

King and Queen County
Board of Supervisors Regular Meeting

Monday, September 13, 2021
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

Chairman Alsop opened the meeting. Roll Call was taken all members being present.

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

APPROVAL AND SIGNING OF THE A MINUTES OF THE BOARD

A motion was made by Mr. Simpkins and seconded by Mr. Bailey approving the August 9, 2021 minutes as presented.

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

RATIFICATION OF AUGUST 2021 RECURRING WARRANTS

A motion was made by Mr. Bailey and seconded by Mr. Simpkins to ratify the payment of the August 2021 recurring warrants due to the work session meeting being cancelled.

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

APPROVAL OF SEPTEMBER 2021 WARRANTS AND APPROPRIATIONS

A motion was made by Mr. Simpkins and seconded by Mr. Burns to approve the County warrants and payroll for the month of September 2021, subject to audit.

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

RETRO-ACTIVE APPROPRIATION TO THE FY2021 SCHOOL FUND IN THE AMOUNT OF \$228,097.03

A motion was made by Mr. Burns and seconded by Mr. Bailey to make the retro-active appropriate in the amount of \$228,097.03 to the School Fund, subject to audit.

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

PUBLIC COMMENT PERIOD

No comments were received from the public.

PUBLIC HEARING/ZA21-01 – Flood Plain Overlay District

Chairman Alsop advised that the Board will hold a public hearing on a proposed amendment to Article 10, Flood Plain Overlay District and Flood Insurance Rate Map (FIRM). She asked the Director of Community Development to provide proof of publication and background information.

Ms. Sprouse stated that public hearing was properly advertised in the Rappahannock Times and Tidewater Review for two consecutive weeks.

Ms. Sprouse provided the following background on the applications:

The Planning Commission held a public hearing on September 7, 2021 taking action to recommend approval of text amendment ZA21-01 as presented.

Ms. Sprouse reviewed the following as the recommended changes to the ordinance and advised that they have been reviewed and approved by FEMA:

- Page 8 – amend the new effective date from May 16, 2016 to October 21, 2021
- Page 9 – amend the new effective date from May 16, 2016 to October 21, 2021
- Page 11 – remove reference to section 3-234A (2)
- Page 29 – amend definition for appurtenant or accessory structure, per FEMA guidance

Chairman Alsop opened the hearing for comments from the public. Hearing no comments from the public, the hearing was closed.

Mr. Burns asked for clarification on the new definition of accessory structures. Ms. Sprouse explained that the language of the new definition changing the size of allowable structures was provided by FEMA. He also stated that he would not agree to approve the new FIRM maps because he has not seen them. Ms. Sprouse explained that the new maps are substantially the same as the 2016 maps. Changes occurred on inland areas such as the Dragon Run but not in tidal areas like river front in the Buena Vista district.

After discussion regarding the need for the Board to see and have a better understanding of the changes in the maps, a motion was made by Mr. Simpkins and seconded by Mr. Burns to table

until the October meeting and to have the new maps available at the September work session for the Board to review.

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

SET DATE FOR PUBLIC HEARING/ORDINANCE ALLOWING FOR ONE TIME BONUS FOR LAW ENFORCEMENT OFFICERS

Mr. Swartzwelder provided a background on this request.

A motion was made by Mr. Bailey and seconded by Mr. Burns to set October 12, 2021 meeting as the date for the public hearing.

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

REQUEST FOR ADDITIONAL FUNDING – BAY CONSORTIUM WORKFORCE DEVELOPMENT BOARD

Mr. Swartzwelder advised that a letter was received from this board advising that state funding reductions and increased minimum training standards have begun to impact their service delivery. The organization is requesting each jurisdiction in their service area to adopt a per capita funding rate of .25. King and Queen’s amount would be \$1,756.25.

Mr. Burns serves on the executive board for this organization and advised that he does not feel that this request is warranted at this time. There has not been need demonstrated yet and he has been advised that last year no citizens from King and Queen used their services. He also advised that as with several other regional agencies, the larger counties that are involved tend to get more of the services even though all counties assist with funding.

After brief discussion, no action was taken.

CHANGE MEETING DATE – REGULAR NOVEMBER 2021 MEETING

The Board adopted a resolution at their January meeting setting the meeting dates for 2021. The resolution included moving the regular November meeting to the third Monday because the annual VACo conference is typically held during the second week of November. However, this year the annual conference has been scheduled for the third week due to a change in venue.

A motion was made by Mr. Bailey and seconded by Mr. Simpkins to move the regular November board meeting to November 8th, the second Monday.

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

HR POLICY ADOPTION

Mr. Swartzwelder advised that he and Betty Dougherty have been working on updating the County's HR and personnel policies. They have completed the first batch of policies for review and approval. He also advised that there were two changes that have been made since the policies were provided for the work session, the first is regarding the allowance of the use of compensatory time in lieu of overtime if the employee chooses. The General Assembly has reversed the action from July and this is now allowed again. The second change is to change the maximum allowed sick leave to be changed back to 240 as is in the current policy rather than 96 hours as in the new policy. The requested change to allow employees to accrue four additional hours each month has not changed.

There was discussion regarding how the employees who are Virginia Retirement System (VRS) hybrids versus those who are VRS Plan 1 and 2 employees. The county provided short term disability insurance (per VRS regulations) to the hybrid employees but this is not available to the Plan 1 and 2 employees. Having the ability to accrue leave more quickly would allow them to use sick leave rather than having to use vacation leave for extended medical leave.

After discussion a motion was made by Mr. Burns and seconded by Mr. Simpkins to adopt the new policies with the only change being to have the sick leave accrual for VRS hybrid employees be 8 days per year and for VRS plan 1 and 2 employees be 12 days per year.

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

NAYS: NONE

APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

- Economic Development Authority/Stevensville – Tabled
- Economic Development Authority/At Large Member – Tabled
- Board of Zoning Appeals/Shanghai - Tabled
- Bay Consortium Workforce Development Board – Replacement/Percy Pollard – Tabled
- Pamunkey Regional Library – Mr. David Litchfield is no longer able to serve – Tabled

COUNTY ADMINISTRATOR'S COMMENTS

Mr. Swartzwelder made the following comments:

- Advised that the King and Queen Elementary School project is still moving along on schedule. The finance committee (Mr. Simpkins is on this committee) is working with Davenport to come up with a funding approach that will take into consideration all of the challenges that the county will be facing moving forward over the next five years. In addition, the construction committee (Mr. Burns is on this committee) is continuing to work with the architect to get the project ready to bid soon.
- Advised that Greg Hunter, Emergency Services Coordinator reached to him today regarding the staffing needs for the Rescue Services department. The actions that have been made up to this point have failed and he feels that in order to continue to provide service, he has asked that the board agree to hire either uncertified and/or people with

partial certifications and train the min house. Similar to how the Sheriff's office hires and trains deputies. An estimated cost spreadsheet was provided for six entry level positions but it was noted that the current staffing plan does not include hiring uncertified people. After lengthy discussion a motion was made by Ms. Morris and seconded by Ms. Alsop to approve the creation of six new entry level position and authorize Mr. Hunter to begin the hiring process.

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

- Advised that the Broadband project is moving along on schedule. He also clarified the request that had been made by Riverstreet and approved by the Board to receive payment outside of the normal warrant process. The CAF (federal) funding is still available to be spent so no construction can be made in those areas. In order to keep the project moving and to keep crews in the area the VATI funded areas have been done first and are what is being paid for on a weekly basis. The hope is that by keeping crews working here that when the CAF funding is released they will be able to move quickly rather than have been pulled away to other projects.

BOARD OF SUPERVISORS COMMENTS

Mr. Simpkins had the following comments:

- Thanked everyone for coming and hopes everyone has a safe trip home.

Mr. Bailey had the following comments:

- Thanked everyone for coming.
- Apologized for having to step out, he was not feeling well (back spasms).
- 20 years ago, last Saturday that this county was turned upside down, but it was also 20 years ago that churches were fuller than they ever were, and people weren't Democrat, Republican, Libertarian or whatever else, they were all Americans. I hope that we don't have to go through something as horrific as that to turn this county back into people who try to work things out. I am proud to serve on this board with each of you because when we have a problem, we work things out. It is not like that everywhere in the county and I wish that we could get back to that.
- Wished everyone a safe trip home and see everyone next month.

Mr. Burns had the following comments:

- Thanked everyone for coming and for the reports provided he know it takes time to put everything together and he appreciates it.
- I am disappointed in the federal government. It is discouraging to see what is going on with our government and to be the representative of that government in the local sector. It is terrible to see what they are doing to us at a local level. They are imposing on civil liberties and free will and rights as individuals. I do not understand it and as long as I

serve, I will never impose that upon the citizens and hopes that they would not expect me to. Thank you for listening and have a good night.

Ms. Morris had the following comments:

- Thanked everyone for coming, hope to see everyone next month and stay safe.

Ms. Alsop had the following comments:

- Thanked everyone for coming.
- Expressed concern over the new census number that have been released. Even though the population in the county has increased, the census numbers do not reflect that. Since federal funding is based on the numbers, the county will be reaping what it has sown by not doing its job in making sure people got counted. The county will lose state and federal funding. This even affects things like our representation at VACo because we may be put into a new region with larger localities. This will mean that the voice of rural areas will be even more restricted than it is now and our needs will be overlooked.
- She is serving on the “Marcus Alert System” committee with Captain Balderson. This committee is working regionally with the CSB to address policy and procedures for law enforcement during their interactions with people suffering from a mental health crisis.
- Expressed her appreciation for Mr. Bailey’s comments. She would like to see that cohesiveness and understanding comeback and is glad that this Board has not for the most part not been engaged in the uproar that is going on. She is glad that she can call anyone of the members any time and know that they will listen to her and that she will listen to them. That they all can argue and be on different sides but then move on and forward. She does not take it for granted because she serves on other boards that do not work that way and this board should be proud of that.
- Hopes to see everyone next month.

Mr. Simpkins asked if the County has looked into the new mask mandates that are coming down from the federal government. Mr. Swartzwelder advised that as of now since the county has less than 100 employees, they do not apply.

IT IS ORDERED THAT THE BOARD BE ADJOURNED:

A motion was made by Mr. Bailey and seconded by Mr. Burns to adjourn the meeting at 8:30 p.m.

Sherrin C. Alsop, Chairman

Thomas J. Swartzwelder, Clerk