

King and Queen County Board of Supervisors Meeting

Monday, April 27, 2015

7:00 P.M.

King and Queen County Courts and Administration Building
General District Courtroom

Chairman Simpkins called the meeting to order. It was noted that all members of the Board were present.

ADOPTION OF FY16 OVER-ALL COUNTY BUDGET (INCLUDING SCHOOLS)

Chairman Simpkins commented that public hearings were held at the April 13, 2015 meeting of the Board of Supervisors on the Budget, Tax Rates and Proposed Amendment on changing the due date for Vehicle License Fee.

A motion was made by Ms. Alsop and seconded by Mr. Bailey to accept the following resolution for approval.

**KING AND QUEEN COUNTY BOARD OF SUPERVISORS' RESOLUTION
APPROVING AND APPROPRIATING THE FISCAL YEAR 2015-2016 ANNUAL
FISCAL PLAN FOR THE COUNTY OF KING AND QUEEN**

WHEREAS, the King and Queen County Board of Supervisors (“Board of Supervisors”) has reviewed the General, Social Services, Comprehensive Services Act, Comprehensive Services Act Administration, School, School Cafeteria and Court Security Funds as part of the Fiscal Year 2015-2016 Annual Fiscal Plan; and

WHEREAS, the Board of Supervisors held a duly advertised public hearing on the proposed Fiscal Year 2015-2016 Annual Fiscal Plan on April 13, 2015.

NOW THEREFORE BE IT RESOLVED this 27th day April 2015 that of this total amount, the Board of Supervisors does hereby appropriate a General Fund budget in the amount of \$10,473,032, comprised of the following categories and amounts:

Board of Supervisors	\$47,380
County Administrator	\$243,323
County Attorney	\$125,231
Independent Auditor	\$39,200
General Reassessment	\$60,000
Commissioner of Revenue	\$211,619
Finance	\$49,320
Treasurer	\$229,585
Information Technology	\$82,820
Risk Management	\$160,559
Electoral Board	\$27,525
Registrar	\$68,658
Circuit Court	\$2,700
9th District Circuit Court	\$22,336
General District Court	\$14,940
Special Magistrates	\$500
JDR District Court	\$10,721
9th District Court Services Unit	\$56,735
Clerk of Circuit Court	\$240,912
Victim Witness Assistance	\$4,042
Commonwealth's Attorney	\$216,919
Sheriff	\$1,236,415
E911	\$83,245
Volunteer Fire Departments	\$80,000
Rescue Squads	\$61,000
Rescue Services	\$176,608
Radio Communications	\$245,217
EMS Other	\$741
Probation & Pretrial Services	\$3,000
Regional Jail	\$400,000
Board of Building Appeals	\$535
Building Inspections	\$56,925
Animal Control	\$16,670
Animal Shelter	\$123,000
Medical Examiner	\$200
Emergency Services Coordinator	\$38,818
Refuse Control (VPPSA)	\$435,031
Litter Control	\$500

General Properties	\$215,017
General Properties – Marriott School	\$7,060
Health Department	\$55,708
Chapter X CSB	\$21,321
Rental Assistance Program	\$3,438
State and Local Hospital Program	\$6,510
Bay Aging	\$27,568
Contributions	\$10,212
Community College	\$5,731
Public Library	\$161,128
Planning Commission	\$12,730
Community/Economic Development Director	\$31,963
MPPDC	\$16,300
Board of Zoning Appeals	\$4,038
Zoning Administrator	\$174,886
Airport Authority	\$55,000
IDA	\$3,492
Soil and Water Conservation District	\$9,674
Forestry Services	\$11,677
Wetlands Board	\$3,138
Cooperative Extension	\$32,039
Reserve for Contingencies	\$92,000
Transfer to Social Services	\$304,357
Transfer to CSA Fund	\$240,000
Transfer to CSA Administration Fund	\$3,930
Transfer to School Fund	\$3,891,188
Transfer to Reserve Fund for Fire Depts.	\$0
Transfer to Reserve Fund for Rescue Squads	\$0
Transfer to Reserve Fund for School Construction	\$0
Transfer to Landfill Contingency Fund	\$100,000
Capital Projects	\$100,000; and

BE IT FURTHER RESOLVED that the Board of Supervisors does hereby approve the Fiscal Year 2015-2016 Projected Annual Fiscal Plan for the School Fund totaling \$9,768,517, to be appropriated as follows: Local funds in the amount of \$3,491,188 will be appropriated on July 14th or as soon thereafter as the Board of Supervisors approves. The remaining budgeted amount of \$350,000 may be appropriated on or about the April 2016 regular meeting of the Board of Supervisors. All revenue actually received by the King and Queen County Treasurer from the State or Federal Government for the benefit of the School Division for use in Fiscal Year 2015-2016, will periodically be appropriated by the Board of Supervisors (both revenue and expenditures) but in no event shall any State or Federal monies be appropriated before they are actually received and deposited by the Treasurer. In the event that there is a reduction in funding from either or both the State and Federal sources used in projecting the School Fund of \$9,768,517, The Board of Supervisors is expressly not obligated to increase local funding to cover said reductions.

BE IT FURTHER RESOLVED that the Board of Supervisors in order to encourage greater frugality does hereby establish that any unspent local funds remaining in the School Fund at the end of Fiscal Year 2015-2016 shall be transferred to the Reserve Fund for School Construction.

BE IT FURTHER RESOLVED that the Board of Supervisors does hereby approve the Fiscal Year 2015-2016 Annual Fiscal Plan to include the additional fund categories:

Social Services Fund	\$1,364,487
Comprehensive Services Act Fund	\$750,000
CSA Administration Fund	\$12,500
School Cafeteria Fund	\$400,840
Court Security Fund	\$32,295

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

ADOPTION OF 2015 TAX RATES – NO INCREASE

A motion was made by Ms. Alsop and seconded by Mrs. Morris to adopt the following resolution setting the tax rates for Calendar Year 2015.

KING AND QUEEN COUNTY BOARD OF SUPERVISORS' RESOLUTION SETTING THE TAX RATES FOR CALENDAR YEAR 2015

WHEREAS, the King and Queen County Board of Supervisors held a public hearing on April 13, 2015 to consider the appropriate tax levy on real estate, personal property, machinery and tools, merchant's capital, manufactured homes, farm machinery, and public service corporations for calendar year 2015; and

WHEREAS, the Board of Supervisors received comments from the citizens of King and Queen County.

NOW, THEREFORE, IT IS RESOLVED THIS 27th DAY OF APRIL, 2015, that the King and Queen County Board of Supervisors does approve the following tax rates for the calendar year 2015:

	Per \$100 of Assessed Value
Real Estate:	\$0.54
Personal Property:	\$3.94
Machinery and Tools:	\$1.10
Merchant's Capital:	\$0.65
Manufactured Homes:	\$0.54
Farm Machinery:	\$1.10
Public Service Corporations:	\$0.54.

BE IT FURTHER RESOLVED that the PPTRA rate for calendar year 2015 is set at 55% that will be applied as a credit for qualifying vehicles.

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

**AMENDMENT TO CHAPTER 30, VEHICLE LICENSE FEE ORDINANCE
CHANGING DUE DATE TO APRIL 30 OF EACH YEAR**

Chairman Simpkins advised that a public hearing was held on April 13, 2015 on a proposed amendment to Chapter 30, Vehicle License Fee Ordinance proposing to change the due date to April 30th of each year.

A motion was made by Ms. Alsop and seconded by Mr. Bailey to amend Chapter 30 changing the due date to April 30th of each year.

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

ARTICLE IV VEHICLE LICENSE FEE

***Cross references:** Traffic and vehicles, Ch. 34.

State law references: Motor vehicle license tax and fees, Code of Virginia, § 46.2-752.

Sec. 30-131. Vehicle license fee

(a) Except as otherwise provided, there is hereby imposed an annual vehicle license fee in the amount as prescribed herein, for every person, company, entity, etc. that owns, a motor vehicle, motorcycle, or vehicle of like design that's situs as defined in §46.2-752 of the Code of Virginia, is in King & Queen County as of January 1 of each calendar year.

(b) On each and every motorcycle or vehicle of the like design to which this article is applicable, there shall be a license fee of \$10.00 per annum; and on each and every other motor vehicle to which this article is applicable, there shall be a license fee of \$25.00 per annum. The amount of the license fee of tax imposed by the County on any motor vehicle, motorcycle, or vehicle of like design shall not be greater than the annual or one-year fee imposed by the Commonwealth on the motor vehicle.

(c) No motor vehicle, motorcycle, or vehicle of like design shall be locally licensed until the owner has produced satisfactory evidence that any and all personal property taxes on the motor vehicle, motorcycle, or vehicle of like design have been paid, including any tangible personal property used or usable as a dwelling titled by the Department of Motor Vehicles.

(d) The Commissioner shall deliver to the Treasurer on or before March 15th of each calendar year all information necessary for the Treasurer to prepare and mail vehicle license fee bills.

(e) No vehicle license fee imposed by this section shall be prorated.

Sec. 30-132. Vehicles exempt from payment.

In addition to any other exemptions/discounts provided by law, the following vehicles shall be exempt from payment of the county vehicle license fee.

(a) Notwithstanding any other provision of this section to the contrary, there will be no annual vehicle license fee on one (1) motor vehicle, motorcycle, or vehicle of like design owned by any member of a King & Queen County volunteer rescue squad or member of a King & Queen County volunteer fire department used regularly to respond to calls, provided, that such member of a King & Queen County volunteer rescue squad or King & Queen County volunteer fire department shall furnish the Commissioner of the Revenue, or other assessing officer, at a time established by the Commissioner of the Revenue, with a certification by the chief or head of the volunteer organization, that such volunteer is a member of a King & Queen County volunteer rescue squad or King & Queen County volunteer fire department who regularly responds to calls and the motor vehicle, motorcycle, or vehicle of like design is owned by such member.

(b) Motor vehicles, motorcycles, or vehicles of like design owned by persons, or their surviving spouses, qualified to receive special license plates under subsection A of §46.2-743 of the Code of Virginia, shall be exempt from paying an annual vehicle license fee.

Sec. 30-133. License fee year

Beginning on January 1, 2008, the license fee year shall be January 1 through December 31 of each year. **The vehicle license fee shall be due on or before April 30 of each year.**

(Ord. of 4-14-1997)

Sec. 30-134. License decals

Beginning on January 1, 2008, the County shall no longer issue vehicle license decals, nor shall display of such decals be required, for any vehicle that is subject to the annual vehicle license fee prescribed by this article.

Sec. 30-135. Penalty; issuance of summons

It shall be unlawful for any owner or operator of a motor vehicle, motorcycle, or vehicle of like design to fail to pay the vehicle license fee each calendar year. Violations of the requirements of this article shall be punishable as a class 4 misdemeanor as provided in the Code of Virginia as amended. The local Sheriff or law enforcement officer may issue citations, summons, parking tickets or uniform traffic summonses for such violations

Sec. 30-136 & 30-170. Reserved

Mr. Milby commented that he was in favor of going back to the vehicle decals.

PURCHASE OF NEW SPECIAL EDUCATION BUS

The Board was advised that a quote from Sonny Merryman, Inc. has been received for a Special Education Bus that is wheel chair accessible in the amount of \$93,931.00. Mr. Swartzwelder further commented that the Board had agreed to purchase a bus and it would be helpful to have it on the road before the end of this school year.

After discussion a motion was made by Mr. Bailey and seconded by Mrs. Morris to purchase the Special Education Bus in the amount of \$93,931.00 and that the funds would come out of the capital account.

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

SCHOOL ENERGY PERFORMANCE CONTRACTING

County Administrator Thomas Swartzwelder commented that he wanted to bring the Board up to date on where the school division is and talk to the Board about energy performance contracting. Mr. Swartzwelder advised that the School has under taken to follow the statutory process. In the packet there was information pertaining to this showing the statutory outline. The schools have chosen to go with ABM rather than Honeywell and wanted the Board of Supervisors support before entering into a contract. The system does work and is backed by the State. Improvements would be approximately \$1.3 million for all three schools.

Mr. Swartzwelder further commented that he would like to have ABM to come and do a presentation at the May 11, 2015 meeting of the Board to receive more technical information on the project. The Board can move forward if they would like to before the presentation. Initial cost is \$18,000.00.

Mr. Milby questioned what staff felt. Mr. Swartzwelder commented that the Schools are asking for the Boards support and he was comfortable with the process.

Ms. Alsop commented that this was the 1st time that she has seen the School Board be proactive in something and feels the Board should support them and go ahead and do it.

After discussion, a motion was made by Ms. Alsop and seconded by Mr. Milby to support the School Energy Performance Contract with ABM.

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

COUNTY ADMINISTRATOR'S COMMENTS

County Administrator Thomas Swartzwelder provided the following comments:

- Advised that he got a call from a contractor that the schools recommended and we retained to do the roof work. The original estimate for King and Queen Elementary School was \$4675, there was no discussion of Lawson at the time, and Central High was a little less than \$21,595.00. Now new leaks have been discovered being additional \$4,250 at Lawson. The roof on the cafeteria at Lawson is starting to buckle and needs to be replaced. It could be patched at a cost of \$4,200.00, to replace is \$55,000 on the high side assuming no asbestos problem. The roofer said that he would do the repair work as part of the contract if he is hired and because of the small purchasing policies, the job will probably have to be bid out. There are other leaks and floor tiles are coming up. If the Board wants to fix everything, fixing all leaks and Lawson Cafeteria it would cost \$95,000.00. \$21,595 has already been committed to fix leaks.

APPROVAL OF REPAIRS FOR ROOF REPAIRS AT ALL THREE SCHOOLS (KING AND QUEEN ELEMENTARY, CENTRAL HIGH AND LAWSON SCHOOL)

After further discussion, a motion was made by Mr. Milby and seconded by Mr. Bailey to expend and appropriate the total amount of \$95,000 to take care of the roofs at all three schools and that the funds come out of the school capital fund.

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

NAYS: NONE

Ms. Alsop expressed concerned what the Board could do, to not go through this again. Mr. Swartzwelder advised that he was going to put together two different proposals for the Board once we get through this process. Apparently we are the only schools in the state that does not have a roofing contract where a company would go out and check the roofs and make a list of everything that they find that needs to be corrected and then presents to the Superintendent. One option would be go to out to bid on maintenance contracts to include all the county buildings. Another option would be the discussion of having a combined maintenance department between the schools and county.

Ms. Alsop further expressed that she felt that maintenance of the Schools should be under the School Board and was not happy that the Board of Supervisors had to take this on in the first place.

Mr. Milby expressed that a lot of the roof repairs were done by those that had good intentions in trying to patch the roofs, but were not professionals. Mr. Milby further questioned if asbestos is

found at Lawson, what happens. Mr. Swartzwelder advised that it has to be abated, and the good news is our landfill does accept asbestos.

- Mr. Swartzwelder advised that Central Fire applied over a year ago for a grant under the County's grant process for a number of improvements including the purchase of a strip of land. VDOT will not convey that little piece of land; however, they have given them permission to build across the VDOT easement. VDOT's position is that someday they are going to have to widen that corner. Central is working on a paved slab and they want to put in a paved entrance. Since that was last year's budget they would have to come back before the Board for re-appropriation. The cost for the slab and entrance is around \$15,000.00. Mr. Swartzwelder further advised that Mr. Hunter is talking with them now on some options relating to their proposal.

BOARD OF SUPERVISORS COMMENTS

Ms. Alsop advised that the VACO Spring Meeting would be held the coming weekend and she would be out of town attending that meeting. Ms. Alsop further asked if the County Administrator could somehow talk with the new Commander at Fort A.P. Hill. He makes it to Caroline, Hanover and Spotsylvania, but he has yet to come to King and Queen and advise as to what is happening. She would like to start a conversation that we are neighbors too and that we can hear the bombing, machine guns and low flying helicopters. Her phone rang off the hook, as it was worse than normal.

Mr. Bailey commented that he was glad that the County was going to be proactive in looking at the buildings.

Mr. Simpkins advised that a group presented him with information of a couple that lives in the St. Stephens Church area and the man is confined to the wheelchair and does not have a ramp to his home. A local Baptist Men's Group has agreed to donate the material to build the ramp. The ramp has to be 24 feet long because of the height of his door. Mr. Simpkins further advised that the Ruritan Club has agreed to provide the labor to construct it. When the group came to the County for a building permit they were told it would cost \$80.00 and they came to him asking if the County would consider waving the fee.

Mr. Swartzwelder commented that we get several of these a year and suggested that we adjust our fee schedule to allow for non-profits organizations to do these projects.

A motion was made by Mr. Bailey and seconded by Mrs. Morris to amend the application fee structure waiving the building and zoning fees for non-profits organizations that apply to build wheel chair ramps for our citizens. This amendment shall be affected immediately. It is noted that they still have to apply for the permit and go through the zoning process.

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

IT IS ORDERED THAT THE BOARD ADJOURN:

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

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

J. Lawrence Simpkins, Chairman

K. Diane Gaber, CMC, Deputy Clerk