

**King and Queen County
Board of Supervisors Meeting**

Monday, January 13, 2014

7:00 P.M.

**King and Queen County Courts and Administration Building
General District Courtroom**

“Minutes of the Meeting”

**OPENING OF THE MEETING – COUNTY ADMINISTRATOR THOMAS
SWARTZWELDER**

County Administrator Thomas Swartzwelder opened the annual meeting.

ELECTION OF THE CHAIRMAN OF THE BOARD FOR 2014

A motion was made by Ms. Alsop and seconded by Mr. Simpkins nominating Russell F. “Rusty: Bailey, Jr., and the nominations be closed.

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

NAYS: NONE

NOT PRESENT: D. H. MORRIS, J. M. MILBY, JR.

ELECTION OF THE VICE-CHAIRMAN OF THE BOARD FOR 2014

A motion was made by Ms. Alsop and seconded by Mr. Bailey nominating Mr. Simpkins as Vice-Chairman.

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

NAYS: NONE

NOT PRESENT: D. H. MORRIS, J. M. MILBY, JR.

APPOINTMENT OF CLERK AND DEPUTY CLERK FOR 2014

A motion was made by Mr. Simpkins and seconded by Ms. Alsop appointing Thomas J. Swartzwelder as Clerk, and K. Diane Gaber as Deputy Clerk to the Board.

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

NAYS: NONE

NOT PRESENT: D. H. MORRIS, J. M. MILBY, JR.

RESOLUTION FIXING THE DATE, TIME AND PLACE OF MEETINGS OF THE BOARD OF SUPERVISORS FOR 2014

A motion was made by Ms. Alsop and seconded by Mr. Simpkins to adopt the following resolution setting the regular meeting dates as the 2nd Monday of each month and the 4th Monday of each month for workshop/presentations, beginning at 7:00 P.M., reflecting notes of changes and cancellations of meetings.

KING AND QUEEN COUNTY BOARD OF SUPERVISORS' RESOLUTION FIXING THE DATE OF THE REGULAR MEETING AND THE DATE OF THE CONTINUED MEETING IN THE EVENT OF HAZARDOUS WEATHER OR OTHER CONDITIONS AND SETTING DATE FOR THE PURPOSE OF HOLDING WORKSHOPS AND TO HEAR PRESENTATIONS FOR THE BOARD OF SUPERVISORS OF KING AND QUEEN COUNTY, VIRGINIA

WHEREAS, the Board of Supervisors of King and Queen County (the "Board") is required by Section 15.2-1416 of the Code of Virginia, as amended, to set the date, time and place of the regular Board Meeting at the annual Meeting of the Board; and

WHEREAS, Section 15.2-1416 also permits the board to fix the date of days to which a regular meeting shall be continued if the Chairman, or Vice-Chairman if the Chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for Board Members to attend the regular meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF KING AND QUEEN COUNTY:

1. That the regular meeting of the Board shall be held in the King and Queen Courts and Administration Building, General District Courtroom at 7:00 P.M., the 2nd Monday of each month.
2. That upon the finding and declaration by the Chairman or Vice-Chairman, if the Chairman is unable to act, that the weather or other conditions are such that it is hazardous for Board members to attend the regular meeting of the Board, such meeting shall be continued until the seventh day immediately following such previously scheduled regular meeting at the same time and place.

3. That the fourth Monday of each month at 7:00 P.M., in the King and Queen Courts and Administration Building, General District Courtroom be set for the purpose of holding workshops and to receive presentations.

This resolution is effective immediately.
January 13, 2014

King and Queen County
Board of Supervisors Meeting Dates
2014

King and Queen County Courts and Administration Building
General District Courtroom
7:00 P.M.

Regular Meeting – 2nd Monday of each month
Presentations/Workshops – 4th Monday of each month

Schedule of Meeting Dates
2014

January 13, 2014	July 14, 2014
January 27, 2014	July 28, 2014
February 10, 2014	August 11, 2014
February 24, 2014	August 25, 2014
March 10, 2014	September 8, 2014
March 24, 2014	September 22, 2014
April 14, 2014	October 14, 2014
April 28, 2014	October 27, 2014
May 12, 2013	November 17, 2014
June 9, 2014	December 8, 2014
June 23, 2014	

NOTE:

*May 26, 2014 workshop/presentation date has been cancelled
due to falling on a legal holiday*

*October and November 2013 regular meeting dates have been changed to:
Tuesday, October 14, 2014 and Monday, November 17, 2014*

*November 24, 2014 is the Monday before Thanksgiving – Cancelled
December 22, 2014 is the Monday before Christmas – Cancelled*

AYES: R. F. BAILEY, JR., S. C. ALSOP, J. L. SIMPKINS
NAYS: NONE
NOT PRESENT: D. H. MORRIS, J. M. MILBY, JR.

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

Vice-Chairman Lawrence Simpkins provided the invocation followed by the Pledge of Allegiance to the Flag of the United States.

**APPROVAL AND SIGNING OF THE DECEMBER 9, 2013 MINUTES OF THE BOARD
(Note: The November workshop meeting was cancelled)**

A motion was made by Mr. Simpkins and seconded by Ms. Alsop to approve the December 9, 2013 minutes of the Board as presented.

AYES: R. F. BAILEY, JR., S. C. ALSOP, J. L. SIMPKINS
NAYS: NONE
NOT PRESENT: D. H. MORRIS, J. M. MILBY, JR.

APPROVAL AND SIGNING OF THE JANUARY 2014 WARRANTS AND APPROPRIATIONS

A motion was made by Ms. Alsop and seconded by Mr. Simpkins to approve the warrants and appropriations for the month of January 2014, as subject to audit.

AYES: R. F. BAILEY, JR., S. C. ALSOP, J. L. SIMPKINS
NAYS: NONE
NOT PRESENT: D. H. MORRIS, J. M. MILBY, JR.

PUBLIC COMMENT PERIOD

Chairman Bailey opened the public comment period, asking that those wishing to speak to come forward, stating their name and district, and to limit their comments to three (3) minutes.

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

CONSTITUTIONAL OFFICERS, SOCIAL SERVICES, SCHOOL BOARD AND OUTSIDE AGENCIES QUARTERLY REPORTS

Commissioner of the Revenue Helen Longest was not present; however, a written report was presented to the Board, advising the following:

- During the months of October and November the Commissioner's Office kept busy answering phone pertaining to personal property and real estate assessment, making adjustments when necessary.
- Ms. Balderson has been given the responsibility of business licenses and they are in the process of renewing licenses for 2014. Renewals are due January 31, 2014. A total of 416 renewals were mailed out on December 13, 2013 and to date they have issued 112 licenses and have 72 in process.
- Ms. Robinson has the responsibility of DMV monthly updates, both additions and deletions, usually about 400 per month.
- Deeds and wills recorded in 2013 have been read and property transferred accordingly, a total of 532 transfers. Mapping has also been updated, based on plats of survey recorded.
- They are in the process of updating January 1 information for Tuckers Recreation Park and Rainbow Acres Campground.

Treasurer Irene Longest was present providing the following report:

- Advised that payment of \$1,304,470.74 from Republic Services was received on December 16, 2013.
- Provided a comparison of taxes placed on the books for personal property and real estate. For Personal Property there was an increase from 2012 of \$34,269.23. For Real Estate there was an increase from 2012 of \$183,107.92.
- Debt Set-Off submitted to the State Department of Taxation for 2012 taxes vs., records submitted for 2013 reflected an increase of 324. Ms. Longest also advised of collections through debt setoff for tax year 2014 and prior through 2012.
- Admin Fees collected for 2012 for personal property and real estate was \$61,710.00 for 2012, \$74,660.00 for 2013 and \$80,550.00 for Jan. 2014.

Mr. Simpkins questioned dog tags and where they can be purchased. Ms. Longest advised that dog tags and kennel tags can be purchased at her office. Single tags can be purchased at her office and the Animal Pound.

Commonwealth Attorney, Charles Adkins provided the following report:

- Advised that it has been slow, however it was picking up.
- Advised of upcoming cases
- Advised that he has spent a lot of time in King William and New Kent, and in return the Commonwealth Attorneys' will return the favor for him.
- Advised that he received funds from the Compensation Board in the amount of \$2700, however, of which it can be used for training or equipment, but not for anything already in the budget. Mr. Adkins further advised that the account has to be separated from other county accounts.

- Expressed that he was contacted by Bay Aging and has agreed to serve on the Board of Directors should the Board of Supervisors approve appointment.

Sheriff Charboneau provided a report relating to incidents that have occurred, as well as the number of papers served for the last quarter.

Vice-Chairman Simpkins expressed concern relating to things that have been happening in the news pertaining to lockdowns and if the County was prepared for such an incident. Sheriff Charboneau responded that they have run several drills and have no issues with the staff at the schools.

Clerk of the Circuit Court Debbie Longest had the following report:

- Advised that her office has been busy, recording 2086 records for 2013 vs. 1071 in 2012. Handgun permits increased from 112 in 2012 to 155 in 2013.
- Advised that both Mrs. Watkins and Ms. Porter continue to work on their certifications attending training courses.

Superintendent of Schools, Dr. Stanley Jones was present providing a report on the following:

- Advised that he has forwarded a memo to principals and directors pertaining to the FY2015 budget intending to set the tone for developing the budget based on need.
- Advised that as of March 31, the projected enrollment is 806 of which he hopes that number grows
- Advised of a change in the recalculation of the Composite Index for 2014-2016 changing to 0.4336 from 0.4469
- Reported on VRS Contribution rates
- Advised of a School Family need – Lawson Marriott
- That Enrollment as of today is 806.

Ms. Alsop expressed that she plans to go through all the schools. Dr. Jones invited the Board to visit the schools anytime. Dr. Jones further advised that February 6th, the School Board will be visiting the schools.

Social Services Director, Betty Dougherty had the following report:

- Advised that Crisis Assistance began on November 1 and runs through March 15 for equipment related assistance such as repairs or replacement of heating equipment, primary heat security deposits, heating bills and emergency shelter. For the month of December 10 crisis applications were processed.
- Advised that they continue to work on preparations for the “point in time” count of the homeless in King and Queen County.

- Advised that the Safe and Stable Families Funding five year community needs assessment for the County is underway.
- Commented that this year they coordinated Christmas assistance for 88 families which included 200 children, thanks to the generosity of churches, businesses, Toys for Tots, WRAR and citizens in the County.
- Advised that King and Queen Library serves as one of their alternative sites for citizens to access services on the second Friday of each month from 10 a.m. to 2:00 p.m.

Extension Agent Laura Maxey had the following report:

- Advised that King and Queen conducted a comprehensive situation analysis during the calendar year 2013 which was led by the County's Extension Agents and involved development of a King and Queen County Unit Profile as well as gathering community and resident perspectives on issues and problems in the County. Ms. Maxey advised that there are 4 top priority issues that were identified, those being, Life Skills for Youth, Sustainable Agriculture, Leadership and Parenting being the most pressing issue.

Shawn Trapani, Virginia Department of Transportation had the following report:

- Advised of bridge work in the County and that they are going thru annual inspections of the structures. Advised that the Rt. 610 bridge took 4 days to do, that Rt. 604 Byrds Bridge Road is still closed and the pilings are the main problem. Work is to begin in March and should take less than a month to complete.
- Reported that Rt. 625 at the Caroline Line, bridge will be closing for 2 weeks to correct sub-structure issues.
- Reported that Rt. 604 was closed and detoured to Rt. 614. Issues in keeping maintained, and trying to get stone on the road tomorrow.
- Upcoming projects include Rt. 721 Bridge Replacement, Rt. 14 pavement patchwork to be done in the spring.

Tim Loveland, Republic Services was present providing a report on additional payment made, donations to volunteer rescue and fire in November, and tonnage comparisons. Advised further that:

- Baltimore and Washington D. C., tonnage will not be turned to King and Queen in the unforeseen future.
- Advised that effective February 1, the main hauler will be Lucky Dog Industries
- MBI will no longer be routinely delivering to the landfill.

Mr. Simpkins expressed concern that there would be a whole new set of drivers learning the route. Mr. Loveland advised that some of the same drivers will be picked up by Lucky Dog Industries.

G4S ITI – A representative was present providing the following report:

- Advised that there were 81 possible training days of any type potentially available during the dates of October 15, 2013 – January 13, 2014.
- ITI conducted some sort of on-site training 60 of the 81 days (driving, firearms, security operations or a combination thereof)
- All training was conducted within allowable hours and at approved site locations
- Driver training was conducted on 2 Saturdays
- Firearms training was conducted on 3 Saturdays
- No firearms training or driver training was on conducted on any Sundays
- Firearms training was conducted at night on 2 occasions
- No firearms training or tactical sound infusion was conducted or used on Thanksgiving, Christmas, New Year’s or the Saturdays before
- Two (2) half days of off road training was conducted in approved areas on site – all other was conducted out of county
- Simulated IEDs were only used on 13 of the 62 allowable days
- A total of 58 simulated IEDs or blanks were used on those 13 days, or an average of 4.46 per uses per day
- The well and septic system have been installed. The bathroom building has been purchased and will be delivered/installed within 30 days.
- Advised that Range 3 was only used on 6 days during the 62 day period

APPOINTMENTS/REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

BOARD OF ZONING APPEALS

Stevensville District – (to replace Mr. Wyatt) TABLED

Buena Vista District – Replacement of Bob Taylor (term expires 8.10.15) TABLED

Shanghai District – Pam Ashley’s term expired December 31, 2013. TABLED

SOCIAL SERVICES BOARD

Stevensville District – tabled (to replace Vanessa Porter)

PLANNING COMMISSION

Shanghai District –

A motion was made by Mr. Bailey and seconded by Mr. Simpkins to reappoint Mr. David Campbell for a four (4) year term expiring January 31, 2018.

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

NAYS: NONE

NOT PRESENT: D. H. MORRIS, J. M. MILBY, JR.

Newtown District –

A motion was made by Ms. Alsop and seconded by Mr. Simpkins to reappoint Mr. James Dabney for a four (4) year term expiring February 8, 2018.

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

NAYS: NONE

NOT PRESENT: D. H. MORRIS, J. M. MILBY, JR.

Stevensville District – Staff has been advised that Mr. Herrin has indicated that it is his intent to resign from the Planning Commission. No formal letter of resignation has been received.

BAY AGING REPRESENTATIVE

A motion was made by Ms. Alsop and seconded by Mr. Simpkins appointing Mr. Charles Adkins to the Bay Aging Board of Directors representing the County.

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

NAYS: NONE

NOT PRESENT: D. H. MORRIS, J. M. MILBY, JR.

BUDGET AMENDMENTS/SUPPLEMENTS

Capital Projects – Supplement – Regional Animal Shelter - \$19,051.00

Schools – Budget Supplement - \$445,511.00

Emergency Services – Budget Supplement - \$62,225.00

(1) Capital Projects – Regional Animal Shelter - \$19,051.00

Repair to floors at Regional Animal Shelter in King William. Funds were appropriated in FY13 for this project but it was not completed and billed to us until after the end of the fiscal year. Repairs were required in order to correct violations cited by the State Veterinarian.

(2) Schools – Budget Supplement - \$445,511.00

Additional Revenue and Expenses adopted in the BOE Amended Budget April 30, 2013.

(3) Emergency Services – Budget Supplement - \$62,225.00

Project 1: Full Service (Fire/Law/EMS) dispatch training and protocols - This program will provide training and dispatch guidance cards for law enforcement, fire response, and emergency medical dispatch to include pre-arrival directions for all of the King and Queen County public safety agencies and citizens. Total Project \$\$9,980.00, county match = \$1,996.00.

Projects 2: Eight Lucas 2 CPR Mechanical Assist Devices – Total Project: 52,245.33, county match = \$10,449.07.

Mr. Swartzwelder proposed that the Emergency Services amount come out of the EMS Contingency Fund.

A motion was made by Ms. Alsop and seconded by Mr. Simpkins to approve the following budget supplements and appropriation of funds as follows:

That the Capital Projects and School Budget Supplements (Items 1 and 2) come out of the General Fund and that the Emergency Services Budget Supplement (Item 3) come out of the EMS Contingency Fund.

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

NAYS: NONE

NOT PRESENT: D. H. MORRIS, J. M. MILBY, JR.

KING AND QUEEN COUNTY PLANNING COMMISSION- REQUEST FOR PUBLIC HEARING – JOHN DEWEY FOGG, JR., RZ13-03 – REZONE FROM LIMITED BUSINESS TO AGRICULTURAL

The Planning Commission at a meeting held on January 6, 2014 held a public hearing on the request submitted by Mr. Fogg, recommending that the Board set a hearing date and accept their recommendation for approval.

A motion was made by Ms. Alsop and seconded by Mr. Simpkins to hold a public hearing on a rezoning request submitted by John Dewey Fogg, Jr., requesting to rezone a 45 acre parcel from Limited Business (LB) to Agricultural (A) – Tax Map Parcel No. 1632-9L-727. The property is located at the intersection of Newtown and Sorghum’s Roads in the Newtown Magisterial District.

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

NAYS: NONE

NOT PRESENT: D. H. MORRIS, J. M. MILBY, JR.

COUNTY ADMINISTRATORS COMMENTS

Thomas J. Swartzwelder, County Administrator had the following comments:

- Advised that the annual Martin Luther King Day Celebration would be held on Monday January 20th and that it was possible that he would not be able to attend. Ms. Alsop expressed that she would represent the county bringing greetings. Ms. Alsop further encouraged that children should attend.
- Advised that Synagro Bio Solids have applied to put Industrial Waste (waste from mill plant material used in various industries), and that there was a significant odor issue. Mr. Swartzwelder further advised that he has spoken with Mr. Richardson and asked if the Board wants to hold a public hearing.

Ms. Alsop expressed that she was opposed to any bio solids, and would like for the county to submit a letter objecting to this proposal.

BOARD OF SUPERVISORS COMMENTS

Ms. Alsop had the following comments:

- Wished everyone a Happy New Year
- Advised that she has received a good report relating to her health issues
- Asked that everyone be careful in regards to their health, as there were a lot of germs and flu around.
- Expressed that there were a lot of house fires started by heaters and asked that everyone be careful when using them
- Wished everyone a safe trip home

Mr. Simpkins had the following comments:

- Thanked everyone for attending the meeting
- Thanked everyone that provided reports this month
- Expressed that he was looking forward to 2014 Budget Year, however, a damper has been cast.
- Wished everyone a safe trip home

Mr. Bailey had the following comments:

- Thanked everyone for their quarterly reports
- Asked that everyone think about their pets as well, in this cold weather
- Thanked everyone for coming out to the meeting.

CLOSED SESSION PURSUANT TO SECTION 2.2-3711 (A) 1 AND (A) 7 OF THE CODE OF VIRGINIA FOR THE PURPOSE OF DISCUSSING PERSONNEL MATTERS AND FOR CONSULTATION WITH LEGAL COUNCIL PERTAINING TO A MATTER OF POSSIBLE LITIGATION.

Motion was made by Mr. Alsop and seconded by Mr. Simpkins to enter into closed session pursuant to Section 2.2-3711 (A) 1 and (7) of the Code of Virginia for the purpose of discussing personnel matters and for consultation with legal counsel pertaining to a matter of possible litigation.

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

NAYS: NONE

NOT PRESENT: D. H. MORRIS, J. M. MILBY, JR.

A motion was made by Ms. Alsop and seconded by Mr. Simpkins 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 or considered in closed session.

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

NAYS: NONE

NOT PRESENT: D. H. MORRIS, J. M. MILBY, JR.

ACTION TAKEN:

A MOTION WAS MADE BY MS. ALSOP AND SECONDED BY MR. SIMPKINS INSTRUCTING THE COUNTY ADMINISTRATOR TO PROCEED WITH THE PERSONNEL/LITIGATION ISSUE AS DISCUSSED IN CLOSED SESSION.

BOARD OF SUPERVISORS RETREAT

Discussion was made as other dates that may be suitable for the Boards Retreat which was set for Saturday, January 25th. Mr. Simpkins commented that he could do any other date as he has a commitment on that date. Other dates suggested were February 1st or 8th. Mr. Swartzwelder would speak with the other Board Members to see what was most convenient.

IT IS ORDERED THAT THE BOARD ADJOURN:

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

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

NAYS: NONE

NOT PRESENT: D. H. MORRIS, J. M. MILBY, JR.

R. F. Bailey, Jr., Chairman

K. Diane Gaber, CMC, Deputy Clerk