

King and Queen County  
Board of Supervisors Regular Meeting

Monday, May 8, 2023  
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 OF AMERICA**

Mr. Simpkins provided the invocation, followed by the Pledge of Allegiance to the Flag of the United States. It was noted that member Sherrin Alsop was absent.

**APPROVAL AND SIGNING OF THE MARCH 21, 2023, MARCH 27, 2023 AND APRIL 10, 2023 MINUTES**

A motion was made by Ms. Morris and seconded by Mr. Burns approving the March 21, 2023, March 27, 2023 and April 10, 2023 minutes of the Board.

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

NAYS: NONE

ABSENT: S. C. ALSOP

**APPROVAL AND SIGNING OF MAY 2023 WARRANTS AND APPROPRIATIONS**

A motion was made by Mr. Simpkins and seconded by Mr. Burns to ratify the recurring warrants for the month of April subject to audit.

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

NAYS: NONE

ABSENT: S. C. ALSOP

A motion was made by Mr. Burns and seconded by Ms. Morris to approve the county warrants and payroll for the month of May 2023 subject to audit.

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

NAYS: NONE

ABSENT: S. C. ALSOP

A motion was made by Mr. Simpkins and seconded by Mr. Burns to approve the January (\$803,485.08), February (\$849,285.28) and March (\$1,019,380.87) school fund revenue subject to audit.

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

NAYS: NONE

ABSENT: S. C. ALSOP

## **PUBLIC COMMENT PERIOD**

Barry Allen, St. Stephens Church District – Asked that the Board not leave the Pamunkey Library system. He has heard that the county is a laughingstock in the area because we have a gorgeous facility, but it has closed days and limited hours. He understands that it may be a lack of priority for the Board, but King William and Hanover are both building new facilities and are open more hours. The hours of operations for the King and Queen library have changed so much that it is hard to keep up with and citizens must go to libraries in other counties. The Walker family invested a lot of money in the facility, and it should be utilized in the way they envisioned it. The staff at the library is well trained by Pamunkey and if not a part of the system we would lose those individuals. The county has provided broadband internet across the county, but many children are not able to access it because they cannot afford it. Please explain and publish the reasoning behind the decision before making it.

Florence Cook, St. Stephens Church District – She is very concerned about the closing of the library, there is not much to offer the children in this county. Opinions on Facebooks do not rate King and Queen very high. The library has been a good thing for the children and adults in the county. They can use it for things they cannot afford to have at home. The staff is very helpful for people who are not well educated on computers. Is the reason for the closing of the library due to the cost? Please consider the children when making a decision.

Terry Boggs, Stevensville District – He asked if the reason for closing the library has to do with the cost. It is a service that is used by many citizens.

At this point Mr. Bailey advised the public that the Board does not intend to close the library, they are looking to get out of the Pamunkey Library system and have a library that is run by the County. The Board feels there has been a lack of transparency from Pamunkey, they have changed the hours multiple times without consulting the Board, the cost of the service increases every year but the amount of actual time that the library is open continues to decrease. He feels that there has been a big miscommunication, it has never been the intent of the Board to close the library just withdraw from the Pamunkey system and have library that is open at least as much as it is now if not more.

Beth Hayes, St. Stephens Church District – She and her husband were involved when Mr. Carroll Lee Walker renovated the Marriott School building. She was very involved during the renovation and design for the library and hopes that she will be able to be a part of what happens there in the future. She does not want to lose the interlibrary loan system of Pamunkey. She has also been at the library recently since all the discussion began and many have commented that they want to

keep Ace, the librarian. Her greatest concern is that Mr. Walker's vision of the building being open to the public be continued. She hopes that the building will continue to be used and loved by the community. There are no other public spaces available in that area of the county.

Biddy Walker, St. Stephens Church District – She is dismayed at the possibility that the County would leave the Pamunkey Library system. She served on that board for eight years. She is a patron of the library and does not want to see it change. She is afraid that citizens will lose the ability to utilize all the other Pamunkey branches in West Point, King William and other counties.

Elizabeth Christeller, St. Stephens Church District – Thanked the Board for providing internet to the entire County. To her it seems odd that now that the county has reliable internet that they would leave the library system with all its online services. She used to go to the old library before they had audio books. Now that the county had reliable internet you don't even have to go to the library, you can download books, films and children's books through the online services. She does not think that the county can offer the same level of service as a larger library system. Please consider this and consider staying in the Pamunkey system.

Jamie Ryland, Newtown District – He feels that it is rare that a stand-alone library would be as efficient and have the resources of a regional library system. He understands that the Board has a tough job every year funding everything and library is something that can go away but please consider this when making the decision.

Annie Carter, St. Stephens Church District – She is a recent transplant to the community. She is enjoying the services of the library. She attended the Economic Development meeting and the Thrive meeting for the Family Resource Center and sense that citizens are being asked what they want and need and here is a possibility to take away something. She asked for clarification on whether the library is closing and what leaving the Pamunkey system means to the citizens.

Peggy Atkins, St. Stephens Church District – She is a lifetime member of The Friends of the Library. They enjoy being a part of the Pamunkey library system. Anyone who has the card can use it at any library within the Pamunkey system area. Ace, the King & Queen Library librarian is a wonderful asset. He and the staff at the library are very polite and always helpful. She has been told by library staff that over 1,000 books would be removed from the library in the Board decides to leave the Pamunkey system. The Board needs to give children who will be our future leaders every advantage and this does not serve to do so.

Dr. A. W. Lewis, St. Stephens Church District – He feels that library access would be more limited if the county leaves the Pamunkey system. The Board may not know that the library currently loans out Chromebooks to students, there is limitless access to books, video and many other things. He hopes the Board will reconsider leaving the Pamunkey system and not lose the limitless access to all these things.

**APPROVAL OF WILMOT AND TRC AGREEMENTS AND CHANGE ORDERS (KQES MODULAR CAMPUS)**

Ms. Seay advised that the request includes the final invoices for the modular classrooms, the change order to purchase the food prep unit, the change order for additional electrical work needed and the change order for site work for the modular campus. All these items are needed in order to keep the project moving along on schedule.

A motion was made by Mr. Simpkins and seconded by Mr. Burns to approve the agreements and change orders.

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

NAYS: NONE

ABSENT: S. C. ALSOP

### **APPROVAL OF GENERATOR PURCHASE FOR REGIONAL ANIMAL SHELTER**

Ms. Seay advised that she met with the King William County Administrator and finance staff. They did a ‘deep dive’ into the finances of the shelter and were able to identify the funds in the capital reserve that King William was holding for the shelter. She also stated that King William has agreed to use all of the funds in the capital account to offset the cost of the generator and installation. The majority of those funds belong to King William, but King and Queen will only be responsible for half of the remaining cost.

Mr. Simpkins requested clarification on whether this was a new installation or replacement of existing equipment. It is new, the shelter has previously operated on a portable generator when needed.

Mr. Bailey commented that it is an expensive project, it is needed and with the possibility of unexpended funds in the FY23 budget it may be “a wash”.

A motion was made by Ms. Morris and seconded by Mr. Simpkins to approve the purchase and installation of the generator for the Regional Animal Shelter in the amount of \$20,071.85.

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

NAYS: NONE

ABSENT: S. C. ALSOP

### **APPROVAL OF UPDATED VPPSA DISASTER DEBRIS REMOVAL AGREEMENT**

Ms. Seay advised that this is something that the Board has seen before. In order to meet procurement requirements VPPSA must periodically put the agreement back out to bid to maintain current list of contractors for counties to use in the event of a disaster.

A motion was made by Mr. Burns and seconded by Ms. Morris to approve the agreement and authorized the County Administrator to execute it.

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

NAYS: NONE

ABSENT: S. C. ALSOP

**ACCEPTANCE OF DEED FROM INDUSTRIAL DEVELOPMENT AUTHORITY  
(FARMER'S MARKET PROPERTY)**

Ms. Seay explained that as required for the EDA grant for the telecenter, the IDA transferred the property to the County. There were some technical items discovered during the title search. These items have been corrected so the process needs to happen again using the correct documents.

A motion was made by Mr. Burns and seconded by Ms. Morris to adopt the following resolution accepting the deed for the Farmer's Market property.

**RESOLUTION TO APPROVE REAL PROPERTY ACQUISITION  
AND CORRECTION OF PRIOR CONVEYANCE**

**WHEREAS**, by Deed dated the 3<sup>rd</sup> day of March, 2022 and recorded in the Circuit Court Clerk's Office of King and Queen County, Virginia as Instrument Number CLR220000234 certain real property was conveyed by the Economic Development Authority of King and Queen County, Virginia to King and Queen County Board of Supervisors; and

**WHEREAS**, in accordance with Va. Code § 15.2-4903 and the Ordinance Creating the Industrial Development Authority of King and Queen County, Virginia adopted on March 3, 1982, the name of the authority is the Industrial Development Authority of King and Queen County, Virginia, not the Economic Development Authority of King and Queen County, Virginia; and

**WHEREAS**, further, the aforesaid deed conveying real property to the King and Queen County Board of Supervisors was not approved as to form by the county attorney and was not accepted by King and Queen County, both as required by Va. Code § 15.2-1803; and

**WHEREAS**, it is now the desire of the Grantor and the Grantee to correct the above-described errors and omissions by properly identifying the Grantor and by establishing approval of the form of the Deed and acceptance of the real property by the County and to confirm ownership of the subject real property in and to the party of the second part.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of King and Queen County, Virginia finds it to be in the best interests of the County and the citizens thereof to approve, complete, correct, and confirm the acquisition of real property from the Industrial Development Authority of King and Queen County, Virginia by accepting and approving pursuant to Va. Code § 15.2-1803 the conveyance of the said real property to King and Queen County, Virginia and accepting and approving the Deed attached hereto; and

**BE IT FURTHER RESOLVED**, that the County Administrator/County Attorney and the Chair of the Board of Supervisors are hereby authorized and directed to take such actions as

are necessary in their sole discretion to carry out the purposes and intents of this resolution, including, without limitation, the acceptance of delivery of the Deed, the payment of any funds necessary for the recordation of the Deed and related documents, if any, and the acquisition of the real property described herein; and

**BE IT FURTHER RESOLVED**, that the Chair of the Board of Supervisors is authorized to execute the Deed to accept the conveyance of real property from the Industrial Development Authority of King and Queen County, Virginia as required by Va. Code § 15.2-1803; and

**BE IT FURTHER RESOLVED**, that all actions taken in furtherance of the acquisition of the subject real property prior to the date of adoption of this Resolution are hereby ratified and confirmed.

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

NAYS: NONE

ABSENT: S. C. ALSOP

**SET DATE FOR PUBLIC HEARING TO RATIFY THE DEED OF TRUST SECURING THE FEDERAL EDA GRANT**

Ms. Seay explained that this is part of the same project as the previous item. The deed of trust for the property also needed to be “cleaned up”. The Board will need to hold another public hearing in order to ratify the deed of trust that is required by EDA for the property for the useful life of the facility.

A motion was made by Mr. Burns and seconded by Mr. Simpkins to set the work session meeting on May 22, 2023 at 6:00 p.m. as the date for the public hearing.

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

NAYS: NONE

ABSENT: S. C. ALSOP

**VDOT UPDATE**

Ron Peaks with VDOT provided the following update on projects throughout the County:

- Holmestown Road project is underway.
- Rt. 621, Bruington Road is set for paving in late June.
- The emergency bridge closure on Rt. 628 will remain in place for quite a while. They expect advertising for construction in the fall with work completed in the spring of 2024.
- Rumble stripes are to be installed at the intersection of Rt. 360 and Rt. 14 at St. Stephens Church.

- Pothole patching, ditching, and graveling on secondary roads will be coming soon.
- Mowing on primary roads has begun and high volume secondary roads will begin soon. They are trying to get out ahead of the process this year.

Ms. Morris questioned when the mowing on Rt. 33, she has received several complaints that it is difficult to see at crossovers.

## **PUBLIC HEARING – SECONDARY SIX YEAR ROAD PLAN**

Chairman Bailey recognized Ron Peaks with VDOT to provide background information on the proposed plan.

Mr. Peaks advised that the County will have approximately \$583,730 in funds over the six years of the plan. The Holmestown Road project mentioned previously is the last priority from the previous plan. Roads proposed for the new plan are as follows:

Priority 1 – Rt. 617 Exol Road with a cost estimate of \$315,047 and estimated completion in 2025.

Priority 2 – Rt. 618 Shilo Road with a cost estimate of \$147,528 and an estimated completion in 2026

Priority 3 – Rt. 611 Tastine Road with a cost estimate of \$147,528 and an estimated completion in 2027

Priority 4 – Rt. 633 Bewdley Lane with a cost estimate of \$99,511, no completion date has been confirmed for this priority.

Chairman Bailey opened the public hearing for comments.

Wayne Duvall, Exol Road – questioned why VDOT does not use the millings from the paving of main roads to upgrade the gravel roads in the county. Exol Road is dusty, dirty, no one obeys the posted speed limits, people throw litter all along the road and there is no law enforcement patrols in the area. He asked why Exol Road has not been paved when it has more traffic than Lilly Pond Road which has already been paved.

Mr. Peaks responded to the question regarding millings by advising that the millings become property of the contractor who does the paving job. VDOT does not own the millings and so they cannot use them for other purposes.

Valerie Ashker, Exol Road – Asked that Exol Road be considered a priority. It would be greatly appreciated if it could be repaired and paved. There is significant log truck traffic on the road which tear it up often.

Elizabeth Christeller – Expressed that the secondary roads are very dark at night with no lighting. The edges of the pavement on many is crumbling. Is there any way that white lines could be placed on these roads to help with visibility because in many places the drop off at the edge of the road is quite dangerous.

Mary Haase – Supports having Exol road paved. There are 5 hunt clubs in the area and during hunting season there is a lot of extra traffic. Please keep Exol Road on the list for paving and thank you to VDOT for all they do.

Steve Haase – Supports having Exol Road paved. He lives on the road, and you cannot leave your windows open because of the dust. There is a lot of extra traffic during hunting season and the road really “takes a beating”.

A motion was made by Mr. Burns and seconded by Mr. Simpkins to accept the priority list provided by VDOT for the 2024 to 2029 Secondary Six Year Plan for unpaved roads.

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

## **PUBLIC HEARINGS**

### **2024 Tax Rates Public Hearing**

Chairman Bailey asked the County Administrator for proof of publication and background.

Ms. Seay stated that the public hearing was properly advertised in the Tidewater Review and Rappahannock Times on March 29<sup>th</sup> and a courtesy copy was published in the Country Courier on March 29<sup>th</sup>.

Ms. Seay advised that the tax rate notice is a bit different than normal due to the reassessment. The Board advertised a rate of .48 per \$100 value. The equalized rate would have been .43 per \$100 value for real property. This also sets the rate for Manufactured Home and Public Service taxes.

Chairman Bailey opened the public hearing. There being no comments from the public, the hearing was closed.

A motion was made by Mr. Simpkins and seconded by Ms. Morris to adopt the resolution below setting the tax rates for 2023.

KING AND QUEEN COUNTY BOARD OF SUPERVISORS  
RESOLUTION SETTING THE TAX RATES FOR  
CALENDAR YEAR 2023

**WHEREAS**, the King and Queen County Board of Supervisors held a public hearing on May 8, 2023 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 2023; and

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



**WHEREAS**, pursuant to a general reassessment of real estate effective January 1, 2023, the tax rate that would produce no more than 101 percent of the previous year’s real property tax levies would be \$.425; and

**WHEREAS**, the Board of Supervisors has determined that a rate above \$0.425 is necessary in order to maintain operations and meet the fiscal obligations of the County.

**NOW, THEREFORE, IT IS RESOLVED THIS 8<sup>th</sup> DAY OF MAY, 2023**, that the King and Queen County Board of Supervisors, finding it necessary in order to maintain operations and meet the fiscal obligations of the County, does approve the following tax rates for the calendar year 2023:

Per \$100 of Assessed Value	
Real Estate:	\$0.48
Personal Property:	\$3.94
Aircraft	\$1.58
Machinery and Tools:	\$1.10
Merchant’s Capital:	\$0.65
Manufactured Homes:	\$0.48
Farm Machinery:	\$1.10
Public Service Corporations:	\$0.48.

**BE IT FURTHER RESOLVED** that the PPTRA rate for calendar year 2023 is set at 37.5% that will be applied as a credit for qualifying vehicles.

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

**NAYS:** NONE

**ABSENT:** S. C. ALSOP

**Public Hearing ZA23-01 to amend Part II, Article 4, Section 3-82 of the King and Queen County Code**

Chairman Bailey asked the County Administrator to provide proof of publication and background information on this request

Ms. Seay advised that the public hearing was properly noticed in the Rappahannock Times and Tidewater Review on April 19<sup>th</sup> and April 26<sup>th</sup>. A courtesy copy was placed in the Country Courier April 26<sup>th</sup>. She further advised that the text amendment relates to the next several items on the agenda being the applications for mining operations. The amendment came forth during consideration of the rezoning request. It is proposed as a replacement of the rezoning request because it will accomplish the same thing. There is language to clarify for these and perhaps other operations while not opening the door for having a parcel rezoned differently from the surrounding parcels, therefore not having a swath of industrial property in the middle of agricultural all around it. There are also several changes to the table of uses for clarification and the addition of “permits issued by the Department of Energy or by a common operator” at the request of the applicant’s counsel and is something she supports and recommends for this type of operation.

Chairman Bailey opened the public hearing.

Edward Rice, Newtown District – Asked if this amendment addressed the rezoning concerns brought up at the Planning Commission and questions regarding the traffic and entrances. Ms. Seay advised that the amendment did address those concerns.

James Ryland, Newtown District – Expressed concern about a historic site on the property. It is the site of a school run by Donald Robertson. Mr. Robertson’s most famous student being James Madison who credits him with giving him his middle school education before he went to college and almost single handedly wrote the Constitution of the United States. Historical Society has done a limited archaeological dig on the site and they have hopes of doing more in the future. The developer has assured him and he feels confident that they will honor it this site.

Hearing no more comments, the hearing was closed.

A motion was made by Mr. Burns and seconded by Ms. Morris to accept the recommendation for approval by the Planning Commission.

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

NAYS: NONE

ABSENT: S. C. ALSOP

#### **Public Hearing – RZ22-02 Mattaponi Sand and Gravel, LLC**

The applicant withdrew this application. No public hearing was held.

#### **Public Hearing – CUP22-02 and SP22-05 Mattaponi Sand & Gravel LLC.**

Chairman Bailey asked the Director of Community Development to provide proof of publication and background on this application.

Donna Sprouse, Director of Community Development advised that the hearing was properly noticed in the Rappahannock Times and Tidewater Review on April 19<sup>th</sup> and April 26<sup>th</sup>. A courtesy copy was noticed in the Country Courier on April 26<sup>th</sup>. The applicant currently has approvals for conditional use permit and site plan for both the Fisher site and the Kay site. This application is to allow them to bring material from the Fisher site across the road to the Kay site rather than relocate all of the processing equipment to the new site. Much of the information that was a part of the application is no longer applicable since the rezoning request was withdrawn upon approval of the text amendment. She did note that items 16 and 18 in the condition list will need to be removed also since they relate to the rezoning request. The Planning Commission did recommend approval of the conditional use permit and the site plan after their public hearing.

Chairman Bailey opened the public hearing.

Richard Stewart, the attorney for the applicant advised that he is present if anyone has any questions.

Hearing no comments, the public hearing was closed.

A motion was made by Mr. Simpkins and seconded by Mr. Burns to accept the recommendation of the Planning Commission to approve CUP22-02 and SP22-05 with the omission of items 16 and 18 in the conditions.

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

NAYS: NONE

ABSENT: S. C. ALSOP

**Public Hearing – CUP22-03 and SP22-06 – Mattaponi Sand and Gravel, LLC**

Chairman Bailey asked the Director of Community Development to provide rove of publication and background on the application.

Donna Sprouse, Director of Community Development advised that the hearing was properly noticed in the Rappahannock Times and Tidewater Review on April 19<sup>th</sup> and April 26<sup>th</sup>. A courtesy copy was noticed in the Country Courier on April 26<sup>th</sup>. This application is for the Kay site which already has an approved mining permit and will not have the processing infrastructure will not be moved to this site. The list of conditions for this site do not need to be amended based on the approval of the text amendment earlier. The Planning Commission recommended approval of the application after holding their public hearing.

Chairman Bailey opened the public hearing.

The applicant advised that they were available for any questions.

Ms. Sprouse noted that the believed location of the school referenced earlier is shown on the site plan and is outside of the area of mining limits. If the applicant decides to mine in that area, they would need to come back to the board for approval.

A motion was made by Mr. Simpkins and seconded by Mr. Burns to accept the recommendation of approval for CUP22-03 and SP22-06.

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

NAYS: NONE

ABSENT: S. C. ALSOP

**Public Hearing – Approval of an ordinance to change the name of the Industrial Development Authority of King and Queen County, Virginia to the Economic Development Authority of King and Queen County, Virginia.**

Chairman Bailey asked the County Administrator to provide proof of publication and background on the ordinance.

Ms. Seay advised that hearing was properly noticed in the Rappahannock Times and Tidewater Review on April 19<sup>th</sup> and April 26<sup>th</sup>. A courtesy copy was noticed in the Country Courier on April 26<sup>th</sup>. The original ordinance creating the IDA adopted in 1982 was provided to the Board. This process was started several years ago but was not completed. The IDA has voted to request the Board to take action on this matter.

Chairman Bailey opened the public hearing.

Hearing no comments, the public hearing was closed.

A motion was made by Mr. Burns and seconded by Ms. Morris to adopt the following ordinance.

**AN ORDINANCE TO CHANGE THE NAME OF THE INDUSTRIAL DEVELOPMENT  
AUTHORITY OF KING AND QUEEN COUNTY, VIRGINIA TO THE ECONOMIC  
DEVELOPMENT AUTHORITY OF KING AND QUEEN COUNTY, VIRGINIA**

**WHEREAS**, at a meeting of the Board of Supervisors of King and Queen County, Virginia (the “**Board**”) held on March 3, 1982, the Board adopted An Ordinance Creating an authority pursuant to the Virginia Industrial Development and Revenue Bond Act, which authority was named the Industrial Development Authority of King and Queen County, Virginia (the “**Authority**”); and

**WHEREAS**, subsequent to March 3, 1982, Virginia law was amended to allow authorities created pursuant to the Virginia Industrial Development and Revenue Bond Act to be named either an Industrial Development Authority or an Economic Development Authority, which law is found in Va. Code § 15.2-4903; and

**WHEREAS**, King and Queen County, Virginia previously stated its desire to change the name of the Industrial Development Authority of King and Queen County, Virginia to the Economic Development Authority of King and Queen County, Virginia but did not amend the Ordinance accordingly; and

**WHEREAS**, the Industrial Development Authority of King and Queen County, Virginia did vote unanimously on April 6, 2023 to request that the Board amend the Ordinance creating the Authority to change the name of the Authority to the Economic Development Authority of King and Queen County, Virginia, and the Board wishes to adopt this requested amendment.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Supervisors of King and Queen County, Virginia as follows:

1. That Paragraph 2 of the Ordinance Creating the Industrial Development Authority of King and Queen County, Virginia duly adopted by the King and Queen County Board of Supervisors on March 3, 1982 (the “**Ordinance**”) is amended to read as follows:
  2. The name of the political subdivision created hereby shall be the Economic Development Authority of King and Queen County, Virginia (the Authority).
2. That all other provisions of the Ordinance are unchanged and remain in full force and effect.

3. That this Ordinance shall be effective immediately upon adoption.

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

NAYS: NONE

ABSENT: S. C. ALSOP

### **ADOPT FY2024 BUDGET**

Chairman Bailey stated that the Board held a public hearing on the proposed FY2024 budget on April 10, 2023.

A motion was made by Mr. Burns and seconded by Ms. Morris to adopt the following resolution adopting and appropriating the FY2024 Budget.

## **KING AND QUEEN COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION APPROVING AND APPROPRIATING THE FISCAL YEAR 2023-2024 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, Capital Projects, Social Services, Comprehensive Services Act, Comprehensive Services Act Administration, School, School Cafeteria, School Capital Projects, E-Summons and Court Security Funds as part of the Fiscal Year 2023-2024 Annual Fiscal Plan; and

**WHEREAS**, the Board of Supervisors held a duly advertised public hearing on the proposed Fiscal Year 2022-2023 Annual Fiscal Plan on April 10, 2023.

**NOW THEREFORE BE IT RESOLVED** this 8<sup>th</sup> day of May, 2023 that of this total amount, the Board of Supervisors does hereby appropriate a General Fund budget in the amount of \$16,671,572, comprised of the following categories and amounts:

Board of Supervisors	\$86,953
County Administrator	\$167,020
County Attorney	\$148,020
Independent Auditor	\$47,000
Commissioner of the Revenue	\$273,726
Finance Department	\$174,791
Treasurer	\$290,183
Information Technology	\$159,075
Risk Management	\$227,600
Electoral Board	\$70,885

Registrar	\$137,008
Circuit Court	\$2,220
9th District Circuit Court	\$23,000
General District Court	\$10,390
Special Magistrates	\$0
JDR District Court	\$4,393
9th District Court Services Unit	\$53,847
Clerk of the Circuit Court	\$327,173
Victim Witness Assistance	\$12,098
Commonwealth's Attorney	\$255,325
Sheriff	\$2,367,256
E911	\$156,151
Volunteer Fire Departments	\$158,000
Rescue Squads	\$40,700
Rescue Services	\$2,270,597
Radio Communications	\$423,430
EMS Other	\$1,057
Probation & Pretrial Services	\$14,400
Regional Jail	\$846,000
Board of Building Appeals	\$535
Building Inspections	\$157,003
Animal Control	\$52,224
Animal Shelter	\$200,000
Medical Examiner	\$200
Emergency Services Coordinator	\$106,735
Refuse Control (VPPSA)	\$659,886
Litter Control	\$8,500
General Properties	\$352,194
General Properties - Marriott School	\$29,570
General Properties - Shacklefords Station	\$33,770
General Properties - St. Stephens Station	\$23,000
General Reassessment	\$0
Health Department	\$89,232
Chapter X CSB	\$39,289
Rental Assistance Program	\$3,542
State and Local Hospital Program	\$6,510
Bay Aging	\$34,936
Contributions	\$17,212
Community College	\$6,613
Mattaponi Pier	\$6,700

Public Library	\$227,135
Planning Commission	\$10,846
Economic Development	\$32,813
MPPDC	\$37,370
Board of Zoning Appeals	\$4,038
Zoning/Community Development	\$189,897
Airport Authority	\$95,000
IDA	\$2,707
Soil and Water Conservation District	\$9,674
Forestry Services	\$11,101
Cooperative Extension	\$39,391
Reserve for Contingencies	\$120,000
Transfer to Social Services	\$508,330
Transfer to CSA Fund	\$240,000
Transfer to CSA Administration Fund	\$5,149
Transfer to School Fund	\$4,297,176
Transfer to School Capital Projects Fund	\$100,000
Transfer to Landfill Contingency Fund	\$165,000

and;

**BE IT FURTHER RESOLVED** that the Board of Supervisors does hereby approve the Fiscal Year 2023-2024 Projected Annual Fiscal Plan for the School Fund totaling \$13,766,360, to be appropriated as follows: Local funds in the amount of \$3,797,176 will be appropriated on July 1, 2023 or as soon thereafter as the Board of Supervisors approves. The remaining budgeted amount of \$500,000 may be appropriated on or about the April 2024 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 2023-2024, 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 \$13,766,360, 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 2023-2024 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 2023-2024 Annual Fiscal Plan to include the additional fund categories:

County Capital Projects Fund	\$5,225,500
Social Services Fund	\$1,921,734
Comprehensive Services Act Fund	\$750,000
CSA Administration Fund	\$16,378
School Cafeteria Fund	\$469,091
Court Security Fund	\$65,000
Landfill Contingency Fund	\$165,000
E-Summons	\$15,000

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

NAYS: NONE

ABSENT: S. C. ALSOP

**RESOLUTION TO WITHDRAW FROM THE PAMUNKEY REGIONAL LIBRARY**

Ms. Seay advised that this item came up in during budget discussion that the county could increase library services as well as other county services by leaving the Pamunkey system and utilizing the facility for the library as well as other services to the community. The comments as to whether the level of library services will reach that of the Pamunkey system may not be accomplished. Right now, the County does not have access to the facility because it is exclusive to the library and the goal is to expand other services and offerings utilizing the funding that currently goes to only funding the library. There are two options on how to leave the library system. The first is giving notice that give a two-year timeframe at the end of which the county would be granted leave from the system or at any time receiving approval of the other members at some point prior to the end of the two-year period on a date mutually agreed upon by all members. The resolution that the board has before them accomplishes both by including language for each option.

Mr. Burns requested clarification on the time frame and logistics involved. Ms. Seay advised that staff meet regularly on the logistics involved in the transition including visiting and meeting with staff at other independent libraries.

A motion was made by Mr. Burns and seconded by Mr. Simpkins to adopt the following resolution requesting withdrawal from the Pamunkey Regional Library system.

**RESOLUTION REGARDING WITHDRAWAL OF KING AND QUEEN COUNTY FROM THE PAMUNKEY REGIONAL LIBRARY SYSTEM**

**WHEREAS**, King and Queen County is a participating member of the Pamunkey Regional Library System, which system was created pursuant to the authority of Va. Code § 42.1-37; and



**WHEREAS**, the other participating localities in the Pamunkey Regional Library System are Goochland County, Virginia; Hanover County, Virginia; and King William County, Virginia; and

**WHEREAS**, the King and Queen County Board of Supervisors has determined that it is in the best interest of the citizens of King and Queen County to provide to its citizens library services, together with other expanded services, locally at one or more County-owned facilities; and

**WHEREAS**, Va. Code § 42.1-42 requires that a participating locality wishing to withdraw from a regional library system either provide two years' notice to the other participating localities or secure consent from the other participating localities for withdrawal prior to the expiration of two years.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of King and Queen County, Virginia that King and Queen County does by the adoption and delivery of this Resolution give **NOTICE** pursuant to Va. Code § 42.1-42 to Goochland County, Virginia; Hanover County, Virginia; and King William County, Virginia that it withdraws from the Pamunkey Regional Library System in two years from the date of the adoption of this Resolution, or May 8, 2025; and

**BE IT FURTHER RESOLVED**, that the Board of Supervisors of King and Queen County, Virginia does, pursuant to Va. Code § 42.1-42 and by the adoption and delivery of this Resolution, request the consent of Goochland County, Virginia; Hanover County, Virginia; and King William County, Virginia that the withdrawal of King and Queen County, Virginia from the Pamunkey Regional Library System be approved for a date sooner than two years from the date of the adoption of this Resolution, as may be agreed among the said members of the Pamunkey Regional Library System.

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

NAYS: NONE

ABSENT: S. C. ALSOP

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

Economic Development Authority/Stevensville – Tabled

Bay Consortium workforce Development Board - Tabled

Planning Commission/ Newtown – Tabled

Planning Commission/Buena Vista – Tabled

#### **COUNTY ADMINISTRATOR'S COMMENTS**

**County Administrator Vivian Seay provided the following comments:**

- Congratulated the EDA on the successful event last Thursday. It was the first public input session for the Strategic Action Plan. The EDA is very excited and engaged in this project and she thanked the Board for their support.
- Noted that it appears that the General Assembly is going to approve a 5% COLA.
- Advised that after recent discussions with the Sheriff, she agrees with him that the Animal Control Officer position needs to be fulltime. The position has been vacant for some time and there have been no applicants for it in its part time status. The FY24 budget includes funding only for part time, it needs to be a priority to figure out a way to fund the fulltime position.
- Reminded the Board member that the filing deadline for the November elections is June 10<sup>th</sup> at 7:00 p.m.

## **BOARD OF SUPERVISORS COMMENTS**

### **Ms. Morris had the following comments:**

- Thanked everyone for coming and for the comments. This is why there is a public comment period, and it is good to see people attending. She hopes to see everyone again next month.

### **Mr. Burns had the following comments:**

- Thanked everyone for coming.
- He expressed that when it comes to the library, he has not understood why we spend so much and do not get the same services as the bigger counties. We are paying for shared services that do not benefit the citizens.

### **Mr. Simpkins had the following comments:**

- Thanked everyone for coming and speaking. The Board needs to hear from the citizens, and it does weigh in on the decisions they make. They value all the input.
- Wished everyone a safe trip home.

### **Mr. Bailey had the following comments:**

- Thanked everyone for coming and speaking, what you say does matter even if sometimes the outcome is not what you want. The Board is not shutting the library down. They are trying to control spending and still offer the best services possible to the citizens. They read everything and don't just trust what they are told, they try to verify before making decisions.
- He also expressed that he does not like being yelled at. This makes him lose attention to the person speaking. This board does things with respect for each other and expects that in return.
- Wished everyone a safe trip home.

## **IT IS ORDERED THAT THE BOARD BE ADJOURNED:**

A motion was made by Mr. Simpkins and seconded by Mr. Burns to adjourn the meeting at 9:10 p.m.

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**Chairman**

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**Clerk of the Board**