

King and Queen County
Board of Supervisors Meeting

Monday, December 10, 2012
7:00 P.M.

King and Queen County Courts and Administration Building
General District Courtroom

“Minutes of the Meeting”

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES

Chairman Alsop called the regular meeting to order. Mr. Simpkins provided the invocation followed by the Pledge of Allegiance to the Flag of the United States.

Ms. Alsop advised that Mrs. Morris was not feeling well and was not in attendance at the meeting.

APPROVAL AND SIGNING OF THE OCTOBER 22ND AND NOVEMBER 13TH, 2012 MINUTES OF THE BOARD

A motion was made by Mr. Bailey and seconded by Mr. Simpkins to approve the October 22nd and November 13th minutes of the Board.

AYES: S. C. ALSOP, J. L. SIMPKINS, R. F. BAILEY, JR., J. M. MILBY, JR.

NAYS: NONE

NOT PRESENT: D. H. MORRIS

APPROVAL AND SIGNING OF THE DECEMBER 2012 WARRANTS AND APPROPRIATIONS

County Administrator Thomas Swartzwelder informed the Board that a request came in late from Gamewood for the internet project, for payment, of which has been included for approval in the December 2012 warrants.

A motion was made by Mr. Simpkins and seconded by Mr. Bailey to approve the December 2012 warrants and appropriations as presented and amended, subject to audit.

AYES: S. C. ALSOP, J. L. SIMPKINS, R. F. BAILEY, JR., J. M. MILBY, JR.

NAYS: NONE

NOT PRESENT: D. H. MORRIS

PUBLIC COMMENT PERIOD

Chairman Alsop opened the public comment period asking that each one come forward stating their name and the district that they are from.

Mr. Ray Shur, retirement nurse from Caroline County appeared before the Board in regards to the Medicaid Expansion of the Affordable Health Care Act as an advocate and asked the Board to consider a resolution to the Governor in support of making it a priority on the legislative agenda.

Mr. Joseph T. Hurtt, Jr., Mattaponi, expressed concern of hunters parking on the road, and that almost all of his structures have buck shot in them. Mr. Hurtt, further expressed concern that someone was going to get hurt and asked consideration for anything the Board could do.

After hearing all comments, the public comment period was closed.

THREE RIVERS HEALTH DISTRICT – INTRODUCTION OF DR. KATRINA RHODES

Mr. Swartzwelder advised that Dr. Rhodes had requested to be present, but was not in attendance.

SOCIAL SERVICES AND SCHOOLS MONTHLY REPORTS

It is noted that Mr. Clare was not in attendance as there was a band concert at the school, however he has submitted a report on enrollment.

Department of Social Services Director, Betty Dougherty provided a report advising:

- (1) That they currently are recruiting for 2 positions for the agency. One is a full-time position for benefit program specialist.
- (2) Advised that they now have their Commonwealth Health Service Center all hooked up in their lobby and ready to go, inviting the Board to come down and look at it, if they would like to as it is pretty amazing. The State also put on the system access where citizens can come in and search and apply for jobs online.
- (3) Provided information on the way they assist those with heating needs, advising of 3 resources they use. Mrs. Carol Holmes was present providing an overview of the energy assistance program. Ms. Holmes asked that when in the budget process, if at all possible, if any funding assistance for fuel and utilities could be included for the energy assistance program.

APPOINTMENTS/REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

Planning Commission –

Buena Vista District to fill the unexpired term of Bob Taylor (term expires 1/12/16)

Tabled

Stevensville District - Robbie Coleman’s term expires January 12, 2013.

Mr. Coleman has expressed a willingness to serve another term on the Planning Commission.

A motion was made by Mr. Milby and seconded by Mr. Bailey to reappoint Mr. Robbie Coleman for a 4 year term. Term to expire January 12, 2017.

AYES: S. C. ALSOP, J. L. SIMPKINS, R. F. BAILEY, JR., J. M. MILBY, JR.

NAYS: NONE

NOT PRESENT: D. H. MORRIS

As a reminder, the Board was advised that the term of St. Stephen Church representative Jimmy Guess expires January 2013. Mr. Simpkins commented that he would speak with him.

IDA MEMBERS

Stevensville District – (Joe Schumacher – moved) Tabled

Shanghai District – (Connie Prince – moved) Tabled

BUDGET AMENDMENTS

Chairman Alsop advised that Mr. Simpkins asked at the last meeting for information pertaining to budget amendments that have been approved through the year. Ms. Ammons explained that the report shows an over-view of what has been approved through the year.

Mr. Simpkins commented that the report looked good and it was what he was looking for.

County Administrator Tom Swartzwelder asked the Board if this is suitable to the Board, they will make it a rolling report each month.

GENERAL PROPERTIES – MARRIOTT SCHOOL

General Properties – Marriott School **\$2,806.00**

(to cover the operational cost for electrical service and insurance on the Marriott School Facility)

Mr. Swartzwelder advised that the budget amendment was to cover some loose ends, relating to insurance on the building, as the county is now the owner and not the tenant.

Emergency Services – Over-time Sheriff’s Department (Hurricane Sandy) \$5,938.00
(Budget transfer from Contingency Fund to Sheriff’s Office).

A motion was made by Mr. Simpkins and seconded by Ms. Alsop to approve the budget amendments.

Mr. Simpkins noted that it looks like there should be sufficient funds to cover the electric bill, as it presently looks less than budgeted.

AYES: S. C. ALSOP, J. L. SIMPKINS, R. F. BAILEY, JR., J. M. MILBY, JR.

NAYS: NONE

NOT PRESENT: D. H. MORRIS

DEBT SERVICE PAYMENT OUTSIDE OF THE REGULAR WARRANT CYCLE

The Board was advised that the debt service payment is due by January 15th and because the next regular meeting will be held on January 14th, it will not be enough time to submit payment. A request is being made to approve the payment outside of the regular warrant cycle in order for the payment to be received on time.

A motion was made by Mr. Bailey, seconded by Mr. Simpkins approving the debt payment in the amount of \$29,671.88 to be issued outside of the regular warrant cycle.

AYES: S. C. ALSOP, J. L. SIMPKINS, R. F. BAILEY, JR., J. M. MILBY, JR.

NAYS: NONE

NOT PRESENT; D. H. MORRIS

PLANNING COMMISSION REQUEST FOR PUBLIC HEARING

RZ12-01 & SP12-02 – Ron Varboncoeur & Tammy Poston to rezone from Agricultural/Residential Single-Family to General Business and SP12-02, Level 2 Site Plan.

County Administrator Tom Swartzwelder advised that at the Planning Commissions December 3rd meeting they held 2 public hearings on 2 zoning issues, one very typical and one rather complex. The typical one being Mr. Varboncoeur and Ms. Poston’s property. They own property on Rt. 33 in the Buena Vista District and operate on a pre-existing non-conforming

retail/antiques business and have applied to rezone that parcel (Tax Map #. 1623-165X-794) from Agricultural/Residential Single-Family to General Business and SP12-02, Level 2 site plan. The Planning Commission approved their request and recommended that it be sent to the Board for public hearing and approval.

A motion was made by Mr. Bailey and seconded by Ms. Alsop to hold a public hearing at the January 2013 regular meeting of the Board.

AYES: S. C. ALSOP, J. L. SIMPKINS, R. F. BAILEY, JR., J. M. MILBY, JR.

NAYS: NONE

NOT PRESENT: D. H. MORRIS

MIDDLE PENINSULA REGIONAL AIRPORT, TOWN OF WEST POINT AND INTERNATIONAL TRAINING

County Administrator Tom Swartzwelder advised that this request is more complex and involves International Training which we refer to as ITI and their location being south of Middle Peninsula Regional Airport. A public hearing was held at their December meeting and they elected to not approve the rezoning request by a 5-4 vote to the rezoning of one of the parcels of which is owned by ITI on which they have constructed their shooting ranges. In denying that request they denied the other request as well as they would not be able to conduct certain activities with the rezoning denial.

The applicant would normally be asking for a public hearing, but they feel there may be things that they may be able to do to address the concerns of the approximately 37 citizens who signed up to speak and significant number that spoke at the planning commission public hearing.

The applicant and council are present asking that the Board of Supervisors defer the public hearing to allow them to address the concerns of those citizens.

Tim Trant, Attorney with Kaufman and Canoles, and representing ITI, advised that a letter has been submitted asking for a deferral, as there was a significant amount of community comments of concern, they would like to evaluate the concerns addressed at that meeting.

Mr. Milby commented that he has been involved in this for several years. It is, and it is not a complicated issue. For over 2 years our staff has been trying to get ITI into compliance with County regulations and it has been a slow process. Mr. Milby expressed that he was concerned that they postponed the public hearing with the Planning Commission. Mr. Milby further expressed that he feels that we have reached a time where the citizens in King and Queen need to get this resolved. The primary issue that the County has, and the primary issue that the citizens came to speak about is the noise, the shooting at night and the setting off of IED's (explosives). Of the number of citizens that spoke at the Planning Commission 90% were upset with the noise. ITI is proposing to shoot up to 10:00 P.M., and the people in his community feel this is not reasonable. Mr. Milby further expressed that if the Zoning Administrator knew that other people were not in compliance with county regulations, he doubts very seriously if he would give them

two years, maybe 6 months to get in compliance. In every ones best interest Mr. Milby made a motion to have the hearing in January. Ms. Alsop seconded the motion.

Mr. Simpkins commented that he relates to what the citizens are hearing, as he hears A P Hill, except that it is much closer and that it appears from the documents that he has seen back to 2011, that there have been wetlands issues and that the noise issue did not seem to be mentioned in them and feels that the Board should give ITI time to address those issues that were brought about at the Planning Commission.

Mr. Milby asked the County Administrator if he agreed that the issue with the sound is a new issue. Mr. Swartzwelder expressed that it was not new, as of the night of the Planning Commission hearing. The sound issue that has existed for a while and some of these issues arose when ITI approached the County to build a new armory and as question arose ITI said that they need to do some night shooting and training, it was the County's position that they had never been approved in the past and that it has been around pretty much since the beginning. County staff has not raised a number of issues about daytime shooting, other than trying to make it quieter. Daytime noise has grown as the case lingered.

Mr. Milby asked Mr. Swartzwelder to clarify that there were complaints about ITI from the beginning, there were citizens around where people called and complained about the noise. Mr. Swartzwelder responded that he did not know if it was from the beginning, but the first recorded written complaints must have been in the early 90's when Ms. Erad was Attorney for the Planning Commission, as well as Ms. McGowan and Mr. Koll were with the County.

Mr. Milby further expressed that he wanted the Board and citizens to understand that this is not an issue that just came up 6 months or 2 years ago, as it has been an ongoing complaint for a number of years back to the early 90's and is quite frustrating that at that time County Administration took few steps to make any changes.

Mr. Simpkins' concern is that the complaints have not been addressed to ITI and that he feels we should give them time. ITI is requesting deferral of 90 days.

Mr. Milby expressed that at the least, we should not give any longer than 60 days as staff have spent hours, time and staff money for a number of years.

Ms. Alsop expressed that she deals with A P Hill as the noise rattles her windows and feels like she is out of the loop as she does not have all the information.

Mr. Bailey questioned, "If ITI were to quit shooting tomorrow would shooting still be heard, because right across the river is Camp Perry and they do the same training and wondered how much sound was coming across." A lot of these people live on the water that are complaining about the noise and understands what they are saying, but is a lot of this sound coming from across the river.

Mr. Milby expressed that his family has lived on the farm since 1908 and never recalled hearing anything before from Camp Perry.

Ms. Alsop asked for the vote on the question to have a public hearing at the next meeting:

AYES: J. M. MILBY, JR., S. C. ALSOP

NAYS: J. L. SIMPKINS, R. F. BAILEY, Jr.

NOT PRESENT: D. H. MORRIS

Motion died.

Ms. Alsop further made a motion to give ITI 60 days and that a public hearing be scheduled for the February meeting. The motion was seconded by Mr. Bailey.

AYES: S. C. ALSOP, J. L. SIMPKINS, R. F. BAILEY, JR., J. M. MILBY, JR.

NAYS: NONE

NOT PRESENT: D. H. MORRIS

EVALUATION AND DISCUSSION OF EMERGENCY SERVICES NEEDS

Chairman Alsop commented that she understands that she missed a very good workshop, but did receive all of the information.

Mr. Greg Hunter, Emergency Services Coordinator, was present to provide a brief summary since the September 24th workshop relating to recommendations and cost impacts for some of the issues for resolution that the County is experiencing. This information was presented at the November 26th meeting where discussion was made of a 3 phased approach for EMS services. Since that meeting, on December 4th a meeting was held with the volunteer fire and rescue squads which was a very productive meeting. The key concern is that day time staffing and EMT providers are getting scarcer. The number of available resources can be challenging at times. Mr. Hunter provided cost estimates for phase 1 for EMS needed during the day time. Mr. Hunter further advised that Unanimous support was given to come to the Board to consider funding 1 paid EMT/Advanced Life Support provider, assisting Monday – Friday in service delivery areas for all of the agencies.

Mr. Hunter is requesting that the Board consider funding a full-time provider, Monday – Friday, along with equipment and operational budget for that position. Mr. Hunter advised that in his cost analysis he is showing a low/high range for this type of provider compared with surrounding counties for that level provider. The annual cost would be \$45,000 - \$55,000 per provider. The operational budget for 6 months is estimated at \$18,025 which would be an ongoing expense. The estimated set up cost to purchase a vehicle and medical supplies is also suggested as an option for consideration at an estimated cost of \$55,000.00. Total Estimated Cost is \$100,615.00. This will be an immediate assistance to the volunteer agencies and they are committed to working jointly over the next several months with him and the Board as well as the Phase 2 and Phase 3 options of the plan to provide ambulance service to meet day time EMT staffing needs.

Ms. Alsop expressed concern of the coverage in her area, as those that normally would run the calls are presently having health issues.

Mr. Simpkins questioned where the individual would be stationed, and if it would work to have a part-time provider. Mr. Hunter does not feel that the county would find an employee to be dedicated. We need a key person to be there for our staffing needs. The greatest concern is that they will be looking for full-time and go somewhere else. We need to have an agency formed and in place for licensing by January. With a license, grants can be applied for to help with equipment cost.

After a lengthy discussion and questions of concern a motion was made by Mr. Simpkins and seconded by Mr. Bailey to start the hiring process for an EMT at the Advance Life Support Level and approving an appropriation amount of \$45,616 creating the department for personnel and operational cost.

AYES: S. C. ALSOP, J. L. SIMPKINS, R. F. BAILEY, JR. J. M. MILBY, JR.

NAYS: NONE

NOT PRESENT: D. H. MORRIS

COUNTY ADMINISTRATORS COMMENTS

County Administrator Thomas Swartzwelder provided an update on the following:

- (1) Advised that IRS has raised the mileage reimbursement rate to 56 ½ cents per mile.
- (2) Advised that the Internet System is on line, with full blown customer installation in January and is in the process of getting test subjects.
- (3) Advised that information has been placed at the Boards seat, relating to the Landfill requesting a Major Air Permit Amendment with a hearing process beginning mid January.
- (4) Advised that the Business License Tax goes into effect January 1st, and should net additional revenue of around \$40,000.00, this is not a BPOL tax. The tax is \$50.00 annually with a \$25.00 administrative fee.
- (5) Congratulated Tina Ammons on passing another class. She will need to pass 2 more in which to be our Finance Officer.

PROPOSED BUDGET SCHEDULE

County Administrator Tom Swartzwelder prevented a proposed budget schedule for FY 13/14.

A motion was made by Mr. Milby and seconded by Mr. Simpkins to adopt the following budget schedule:

FY2014 Proposed Budget Schedule

December

27th - Send out *Budget Request packets* to County Departments, Constitutional Offices and outside agencies.

January

17th – Budget requests due back from all departments, offices and agencies.

February

11 th 7:00 p.m. Regular Meeting	County Administrator provides Draft Budget to Board of Supervisors
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25 nd 7:00 p.m. Regular Workshop	Board Budget Work Session
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March

11 th 6:00 p.m. Regular Meeting	Meet with School Board
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11 th 7:00 p.m. Regular Meeting	Constitutional Officers and Outside Agencies
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18 th 6:00 p.m.	<u>Special Meeting</u> – budget work session
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25 th 7:00 p.m. Regular Workshop	Board Budget Work Session
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March 22nd Deadline for submission of Budget Synopsis to newspapers.

March 27th Budget Synopsis advertised in Tidewater Review, Rappahannock Times and County Courier.

April

8th 7:00 p.m. Regular Meeting Public Hearing

15th 6:00 p.m. **Special Meeting** - budget work session

22nd 7:00 p.m. Regular Workshop Adopt FY2014 Budget

AYES: S. C. ALSOP, J. L. SIMPKINS, R. F. BAILEY, J. M. MILBY, JR.

NAYS: NONE

NOT PRESENT: D. H. MORRIS

BOARD OF SUPERVISORS COMMENTS

Mr. Milby had the following comments:

- Thanked everyone for coming out
- Wished everyone a Merry Christmas
- Expressed that he attended the Planning Commission and it was one of the longest meetings he has attended, a little over 4 ½ hours. At that meeting there was a good turnout with numerous speakers. Whether they voted yeah or nay, it was good to see the citizens come out and voice their opinions and concerns.
- Expressed that he feels that the decision to proceed with the Emergency Services recommendation is a solid decision. It was not in the budget, but it has become a necessity and is blessed where he lives as we have a very active fire and rescue department.

- Expressed that he had the opportunity to see the movie “Lincoln”, and encouraged those that have not to see it.
- Wished everyone a good night and safe trip home.

Mr. Simpkins had the following comments:

- Thanked everyone for coming and to watch for the deer going home.
- Congratulated Tina on her accomplishments
- Commented that Emergency Services has a great affect on our population
- Wished everyone a Merry Christmas and looks forward to a New Year.

Mr. Bailey had the following comments:

- Congratulated Tina on passing another test
- Thanked everyone for coming out. It was good to see everyone become part of the process, as you can see that Supervisors do not agree on everything and apologized to his colleague Mr. Milby if he said anything that offended him, and I know that anything that he said was not to offend him; it was all in doing the right thing for the county.
- Asked that everyone be careful going home, as there are a lot of deer out
- Wished everyone a Merry Christmas

Ms. Alsop had the following comments:

- Thanked her colleagues for electing her to serve as Chair for the past year.
- Expressed congratulations to Tina
- Advised that she has been involved with the Rescue Services in the County for many years and they need help. We need volunteers to get involved with our local rescue squads.
- Advised that Essex County is holding a legislative dinner on January 3rd and encouraged members to attend.
- Advised that she is hearing a lot of good things about King and Queen from the State where they are looking at us for direction. We need to start looking at a legislative agenda for what is important to the citizens in King and Queen. Asked that the Board check their e-mails as she is going to start forwarding some of her ideas to each member so that they can compare their concerns.
- Wished everyone a Merry Christmas and a Happy New Year
- Asked that if any citizen has a concern to e-mail her at salsop@kingandqueenco.net

IT IS ORDERED THAT THIS BOARD ADJOURN:

A motion was made by Mr. Bailey and seconded by Mr. Simpkins to adjourn the meeting.

AYES: S. C. ALSOP, J. L. SIMPKINS, R. F. BAILEY, JR., J. M. MILBY, JR.

NAYS: NONE
NOT PRESENT: D. H. MORRIS

Sherrin C. Alsop, Chairman

K. Diane Gaber, Deputy Clerk