill Rd (Rt. 604). Then following Dabneys Mill Rd southerly to its intersection with the boundary of Census Blocks 1052 and 1053, then following this boundary southerly to the Pamunkey River. Then following the centerline of the Pamunkey River southerly to the intersection of Census Blocks 3015 and 3037, then following the boundary of the aforementioned Census Blocks easterly to its intersection with the boundary between Census Blocks 3015 and 3041, then following the boundary between Census Blocks 3041 and 3037 easterly to its intersection with East River Road (Rt. 600). Then following northerly along the centerline of East River Road (Rt. 600) to its intersection with King William Road (Rt. 30). Then following the centerline of King William Road (Rt. 30) northwesterly until its intersection with Cherry Hill Drive (Rt. 1225).

Fifth Election District

-Mangohick Precinct

From the intersection of the county boundary with Caroline County and the Mattaponi River, downstream along the centerline of the Mattaponi River, then westerly along the centerline of Herring Creek, then westerly along the centerline of Millwood Rd. (Rt. 607) to the intersection with Upshaw Rd. (Rt. 608), then following the centerline of Upshaw Rd. to the intersection with Vessels Road Lane (Rt. 659), then following centerline of Vessels Road Lane (Rt. 659) and along the boundary line of Census Block 3011 to centerline of Cherry Hill Drive (Rt. 1225) and to its intersection with King William Road (Rt. 30). Then following the centerline of King William Road (Rt. 30) westerly to its intersection with Enfield Road (Rt. 610). Then southerly along the centerline of Enfield Road to the intersection with unnamed road that is the boundary for Census Blocks 1037 and 1004, then following the boundary between Census Blocks 1037 and 1004 westerly then southerly to its intersection with Webb Creek which forms the boundary between Census Blocks 1004 and 1036. Then following the centerline of Webb Creek westerly to its intersection with an unnamed road forming the boundary of Census Blocks 1032 and 1036, then following said unnamed road southerly to its intersection with Dabneys Mill Rd (Rt. 604). Then following Dabneys Mill Rd southerly to its intersection with the boundary of Census Blocks 1052 and 1053, then following this boundary southerly to the Pamunkey River. Then upstream northwesterly along the centerline of the Pamunkey River to its intersection with the county boundary with Caroline County, and then returning to the origin, following the county boundary, at the intersection of the county boundary with Caroline County and the Mattaponi River.

Precinct Voting Locations

First – West Point Armory
110 Thompson Ave

Robinson-Olsson Auditorium
1040 Thompson Avenue – “West Point”

Second-A – VFW Post #8356
1658 VFW Road

Brett-Reed Memorial Presbyterian
29680 King William Road – “Sweet Hall”

Second-B – King William Admin. Bldg.
180 Horse Landing Road – “Courthouse”

Third – King William Fire and EMS – Station 1
7936 Richmond-Tappahannock Hwy. – “Aylett”

Fourth – King William High School
80 Cavalier Drive – “Manquin”

Fifth – Mangohick Vol. Fire Dept.
3493 King William Road – “Mangohick”

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

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

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

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

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

Sec. 54-52. - Election districts enumerated.

The election districts with populations set forth are as follows:

Second election district:	3,671
Third election district:	3,600
Fourth election district:	3,411
Fifth election district:	3,714
At-large election district:	14,396

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

The polling places shall be as follows:

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

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

9.c. Ordinance 11-22 - Update Property Maintenance Ordinance to Comply with State Code

Ms. Graham presented proposed updates to the Property Maintenance Ordinance.

The Chairman opened the Public Hearing comment period.

There being no speakers, the Chairman closed the Public Hearing comment period.

Supervisor Garber made a motion to approve Ordinance 11-22; Supervisor Moskalski seconded. The Chairman called for any discussion. The members were polled:

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

ORDINANCE 11-22
UPDATE KING WILLIAM COUNTY CODE CHAPTER 14, ARTICLE III - PROPERTY
MAINTENANCE CODE AND REGULATIONS TO COMPLY WITH STATE CODE

WHEREAS pursuant to Code of Virginia §36-98 the Virginia Uniform Statewide Building Code (USBC), which includes the Virginia Maintenance Code (VMC), shall supersede the building codes and regulations of the counties, municipalities and other political subdivisions and state agencies; and

WHEREAS the 2018 Virginia Maintenance Code became effective July 1, 2021 and contained amendments which necessitate an update to County Code Chapter 14, Article III – Property Maintenance Code and Regulations; and

WHEREAS the Board of Supervisors held a duly advertised Public Hearing on November 28, 2022 to accept public comment in consideration of the changes presented herein;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the Board of Supervisors of King William County, Virginia, does hereby amend King William County Code Chapter 14, Article III – Property Maintenance Code and Regulations as presented herein; and

BE IT FURTHER ORDAINED AND ENACTED that this article shall become effective immediately upon passage.

ADOPTED this the 28th day of November, 2022.

~~**9.d. Ordinance 12-22 - Update King William County Code Chapter 86 Article XIX. FLOODS to Reflect and Adopt New FEMA Flood Plain Maps**~~

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

Mr. Hudgins presented updates recommended by the Commissioner of the Revenue to clarify license fee exemptions for fire & rescue volunteers.

The Chairman opened the Public Hearing comment period.

There being no speakers, the Chairman closed the Public Hearing comment period.

Vice Chair Hodges made a motion to approve Ordinance 13-22; Supervisor Garber seconded. The Chairman called for any discussion. The members were polled:

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

ORDINANCE 13-22
AMENDING KING WILLIAM COUNTY CODE SECTION 74-34 (c)
VEHICLE LICENSE TAX - EXEMPTIONS

WHEREAS King William County Code Section 74-34 (c) currently states “the commissioner of the revenue, upon request, shall waive one motor license fee ...”; and

WHEREAS the King William County Commissioner of the Revenue has requested to amend the Code to clarify by whom the request should be made; and

WHEREAS the Board held a duly advertised Public Hearing on November 28, 2022 to accept public comment in consideration of the changes presented herein;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, that the Board of Supervisors of King William County, Virginia, hereby amends County Code Section 74-34 (c) as follows:

Sec. 74-34. Exemptions.

(c) The commissioner of the revenue, upon request **by the chief officer of a volunteer fire department or volunteer rescue squad on behalf of eligible members**, shall waive one motor vehicle license fee annually for each active member of a volunteer fire department or **volunteer** rescue squad. Each individual, so ~~requesting~~ **seeking** this waiver, shall ~~present a letter from~~ **request that** the chief officer of the **volunteer** fire department or **volunteer** rescue squad **submit one letter, before March 1 of each year, to the commissioner of the revenue indicating that the individual is an listing the names of all active members in good standing who are requesting the exemption**. No member shall be entitled to more than one such annual waiver.

BE IT FURTHER ORDAINED AND ENACTED that these changes to County Code Section 74-34 (c) are effective immediately upon adoption of this Ordinance.

ADOPTED this the 28th day of November, 2022.

Agenda Item 10. NEW BUSINESS

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

Ms. Brown said West Point had initially ordered the ambulance in 2021 but due supply chain issues and manufacturing delays, they just received it in August 2022. They are requesting to use funds appropriated for this purpose in FY23 plus the amount dedicated in FY22.

Vice Chair Hodges made a motion to approve Resolution 22-99; Supervisor Moskalski seconded. The Chairman called for any discussion. The members were polled:

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

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

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

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

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

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

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

FUND/ORGANIZATION

Expense

West Point Volunteer Fire Department Capital	\$ 30,000
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Revenue

FY2022 Capital Fund Balance for West Point Volunteer Fire Department	\$ 30,000
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DONE this 28th day of November, 2022.

10.b. FY24 VPPSA Budget Discussion - Steve Hudgins, Deputy County Administrator

Mr. Hudgins brought VPPSA’s budget increase request to the Board for their information. He said the main reasons for the increases are fuel and equipment costs. Another attendant would be hired once the expansion is complete at the High School site. The increase is 18.52%.

Supervisor Garber said one administrative position was moved to Transportation System Operations from the Convenience Center Operations.

Chairman Moren asked if the increase is comparable to other localities. Mr. Hudgins said ours is better. Others are looking at a 30% increase. They have figured \$5/gallon for fuel in this new budget.

Supervisor Moskalski asked if there would be service reductions if the funding is not increased. Mr. Hudgins said yes, unless the VPPSA Board denies the request for new positions.

Supervisor Garber asked if they had a welder now. Mr. Hudgins said yes. This would add a third person.

Chairman Moren said to send any comments to Mr. Hudgins before Friday which is the date of the VPPSA Board meeting.

10.c. Ordinance Change Needed: Section 70-46 Hearings of the Board of Equalization – Christine H. Branch, Deputy Clerk

Ms. Branch said an ordinance change was needed in order to ensure the BOE had ample time to complete their duties. The general consensus of the Board was to move forward with advertising the Public Hearing for this change.

10.d. Commissioner of Revenue Budget Transfer - Karena L. Funkhouser, Commissioner of the Revenue

Commissioner Funkhouser said she would like to move funds from her part-time budget to give a \$3,000 raise to Deputy Commissioner Suzanne Hayden because her duties have increased.

She said she just hired a part-time person and had a very hard time finding someone. Chairman Moren asked if the difficulty was related to benefits. Commissioner Funkhouser said it is the labor market. People want more money.

Supervisor Garber asked if the increased salary would carry over year to year. Commissioner Funkhouser said yes.

Vice Chair Hodges said raising the salary will not decrease the work load.

Supervisor Garber asked Ms. Hayden's currently salary. Commissioner Funkhouser said it is \$37,492. The mid-range is currently \$41,983. She has three years' experience.

Supervisor Moskalski made a motion to approve the revenue budget transfer for the Commissioner of the Revenue's office. Chairman Moren seconded. The Chairman called for any discussion. The members were polled:

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

10.e. Resolution 22-101 - Referring the Amendment of King William County Code Chapter 86 Zoning and Subdivision, Article XIX Floods to the King William County Planning Commission for Review and Recommendation

Mr. Hlavin pointed out that the Code of Virginia §15.2-2253 and §15.2-2285(B) requires any amendments to the subdivision ordinance and zoning ordinance be recommended to the Board of Supervisors by the Planning Commission. Therefore, a resolution referring the amendments to the Planning Commission for review and recommendation is necessary.

Supervisor Moskalski made a motion to approve Resolution 22-101. Supervisor Garber seconded. The Chairman called for any discussion. The members were polled:

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

**RESOLUTION 22-101
REFERRING THE AMENDMENT OF KING WILLIAM COUNTY CODE CHAPTER 86 ZONING AND
SUBDIVISION, ARTICLE XIX FLOODS TO THE KING WILLIAM COUNTY PLANNING
COMMISSION FOR REVIEW AND RECOMMENDATION**

WHEREAS the Federal Emergency Management Agency (FEMA) requires each locality to adopt an ordinance amendment each time it receives a new Flood Insurance Rate Map (FIRM) prior to the effective date of the new FIRM to avoid suspension from the National Flood Insurance Program (NFIP); and

WHEREAS the Department of Conservation and Recreation (DCR) has reviewed the draft amended ordinance and confirmed it complies with NFIP requirements; and

WHEREAS the Code of Virginia §15.2-2253 and §15.2-2285(B) requires any amendments to the subdivision ordinance and zoning ordinance be recommended to the Board of Supervisors by the Planning Commission;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of King William County, Virginia does hereby initiate the proposed amendments to King William County Code Chapter 86 Zoning and Subdivision, Article XIX Floods and refers such proposed amendments to the King William County Planning Commission for review and recommendation.

DONE this 28th day of November, 2022.

Agenda Item 11. ADMINISTRATIVE MATTERS FROM COUNTY ADMINISTRATOR

11.a. Administration Report – Steve Hudgins, Deputy County Administrator

Mr. Hudgins presented the Administration Report and Board Information.

Chairman Moren asked how many positions the Treasurer’s Office currently has budgeted. Mr. Hudgins said one full-time and one part-time plus the Treasurer. The second full-time position, along with the duties of that position, were moved by the Board to the Finance Department when it was discovered that reconciliations were not being done in the Treasurer’s Office. That is the Reconciliation Specialist position.

Chairman Moren asked how much increase it would be from part-time to full-time. Mr. Hudgins said he did not know. Ms. Carlton said \$20,000.

Supervisor Moskalski said the issue should be brought to the December Work Session.

Chairman Moren asked Mr. Hudgins to ask Chief Reaves about the differences in the Mangohick reports and County reports.

Agenda Item 12. BOARD OF SUPERVISORS’ COMMENTS

Vice Chair Hodges asked the payment to BOE members. Ms. Branch said \$135 per meeting. He asked what staff person will be assigned to the BOE. Mr. Hudgins said Ms. Branch.

Supervisor Moskalski said there is fear and unease all over the country. Take time to check on each other. Take care of each other and yourself.

Mr. Greenwood thanked people for coming.

Supervisor Garber congratulated the KWHS football team on a successful year. He said we need to look at library options. He wished everyone a belated Happy Thanksgiving.

Chairman Moren thanked everyone for coming and said he is torn on the 4-wheeler situation.

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 appointment of individuals to Boards and Commissions (BOE); and in accordance with Section 2.2-3711 (A)(8) of the Code of Virginia to consult with legal counsel on a specific legal matter regarding a possible conflict of interest requiring the provision of legal advice by counsel. Supervisor Greenwood 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

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, 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

13.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 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

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

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

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

Agenda Item 14. APPOINTMENTS

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

Supervisor Greenwood made a motion to approve Resolution 22-100 recommending appointments of the below-named individuals to the King William County Board of Equalization for a term expiring one year after the effective date of the reassessment for which they are appointed. Supervisor Garber seconded the motion. The Chairman called for any discussion. The members were polled:

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

**RESOLUTION 22-100
RECOMMENDATIONS OF APPOINTMENTS
TO THE KING WILLIAM COUNTY BOARD OF EQUALIZATION**

WHEREAS it is necessary for the King William County Board of Supervisors to recommend the appointments of members to the King William County Board of Equalization; and

WHEREAS §58.1-3370 of the Code of Virginia provides for the appointment of members to the Board of Equalization by the Circuit Court of King William County in each tax year immediately following the year a general reassessment is conducted in the County; and

WHEREAS §58.1-3374 of the Code of Virginia calls for the number of regular members to be not less than three (3) or more than five (5), plus, at the request of the County, two (2) alternate members;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of King William County, Virginia, hereby recommends to the Circuit Court of King William County the following individuals to serve as members of the King William County Board of Equalization; each for a term to expire one year after the effective date of the reassessment for which they were appointed and in accordance with §58.1-3370 of the Code of Virginia, and to pay each member \$135 per meeting attended:

First District: Sandra M. Willis
Second District: Vincent Gaines
Third District: Sergio Tassinari
Fourth District: John W. Turnage
Fifth District: Gene L. Greenwood
Alternate #1: Frederick J. Krauss, District 3
Alternate #2:

DONE this 28th day of November, 2022.

Agenda Item 15. ADJOURN OR RECESS

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

COPY TESTE:

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

Christine H. Branch
Deputy Clerk to the Board of Supervisors