

King and Queen County
Board of Supervisors Meeting

Monday, April 14, 2014
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 Bailey called the 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 FEBRUARY 24, 2014, MARCH 10, 2014 AND MARCH 17, 2014 MINUTES OF THE BOARD.

Mr. Milby noted that on page 6 of the Board of Supervisors Comments, under his comments the word different should be changed to “difficult”. On the March 17th minutes, Mr. Bailey’s name appeared twice and his name should take the place of the second Mr. Bailey.

A motion was made by Ms. Alsop and seconded by Mrs. Morris to approve the minutes as corrected.

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

APPROVAL AND SIGNING OF THE APRIL 2014 WARRANTS AND APPROPRIATIONS (INCLUDES SCHOOL APRIL-JUNE 2014 QUARTERLY APPROPRIATION)

A motion was made by Mr. Simpkins and seconded by Ms. Alsop to approve the warrants and appropriations as submitted, with the exception of the School’s Appropriation Request for the quarter of April – June 2014. Total requested \$2,285,323.50. Total School Appropriation Approved being \$1,500,000.00.

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

NAYS: NONE

BUDGET AMENDMENTS

Schools – Budget Supplement - \$76,716.00

Emergency Services – Budget Supplement - \$32,494.00

- (1) Schools – additional federal revenue received
- (2) Emergency Services – A grant was received to purchase 11 Toughbook computers to be used by rescue agencies for reporting. There is no local match for this grant. (flow through)

A motion was made by Ms. Alsop and seconded by Mr. Milby to approve the following two budget amendments:

Schools – Budget Supplement \$76,716.00 (additional federal revenue received)

Emergency Services \$32,494 (grant received – flow through)

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

NAYS: NONE

PRESENTATION OF RESOLUTION OF APPRECIATION TO MR. JACK SPAIN

Chairman Bailey read and presented to Mr. Jack Spain a framed resolution thanking him for his service with the Historical Society, Board of Directors and Tavern Museum.

(Note Resolution was adopted at the March 10, 2014 regular meeting of the Board)

PUBLIC COMMENT PERIOD

Chairman Bailey asked that if anyone was present to speak regarding the Budget, to please wait until that time to make any comments.

- (1) Anne Marie Voight, Stevensville District – advised that she attended the School Board meeting and was sorry to hear of the ADM. Mrs. Voight further commented that we must stay within our budget and that the school system should implement immediate budget cuts.
- (2) Peter Glubiak, St. Stephens Church, was present advising of an article on Locust Grove, located in Walkerton.

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

PUBLIC HEARING ON PROPOSED FY2014/2015 OVER-ALL COUNTY BUDGET AND TAX RATES

Chairman Bailey opened the public hearing asking that anyone wishing to speak to please come forward, stating their name and district that they are from, allowing 3 minutes to speak.

Anne Marie Voight, Stevensville District, was present expressing that she was against any increase in taxes for the coming year, and expressed her appreciation for all departments that made severe cuts. Mrs. Voight further commented that as she said earlier, she attended the School Board Meeting and was troubled by the School Board Member comments and hopes that the School Board Members will realize that they represent all of the citizens and not just the parents of the students in our schools. Ms. Voight further expressed that the school system must cut its proposed budget.

After hearing no further comments, the public hearing on the Proposed 2014/2015 Over-all County Budget and Tax Rates was closed.

CONSTITUTIONAL OFFICERS, SOCIAL SERVICES, SCHOOLS, DEPARTMENT HEADS, VDOT, REPUBLIC SERVICES AND G4S-ITI

Commissioner of Revenue, Helen Longest, was not present due to a death in the family; however, she has submitted a report for the past Quarter.

Ms. Irene Longest, Treasurer was not present; however, her report was included within the Board's packet.

Commonwealth's Attorney, Charles Adkins was present and provided the following comments:

- Expressed his congratulations to Mr. Spain for all that he has done
- Advised that his office has been fairly slow, however, it did get hectic as he was back and forth checking on his daughter who was involved in an accident.
- Advised that his Secretary will be helping in the Sheriff's Office 8 hours a week
- Advised of a couple major cases
- Advised that he attended the annual Commonwealth's Attorney Conference in Norfolk in March

Sheriff Charboneau was not present; however, he has submitted a report.

Clerk of the Circuit Court, Debbie Longest advised that her office has been busy, although their numbers have decreased somewhat since last year. During the quarter they recorded 216 documents compared to 288 in 2013 (land records). They received 48 handgun permit applications compared to 60 in 2013. Mrs. Longest further advised:

- Advised that Vanessa is continuing her project in back scanning with Betty's help. Approximately 33 books have been completed so far.
- Advised that Betty with Vanessa's help has completed a project to electronically index 108 plats
- Commended everyone involved in making sure the sidewalks were cleaned off during the snow.

Mr. Milby advised that in the Richmond Times Dispatch there was a positive editorial and that Mrs. Longest Office was mentioned for doing a great job relating to what Vanessa is currently doing now in back scanning documents.

Social Services Director, Betty Dougherty, was present providing the following report:

- Advised that April is child Abuse Prevention Month and that in FY 2013, there were 51,346 children reported as possible victims of abuse and/or neglect. During the same time period in King and Queen County, we received 65 reports of alleged abuse and/or neglect and 29 were found to be in need of services.
- Advised that on March 20, an IV-E Case Consultant reviewed four new foster cases at the agency, with the purpose being to evaluate all new cases opened after July 1, 2013 and to verify correct initial determination for funding. Of the 4 cases, all were correctly evaluated as CSA. No incorrect determinations were made, and no further action is necessary.
- Advised that a presentation was given on Medicaid Innovation and Reform Commission Eligibility and Enrollment on April 7 and according to the report from 2007 to 2013, the average monthly case volume grew 49% in Virginia, application intake grew 57%.
- Provided a report to the Board of Supervisors of how King and Queen ranks with everyone in the State.

Laura Maxey, VPI Extension Agent was present providing the following report:

- Provided an Agricultural Report, advising of the 5-County and Lower Mid-Pen Ag Conference that was held on January 16 with over 170 people attending from the local agricultural community.
- Advised that on March 15, a Forage Meeting was held where 50 livestock and pasture owners attended. Topics included rotational grazing pasture management and rejuvenation, animal health, soil fertility and weed control.
- Advised of other meetings held including Precision Ag Meeting
- Provided a 4-H report
- Advised of the Expanded Food and Nutrition Education Program where 230 children from King and Queen Elementary which included all kids from kindergarten through 7th grade.
- Advised that under Office activities, Va. Cooperative Extension is listed as co-applicant on the 21st Century Grant with King and Queen Superintendents office. If awarded, they can provide afterschool and summer programming for all 3 schools in King and Queen.

- Advised of upcoming events which included Agricultural Awareness Day on May 6th; 100th Year Anniversary celebration on May 8th; Small Grains Field Day on May 15th; Farmers Market Grand Opening with booth to educate on May 31st; and 4H Camp July 7 – 14.

VDOT – no one was present.

Wade Bailey, Division Manager with Republic Services was present to provide a report comparing the 1st quarter of 2013 to 2014 which reflected a decrease in tonnage.

Mr. Bailey further advised:

- Year to date they are 82,391 tons short from where they were at the end of the 1st quarter in 2013 and 1,090 tons short on a daily average.
- Advised that in June of 2014 they will be replacing their existing 12” header and 12” sump with 18”, which will make their current system more efficient.
- Advised that the Phyto Cap continues to progress. In December they will represent the second full year of the project.
- Advised that MBI has been replaced by Lucky Dog. LDI has been in operation since February 1st hauling all of their MSW. Bowan Inc. has been awarded the Leachate haul and they have been in operation since March 1st. There will be no more MBI trucks, to his knowledge.
- MBI has removed about 80% of their assets from the location inside the landfill. The Building is still on site. Republic Services is not aware of what will happen to this building, advising that it was a nice building.
- (Mr. Swartzwelder asked Mr. Bailey if he was in contact with MBI to have them get in touch with the County. The Building was built on County property without a lease and he was not aware of any documents that says that they can remove any improvements that they have made)
- Advised that Ingenco has been operating 24/7 since January 2014

G4S-ITI - no one was present

EMS BILLING – TABLED AT THE MARCH 24, 2014 WORKSHOP MEETING

Chairman Bailey advised that there are two alternatives that have been researched for EMS Billing Service; Fidelis, which works with current volunteer units in the county and the second is Northern Neck PDC. Fidelis is offering a 6.8% fee for service, with the collection rate being

between 50 – 60%. Northern Neck PDC has a buy-in option or a wait and see option. They have a 5% fee and pay the cost of the set-up and somewhere around \$1,600 is Option 2, which is the wait and see type option. Their collection rate is around 60 – 70%. There is a buy-in option which the county would buy in for \$20,000 which would entitle the County to a seat on the governing Board which would end up being 5 entities being involved.

Mr. Simpkins expressed concern for the Fidelis plan and some of the issues that some people have been complaining about. He is leaning towards Northern Neck PDC and we see what happens after a year and if we do not like it, we can go another way.

Ms. Alsop expressed concern of what the estimated start up cost would be. Mr. Swartzwelder advised that they are estimating \$1,600.00.

After discussion, a motion was made by Mr. Simpkins and seconded by Mrs. Morris to go with Northern Neck PDC, Option 2 plan.

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

NAYS: NONE

ABSTAINING: S. C. ALSOP

County Administrator Thomas Swartzwelder advised that the Board still needs to decide on a division of revenue when our EMT runs on a volunteer call. Mr. Swartzwelder advised that he has spoken with Mr. Hunter and staff has a soft recommendation, suggesting to just split the money. The EMT's are putting an ambulance in service and the cost of wear and tear on the vehicle, and that is only if they provide a driver. They have to provide the person and the vehicle. Mr. Swartzwelder further commented that he felt splitting the money is equitable if they provide a driver and an ambulance to the call, if they do not provide both, then he feels the County should keep the revenue.

A motion was made by Mr. Simpkins and seconded by Ms. Alsop approving a partnership with the Volunteers and King and Queen EMTS at a 50/50 reimbursement when they provide both driver and the ambulance.

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

NAYS: NONE

RESOLUTION RELATING TO STATE BUDGET

County Administrator Thomas Swartzwelder provided background information and clarification. Advising that the Republican Party is asking that the Medicaid Expansion be decoupled from the budget negotiations and considered in a separate legislative session to facilitate prompt passage of a state budget. Delegate Hodges is asking that the Board consider the resolution.

VACO has come through with a more politically neutral Resolution leaving the decouple out and asking that a budget be adopted.

Ms. Alsop expressed that she could not go with decoupling Medicaid from the budget and there were a lot in her district that need it.

Mr. Simpkins expressed that putting our political differences aside, it would be safe to go the VACO route and say we need a budget.

Mr. Milby commented that the County has received a lot of support from Delegate Hodges. He has made some things happen that probably would not have without his support.

A motion was made by Ms. Alsop and seconded by Mr. Simpkins to accept the VACO Resolution as presented.

RESOLUTION

Whereas, the Virginia General Assembly did not agree on the approval of a budget by the adjournment sine die date of March 8, 2014; and

Whereas, funds from the state received by King and Queen County comprise a large portion of revenues necessary for King and Queen County to deliver many of the public services mandated by the Commonwealth; and

Whereas, the delivery of mandated public services by King and Queen County depends upon a stable and healthy partnership between state and local governments; and

Whereas, Virginia's local governments are subject strict, statutory deadlines for approving certain components of the respective budgets; and

Whereas, local government under Section 15.2-2500 and 15.2-2503 of the Code of Virginia are required to approve their respective budget and tax rates by July 1 of each year; and

Whereas, by May 1 of each year, or at least 30 days after receiving an estimate of state aid, whichever is later, local governments are required under Section 22.1-93 of the Code of Virginia to adopt an annual school budget; and

Whereas, not later than June 1 of each year, all school divisions under Section 22.1-304 of the Code of Virginia, must notify teachers of reduction in force due to decreased funding; and

Whereas, failure to approve a budget in a timely manner would disrupt the ability of Virginia's businesses and public agencies to operate effectively; and

Now, therefore, be it resolved by the King and Queen County Board of Supervisors that the Virginia General Assembly and the Governor of Virginia are urged to reconcile their differences and agree on a FY 2015-2016 budget;

And be it further resolved that the King and Queen County Board of Supervisors shall transmit copies of this resolution to the Honorable Terry R. McAuliffe, Governor of Virginia, and to members of the Virginia General Assembly.

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

APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

Board of Zoning Appeals – 5 year term appointments

Stevensville District (to fill Mr. Wyatt's) **tabled**

Buena Vista District – (to fill Bob Taylor's term)

A motion was made by Mr. Milby and seconded by Ms. Alsop to appoint Mr. Robert Bland to fill the unexpired term of Mr. Bob Taylor representing the Buena Vista District. Term expires August 10, 2015.

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

Social Services Board (Stevensville) tabled (replacement for Vanessa Porter)

Planning Commission – Stevensville District (to replace Mr. Herrin) term expires January 12, 2016. - **tabled**

Wetlands Board – Randy Shanks term expired April 12, 2014.

A motion was made by Mrs. Morris and seconded by Mr. Simpkins recommending reappointment of Mr. Randy Shank for another 5 year term to expire April 14, 2019.

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

COUNTY ADMINISTRATOR'S COMMENTS

County Administrator Thomas Swartzwelder provided the following comments:

- As a point of clarification, the May workshop falls on the 26th which is Memorial Day and the Board did not set another date, asking if the Board wanted to skip the workshop or have it on Tuesday the 27th. In either event, he can schedule the speaker to come and speak about assessments.

A motion was made by Mr. Simpkins and seconded by Mrs. Morris to move the Workshop date to Tuesday, May 27th at 7:00 P.M.

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

- Advised that a letter was received from DEQ relating to Stormwater and that Delegate Hodges has successfully sponsored a bill that was adopted that allows small localities to opt out of the State Mandate and it is staff's recommendation that we opt out of the State Program.

OPT OUT OF STATE STORM WATER PROGRAM

A motion was made by Mr. Milby and seconded by Ms. Alsop that King and Queen County does not opt into the Stormwater Program.

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

- Advised that we are almost finished with installing the 1st voice over IP phone system on the Middle Peninsula which means we have no long distance bills anymore and estimating saving approximately \$1,200 a month

BOARD OF SUPERVISORS COMMENTS

Mrs. Morris had the following comments:

- Expressed her appreciation to everyone for coming to the meeting
- Commented that she was glad to hear that Mr. Adkin's daughter was making progress
- Expressed her appreciation for all the reports and have a safe trip home

Ms. Alsop had the following comments:

- Expressed her appreciation for everyone that attended the meeting
- Expressed that she was glad that the Board adopted a resolution recognizing Mr. Spain as he has been one of the leading sources with the Historical Society and the Tavern. He has done above and beyond.
- Thanked Mrs. Voight for her comments on the budget. The Board has done the best that they could with what they had. The Board has worked together to see what is best for the citizens and is workable.

Mr. Milby had the following comments:

- Wished everyone a Happy Easter and Safe Holiday
- Thanked everyone for coming
- Expressed that even though Mr. Robert Bland was not at the meeting, he wants to thank him for his willingness to serve on the Wetlands Board representing the Buena Vista District
- Expressed that he was glad to hear that Mr. Adkin's daughter was improving
- Thanked Mr. Swartzwelder and Mrs. Ammons for their hard work on the budget in making the budget process easier
- Thanked everyone for coming and to have a safe trip home

Mr. Simpkins had the following comments:

- Thanked everyone for coming
- Expressed that the Board had to make a lot of tough decisions
- Expressed that he was thankful that we have an Administrator that does some hard work for the Board and presents a workable document. A lot of communication is made with the Board and a lot of legwork, expressing his appreciation for all the hard work that he and his staff does.
- Expressed that he agrees with Mrs. Voight in that he did not want to raise taxes and feels there are some things we can do to not raise taxes. Next year there may not be a choice.
- The Farmers Market Grand Opening will be May 31st, from 10:00 a.m. – 4:00 P.M., with ribbon cutting at 1:00 P.M. It is going to be a fun day.

Mr. Bailey had the following comments:

- Expressed his appreciation to staff for what they do
- Thanked Mr. Swartzwelder for providing a workable budget for the Board
- Congratulated Mr. Spain for everything that he has done involving the Historical Society and the Tavern Museum
- Expressed his appreciation for everyone that provided a report and for their support
- Wished everyone a safe trip home.

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

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

IT IS ORDERED THAT THE BOARD ADJOURN:

R. F. Bailey, Jr., Chairman

K. Diane Gaber, CMC – Deputy Clerk