

King and Queen County
Board of Supervisors Regular Meeting

Monday, January 11, 2016

7:00 P.M.

King and Queen County Courts and Administration Building
General District Courtroom

“Minutes of the Meeting”

OPENING OF THE MEETING – THOMAS SWARTZWELDER

County Administrator Thomas Swartzwelder opened the first meeting of the year of the Board of Supervisors calling the meeting to order.

ELECTION OF THE CHAIRMAN OF THE BOARD OF SUPERVISORS FOR 2016

A motion was made by Mr. Bailey and seconded by Mrs. Morris nominating Ms. Sherrin Alsop as Chairman for 2016. No further nominations were made.

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

ELECTION OF THE VICE-CHAIRMAN OF THE BOARD OF SUPERVISORS FOR 2016

A motion was made by Mr. Simpkins and seconded by Mr. Bailey nominating Mrs. Doris Morris as Vice-Chairman of the Board for 2016. No further nominations were made.

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

APPOINTMENT OF CLERK AND DEPUTY CLERK FOR 2016

A motion was made by Mr. Simpkins and seconded by Mrs. Morris appointing Mr. Thomas Swartzwelder as Clerk and K. Diane Gaber, CMC, as Deputy Clerk for 2016

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

RESOLUTION FIXING THE DATE, TIME AND PLACE OF MEETINGS OF THE BOARD OF SUPERVISORS FOR 2016

A motion was made by Mrs. Morris and seconded by Mr. Burns to approve the Resolution and Meeting dates for 2016

RESOLUTION

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 11, 2016

Board of Supervisors Meeting Dates

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

Note: Dates that have been changed/cancelled

Schedule of Meeting Dates

2016

January 11, 2016	July 11, 2016
January 25, 2016	July 25, 2016
February 8, 2016	August 8, 2016
February 22, 2016	August 22, 2016
March 14, 2016	September 12, 2016
March 28, 2016	September 26, 2016
April 11, 2016	October 11, 2016
April 25, 2016	October 24, 2016
May 9, 2016	November 7, 2016
May 23, 2016	November 28, 2016
June 13, 2016	December 12, 2016
June 27, 2016	December 26, 2016
	Workshop...CANCELLED

NOTE:

October and November 2016 regular meeting dates have been changed to:

Tuesday, October 11, 2016 and Monday, November 7, 2016

(the 2nd Monday in October is a legal holiday – Columbus Day)

The 2nd Monday in November falls during the VACo Annual Conference – suggest moving date to the 1st Monday being November 7th, rather than the 3rd Monday as it falls in the week of Thanksgiving)

*******The Workshop date for December falls on the 26th (the Monday after Christmas)
which is a legal holiday – Workshop Meeting cancelled**

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

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

Mr. Simpkins provided the invocation, followed by the Pledge of Allegiance to the Flag of the United States

APPROVAL AND SIGNING OF THE DECEMBER 14, 2015 MINUTES

A motion was made by Mr. Simpkins and seconded by Mr. Bailey approving the December 14, 2015 minutes as presented.

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

APPROVAL AND SIGNING OF THE JANUARY 2016 WARRANTS AND APPROPRIATIONS

A motion was made by Mrs. Morris and seconded by Mr. Bailey approving the January 2016 Warrants and Appropriations, subject to audit.

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

PUBLIC COMMENT PERIOD

Chairman Alsop opened the public comment period, asking that those that wish to speak to please come forward, stating their name and district and to limit their comments to three (3) minutes. Ms. Alsop also expressed that should anyone be present to speak relating to the public hearing, to please hold their comments until that time.

Mr. Russell Vonwald, 17203 The Trail, Stevensville District, was present asking that the Board approve a committee to look at laws and bylaws written 110 years back dealing with easements and right of ways, that he was told he could not plant within 40 feet of the right of way. Maybe this committee could look into ways that this would be allowed.

Mr. Vonwald apologized to Mrs. Voight for his rooster and the fact that she has contacted the county several times on that.

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

PUBLIC HEARING – RZ15-01 - KING AND QUEEN COUNTY ECONOMIC DEVELOPMENT AUTHORITY

County Administrator Thomas Swartzwelder advised that the Economic Development Authority acquired 37.5 acres of land on Rt. 33, almost across from the Airport Road. The parcel is currently zoned agricultural with a portion being zoned residential/single family. The Economic Development Authority has made application to rezone the property to general business. A public hearing was held at the Planning Commission on December 7th and unanimously recommended approval of the request.

Mr. Swartzwelder verified proof of publication in the Tidewater Review and Rappahannock Times.

Mr. Ed Miller along with Mr. George Longest and Mr. Fraser were present.

Mr. Miller, Economic Development Director and Senior Staff for the Economic Development was present to answer any questions the Board may have.

Ms. Alsop opened the floor for public comment, asking that anyone wishing to speak to please come forward stating their name and district.

Mr. George Longest, Chairman of the Economic Development Authority for King and Queen County was present advising that several years ago, the King and Queen Economic Development Authority became active again and at the encouragement of the Board of Supervisors they have been actively looking for opportunities to encourage and promote business, investment and economic development within the County. Through the resources they have, being Mr. Miller and other professionals they have tried to learn from, have all advised the Authority that they need to either own or control property that is properly zoned and has at least some infrastructure that is ready to go, so that when you identify a business that may be interested in coming to the County you have something to show them and they can move quickly. The Authority identified the 360 corridor and the Rt. 33 corridor as the target areas. A number of sites have been reviewed and the particular site that the public hearing is being held on, is one of those sites. The Economic Development Authority has concluded that this site is attractive for a number of reasons: It has good road frontage and visual exposure on Rt. 33, there were no real vacancies for retail/business opportunities on this corridor, the adjacent property is already zoned commercial and the property has a cross-over cut from the divided highway. There is no specific plan for the plan at this moment. On behalf of the King and Queen County EDA, he speaks in favor of the rezoning of this property.

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

A motion was made by Mr. Bailey and seconded by Mr. Burns to accept the recommendation of the Planning Commission to approve RZ15-01.

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

NAYS: NONE

Ms. Alsop thanked Mr. Longest and Mr. Fraser for their time and diligence in serving on the King and Queen EDA.

Mrs. Morris commented that it was great to see Mr. Miller again.

QUARTERLY REPORTS – CONSITUTIONAL OFFICERS, DEPARTMENT HEADS AND OUTSIDE AGENCIES

VDOT – Joyce McGowan, Residency Administrator, Saluda residency administrator provided the following report:

- Advised that there are some cross pipes on Rt. 617, 603, 600 and 614, that will be replaced and washed out
- There has been a lot of shoulder repair on Rt. 721
- On the Six Year Plan, Rt. 634 project was changed from full-blown construction project to spot improvements and will be starting some of that this spring. Should have enough funding to get done what needs to be done without waiting 2 or 3 more years. Ditching should be started within the next year.
- Advised that in April when she come back, she hopes to have the secondary 6 year plan figures at which time they can talk about priorities and what roads we have. Both Vessels and Deshazo are on the plan and are pretty well funded, however, she was not sure there would be enough funding to add another road this year.
- Advised that the 721 bridge is going to be advertised in March, so that will take a year to complete.
- Mrs. McGowan welcomed Jamie Horn, Local Superintendant and his Supervisor Rex Riker and Ron Peeks, Assistant Resident Engineer.
- Advised that the contractor that was paving Rt. 14 has 3 more miles to be paved to Rt. 614. He has until June to complete this job.

Mrs. Morris questioned if VDOT plans on doing anything with the potholes on Rt. 614. Mrs. McGowan responded that they would probably do temporary patches until spring and that it was on the list for repairs.

Mr. Simpkins questioned if she had any comments on the concerns that the gentleman had concerning right of ways and being able to plant trees.

Mrs. McGowan responded that at that particular location, in 1956 VDOT purchased right of way in which they purchased 80 feet of right of way to build Rt. 14. The right of way extends 40 feet

from the center line, up the bank to the top of the hill and it follows the line of the power line, so they acquired the right of way to that point to make sure that Dominion or whomever has access to their utilities, trying to keep the access open. Mrs. McGowan further commented that she did not think that under the Code of Virginia that she has any way to permit a private owner to put things in the right of way. It is something that she can check into but did not think so. As far as the other areas mentioned are not under their purview. The right of way is VDOTS and is monitored by them. Unless there is a true violation or safety issue that is going to cause of harm, that is something that is investigated by VDOT. Rt. 14 is a federal highway and they don't allow plantings/vegetation. There are all types of regulations, even signs are not allowed on Rt. 14.

Republic Services – not present

ITI – no one was present, however a report had been submitted.

Superintendent of Schools, Carol Carter was present advising:

- Congratulated Ms. Alsop and Mrs. Morris in being nominated as Chair and Vice-Chair and welcomed Mr. Burns
- The average daily membership is 831, with 665 at King and Queen schools and 167 VAVA students at the 2 elementary schools.
- Reported on events held at the schools
- Invited the Board to their regular workshop on Thursday at 6:00 P.M., meeting at 7:00 P.M.
- Invited the Board to Central on the 18th for the annual Martin Luther King event.

Social Services Director Betty Dougherty, had the following comments:

- Provided a report on 2016 changes and challenges relating to eligibility modernization which moved Medicaid programs over to the new system for processing and has been completed and advised that they were heading into phase II which will move the remainder of their programs (SNAP, TANF, VIEW, Energy Assistance, Fraud and Appeals) from their legacy systems into the Virginia Automated Case Management System in 2016. This will require ongoing online and classroom training for their employees throughout the year as each program is implemented.
- Advised that on February 26, at her request, a change management team from the Virginia Department of Social Services will be coming to their agency to help them take a look at how they are doing business in benefit programs, assisting them in becoming as efficient and effective as possible with their limited number of employees and with implementation of eligibility modernization including document imaging.
- Advised that they have successfully completed 2 projects that will be implemented in 2016 that will create opportunities for their employees.
- Advised that on March 14 and 15 a review will be held for their Child and Family Services
- Advised that Crisis assistance will continue to run through March 15 for equipment related assistance, security deposits, emergency shelter, emergency purchase of primary home heating fuel and payment of primary heat utility bills.

- Reported that the Adult Protective Services review went very well.

Commissioner of the Revenue, Kelly Lumpkin had the following comments:

- Congratulated the Board Members on their re-election and to Mr. Burns on being elected.
- Advised the Board on some things that they have been working on and will be working on in the next couple of months, being: In December 2015, the Business License for 2016 were processed and submitted to the Treasurer's Office for billing. Their Office has started issuing 2016 Business License this month and are due by January 31, 2016.
- Advised that her office is in the process of downloading the DMV and Vessel Valuation data this month. Personal Property forms will be mailed soon after this data is loaded.
- Advised that they will be working on the files to be submitted to the Treasurer's Office for billing of the Vehicle License fees and that they have asked that all Fire and Rescue Responders submit their exemption of vehicle license fee by February 8th.
- Advised that her office will be in the beginning stages of the Elderly and Disabled Relief Applications and will be advertising in the local papers and mailing a letter to each past year applicant to come in to complete their application. The Applications are due back by April 1st.

Treasurer, Irene Longest provided the following report:

- Welcomed the Board Members on the re-election and the two new Constitutional Officers and expressed that she looks forward to working with them as a team, as well as the other Constitutional Officers and County Administrator
- Advised that her monthly report is included within their packet
- Updated the Board on the Delinquent Tax sale that was held on December 14^h of which 8 parcels were sold. They will have another sale in mid summer or early fall.
- Advised that Business License Bills were mailed on 12/17/15. A total of 212 were mailed and as of Friday, she have already received payment for 176. The vehicle license fees: Last year the Board adopted a change to the ordinance, changing the due date from December 5th of the preceding year to April 30th of the current year. Those inserts were placed in with the personal property bills. As soon as she receives the files from the Commissioner of the Revenue and she has balanced the files they will be sent to Lynchburg to the printers and then they will be in the mail. A target date to be mailed is March 30th as they will be due April 30th.

Commonwealth's Attorney, Charles Adkins

- Expressed his congratulations to all those that were elected or re-elected to various positions and further provided an update on cases that either have been completed or will be coming up in the next several weeks.
- Advised that he volunteers his Secretary whenever necessary to offices that may need assistance.
- Advised that he resigned from the ASAP Board, in fact the entire Board resigned. If and when a person is asked to serve, he would be glad to speak with that person relating to issues involved.

Sheriff John Charboneau had the following comments:

- Advised that he has submitted a written report of activities within his office.
- Advised that one of his new deputies was involved in a vehicle accident, advising that he has not come back to work and expects him back in the next day or so. He advised that this was his first night by himself, saw a deer, went down the ditch line and the vehicle flipped. The Sheriff thanked the County for purchasing the roll equipment for the vehicles. He is a young, inexperienced man, born and raised in King and Queen and thinks he will be a good deputy one day. Sheriff Charboneau further advised that he has contacted VACO to set up a time for them to come out and provide classes, videos on how a vehicle can kill you.

Mrs. Morris expressed that she was glad that he was ok and was happy to hear that these classes were being set up. It sounds like it is getting expensive in replacement of the vehicles.

Clerk of the Circuit Court, Vanessa Porter had the following comments:

- Mrs. Porter asked that if there is anything that is left out of her report that they would like to be reported, to please let her know and that she would make sure it is included in future reports.
- Advised that their office has gone through major personnel changes in the last few months, with the retirement of Betty Watkins, the former head Deputy Clerk in August and Mrs. Longest former Clerk retiring at the end of December. In October Patricia Reed was hired and is doing a great job and has now promoted her to Deputy Clerk II. Currently she is weeding through 30 applications that were submitted for the vacancy in the office and it is her goal to make a decision before the week end.
- Commented that they have been extremely busy since their first day of operation in 2016 and it hasn't slowed down since, with the upcoming deadlines for budgets and other time dated forms. It has been a little challenging for the two of them but they are getting through it.
- Advised that according to their statistical report, it seems their records have fallen off somewhat in 2015:
- Land Record at the end of 2015 was 971 compared to 1086 in 2014
- Will count was 53 in 2015 compared to 59 in 2014
- Concealed Weapons permit applications were 130 compared to 155 in 2014
- Criminal and Civil case load increased from 104 criminal cases in 2014 to 198 in 2015
- Civil cases increased from 57 in 2014 to 75 in 2015
- Most of their other recordation remained about the same
- The increase in their caseload increases their workload because they are having more court dates and paperwork.

Mr. Simpkins questioned if she had a written report. Mrs. Porter apologized that she did not, that Ms. Gaber sent an e-mail, but because she was busy she did not read the entire e-mail.

Mr. Simpkins further commented that he likes to look back from year to year to compare.

Ms. Alsop congratulated everyone for being re-elected and the Board understands that it is a different type of busy as everyone is learning.

APPOINTMENTS AND REAPPOINTMENTS

ECONOMIC DEVELOPMENT AUTHORITY

Stevensville District to replace Bill Henley – Term expires August 2017 (4 year term)

Tabled

WETLANDS BOARD (Any district – formerly Newtown District)

(to replace William Sims – his term expired April 12, 2015)

It was noted that the Wetlands Board meets approximately 6 times a year.

Tabled

Mr. Swartzwelder asked that the Board focus on this particular spot as they really need to fill this position. At this point it is an at large position.

PLANNING COMMISSION

Buena Vista District (to replace Mr. Jim Burns)

A motion was made by Mr. Burns and seconded by Mr. Bailey to appoint Mr. Franklin Massey, to serve on the Planning Commission representing the Buena Vista District for a four (4) year term, expiring January, 2020.

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

NAYS: NONE

Stevensville District (to serve the unexpired term of Mr. Freddie Byrd – term to expire December 8, 2018) Mr. Bryd had advised that it was his intention to resign.

Tabled

COUNTY ADMINISTRATOR'S COMMENTS

County Administrator Thomas Swartzwelder had the following comments”

- Advised that there are a couple of additional appointments that need to be made, those being, Mr. Milby served on the Middle Peninsula Planning District Commission, so we will need to fill that spot and also served as the Alternate on the Jail and Airport Authorities. We do need an alternate’s.

APPOINTMENT TO THE MIDDLE PENINSULA PLANNING DISTRICT COMMISSION

A motion was made by Mrs. Morris and seconded by Mr. Simpkins to appoint Mr. Bailey as the member on the Planning District Commission, replacing Mr. Milby.

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

NAYS: NONE

APPOINTMENT TO THE MIDDLE PENINSULA REGIONAL JAIL AND AIRPORT AUTHORITY – ALTERNATE MEMBER

A motion was made by Mr. Bailey and seconded by Mr. Simpkins to appoint Mrs. Doris Morris to serve on the Middle Peninsula Regional Jail and Airport Authority as an alternate member.

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

NAYS: NONE

- Advised that he and Greg Hunter will be attending the Essex County Board of Supervisors Meeting tomorrow morning at their request. They are having a special meeting on public safety, radios and broadband.
- Echoed Dr. Carters note relating to King Day. It is a really good event and worthwhile event. He will be away and hopes that someone will be able to attend.
- Provided a handout on articles from the Tidewater Review relating to what counties want to do and what their accomplishments were for 2015. King and Queen County had a great year for 2015 and congratulated the Board on their accomplishments, including County departments.

BOARD OF SUPERVISORS COMMENTS

Mr. Bailey had the following comments:

- Commented that in 2008 the Board adopted a resolution in support of the heritage of hunting with dogs. He has seen so much garbage about hunters and hunting with dogs. If the legislation continues going the way it is going, he feels the Board should revisit

this. It is a heritage in this State and County and believes that landowners or homeowner associations have brought this up again to more or less end hunting with dogs. If this were to come up and were to pass, he believes we would see a lot of revenue lessen. A lot of these hunt clubs help pay citizens taxes through rent they receive and feels it is in the best interest to see how much revenue could be lost.

Ms. Alsop feels that the County Administrator should rewrite the resolution being more forceful as she too supports hunting with dogs.

Mr. Burns had the following comments:

- Expressed that he was thankful and excited about representing the people of the county and hopefully can be an asset to the County citizens.
- Commented that he was not opposed to any criticisms and will take any input that anyone has.
- Expressed that he would like to take a tour of the county properties and employees and know what they are doing and what is going on, so that he can assist them in their jobs.

Mr. Simpkins had the following comments:

- Mr. Simpkins commented he enjoyed serving as Chairman
- Wished everyone a Happy New Year
- Welcomed Mr. Burns and was happy to see him sitting at the Boards table
- Expressed his congratulations to everyone in their elections, we have some new people and look forward to working with them
- Wished everyone a safe trip home and see everyone next month

Mrs. Morris had the following comments:

- Thanked those that attended the meeting
- Expressed again that she was glad to see Mr. Miller again
- Congratulations to those who won and looks forward to working with Mr. Burns
- Asked if the Sheriff could get deputies on Rt. 614 between 4:30 a.m. and 6:00 a.m., she would greatly appreciate it. She is getting a lot of phone calls about the speed that time of the morning.
- Congratulated Ms. Alsop on becoming Chairman and to Mr. Simpkins for a fantastic job last year serving as Chairman
- Have a safe trip home and look forward to seeing everyone back next month

Ms. Alsop had the following comments:

- Ms. Alsop thanked Mr. Simpkins for doing a spectacular job serving as Chairman for 2015.

- Commented that being Chair can be hectic at times and will try her best to provide a service as Chairperson
- Expressed that it was great to see everyone up and running
- Advised that she accepted the position of 2nd Vice-President for VACO back in November and she has hit the ball rolling this year, serving as one of the speakers at the VACO Supervisors Forum. Tomorrow she will be meeting with the Governor and then be a part of a press conference for K-12 funding.
- Expressed that she is happy to serve as Chairperson and looks forward to working with everyone. If anyone has any questions or something that she can do for them to please contact her.
- Advised that she will be attending the MLK Day at Central
- Expressed that she hopes everyone will remember the Fire and Rescue Squads and its members and how you can help in supporting them.

IT IS ORDERED THAT THIS BOARD ADJOURN:

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

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

NAYS: NONE

S. C. Alsop, Chairman

K. Diane Gaber, CMC, Deputy Clerk

