

King and Queen County Board of Supervisors Meeting

Monday, July 13, 2015

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 Simpkins called the meeting to order, noting that Ms. Alsop was not in attendance. Mr. Bailey provided the invocation followed by the Pledge of Allegiance to the Flag of the United States.

**APPROVAL AND SIGNING OF THE JUNE 8, 2015 MINUTES OF THE BOARD**

A motion was made by Mr. Bailey and seconded by Mr. Milby to approve the June 8, 2015 minutes of the Board, as presented.

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

NAYS: NONE

ABSTAINED: D. H. MORRIS

NOT PRESENT: S. C. ALSOP

**APPROVAL AND SIGNING OF THE JULY 2015 WARRANTS AND APPROPRIATIONS**

**(1) Approval of July warrants and appropriation**

A motion was made by Mr. Bailey and seconded by Mr. Milby to approve the July 2015 warrants and appropriations, subject to audit.

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

NAYS: NONE

NOT PRESENT: S. C. ALSOP

**(2) School Fund Retro-active Appropriation - \$91,000.69**

Chairman Simpkins advised that the total actual revenue received for the month of June was \$514,272.67.

A motion was made by Mr. Milby and seconded by Mrs. Morris to approve the retro-active appropriation in the amount of \$91,000.69.

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

NAYS: NONE

NOT PRESENT: S. C. ALSOP

### **(3) Schools – 2015-2016 Annual Budget**

Per Resolution adopted by the Board of Supervisors in April pertaining to the Fiscal Year 2015-2016 Annual Budget, it says that \$3,491,188 in local funds could be appropriated at the July meeting or soon thereafter as the Board of Supervisors approves.

A motion was made by Mr. Milby and seconded by Mr. Bailey to approve \$3,491,188.00 in local funds for the schools.

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

NAYS: NONE

NOT PRESENT: S. C. ALSOP

### **PUBLIC COMMENT PERIOD**

Chairman Simpkins opened the public comment period, asking that those who wish to speak to please come forward to the podium stating their name and district they in which they reside and to limit their comments to 3 minutes.

Ann Marie Voight, Stevensville District – expressed concern that a large landfill truck on Tuesday, June 16<sup>th</sup> at 5:00 a.m. almost hit her daughter head on when he did not come to a stop at an intersection. Ms. Voight further commented that she called Mr. Kistner on 2 different occasions about this and he did not return her calls concerning the trucks on the road. Ms. Voight asked that the board dispel any thought of raising the landfill height or prolonging the contract. No matter what the tax consequences are to close the landfill, the alternative is a deadly consequence for our citizens and those traveling the roads in the King and Queen.

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

### **QUARTERLY REPORTS – CONSTITUTIONAL OFFICERS, SOCIAL SERVICES, SCHOOLS, DEPARTMENT HEADS, VDOT, REPUBLIC SERVICES AND G4S-ITI.**

**VDOT** – Joyce McGowan, Residency Engineer was present providing the following update:

- Rt. 613 Dabney Road and Rt. 631 Bunker Hill work has been accomplished
- All dirt roads have been graded and stone applied
- They are mowing on the primaries and still on the secondary roads
- Advised that there have been some beaver issues in the County
- Repaired small road washouts
- Advised they have been trimming some trees
- Roads have been treated with tar and gravel
- Bridge has been swept
- Paving of Rt. 14 to Rt. 614 should be done within the next 30 days. Shoulders and ditches have been pulled
- Lombardy and Wares Church Roads will be repaired
- Tomorrow there is a meeting on how roads are prioritized and funded
- Reported that the Eltham Bridge is opened every third Wednesday of the month at 7:00 p.m.

Doris Morris commented that she has citizens that live on Courthouse Landing Road questioning that because the speed limit is 25 or 35 and then it goes back to 55. They are asking if the County or VDOT would consider it being kept at 35 mph. Ms. McGowan advised that she could request a study for the road.

Mr. Simpkins commented that he is having citizens contact him concerning a parcel of land that was timbered and left 2 trees beside the road. Both are dead and leaning over the road on Rt. 619, ¼ mile off of Rt. 721. Ms. McGowan expressed that they would take a look at it.

**Republic Services** – Pete Kistner a representative from Republic Services was present to provide a report on the tonnage coming into the landfill. The tonnage has been fairly consistent in line with last year. So far this year they have had 2 compliance inspections from DEQ and everything was ok. The biggest thing at the site is that Gas System expansion is under way and should be completed by the end of the month. The Board was asked if they had any more questions on the base grading/redesigning they submitted a few weeks back. The Board was further advised that because of all the rain, the leachate was higher. Mrs. Morris commented that she had received calls about the smell because of this. The Board was asked to let them know when they receive complaints. Some odors could be from the gas project extension.

Chairman Simpkins commented that the Board had an outside group look at it and they came back with a positive report.

Mrs. Morris commented that it was her concern that someone else look at it that knows more about it then we did.

**Centerra – International Training - Rob McDaugh was present providing the following report:**

- Advised there were 77 possible training days of any type potentially available during those dates (55 were for firearms)
- Advised that firearms training was conducted on 5 Saturdays
- Advised that no firearms training or tactical sound infusion was conducted or used on Memorial Day or the Saturday before
- Advised that simulated IEDs were only used on 20 of the 77 allowable days
- Advised that a total of 82 simulated IEDs or blanks were used on those 20 days, or an average of 4.1 per uses per day
- Advised that driver training was offered

**Superintendent of Schools, Carol Carter reported:**

- Reported an update that they have several vacancies. Two have been approved by the School Board, being Dr. Alexis Swanson who will be their new Assistant Superintendent. She will be in charge of Curriculum, Instruction and Assessment. Mrs. Allison Jordan is replacing her at King and Queen Elementary as Principal.
- Advised that they have had a busy summer at Central High School. A Science camp was held for one week with 10 students who came. While there they were provided breakfast a snack and lunch. They also did a transition camp for rising 8<sup>th</sup> graders from Lawson Marriott and King and Queen Elementary for one week with 35 students in attendance. They are currently holding a Summer Academy from June 29<sup>th</sup> to July 23<sup>rd</sup> 8:30 – 12:30. About 40 students were in attendance. This is being used as a credit recovery for the students.
- Advised that the School Board voted with a majority vote to move forward with the ABM program.
- Thanked everyone for their support
- Announced that they will have a Budget and Finance Officer beginning August 1, 2015.

**Director of Social Services Betty Dougherty had the following report:**

- Reported on Promoting Safe and Stable Families Desk Review which was completed July 8<sup>th</sup>, 2015. There were no documented findings issued for the period under review.
- Reported the IV-E case validation onsite review was conducted on June 2. The Consultant found no errors in the case reviewed and there was no action required.
- Advised that the agency is currently under a financial review for the time period of April 2015. The purpose of the review is to ensure that reported expenditures were incurred for their rightful and intended purposes; compiled with state requirements and federal cost principles; and conformed to Generally Accepted Accounting Principles.
- As a reminder, the Cooling Assistance program began on June 15 and will run through August 15. It helps with cooling equipment repairs or purchases and with the payment of the electric bill to operate cooling equipment.

**Commissioner of the Revenue Helen Longest** was not in attendance; however, she did submit a written report.

**Treasurer Irene Longest** was not in attendance; however, her report was included within the Board packet.

**Commonwealth's Attorney Charles Adkins provided the following report:**

- Advised that the past quarterly had been fairly busy, advising of numerous cases that they have had or will be coming up, especially drug cases.
- Advised that they have convinced Judge Bondurant to restart the Multi-Jurisdictional Grand Jury and are hoping to use this for combating drug cases.
- Advised that he spoke at the Citizens Police Academy and highly recommends this. Participants seemed very interested.
- Commented that his Secretary has been assisting the Commissioner of Revenues office inputting information for Personal Property Taxes 2 or 3 days a week.

Mr. Simpkins questioned the term that Jurors serve as he had a citizen that expressed concern that he would not be able to plan to do anything. Mr. Adkins advised that he felt the Judge would excuse him if he already had made plans. The term to be on call is 2 months.

**Sheriff Charboneau provided an update on the following:**

- Advised that the Citizens Police Academy that Mr. Adkins was speaking about was a program that the Sheriff's Department started where they pull citizens from the application process. It is not as many as what they had hoped, probably due to having it on Wednesday nights which is a church night. They had 5 participants. The last night is this coming Wednesday in which their certifications will be given. They have knowledge of what the Sheriff's Department does.
- Advised that there is a check in the warrants for the new drug dog of which has been fully trained. Deputy McElroy has four (4) weeks of training with the Dog in Carolina. To date they have received over \$10,000 in donations. Cage and Kennel have all been donated.
- Commented that they have been having a rage of drug users, especially more in the lower end of the county.
- Advised that he was accepted on a RCC Advisory Committee working with schools to see what their needs are.
- Advised that the Sheriffs Association awarded Cary Longest a \$1000.00 scholarship. She will be attending RCC.
- Advised that Sergeant Simmons has completed a Crime Prevention Course.
- Provided an update on the trash pickup though the county

Mrs. Morris commented on citizens receiving fraudulent calls saying they were the IRS of which Sheriff Charboneau advised that if the IRS was to notify you it would be by way of mail or at your door.

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

- Advised that the first 6 months of 2015 was a steady time for the Clerk’s Office. There were challenging times with only two doing the work of three, due to Mrs. Watkins being out and was thankful that she returned to work on July 1.
- Advised that during the first half of 2015, they recorded 409 documents as land records, as opposed to 452 during the first half of 2014.
- Advised that the office receipted for 65 concealed handgun permit applications during the first 6 months of 2015 of which 63 were receipted for during that same time period in 2014.
- Advised that Ms. Porter is continuing with her series of National Center for State Courts “Courtool” classes to become a Certified Court Manager.
- Advised that she and Ms. Porter participated in a series of Supreme Court in-house “webinars” during the month of June to become more familiar with new legislation which came into effect on July 1.

**KING AND QUEEN COUNTY – RURAL RUSTIC RESOLUTION  
(JOYCE MCGOWAN, RESIDENCY ENGINEER)**

A motion was made by Mrs. Morris and seconded by Mr. Bailey to adopt the following resolution:

**RESOLUTION – RURAL RUSTIC ROAD  
RT. 609 IRIS ROAD**

**WHEREAS**, Section 33.2-332 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a **Rural Rustic Road**; and

**WHEREAS**, any such road must be located in a low-density development area and have no more than 1500 vpd; and

**WHEREAS**, the Board of Supervisors of King & Queen County, Virginia (“Board”) desires to consider whether Iris Road, Route 609, From: Route 614 to: 0.64 mile East of Route 614 be designated a Rural Rustic Road; and

**WHEREAS**, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

**WHEREAS**, this road is in the Board’s six-year plan for improvements to the secondary system of state highways; and

**WHEREAS**, the Board believes that this road should be so designated due to its qualifying characteristics;

**NOW, THEREFORE, BE IT RESOLVED**, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

**BE IT FURTHER RESOLVED**, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right of way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

**BE IT FURTHER RESOLVED that** a certified copy of this resolution is forwarded to the Virginia Department of Transportation Residency Administrator.

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

NAYS: NONE

NOT PRESENT: S. C. ALSOP

## **BUDGET AMENDMENTS**

### **Budget Amendment- Rescue Services \$91,320.00**

A grant was received from the Virginia Department of Health, OEMS to purchase heart monitors, AEDs and Portable radios. This is an 80/20 grant. It is proposed to use a portion of the funds set aside for rescue services in the fund balance policy to fund the local match. Local Match is \$18,264.00.

A motion was made by Mr. Bailey and seconded by Mrs. Morris to approve the budget amendment in the amount of \$91,320.00.

Mr. Milby expressed his appreciation to Mr. Hunter for helping the community.

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

NAYS: NONE

NOT PRESENT: S. C. ALSOP

### **Budget Amendment – EDA - \$250,000.00**

The EDA has requested that the Board approve \$250,000 of the funds set aside for Economic Development to be transferred to the EDA. The balance of funds designated for the Economic Development within the fund balance policy is \$2,250,000.00 which would leave \$2,000,000.00 remaining for other projects.

A motion was made by Mr. Bailey and seconded by Mr. Milby to approve the budget amendment in the amount of \$250,000.00. The goal is to identify property in the upper end of the County of which cannot be disclosed due to being in the negotiation process.

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

NAYS: NONE

NOT PRESENT: S. C. ALSOP

## **APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS**

### **ECONOMIC DEVELOPMENT COMMITTEE/IDA**

**Stevensville District – to replace Bill Henley – his term expires August 2017.**

**Appointment would be to serve the unexpired term.**

TABLED

### **BOARD OF BUILDING APPEALS (ST. STEPHENS CHURCH DISTRICT)**

Mr. Melvin Martin's term expired January 31, 2015 and he does not wish to be reappointed due to health issues.

A motion was made by Mr. Simpkins and seconded by Mr. Bailey to appoint Mr. Ben Voight, King and Queen Courthouse, Virginia to serve a five year term beginning July 13, 2015 to July 13, 2020.

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

NAYS: NONE

NOT PRESENT: S. C. ALSOP

### **WETLANDS BOARD**

Mr. William Sims term on the Wetlands Board expired April 12, 2015.

TABLED

### **BOARD OF ZONING APPEALS**

Robert Bland's term on the Board of Zoning Appeals expires August 10, 2015. Mr. Bland has expressed a willingness to be reappointed if the Board so chooses to recommend him for appointment. Term would be 5 years.

A motion was made by Mr. Milby and seconded by Mr. Bailey to recommend appointment of Mr. Bland to the Circuit Court Judge.

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

NAYS: NONE

NOT PRESENT: S. C. ALSOP

## COUNTY ADMINISTRATOR'S COMMENTS

Thomas Swartzwelder County Administrator provided the following report:

- Provided an update on Post Closure for the landfills and that the new regulations from DEQ are supposed to be lowered which would be a tremendous savings
- Provided an update on the progress of repairs/renovations of the Archives Building
- Commended the Sheriff for his efforts in the road cleanups.
- Advised that a pre-bid meeting was held today on the pier.
- Advised that the Farmers Market continues to struggle. An employee has been hire and she has worked hard trying to get vendors there. Mr. Swartzwelder further commented that he has spoken with West Point and they are down to 2 vendors themselves.

## BOARD OF SUPERVISORS COMMENTS

Mr. Milby had the following comments:

- Expressed that the Courthouse grounds looked very nice
- Welcomed Mrs. Carter
- Advised that he attended his 1<sup>st</sup> Arts Alive Meeting
- Wished everyone a safe trip home and watch out for the deer

Mrs. Morris had the following comments:

- Thanked everyone for coming for their reports, that they are always helpful
- Commented that in Mrs. Helen Longest report she wanted to thank Mr. Adkins for allowing Ann to assist them in their office in processing Personal Property.
- Expressed her appreciation to Greg Hunter, EMS Coordinator for his hard work in getting grants and that she hears great things concerning EMS services.
- Expressed her thanks to the Sheriff's Department in their involvement in getting the roads clean.
- Commented on Mrs. Voight's daughter's incident and the number of real misses. Mrs. Morris further commented that the trucks are out there and we all have to be mindful of that.
- Wished everyone a safe trip home.

Mr. Bailey had the following comments:

- Thanked everyone for their reports and especially the Sheriff's office for everything they do
- Expressed his appreciation for our EMS and Sheriff's Department
- Welcomed Mrs. Carter
- Wished everyone a safe trip home

Mr. Simpkins had the following comments:

- Thanked everyone for coming out
- Advised that he attended the Planning Commission, expressing his appreciation for all that they do. Mr. Simpkins further expressed to the other Board Members that when it is their month to attend the meeting to try to attend. They appreciate it.
- Expressed that there were a lot of positive things mentioned, the road cleanups, the new drug dog, EMS.
- Commented that the County voted to do a one-time donation towards the Regional Economic Development. Their next meeting is August 4<sup>th</sup> and he would be attending that meeting.

IT IS ORDERED THAT THE BOARD ADJOURN:

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

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

NAYS: NONE

NOT PRESENT: S. C. ALSOP

---

J. Lawrence Simpkins, Chairman

---

K. Diane Gaber, CMC, Deputy Clerk