

King and Queen County  
Board of Supervisors Regular Meeting

King and Queen County Courts and Administration Building  
General District Courtroom

Monday, February 13, 2012

7:00 P.M.

“Minutes of the Meeting”

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

Chairman Alsop called the meeting to order. Mr. Simpkins commented that there has been discussion concerning prayer at Board Meetings, and was happy to say that King and Queen County will continue, with providing the invocation, followed by the Pledge of Allegiance to the Flag of the United States.

**APPROVAL AND SIGNING OF JANUARY 9, 2012 MINUTES OF THE BOARD**

Note: Due to the December 2011 workshop/presentation meeting being cancelled, there are no minutes.

A motion was made by Mrs. Morris and seconded by Mr. Bailey to approve the January 9, 2012 minutes.

AYES: S. C. ALSOP, J. M. MILBY, JR., D. H. MORRIS, J. L. SIMPKINS, R. F. BAILEY, JR.  
NAYS: NONE

**APPROVAL AND SIGNING OF THE FEBRUARY 2012 WARRANTS AND APPROPRIATIONS**

A motion was made by Mr. Simpkins and seconded by Mr. Milby to approve the warrants and appropriations for the month of February 2012, as subject to audit.

AYES: S. C. ALSOP, J. M. MILBY, JR., D. H. MORRIS, J.L. SIMPKINS, R. F. BAILEY, JR.  
NAYS: NONE

## **BUDGET AMENDMENTS**

### **Sheriffs Department – Budget Supplement - \$3,000 for General and Drug Investments**

County Administrator Tom Swartzwelder advised that \$500.00 would go into uniforms line item and \$25000 into General and Drug investigations.

A motion was made by Mr. Simpkins and seconded by Mr. Bailey to approve the budget amendment as stated above.

AYES: S. C. ALSOP, J. M. MIBLY, JR., D. H. MORRIS, J. L. SIMPKINS, R. F. BAILEY, JR.  
NAYS: NONE

### **Emergency Services – Budget Supplement \$3,007.00 – 2012 Mini Training Grant and \$73,800 Emergency Operations Center**

Chairman Alsop explained that the County received notification that we are recipient of the 2012 Training Mini Grant administered through the Virginia Department of Fire Programs in an amount of \$3,007.00. The funds will be used to purchase a realistic weight, adult sized training manikin and an artificial smoke machine generator.

Chairman Alsop further advised that the County has also received a grant in the amount of \$73,800 from the Virginia Department of Emergency Management. Funds will be used to improve our emergency operations center and emergency communications response and support capabilities. Components of the grant will allow the county to set up a portable, electronic based Emergency Operations Center and expand communications support during emergency situations. There is an in-kind local match obligation required which is being met with the financial obligation for replacing the emergency generator and additional communications systems purchases within the past year. This will result in no cash expenditure directly to this grant program.

A motion was made by Mr. Milby and seconded by Mr. Bailey to approve the Budget supplements as listed above.

The Board expressed their thanks for the work that Greg Hunter, Emergency Services Coordinator has done in obtaining the grants.

AYES: S.C. ALSOP, J. M. MILBY, JR., D. H. MORRIS, J. L. SIMPKINS, R. F. BAILEY, JR.  
NAYS: NONE

## **PUBLIC COMMENT PERIOD**

Chairman Alsop opened the public comment period, asking that those who wish to speak to please state their name and district that they reside in, and to limit their comments to three (3) minutes.

Anne Marie Voight, Stevensville District, was present expressing her congratulations to the Sheriff and his department for the hard work that they put in resolving the B & E's within the County. Ms. Voight further expressed her appreciation for Emergency Services Coordinator Greg Hunter's work, in his application for the grants that have been received.

After hearing no further comments, the public comment period was closed.

## **DEPARTMENT HEADS AND SCHOOL SUPERINTENDENT'S REPORTS**

**Treasurer Irene Longest** was present providing the Board with the Treasurers monthly report and advised that her office has completed the budget transfers with the exception of the Schools and they will be making that transfer this month. Ms. Longest also provided the Board with her "work load statics" report that is provided to the State Compensation Board every year and thought the board would be interested in seeing what they have been doing during the past year. Ms. Longest further advised:

- That her office sent out 1 round of delinquent tax notices in December and are in the process of sending out another round this month.
- Advised that they are in the Debt Set-up mode, where your name and social security number is submitted where the County can tag any state refunds that would be going to the taxpayer
- Advised that the claims that have been sent to be processed are 2,300. Ms. Norman has already received matches for 300
- Reported that they have also started entering their DMV stops, and as of today they have entered 231.
- Advised that 7,000 delinquent tax notices have been sent, through 3 mailings during the year.

County Administrator Thomas Swartzwelder advised that through one of the mailings received from Robinson, Farmer and Cox Associates, that we have one of the highest efficiency ratings for a Treasurer. Her collection rating is almost 99%, which is quite an accomplishment.

**Commonwealth Attorney Charles Adkins** was present providing the following comments:

- Kudos to the Treasurer and to the Sheriff for keeping him busy
- Advised that term day is tomorrow, with 3 felony cases, and 43 indictments
- Advised that there were basically 3 burglary rings in the county and two have been broken up in the past year.

**Sheriff Charboneau** was present providing the following comments:

- Thanked everyone for all of the good words that they spoke and without a good staff he could not get where he is. The guys have really worked hard; the investigators that he has put in their duties have worked excellent. Investigator Jordan has been so busy collecting evidence for the last couple weeks, that he did not get a chance to do the leg work, so a couple of them assisted him, doing old fashion police work, just getting out and speaking to people, getting names and cross referencing with the new computer system “Links” which they can tie into other departments files, where they were able to pull 2 names that matched in Maryland, which had addresses here in King and Queen. Sheriff Charboneau further advised that his guys have busted up 2 rings. All the B & E’s have pretty much been solved in King and Queen County
- Thanked the Board for passing the budget amendment.

**School Superintendent Charles Clare** provided the following report:

- Provided the schools enrollment status of 730 for K – 12, down 7 students from January, however they have had an additional 34 students enroll in the Academy Program and that number does count in their ADM, and the schools will be paying the tuition fees to participate in the Academy and in turn King and Queen gets to count the students in the ADM. The Academy is for K – 7 students, and none of the 34 students are from King and Queen County. The cost should be around \$31,000, with anticipated revenue of \$1,650 per student.
- Thanked the County and County Administrator for working with them on the drain field issue at the high school.
- Provided an update on Bridging Communities that is housed in New Kent County and should be completed before the opening of school.
- Advised that the difference paid between Richmond Tech School Students and Bridging Communities is \$21 in the Schools favor. There is no start up amount for King and Queen County
- Advised that they have budgeted for the same number of students being 10 students.

**Social Services Director Betty Dougherty** provided the following update:

- Advised that King and Queen County Department of Social Services received recognition from the State Board of Social Services as an agency in the Central Region
- Provided an over-view of the Department of Social Services Annual Report comparing with FY2010 figures with Medicare being the biggest increase.

The Board expressed their thanks to the Department for doing such a good job.

**KING AND QUEEN CENTRAL HIGH SCHOOL – DRAIN FIELD  
(TABLED FROM THE JANUARY 12 MEETING)**

County Administrator Thomas Swartzwelder advised that per the Boards instructions, the entire drain field has been re-evaluated. When the system was put in years ago, there were 2 separate drain fields with 2 separate pumps. What needs to be done now is to install an entirely new septic system, replacing pumps and an alarm system. The cost anticipated is approximately \$40,000. The schools do not have this amount in their budget, so they are requesting that the money be moved from the School Construction Fund to the County Capital Improvement Fund and the County will take the project out to bid. If this request is approved tonight, they believe that this project can be completed during spring break.

A motion was made by Mr. Simpkins and seconded by Mr. Milby to approve \$45,000 (\$5,000 included to cover contingencies) to be moved from the School Construction Fund to the County Capital Improvement Fund.

AYES: S. C. ALSOP, J. M. MILBY, JR., D. H. MORRIS, J. L. SIMPKINS, R. F. BAILEY, JR.  
NAYS: NONE

**PRESENTATION OF ANNUAL FINANCIAL REPORT – YEAR ENDING JUNE 30,  
2011  
ANN WALL of ROBINSON, FARMER, COX ASSOCIATES**

Anne Walls Auditor and Partner with Robinson, Farmer, Cox Associates was present for the purpose of presenting the annual financial report for year ending June 30, 2011 expressing that the audit was conducted in accordance with appropriate auditing standards and generally accepted accounting standards. Under the opinions, Ms. Wall advised that there was an unqualified opinion, which is the best opinion you can get, where nothing came to their attention that needs to be reported. Cooperation received from the Departments was very professional. Ms. Wall provided an over-view of expenditures and revenues, as well as advised that we have a 97.28% tax collection that was received. Delinquent Tax Percentage was at 99.87%. The School Fund had a balance of \$116,141 of local appropriation that was unspent.

Ms. Wall further commented that a Management Letter was included which stated a couple of issues in the School Board Office.

**KING AND QUEEN COUNTY EMERGENCY OPERATIONS PLAN – RESOLUTION  
OF APPROVAL**

County Administrator Thomas Swartzwelder advised that the Emergency Operations Plan has been revised and there is a resolution for adoption. Mr. Swartzwelder advised that students at VCU worked with the County and State on this Plan and it meets all state requirements.

Ms. Alsop expressed concern if all of the Departments have been notified of what is included within the plan, as a lot falls on them. County Administrator Thomas Swartzwelder advised that a meeting has been held with all of the chiefs.

A motion was made by Mr. Bailey and seconded by Mr. Milby to approve the following resolution:

**RESOLUTION  
ADOPTION OF EMERGENCY OPERATIONS PLAN**

**WHEREAS, the Board of Supervisors of King and Queen County, Virginia recognizes the need to prepare for, respond to, and recover from natural and manmade disasters; and**

**WHEREAS, King and Queen County has a responsibility to provide for the safety and well-being of its citizens and visitors; and**

**WHEREAS, King and Queen County has established and appointed a Director and Coordinator of Emergency Services;**

**NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of King and Queen County, Virginia, this Emergency Operations Plan, as revised, is officially adopted, and**

**IT IS FURTHER RESOLVED AND ORDERED that the Director of Emergency Services, or his/her designee, are tasked and authorized to maintain and revise as necessary this document over the next four (4) year period or until such time be ordered to come before this board.**

AYES: S. C. ALSOP, J. M. MILBY, JR., D. H. MORRIS, J. L. SIMPKINS, R. F. BAILEY, JR.  
NAYS: NONE

**APPOINTMENTS/REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS**

**Planning Commission – Newtown District**

Ms. Alsop advised that she has an open seat to replace Donna Thompson, and asked that this be tabled until the next meeting.

**Board of Building Appeals**

A motion was made by Mr. Simpkins and seconded by Mr. Milby to reappoint Mr. Jerry Walker to the Board of Building Appeals for a five (5) year term expiring February 10, 2017.

AYES: S. C. ALSOP, J. M. MILBY, JR., D. H. MORRIS, J. L. SIMPKINS, R. F. BAILEY, JR.  
NAYS: NONE

**Social Services Board – Shanghai District (to replace Laura Willis)**

Tabled

**CEDS (Community Economic Development Strategy)**

A motion was made by Mr. Milby and seconded by Mr. Simpkins to appoint the following:

Mrs. Kim Williams, Sears Realty  
Mrs. Anne Marie Voight  
Mr. Lewis Ball, Ball Lumber

AYES: S. C. ALSOP, J. M. MILBY, JR., D. H. MORRIS, J. L. SIMPKINS, R. F. BAILEY, JR.  
NAYS: NONE

**Criminal Justice Board**

Per Hope Brooks, Mr. McDuff has expressed interest in staying on the Criminal Justice board as a citizen representative. Ms. Brooks further advised that an appointment by the Board is necessary either from the Board of Supervisors, County Administrator, or an elected official.

Meeting dates are held Quarterly (Jan, April, July and October) on the 3<sup>rd</sup> Monday @ 5:30 P.M. in Saluda.

A motion was made by Mrs. Morris and seconded by Mr. Milby appointing Mr. McDuff as the citizen representative and Sheriff John Charboneau as the County representative.

AYES: S. C. ALSOP, J. M. MILBY, JR., D. H. MORRIS, J. L. SIMPKINS, R. F. BAILEY, JR.  
NAYS: NONE

**Wetlands Board – Newtown District**

A motion was made by Ms. Alsop and seconded by Mr. Milby to reappoint Ms. Krystal Gaines to a five (5) year term expiring February 12, 2017.

AYES: S. C. ALSOP, J. M. MILBY, JR., D. H. MORRIS, J. L. SIMPKINS, R. F. BAILEY, JR.  
NAYS: NONE

**RESOLUTION OPPOSING HUNTING ON SUNDAYS.**

County Administrator Thomas Swartzwelder commented that the Board has asked that a Resolution be drafted and sent to our elected officials opposing hunting on Sundays. Mr. Swartzwelder advised that there are numerous bills proposed.

A motion was made by Mrs. Morris and seconded by Mr. Bailey to adopt the following resolution:

**King and Queen County  
Board of Supervisors  
Resolution Opposing Hunting on Sundays**

**Resolution**

**WHEREAS, existing State law prohibits hunting on Sundays, calling it a “rest day for all species of wild bird and wild animal life, except raccoons, which may be hunted until 2:00 a.m., on Sunday mornings, and**

**WHEREAS, there are several bills under review to amend and reenact §§ 29.1-521, 29-1-521.1, and 29-1-553 of the Code of Virginia, relating to hunting on Sundays, has passed the Senate to allow Sunday hunting and,**

**WHEREAS, each of these bills, whether they allow unlimited hunting or hunting after a certain time or hunting only with the written consent of the property owner all result in an added burden to our citizens and,**

**WHEREAS, the Board of Supervisors is concerned about trespassing hunters on private property where permission to hunt on Sundays is denied thereby placing an added burden on landowners to police their property and the County to supply additional law enforcement, and**

**WHEREAS, there are strong faith-based beliefs on the issue of Sunday hunting, and**

**WHEREAS, Sunday is the one day that horse owners, dog owners, fisherman and landowners may use public and private land to enjoy the outdoors without worry from hunters, and**

**WHEREAS, hunting on Sundays, even on private property, will take away the one day of freedom in walking and or otherwise enjoying the outdoors, and would be disruptive to**

**neighboring landowners and others who want to enjoy the outdoors without competing with hunters and their guns, and**

**WHEREAS, the majority of local Hunt Clubs and their members support this resolution, and**

**WHEREAS, hunting, an American tradition that we hold dearly will suffer as a sport because Sunday hunting will create additional animus and inflame anti-hunting groups and non-hunters who look to Sunday as a day of respite, and because many private property owners will terminate leases with Hunt Clubs in order to remove any possibility of Sunday hunting on their property, and**

**THEREFORE BE IT RESOLVED that the King and Queen County Board of Supervisors opposes the change in State Law allowing hunting on Sundays, and**

**IT IS FURTHER RESOLVED that a copy of this resolution be sent to the Honorable Senator Tommy Norment, the Honorable Delegate Keith Hodges and the Honorable Delegate Chris Peace.**

AYES: S. C. ALSOP, J. M. MILBY, JR., D. H. MORRIS, J. L. SIMPKINS, R. F. BAILEY, JR.  
NAYS: NONE

## **COUNTY ADMINISTRATOR'S COMMENTS**

County Administrator Thomas Swartzwelder had the following updates:

- Advised that the Board of Equalization has finished its training and received their certifications from the Virginia Department of Taxation.
- The Board of Equalization has requested a meeting with Mr. Pearson, Assessor on April 25<sup>th</sup>, with a number of questions they have pertaining to the assessments. Hearings are scheduled for every Wednesday in May. At the present time there are approximately 30 appeals on file.
- Reminded that a public comment period will be held at the CEDS meetings
- Provided an update on the Circuit Court Building and the mold issue, advising that the mold needs to be removed, as well as some insulation in the crawl space. The HVAC will need to be replaced and a section of the floor will have to be removed. The project is ready to go out for bid.
- Advised that King William County has come back to the table relating to the Radio System and that a meeting is scheduled for this Wednesday at 1:00 P.M. , with a company that writes a software system, where discussions will relate to trunking the system, technology, cost, and benefits will be discussed. Any member that would like to come, please do so.

## **BOARD OF SUPERVISORS COMMENTS**

Mrs. Morris has the following comments:

- Thanked the Sheriff, Treasurer, Social Services and to all the staff here at the courthouse for all their hard work
- Thanked everyone for coming, and expressed appreciation for everyone's comments

Mr. Bailey had the following comments:

- Thanked everyone for attending
- Congratulations to the Sheriff in all of the arrests, to the Social Services Department in their recognition and good luck to the Commonwealths' Attorney relating to his convictions
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Mr. Simpkins had the following comments:

- Wished everyone a Happy Valentines Day
- Commented that he is hearing a lot of good things about what is happening here at the Courthouse and that the employees are doing a good job. The Board does not all the time tell you, but they do notice when you do a good job. Keep up the good work.
- Everyone have a safe trip home

Mr. Milby had the following comments:

- Expressed congratulations to the Sheriff on solving the Break- Ins. That it has been a relief to a lot of people
- Appreciates everyone coming out to the meeting
- For the record it is 8:05 P.M.
- Expressed his appreciation to Treasurer, Irene Longest for a great job in collection of taxes and for a copy of the work load report that was submitted to the State relating to her employees

Ms. Alsop had the following comments:

- Thanked the Treasurer for her work in the collection of delinquent taxes
- Commented that the new library has opened and for those that have not seen it, you really need to. It is a true library and that she sees great things coming to King and Queen
- Commented that she too sees all the good things our staff is doing.
- Expressed her appreciation for all the hard work that Social Services Director Betty Dougherty is doing
- Wished everyone Happy Valentines Day

**CLOSED SESSION PURSUANT TO SECTION 2.2-3711 (A) 1**

A motion was made by Ms. Morris and seconded by Mr. Milby to enter into closed session pursuant to Section 2.2-3711 (A) 1 of the Code of Virginia for the purpose of discussing personnel.

AYES: S. C. ALSOP, J. M. MILBY, JR., D. H. MORRIS, J. L. SIMPKINS, R. F. BAILEY, JR.  
NAYS: NONE

A motion was made by Mr. Bailey and seconded by Mrs. Morris to come out of closed session with each member certifying by individual vote that only those public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act were heard, discussed and considered in closed session.

No action was taken.

**IT IS ORDERED THAT THE BOARD ADJOURN:**

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

AYES: S. C. ALSOP, J. M. MILBY, JR., D. H. MORRIS, J. L. SIMPKINS, R. F. BAILEY, JR.  
NAYS: NONE

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Sherrin C. Alsop, Chairman

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K. Diane Gaber, CMC, Deputy Clerk