

King and Queen County  
Board of Supervisors Regular Meeting

Tuesday, October 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**

Mr. Bailey called the meeting to order followed by the Pledge of Allegiance to the Flag of the United States. It is noted that all members were present except Mrs. Morris.

**APPROVAL AND SIGNING OF THE AUGUST 26, 2015 AND SEPTEMBER 8, 2014 MINUTES OF THE BOARD**

A motion was made by Mr. Simpkins and seconded by Ms. Alsop to approve the August 25<sup>th</sup> and September 8<sup>th</sup>, 2014 minutes of the Board, as presented.

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

**APPROVAL AND SIGNING OF THE OCTOBER 2014 WARRANTS AND APPROPRIATIONS**

A motion was made by Ms. Alsop and seconded by Mr. Simpkins approving the October 2014 warrants and appropriations, subject to audit.

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

**ADDITIONAL WARRANT REQUEST FOR APPROVAL**

TRI RIVERS TITANS

County Administrator Thomas Swartzwelder provided background information relating to a request by Tri Rivers Titans for \$2,000.00 of which has been budgeted, and is asking that the Board consider the additional request.

A motion was made by Ms. Alsop and seconded by Mr. Milby to approve the \$2,000 warrant and appropriation for Tri Rivers Titans.

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

NAYS: NONE

NOT PRESENT: D. H. MORRIS

### **PUBLIC COMMENT PERIOD**

Chairman Bailey opened the Public Comment Period, asking that those wishing to speak to come forward stating their name and district that they are from and limiting their comments to 3 minutes.

Mr. Bob Aycock, Chatham Hill Road, St. Stephens Church District was present asking the Board to consider hunting laws relating to 22 rim fire in the County and would like to see if it could be changed. Mr. Aycock, also presented a list of residents that were opposed to the current law.

Mr. Simpkins commented that Mr. Aycock had contacted him several years ago relating to high powered rifles and that he would like to look at the issue further and would be coming back to the Board with a few suggestions.

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

### **QUARTERLY REPORTS – CONSITUTIONAL OFFICERS, DEPARTMENT HEADS, VDOT, REPUBLIC SERVICES AND G4S-ITI**

#### **VDOT**

Sean Trapani, Resident Engineer, was present providing a quarterly report advising of the following:

- Advised that they are almost complete with paving 721 and that they would be back in a couple of weeks to finish
- Commented on the Rt. 33 pavement issue. They were going to trench out and secure the shoulders, with paving next season.
- On the maintenance side, the mowing has been finished and they are concentrating on brush cutting now and also on unpaved roads placing stone for dust control
- Advised that they are doing some extensive patching on Minter Lane and hope to do some patching on Rt. 631
- Advised that the 721 bridge project is still in the design phase.

#### **REPUBLIC SERVICES**

Tim Loveland was present providing a report on the landfill:

- Advised of tonnage comparisons between 2013 and 2014.
- Advised that October 13<sup>th</sup> marked the start of their 22<sup>nd</sup> year in operation
- Advised that the following payments have been made since the last quarterly report, those being, the Annual Solid Waste and Environmental Contingency Fund payment of \$160,641 was made on September 30<sup>th</sup>; the Annual Base Rent will be paid by November 13<sup>th</sup> in the amount of \$245,655; the second additional rent (Host Fee) payment for the tonnage received during April 13<sup>th</sup> – October 12<sup>th</sup>, 2014 has not yet been calculated, but will be paid in December (13<sup>th</sup>); advised that the annual donations to the King and Queen Volunteer fire and rescue squads for \$1000 each will be paid in November.
- Advised that new stormwater permits were issued to all facilities in the Commonwealth this year after 7/1/2014 and that they had received theirs in September, with no big changes except there are semi-annual testing requirements now instead of annual.
- Advised that they recently upgraded two or their larger sediment basins at the site to improve their ability to more easily maintain these structures.
- No additional wells will be drilled this year, but they will be upgrading some of their main header pipes and laterals. The flare will also be repainted and reinsulated.
- Advised that the INGENCO gas-to-energy facility has been running steady this year and on a 7 day/week schedule.
- As far as the Permit Design Phasing Modification, they are preparing a redesign of future cells. As currently permitted, the next cell to construct is supposed to be 73 acres. As they get designs completed, they will schedule a meeting with the Administration and brief the Board as necessary before submitting an application.

#### G4S-ITI

No one was present; however a report was included within the packet

#### SCHOOL BOARD

No one was present from the schools; however a report was prepared and forwarded to the Board. It is noted that on the enrollment update, the total enrollment effective September 30, 2014 was 887 students, with the average daily membership for the month being 849. The report further stated that the as a finance update, the total reimbursements process for FY2015 to date, totals \$43,599.90

#### VIRGINIA COOPERATIVE EXTENSION

County Administration Thomas Swartzwelder advised that someone would be present at the Board's workshop/presentation meeting on October 27<sup>th</sup>.

#### COMMISSIONER OF THE REVENUE

Commissioner of the Revenue Helen Longest was present advising that her deputy Susan Balderson has received her Master Deputy Certification. Mrs. Longest further commented that Mrs. Robinson has completed all of her required classes and will apply for her designation next year.

- Advised that they have been busy with phone calls relating to the tax bills that were mailed out.
- Advised that they continue to process their monthly DMV; that Real estate transfers and changes through September have been updated in the system; and that 360 business licenses have been issued thus far.

#### TREASURER

Treasurer Irene Longest was not present at the meeting; however a copy of her report was included in the Board's packet.

#### COMMONWEALTH ATTORNEY

Commonwealth's Attorney Charles Adkins was present providing an overview for the past quarter, advising of various court cases and that Judge Hoover will be retiring the first of the year.

#### CLERK OF THE CIRCUIT COURT

Debbie Longest, Clerk of the Circuit Court, advising that the 3<sup>rd</sup> quarter of 2014 has been a steady one for them. During the quarter:

- They recorded 219 documents as land records, as opposed to 262 in 2013 for the 3<sup>rd</sup> quarter
- The Office receipted 26 concealed handgun permit applications during the 3<sup>rd</sup> quarter compared to 29 in 2013.
- Advised that Mrs. Watkins and Ms. Porter are continuing with their project to index and back scan the documents recorded. At the current time they have 45 books out of 56 ½ that have been back scanned, indexed and checked.
- Advised that Mrs. Watkins and Ms. Porter are continuing to work on becoming "certified deputy clerks".

#### SHERIFFS DEPARTMENT

Sheriff John Charboneau was present providing an update for the quarter on the following:

- Advised that the Rabies Clinic will be held on Saturday, November 1, 2014
- Provided a brief overview of the number of papers serviced, incident reports and accident reports for the quarter.
- Advised that he has contacted each Board Member in regards to the replacement of one of the 2 police cars that were deemed a total loss. The Insurance Company has paid a total of \$17,120.00 and has priced a Ford Police Interceptor for \$24,467.00. Sheriff Charboneau further advised that they have \$4,300.00 in the Asset Forfeiture Account and

would be short by \$3,050.00, and is requesting that the Board appropriate \$3,050.00 from the general fund.

**SHERIFFS DEPARTMENT APPROVAL OF REQUEST FOR ADDITIONAL APPROPRIATION FOR NEW VEHICLE**

A motion was made by Ms. Alsop and seconded by Mr. Simpkins authorizing to amend and approve \$17,120.00 for a new vehicle for the Sheriff's Department.

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

NAYS: NONE

NOT PRESENT: D. H. MORRIS

A motion was further made to approve \$4,300 to come from the asset forfeiture account to be used for purchase of the said vehicle.

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

NAYS: NONE

NOT PRESENT: D. H. MORRIS

A motion was made by Ms. Alsop and seconded by Mr. Simpkins to approve the amendment and appropriation not to exceed \$3,100 to be used for the purchase of the said vehicle.

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

NAYS: NONE

NOT PRESENT: D. H. MORRIS

A motion was made by Mr. Bailey and seconded by Mr. Simpkins to approve the trade-in of a 2008 Dodge Charger (disposition of county property) and authorizes the County Administrator to execute title.

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

NAYS: NONE

NOT PRESENT: D. H. MORRIS

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

BOARD OF ZONING APPEALS – STEVENSVILLE DISTRICT – TABLED

PLANNING COMMISSION – STEVENSVILLE DISTRICT – TABLED

WETLANDS BOARD – SHANGHAI DISTRICT – APPOINTMENT OF DAVID WILLIAMS

A motion was made by Mr. Bailey and seconded by Ms. Alsop to appoint Mr. David Williams, P. O. Box 489, Shackelfords, Virginia to serve the unexpired term of Mr. Eubank. Term expires November 12, 2017.

**EDA/IDA – NEWTOWN DISTRICT – TERM OF MR. HOLMES EXPIRED JUNE  
BUENA VISTA DISTRICT – TERM OF MR. FRAZIER**

A motion was made by Ms. Alsop and seconded by Mr. Simpkins to reappoint Mr. Jesse Holmes, 2204 Root Swamp Road, Milford, Va. 22514 to the IDA/EDA for a 4 year term. Term to expire June 30, 2018.

Mr. Milby asked if Mr. Swartzwelder would contact Mr. Frazier to see if he would be willing to serve another term.

**WETLANDS BOARD – BUENA VISTA DISTRICT – TABLED  
(TERM OF KIRK HAVENS EXPIRES IN NOVEMBER)**

**BUDGET AMENDMENTS**

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

- (1) Litter Control - \$5,857.00 – Budget Supplement. The County was awarded a grant higher than what had been budgeted.
- (2) Forfeited Assets Fund - \$852.00 – Budget Supplement – This is a supplemental appropriation that is needed to cover the costs for the purchase of equipment for camera installations in police cars. All funds expended are from the fund balance of the forfeited asset revenue. No Local Funds.
- (3) Sheriff's Department - \$9,300.00 – Budget Amendment – Highway Safety Grant awarded in the amount of \$9,300.00.
- (4) Sheriff's Department - \$500.00 – Budget Supplement – The Sheriff's Office did not use the \$500.00 allocated for the annual DUI Conference in April, due to the lack of manpower. The grant manager has approved the funds to be converted to over-time funds with the stipulation, that they must be expended prior to September 30, 2014.

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

**NAYS: NONE**

**NOT PRESENT: D. H. MORRIS**

## **VIRGINIA COOPERATIVE EXTENSION – MEMORANDUM OF UNDERSTANDING BETWEEN EXTENSION AND THE COUNTY**

County Administrator Thomas Swartzwelder advised the Board that he felt that the Board needs to look at the Memorandum of Understanding as it is an agreement to fund the amount within the document. Mr. Swartzwelder commented that he did have one concern on page 4, paragraph 2, in which he felt the wording pertaining the wording that the county agrees to provide additional secretarial assistance should be taken out.

It was the consensus of the Board to table and discuss at their October 27, 2014 workshop.

## **VACO-VOTING CREDENTIALS FOR THE ANNUAL BUSINESS MEETING – DESIGNATION OF MS. ALSOP**

A motion was made by Mr. Bailey and seconded by Mr. Simpkins designating Ms. Alsop to be the voting delegate at the Virginia Association of Counties annual meeting at “The Homestead”, in November.

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

NAYS: NONE

NOT PRESENT: D. H. MORRIS

## **COUNTY ADMINISTRATOR’S COMMENTS**

County Administrator Thomas Swartzwelder had the following comments:

- Congratulated Mrs. Balderson on receiving her certification
- Advised that there was some discussion relating to the October 22<sup>nd</sup> meeting of the Middle Peninsula Planning District and the fact that all local officials were being invited. Some have questioned if this was legal, as the law states that when at least 3 are in attendance then it could constitute a meeting. It was noted that Ms. Alsop would be the only one attending from the County.
- Provided an update on the Pier project and that the issue now is whether or not the water is considered fresh or salt water. Mr. Swartzwelder further advised that Delegate Hodges has stepped back in, and that it looks like it is going to work out, that they are just waiting for VMRS to release funding.
- Advised that Life Evac is taking over the Old Chesapeake Hanger, and that it was a great benefit in having them at the airport; advised that the FAA has approved a landing approach and that the Airport was doing really well.
- Advised that the Jail expenses continue to increase; that they have entered into an agreement with Gloucester County to use some of the jails available space; that they have 70+ acres to start a farm that would provide food to the other jails and by doing this it would be a huge resource of revenue.

- Advised that the Animal Shelter drain field has failed and that it could cost between \$30,000 and \$200,000 for a new one.
- Advised that one of our deputies is on light duty and has been supervising 4 inmates everyday as they are painting the Health Department Roof and the Historical Society Building.
- Advised that the Board needs to make a decision on what they want to do relating to the General Reassessment.
- Discussed the current EMS and suggested that at the next workshop the EMS Chiefs attend the meeting to advise of their wants and needs.
- Advised that the iPads are in and are being updated to hand out at the workshop on the 27<sup>th</sup> of October.

## **BOARD OF SUPERVISORS COMMENTS**

Ms. Alsop had the following comments:

- Thanked everyone for coming out to the meeting
- Congratulated Mrs. Balderson in getting her certification
- Advised that last month was a busy month referencing VACO, Health and Human Services Committee, the legislative agenda
- Advised that she will be attending the VACO Annual Meeting in November and that the Governor has appointed her to the EMS Advisory Board
- Asked that citizens get involved with the Rescue Squads, that they do not have anyone to run a call on Tuesdays and Thursdays.
- Advised that Community Pride Day was a lot of fun and that Homecoming King and Queen were from the Newtown District

Mr. Milby had the following comments:

- Thanked everyone for coming and to have a safe trip home
- Congratulated Susan Balderson in getting her certification
- Thanked the Sheriff for his plan in being able to get another vehicle
- Thanked Mr. Adkins for his involvement in getting the sewage issue taken care of on Virginia Avenue
- Expressed that he thinks that we need to understand that when we rezone in a Residential area, that we need to have a plan, that it is not fair to those who keep their homes nice.

Mr. Simpkins had the following comments:

- Thanked everyone for coming out and for the reports that were given
- Congratulated Mrs. Balderson and Mrs. Robinson in working towards their certifications
- Commented that he was out of town the weekend of Community Pride Day

Mr. Bailey had the following comments:

- Wished Mrs. Balderson his congratulations in receiving her certification and to Mrs. Watkins and Ms. Porter for working on their certification
- Wished everyone a safe trip home and to watch out for the school buses and deer.

**IT IS ORDERED THAT THIS BOARD BE ADJOURNED:**

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

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

NAYS: NONE

NOT PRESENT: D. H. MORRIS

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R. F. Bailey, Jr., Chairman

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K. Diane Gaber, CMC, Deputy Clerk