

King and Queen County
Board of Supervisors Meeting

Monday, August 13, 2012

King and Queen County
Courts and Administration Building
General District Courtroom

7:00 P.M.

“Minutes of the Meeting”

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES

Chairman Alsop called the August 13, 2012 regular meeting to order. Mr. Simpkins provided the invocation, followed by the Pledge of Allegiance to the Flag of the United States.

APPROVAL AND SIGNING OF THE JUNE 25, 2012 AND JULY 9, 2012 MINUTES OF THE BOARD

A motion was made by Mr. Bailey and seconded by Ms. Alsop to approve the June 25, 2012 and July 9, 2012 minutes of the Board as presented.

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

APPROVAL AND SIGNING OF THE AUGUST 2012 WARRANTS AND APPROPRIATIONS

A motion was made by Mrs. Morris and seconded by Mr. Simpkins to approve the August 2012 warrants and appropriations, subject to audit.

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

PUBLIC COMMENT PERIOD

Chairman Alsop opened the Public Comment Period, asking that those who wish to speak to please come forward, stating your name and the district that you are from and to limit comments to 3 minutes.

Alease Roane, Rt. 601 Cherry Row Lane, Buena Vista District, expressed comments relating to the time frame beginning from 1954 to the present date concerning Cherry Row Lane. Mrs. Roane expressed that in the event that Cherry Row Lane is not paved all the way to the River that she ask that pavement of Rt. 601S be delayed until the entire road 2.3 miles can be paved. Mrs. Roane further expressed that as a resident on the river, that her assessment is much higher than others and that she and the other owners not be expected to pay the way for pavement of the 1st half of this road Mrs. Roane further expressed that she felt the Board of Supervisors must require VDOT to maintain Rt. 601 in two areas. The 1st mile is in a washboard affect, where cars are knocked out of alignment. In the second mile at the entrance to her property and Mr. Ezell's, there is a problem with deep water that stands there after a heavy rain. There is a drainage issue of water runoff from neighbors' property, making it hard to enter their properties with damage to their properties and Rt. 601. Mrs. Roane asked that the Board consider those that live on the 2nd mile.

Chairman Alsop asked that the Board keep Mrs. Roane's comments in mind when a public hearing is held later in the meeting.

Ms. Alsop further expressed that those who are present to speak in regards to the public hearing on Cherry Row Lane that there would be an opportunity during the public hearing time.

Ronnie Helmick, 323 Banks Town Road, Newtown was present, expressing concern of actions taken by the Sheriff's Department Deputies relating to a mud bog event that was held on July 14th on Rosemount Road, with an attendance of approximately 100-150 people. Mr. Helmick advised that he spoke with the Sheriff of his concerns and was advised by the Sheriff that the Board of Supervisors had nothing to do with him, he was voted in, and he could be voted out. Mr. Helmick further expressed that he felt the county needed to know the actions by the Sheriff's Department employees and of the use of force that was made was unnecessary and that there could be numerous lawsuits from it. Mr. Helmick further advised that he plans to be present at the Boards meeting next month.

Cullem Ezell, Jr., 2138 Cherry Row Lane, Rt. 601, commented that in December 2011 he received a mailing from VDOT that they were going to begin working in the summer of 2012 on their road. Since that time VDOT has had crews there cleaning the ditches and the road. There are 8 or 9 homes below Guthrie's Green, if the whole road is not going to be done from the beginning to the end then nothing should be done at all.

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

DEPARTMENT HEADS, SCHOOL SUPERINTENDENT'S REPORTS, REPUBLIC SERVICES

Treasurer Irene Longest was present advising:

- That the June 2012 report was included along with the July 2012 treasurers report in their packets.
- \$1,090,953.61 was wired to the county from Republic Services on June 13th, 2012.
- On July 11th, \$1,000,000 was transferred out of the landfill account LGIP to meet expenses for the month of July and tomorrow she will be transferring another \$1,000,000 out of the account for expenses for the month of August.

Commonwealth Attorney Charles Adkins advised that the summer continues to be busy for his office. Since 2000 on average they would have 1 or 2 jury trials a year. So far there have been 2 this past month and five more are scheduled by November 1st.

Sheriff Charboneau was present advising:

- Provided an over-view relating to Mr. Helmick's comments. Sheriff Charboneau commented that they have had 12 to 14 calls to prior events that took place there with under-age drinking and people leaving the scene intoxicated, and a major fight took place of which the individual went through several surgeries. Sheriff Charboneau further commented that he explained to Mr. Helmick that as complaints come to him, he has to act on them, that he has no other choice as he is the Chief Law Enforcement of this County. Sheriff Charboneau advised that he gave the landowner notice of what was going to happen, called him prior to the event advising that there would be ABC agents there and extra patrols would be on call that evening. After the event, the owner called him with complaints of the number of police cars that were there of which he advised the landowner that he wanted to get a point across, that if you come into the county and are drinking then they were going to arrest them. A DUI arrest was made and there was an arrest for under-age drinking.

Mr. Simpkins questioned if there was a function like this up the County yesterday. Sheriff Charboneau advised that he was not aware of one.

Social Services Director Betty Dougherty was present providing an update on the following:

- Provided an update on what is going on with the King and Queen Resource Council. Initiatives were adopted at their August 2012 meeting for 2012/201, choosing 4 items that they would like to work on for the upcoming year. These items are: to start a citizens core in King and Queen, second, is the backpack program which provides a backpack to children to take home on the weekend so that they will have adequate food, third is that they are going to do a joint resource fair with King William, fourth is a pulpit charge that churches work together to help in the community.
- Advised of school supplies for needy children in their office, should anyone need these.

- Thanked the Sheriff's Department for their continued services and support to the Social Services Department.

Superintendent of Schools Charles Clare had the following comments:

- Advised that they are currently projecting 715 students for the K-12 Program. At the end of March of this year there were 719 students.
- Advised that there were 60 graduates this year, being the largest they have had, and the next graduating class will be approximately 15 students less.
- Advised that last year there were 21 students in Kindergarten and at this time there are 25 students enrolled, with six additional pending. At King and Queen Elementary School as of March 31st, they had 228 students and so far this year they have enrolled 231.
- Provided an update on a feasibility study that a meeting has been planned within the next week regarding potential renovations, new construction, etc.
- Advised that there will be several new faces at the schools. King and Queen Elementary will have 7 new teachers, at Lawson Marriott School there will be 100% returning teachers.
Linda Via, Principal will be retiring at the end of August. Advertisements have been made and have a panel established to review applicants.
- Advised that there are 10 slots available in the Bridging Communities Technical School housed in New Kent County. Construction is moving rapidly forward. Students will start with their course on day 1. An invitation will be sent to attend the open house, which a date has not been set.

Tim Loveland with Republic Services was present to provide an update on the following:

- Advised that the permit modification was sent out for public notice and comment and on August 3rd, the County Administrator, himself, his environmental manager and Deputy Director of DEQ's Piedmont regional office met to discuss concerns of the county pertaining to modifications. As a result to the meeting, Republic owed the county some answers and DEQ owed clarifications to both the County and Republic Services and are present tonight to address a couple of those concerns and to answer any questions the Board may have. Mr. Loveland provided an overview of the alternate liner and life of the landfill, for the exchange of 3 feet of clay. The current landfill is constructed at a 4 to 1 slop and proposed is 3 to 1. With this change there are benches. The overall capacity would not change with the State. The height of the landfill is restricted to 100 feet.

Mrs. Morris expressed concern that we have not been given any proof that this alternate lining is going to work. It is hard enough to grow grass. How are trees going to grow?

Mr. Loveland responded that poplar trees have grown and are very fertile.

Mrs. Morris commented that another concern that she has is in regards to the hearing notice being published in the Southside Sentinel of which is not generally circulated through the County.

Mr. Loveland agreed with Mrs. Morris, and commented that publication is up to the state and thinks it will go out in both papers for the public hearing.

County Administrator Thomas Swartzwelder commented that DEQ invited us to mediate our differences and asked Mr. Loveland to come back to the Board and address any concerns the Board may have to see if there was any common ground.

VDOT – REQUEST TO VDOT TO ADD REMAINING PORTION OF RT. 601 CHERRY ROW LANE TO SIX YEAR PLAN – RESOLUTION – PUBLIC HEARING

Chairman Alsop opened a public hearing on adding the remaining portion of Rt. 601 Cherry Row Lane to the Six Year Plan. County Administrator Thomas Swartzwelder verified proof of publication of advertisements in the Tidewater Review, Rappahannock Times and Country Courier.

Mr. Sean Trapani, Residency Administrator with VDOT, was present providing background information. Mr. Trapani advised that this particular section of Cherry Row came on the plan in 2010. It was assumed at the time that it would be the entire road. In 2011, VDOT sent some letters out and after receiving responses there was some opposition in going the entire length. This was the termini that were set to stop just past Guthrie's Green. A lot of work has been done and VDOT is prepared to do the entire road if this is what the Board desires.

County Administrator Thomas Swartzwelder further commented that as Mrs. Roane commented, this has been talked about for years and years. On November 15th, 2004 the Board held a public hearing of which the road plan was discussed. At that hearing 2 citizens were present opposing pavement of Cherry Row Lane, and that paving stopped at the end of Guthrie's Green. Since that time VDOT has been working in that area and citizens contacted the Buena Vista District representative and Mr. Trapani contacted him as well and that is how we are at the point we are at now.

Chairman Alsop expressed that just because a request is made by a Supervisor to call a public hearing, it is to be brought before the Board first and voted on by the Board and should not have happened like it did.

The floor was opened for public comment. Chairman Alsop asked that those wishing to speak to please come forward stating their name and district and to limit their comments to three minutes.

Those speaking:

Bill Fick, 620 Guthrie's Green, Buena Vista District, advised that he first came to the County in 1998 asking that something be done about this road, and he is the President of Guthrie's Green Homeowners Association and the homeowners are in agreement that they want something done about the road, a half of a loaf is better than none, with due respect of Mrs. Roane.

Mr. Fick expressed that he would like to know what is going to happen. He hears others say they received a letter and he has not received anything. Mr. Fick commented that he has sent Mr. Milby an email as to what is going on and requested dialogue from Mr. Milby. Mr. Milby responded that he had phone calls from Mr. Massey and others, but does not recall from Mr. Fick.

Franklin Massey, 449 Guthrie's Green, Buena Vista District, urged the Board to move forward with a good result.

Austin Brooks, 419 Guthrie's Green, Shacklefords, expressed that he drives Cherry Row Lane every day, and is seeking clarification; is it 1 mile or 2 miles. If it is 1 mile they will all benefit equally, if it is 2 miles everybody benefits that uses the road. Mr. Brooks further expressed that he sympathizes with Mrs. Roane, that she has a good argument. The money should be found to pave the rest of the road.

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

(Note: Mrs. Alease Roane and Mr. Cullum Ezell made comments during the Public Comment Period section of the minutes)

Mr. Simpkins commented that he had a copy of a traffic count from 2010 and there were 140. The biggest question, has the money been found to do the whole road?

Mr. Trapani responded that the Resolution he has before the Board transfers \$25,000 to complete the road to the end of State Maintenance. The transfer would come from County Wide Traffic Services. So the funding is available there to do it, we just need to modify the six year plan.

Chairman Alsop expressed concern that she has been sitting on the Board since 1999 and that this was the 1st time that she has ever heard of this pot of money, so why is it that we can find funds now, but when she was trying to get funds in the Newtown District there weren't any when there are citizens in her district that have been waiting for years and years.

Mr. Trapani responded that every year it is presented with the cost centers, being one for engineering and traffic services. Traffic Services is the cost center that pays for speed studies, school signs and every year there is a certain amount put in there and the funds have not been expended over the 5 to 6 years.

Ms. Alsop further expressed that she has citizens in her district especially on Vessels Road that have been trying for years to get on the six year plan, being approximately 20 years ago.

Mr. Milby commented that he spoke to Mr. Trapani several weeks ago and asked what affect this will have on any other project in King and Queen. If you take into consideration Mrs. Roane's comments that she has been waiting since 1960 and you have been waiting since 1999 and does not know why something had not been and thinks that now is a good time to get it done since they have been waiting since 1960.

Mr. Trapani further expressed that they were not talking about big sums of money. We are talking about \$5,000 each year. It is not like there were hundreds of thousands of dollars.

Ms. Alsop questioned if the \$25,000 is taken out, how much will be left to take care of signs, etc. Mr. Trapani advised that it would leave a balance of about \$25,000.

Mrs. Morris expressed to citizens that this is not the only road that has been included within the six year plan and taken out and put back in. Mrs. Morris asked how many miles in the County are there that are washboard roads. Mr. Tranpani commented that there are about 70 miles. We understand where citizens are coming from.

Mrs. Morris further expressed that she understands the citizens' complaints, but when we have the public hearing on the six year plan, none were here to say we want it changed.

Mr. Milby commended that when we had a public hearing and Cherry Row Lane came up, he assumed it was the entire distance of Cherry Row Lane and did not believe that there was any language to think it was less than full length.

After further discussion, a motion was made by Mr. Milby and seconded by Mr. Simpkins to approve the following resolution to have VDOT pave the remaining portion of Rt. 601 Cherry Row Lane.

Ms. Alsop expressed that she was very upset about this, that she did not feel it was right.

**RESOLUTION TO REQUEST THE VIRGINIA DEPARTMENT OF
TRANSPORTATION ADD THE REMAINING PORTION OF ROUTE 601 CHERRY
ROW LANE DESCRIBED AS 1.29 MN ESM TO ESM TO THE SECONDARY SIX
YEAR ROAD PLAN**

WHEREAS, THE Board adopted a resolution at its April 19, 2012 meeting approving the 2013-2018 Secondary Six year Plan and 2013 budget.

NOW, THEREFORE, BE IT RESOLVED by the King and Queen County Board of Supervisors that advertisement was made and a public hearing was held at its regular meeting held on Monday, August 13, 2012 requesting the Virginia Department of Transportation add the remaining portion of Route 601, Cherry Row Lane to the

Secondary Six Year Plan. Additional funding for this extension will come from a transfer of \$25,000 from County Wide Traffic Services making a total project cost of \$160,071.00.

BE IT FURTHERED RESOLVED that the Virginia Department of Transportation Residency Administrator receives a certified copy of this resolution.

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

NAYS: D. H. MORRIS, S. C. ALSOP

VDOT – RT. 634 DRAINAGE IMPROVEMENTS – SEAN TRAPANI

Mr. Sean Trapani, Residency Administrator, was present advising that a public information meeting was held at the Mattaponi Rescue Squad Building on July 24th. The purpose of the meeting was to receive comments from citizens on their construction projects, before they go too far on their designs. Rt. 634 has been on the plan for some time for paved construction as priority 1. The project was split around 1999 or 2000 and the first section was built from Rt. 629 Walkerton end and that left the remaining portion past Minter Lane still on the six year plan.

The basic purpose of that project was to improve drainage issues in that area. The current traffic county is 420. Mr. Trapani turned over the presentation to representatives present to seek feedback from the Board as to what direction they should be headed, trying to figure out the best way to make some improvements explaining some ways in which to upgrade the road and make the improvements to their standards.

Chairman Alsop questioned as to who was invited to the meeting at Mattaponi Rescue Building and what papers was it advertised in as we did not see it. Mr. Trapani advised that it was advertised in the local papers being well advertised. Ms. Alsop asked that in the future when something is going on within the County that as Chairperson she be made aware of it. Ms. Alsop further expressed that she had no idea about this.

Mr. Simpkins expressed that drainage and safety is an issue on that road and sees no point in fixing the road unless you are going to fix the drainage. Mr. Simpkins commented that he did get a notice and apologized for not being able to attend.

VDOT advised that they need to look at other ways to fund the project and will advise as plans progress on the project so that the Board will know where they are.

DEPARTMENT OF TRANSPORTATION REQUEST FOR ACCEPTANCE OF STATE MAINTENANCE – PEBBLE BEACH SUBDIVISION – PHASE I

County Administrator Thomas Swartzwelder, provided background information and advised that Pebble Beach is a 12 year old subdivision. The roads were constructed to VDOT standard and

have finally met on some of these streets the population density requirement with 3 residences on a street in order for them to evaluate it for acceptance in the state system. Mr. Swartzwelder further commented that VDOT has approved all but three cul-de-sac roads where it is being asked that they be put into the system.

Mrs. Morris questioned how much are we talking about that VDOT does not want to take in? Mr. Swartzwelder responded that based on drawings that the County has of the subdivision it looks like it could be 1000 feet of roadway. Mrs. Morris further expressed that it is observed to leave out this little bit of roadway.

Mr. Trapani advised that basically it does not meet the public service requirement that the code of Virginia requires to bring it into the system. Their policy is the only time they bring a street into the system that does not meet the public service requirement, is if it is the last street in the subdivision. If there were two streets that met the requirement and was left with the third street they would take in the third.

Ms. Alsop questioned if we bring these roads in, how much of the maintenance budget is it going to take. Mr. Swartzwelder responded that typically in a subdivision scenario these just become VDOT roads and does not go into your regular pavement cost, it is just VDOT's obligation.

After further discussion or questions and concerns, a motion was made by Mrs. Morris and seconded by Mr. Bailey to adopt the following resolution: Mrs. Morris noted that she would like to see it all in the subdivision.

Mr. Milby asked that Mr. Trapani go back and check for the past 10 – 12 years and give him an amount of how much has been spent on each of the five districts.

RESOLUTION

WHEREAS, Beach Boulevard, State Route Number 1027 and Plantation Place, State Route Number 1027, all located in the Pebble Beach subdivision described on the attached Additions Form AM-4.3, fully incorporated herein by reference, is shown on a plat recorded in the Clerk's Office of the Circuit Court of King and Queen County, Virginia; and

WHEREAS, the Virginia Department of Transportation has advised this Board to streets referenced above meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

NOW, THEREFORE BE IT RESOLVED that this Board requests the Virginia Department of Transportation to add the streets described on the attached Additions Form

AM-4.3 to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, 1950, as amended, and the Department's Subdivision Street Requirements; and

BE IT FURTHER RESOLVED that this Board guarantees a clear and unrestricted right-of-way as described, plus any necessary easements for cut, fills, drainage, or sight distance; and

BE IT FURTHER RESOLVED that a certified copy of this resolution is forwarded to the Resident Engineer for the Virginia Department of Transportation.

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

NAYS: NONE

STATE AID TO LOCALITIES – DESIGNATION OF PAYMENT

Chairman Alsop advised that once again the State relating to the 2012 appropriation act which requires that state aid to local governments be reduced statewide by FY2013.

In the past the Board has elected to reimburse the funds directly back to the state rather than take the reductions from affected departments and agencies. The estimate for FY2013 is \$43,507.00 which is \$9,914.00 less than was budgeted.

A motion was made by Mrs. Morris and seconded by Mr. Simpkins to do as in the past and reimburse the funds directly back to the state.

AYES: S. C. ALSOP, D. H. MORRIS, J. L. SIMPKINS, R. F. BAILEY, JR.

NAYS: J. M. MILBY, JR.

BUDGET AMENDMENTS

Treasurer – Budget Supplement - \$6,557.00

The Treasurer received a one-time Career Development Program increase from the Compensation Board in the amount of \$5,426.00 plus benefits, being a total of \$6,557.00.

A motion was made by Mr. Milby and seconded by Mrs. Morris to approve the budget supplement.

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

NAYS: NONE

Emergency Services – FEMA Expenses (\$37,318.38)

The Board was advised that the County has received funds from VDEM for the FEMA reimbursement of emergency services expenses incurred during and following Hurricane Irene. Total amount received is \$37,318.38. Multiple accounts have been created within the Emergency Services budget that were used to track the expenditures.

The supplement will bring the Emergency Services Budget back into balance and no local funds will be needed.

A motion was made by Mr. Milby and seconded by Mr. Bailey approving the budget supplement putting the money back into the emergency services general fund for 2012.

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

Sheriff - \$2,229.00

The Department of Criminal Justice Services awarded King and Queen County \$2,229.00 in federal funds. Local cash match is \$248.00 which is included in the budget. Total award is \$2,477.00.

On the budget amendment/supplement it is noted that the grant cycle is until December 2012 and no expenditures were on the grant until after July 2012. This supplement is for the total amount of the grant less the county match.

A motion was made by Mr. Bailey and seconded by Mrs. Morris to approve.

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

DUNES ORDINANCE – TABLED FROM JULY 30, 2012 WORKSHOP

County Administrator Thomas Swartzwelder advised that the Board discussed a proposed Dunes Ordinance at their July 30th workshop. This is the second request of the Wetlands Board of which the first request was submitted in 2010 asking that the County adopt a county-wide Dunes Ordinance. To date, there has only been one found. The Board asked that the Planning Commission re-evaluate it and they recommended that the Board not adopt an Ordinance because they viewed it as another mandate that provides unnecessary burden on the County.

Mr. Milby questioned where the one dune was located. Mr. Swartzwelder advised that it was located at Tucker's Beach. He had to go to Newport News to get a permit to put a boat house up.

Mr. Milby further questioned if he felt it was a hard pressed issue. Mr. Swartzwelder responded that from the Planning Commission's perspective, they don't, as this is the only dune found in

the county. In his opinion of the Planning and Zoning Department that the Board accept the Planning Commission's recommendation, as it would cause a burden on the county.

A motion was made by Mrs. Morris and seconded by Mr. Bailey to accept the Planning Commission's recommendation not to proceed with a Dunes Ordinance.

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

DISCUSSION OF PROPOSED ADOPTION OF RESOLUTION OF APPRECIATION – WEST POINT FIRE AND RESCUE

County Administrator Tom Swartzwelder advised that this item was discussed at their workshop and they would have something for the Board at their next workshop as Ms. Gaber was rather busy in preparing other documents for the meeting.

APPOINTMENT/REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

PLANNING COMMISSION – NEWTOWN DISTRICT – (TO FILL THE UNEXPIRED TERM OF MS. THOMPSON – JANUARY 12, 2015)

Tabled

INDUSTRIAL DEVELOPMENT AUTHORITY – ST. STEPHENS CHURCH DISTRICT

A motion was made by Mr. Simpkins and seconded by Ms. Alsop to appoint Mr. George M. Longest, Jr., to another 4 year term to expire September 8, 2016.

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

BOARD OF BUILDING APPEALS – RESIGNATION OF JERRY WALKER - TABLED

The Board was advised that Mr. Jerry Walker has advised that he will no longer be able to serve on the Board of Building Appeals due to his work schedule.

Mr. Simpkins expressed that he would like to contact Mr. Walker about reconsidering as the Board of Building Appeals does not meet often.

DISCUSSION OF CREATION OF BROADBAND AUTHORITY – COUNTY ADMINISTRATOR THOMAS SWARTZWELDER

County Administrator Thomas Swartzwelder advised that in looking at various ways to organize and manage the Broadband project, he has evaluated various options which can range from a P3 (Public Partnership) to a County owned utility, to the Wireless Services Act which is relatively a new body of law in the Commonwealth, and therefore recommends that the Board create a Wireless Services Authority. The Wireless Services Authority is approved by the General Assembly and can be adopted by Resolution of the Board, with the only requirement being certain advertising requirements which we will be no problem. The only other requirement is that the Board adopts initial articles of incorporation when you adopt the resolution to create the Wireless Services Authority. Mr. Swartzwelder further advised that there would have to be 5 members, one from each district. Sitting members of the Board of Supervisors can serve and recommends that the Board be the initial body for the Wireless Services Authority during the build out phase.

Mr. Swartzwelder asked for the Board's permission to proceed with drafting the documents and advertise for the Board's next Board meeting. Basically we need to apply to the State Corporation Commission, as any other small Corporation would do. Mr. Swartzwelder further advised that there are some Financial Record keeping requirements that he will review with the Treasurer and Mrs. Ammons, of which the accounts need to be maintained separately.

It was the consensus of the Board directing Mr. Swartzwelder to move forward with the Authority and that the Board of Supervisors be the authority for now.

Mr. Swartzwelder further advised that the contract is almost in the final form with our partner on this of which they have incorporated all of the Board's changes mainly to do with the financial requirements in the four steps in how we share profits on the project. It is now time to authorize someone to sign the documents and recommends someone sign other than himself. Ms. Alsop expressed that she could sign as Chairman.

COUNTY ADMINISTRATOR'S COMMENTS

County Administrator Thomas Swartzwelder had the following comments:

- Congratulated Ms. Gaber is receiving a scholarship for continuing education for attendance at the Master Municipal Clerks Academy to be held in October.
- Advised that they are in the final phases of the bidding process for the Circuit Court in putting it back together. (HVAC, carpet etc.)
- Advised that the generator installed will run the County Administrator's Office, Sheriff's Office and one section of the School Board Office.
- Advised that will be coming to the board with numbers, and would like to recommend that we take that generator to run the well and get a price on running at least a portion of Circuit Court Building during power outages.
- Advised that Greg Hunter has received thousands of dollars to run an EOC Office in the upstairs conference room. Stations will be set up for offices that do not have power.

- Provided status evaluation of the schools, with King and Queen Elementary being evaluated which has been done and will be meeting again with the Schools.
- Expressed that there has been a very positive working relationship with the schools the last year or so.
- Expressed that everyone was doing a great job.

BOARD OF SUPERVISORS COMMENTS

Mr. Milby had the following comments:

- Thanked everyone for coming out and seeing so many new faces and hopefully will see them again next month
- Advised that he received a letter from Bob Taylor resigning from the Planning Commission as he will be moving to another state. Mr. Taylor did a good job on the Planning Commission and will be missed.
- Wished everyone a safe trip home

Mr. Bailey had the following comments:

- Thanked everyone for coming
- Expressed that initially he was against the Cherry Row Lane request, but until he found out more about what was going to be done, he went along with it and thanked everyone that came out and spoke in regards to Cherry Row Lane.
- Thanked everyone for their reports
- Wished everyone a safe trip home

Mr. Simpkins had the following comments:

- Thanked everyone for coming out.
- Congratulated Ms. Gaber is obtaining a scholarship for attendance at the Municipal Clerks Academy
- Expressed that it was hard to believe that school was about to start.
- Commented on the gentleman that was present speaking about the Mud Bog situation as he has had some calls of complaints. After speaking with the Courthouse relating to this, it seems there are two sides to every story. These types of things have to be monitored, as there are permits, etc., that need to be obtained. Hopefully we can resolve these issues where everyone will be happy.
- Wished everyone a safe trip home and hope to see everyone next month.

Mrs. Morris had the following comments:

- Thanked everyone for coming out and hoped to see everyone next month. Don't wait for a road issue, just come back.

Ms. Alsop had the following comments:

- Thanked everyone for coming
- Expressed that there were a couple of things that she was not happy about, but appreciates everyone that came out and spoke. The 1st thing was the Republic Issue. Normally Mrs. Morris and she are on opposite sides, but what they are proposing does not see where it is actually going to work and this concerns her because it has not been done in enough places. This is one of the reasons that they have been pushing DEQ to hold a Public Hearing so that others can hear it for themselves. As Chair of the Middle Peninsula Planning District Commission, we sent a letter saying that we oppose it and hopes DEQ will hold a public hearing, as it is not a decision that the Board of Supervisors can make, as it is happening at the state level.
- Expressed that the Board has to make hard decisions, and a big issue for her is that she has citizens that have been waiting and waiting to have roads fixed and follow the procedure and when she sees someone trying to circumvent the procedure, she has a problem with it and this is why she did not vote for having Cherry Row Lane paved. Ms. Alsop further expressed that she was very upset with the State, she has never heard of that pot of money being available.

Mr. Milby responded commenting that he did not feel he circumvented anything. We went through the process that we thought we needed. He called Mr. Swartzwelder and it was placed on the agenda.

Ms. Alsop responded that she did not refer to him; it is just that she feels that sometimes she feels someone tries to not follow the procedure.

- Expressed that as Chair of the Board that she should be shown some respect that she receive some advance notice especially if something is going on, and in the future no public hearing is put on unless this total Board knows about it and has voted for it. If a heads up could be sent, as it is only respectful and right, as it has never happened before.

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

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

NAYS: NONE

IT IS ORDERED THAT THE BOARD ADJOURN:

Sherrin C. Alsop, Chairman

K. Diane Gaber, Deputy Clerk