

**King & Queen County
Planning Commission Minutes
April 3, 2023**

The King & Queen County Planning Commission met on Monday, April 3, 2023, at 6:00 p.m. in the King & Queen County Courts and Administrations Building in the General District Courtroom for their regular monthly meeting.

Planning Commission Members Present:

Hunter Richardson	Mark Berry
Milton Watkins	David Campbell
Robert Coleman Jr.	Comer Jackson

Also in Attendance:

Vivian Seay, County Attorney/County Administrator

Call to Order

Chairman, Mr. Richardson called the meeting to order.

Roll Call/Determination of Quorum

Mr. Campbell took roll call and determined that a quorum was present.

**Approval of Minutes
March 6, 2023**

After review of the minutes, Mr. Berry noted that he believed that the Magisterial District noted for the Loudon Farm Corp. rezoning request should be Stevensville rather than Newtown. A motion was made by Mr. Watkins to accept the minutes with the correction as presented by Mr. Berry, seconded by Mr. Berry.

Voting For: Watkins, Richardson, Berry, Campbell

Voting Against: None

Abstain: Coleman & Jackson

Citizens Comment Period

Mr. Richardson opened the floor for citizens' comment period.

Mr. Rodney North noted that he is under the impression that there will not be an opportunity for public comment regarding the mining applications during this meeting because the public hearing was held last month. He asked if his understanding was in fact, correct? Mr. Richardson confirmed that Mr. North was correct. That the Commission will now make

recommendations based on the comments and presentations received from the public hearing for each application request from last month.

Mr. North asked if he could take this opportunity to make a comment or is this not the purpose of this comment period. Mr. Richardson noted that they would love to hear from him. Mr. North noted that after reviewing the applicant's application packet, he had found that the developer noted the cultural resource area on the plans and appears to conduct work outside of that area. He wanted to note that he appreciates the developers' interest in preserving that area and that if they do find evidence of the school, to please share that with the historical society. Mr. Richardson noted that the Commission did receive the information regarding the school from the historical society within their packet and thanked Mr. North.

Note: Mr. Richardson had to step away from the meeting at this time. Mr. Coleman continued the meeting as Vice-Chair.

Mr. Coleman noted that though he was not able to attend last month's meeting, however the information was helpful to him and he too thanked the historical society's efforts in getting them this information.

Mr. Coleman asked if there were any further comments, hearing none, citizens comment period was closed.

New Business

A. CBPA23-01, George A. & Candice A. Belfield (public hearing)

Mr. Coleman opened the public hearing for CBPA23-01 in the name of George and Candice Belfield. Mr. Coleman asked staff to please review the request.

Ms. Seay provided proof of publication, noting that public notice was provided in both the Tidewater Review and Rappahannock Times for two consecutive weeks. Such notice was provided at least 5 days prior to the hearing date meeting the statutory requirements for public notification.

Ms. Seay briefly reviewed the request with the Commission, noting that the applicant is seeking to construct a detached garage, approximately 900 sq. ft. in size, with a portion of the garage and apron inside of the landward RPA buffer. She noted that this exception request is needed not because the proposed building is planned near the river front, but because the wetlands on the neighbor's property, which is an RPA feature, causing the RPA buffer to encroach within the landowner's property.

Note: Mr. Richardson returned to the meeting and continued to Chair the meeting from here.

Mr. Richardson asked if any of the Commission members had any questions for Ms. Seay.

Mr. Coleman asked if the building is outside of the seaward 50' buffer. Ms. Seay confirmed that it was an encroachment within the landward portion of the RPA buffer.

Mr. Berry noted that it appears to be on the backside of the landward RPA buffer.

Ms. Seay also noted that the proposal is outside of the floodplain.

Mr. Richardson asked if the applicant wished to speak.

Mr. Belfield noted that because of his knowledge of the RPA, he hired a contractor that has worked in King & Queen before. Once it was determined that the building location may encroach within the RPA buffer, he contacted Mrs. Sprouse. Mrs. Sprouse sent out Codes Compliance Officer, Mr. Rellick to measure and confirm that the location was in fact in the RPA buffer. Mr. Belfield noted that he met with Mrs. Sprouse again and hired a surveyor to determine the extent of the encroachment. He noted that he has done everything that he could to get out of the RPA buffer but they are still within it. Ms. Seay pointed out that while working with staff on his application, Mr. Belfield also had to work around the existing drainfield and septic tank per VDH requirements. Mr. Belfield also noted that there will be mitigation plantings planted as part of the proposal and he intends to plant more than minimally required when it comes to the shrubs between the neighbor and his driveway.

Mr. Richardson asked if there was anyone else that wished to speak. Hearing no further comments, the public comment and public hearing were both closed.

Mr. Richardson asked if the Commission had any questions before making a decision on the request.

Mr. Berry noted that he believes that the owner has gone above and beyond in his attempts to try to not encroach upon the RPA buffer more than he has currently shown. Also, in his opinion, having the building that far from the RPA feature and on the backside of the RPA buffer, with proper mitigation plantings, it would not be harmful to the Chesapeake Bay Preservation Area. He believes that the applicant has done a good job in trying to place this structure while being able to utilize their property in the best way that they can.

Mr. Coleman noted that the existing home and lot were both there prior to the Bay Act. He noted that it is a challenging area with the wetlands around the perimeter of the property. Even though it is a challenging area to work with, he agrees with Mr. Berry. The owners have tried to mitigate the area as much as possible.

Hearing no further comments, Mr. Berry noted that if there were no additional comments, he makes the recommendation to approve CBPA23-01, as presented. Mr. Berry added that because of the applicant's effort to keep as much of the building outside of the RPA buffer; and considering the proposed mitigation plantings to offset the small area, it appears reasonable. Also, as Mr. Coleman had noted, this parcel is a pre-bay act lot.

Ms. Seay noted that the items listed in their packet are from the Ordinance and are the findings that they must make. She asked if Mr. Berry would include those findings in his motion for the minutes. Mr. Berry agreed that he has determined those findings to have been met with Mr. Belfield's request and wishes to include such within his motion.

Mr. Watkins seconded Mr. Berry's motion. Hearing no further comment, a vote was taken and Mr. Berry's motion was passed.

Voting For: Watkins, Richardson, Berry, Campbell, Coleman, Jackson

Voting Against: None

Abstain: None

B. ZA23-01 - Amend Part II, Article 4, Section 3-82 of the King and Queen County Code *(public hearing)*

Mr. Richardson opened the public hearing for ZA23-01, a zoning text amendment to change the comments/footnotes related to mineral resource processing and resource extraction, to allow limited off-site processing of material owned or controlled by the processor. Mr. Richardson asked staff to please provide background.

Ms. Seay provided proof of publication, noting that public notice was provided in both the Tidewater Review and Rappahannock Times for two consecutive weeks. Such notice was provided at least 5 days prior to the hearing date, meeting the statutory requirements for public notification.

Ms. Seay noted that this is actually a zoning text amendment that she brought to the Commission as a workaround in lieu of a rezoning for the mining operations proposed for the Kay and Fisher sites. She noted that they both have current approved Conditional Use Permits, however what they are trying to avoid is replicating the equipment required in setting up another site across the street from their current operation. She noted that this request is to allow for such “importation” of off-site material, so long as the entrance to both sites are within 100’ of one another. Ms. Seay noted that she did look at other mining sites in the county and do not see any other sites where this would apply. She did note that should a situation present itself to request the same, they may apply, though she feels the risk is very low for there to be another like this, at least at this moment. Ms. Seay further noted that the reason she brought this text amendment forward was because the risk associated with rezoning a portion of the Fisher site to Industrial, when it’s surrounded by agricultural zoned properties, could cause potential issues related to future uses if rezoned. She recommends the text amendment instead of the rezoning request for this use. Ms. Seay did note that if the text amendment is approved, it would be available to anyone else, not just the current Kay and Fisher site.

Mr. Coleman asked if he understood correctly, if the text amendment were passed, there would be no need to approve the rezoning to Industrial, which could cause for other Industrial uses later on in the future, if rezoned. Ms. Seay replied that Mr. Coleman was correct.

For purposes of procedure for tonight, she recommends that they vote on the all of the matters before them because she is not aware of what the Board would recommend. She asked that they make a recommendation on everything tonight, as the applicant has not withdrawn their rezoning request. Their recommendation will be passed on to the Board for consideration.

Mr. Richardson asked if the Commission had any questions for staff or the applicant. Hearing none, Mr. Richardson closed the public hearing.

Mr. Coleman made a motion to recommend the approval of ZA23-01, as presented, seconded by Mr. Watkins.

Voting For: Watkins, Richardson, Berry, Campbell, Coleman, Jackson
Voting Against: None
Abstain: None

Old Business

Mr. Richardson noted that they must now make recommendations to the Board for the items noted under Old Business. He reaffirmed that a public hearing was held during their March 6, 2023 meeting, which included:

a. RZ22-02, Mattaponi Sand and Gravel, LLC – Rezone 68.55 acres of Tax Map Parcel No. 1632-78R-687, 3251 Spring Cottage Road, Newtown Magisterial District from Agricultural to Industrial to allow for the processing of material mined offsite.

b. CUP22-02 & SP22-05, Mattaponi Sand and Gravel, LLC – Amend conditional use permit & level 3 site plan for County Tax Map Parcel No. 1632-78R-687, 139.78 acres, 3251 Spring Cottage Road, Newtown Magisterial District, to allow for the processing of material mined offsite.

c. CUP22-03 & SP22-06, Mattaponi Sand & Gravel, LLC/ Kay Properties, LLC - Amend conditional use permit (272.05 acres of a 528.06-acre parcel) & level 3 site plan for County Tax Map Parcel No. 1632-78R-673, across from 3251 Spring Cottage Road, Newtown Magisterial District, to mine 170 acres of 528.06 acres for sand & gravel.

Mr. Richardson noted that they will take each one separately. Mr. Richardson noted that he will take item “B” under Old Business first.

B. CUP22-02 & SP22-05, Mattaponi Sand and Gravel, LLC

Mr. Richardson informed the Commission that there are revised conditions presented, if the Commission should decide to not recommend approval of the rezoning.

Mr. Coleman noted that he would like to make a motion to recommend approval of CUP22-02 and SP22-05, Mattaponi Sand and Gravel, LLC with the following amended CUP conditions:

Conditions:

1. *Truck traffic may enter and exit Tax Parcel 1623-78R-687 (the “Site”) not to exceed 80 trips entering the Site and 80 trips exiting the Site per day. Notwithstanding the foregoing, the 80-trip limitation shall not include or apply to trucks entering the Site directly from Tax Parcel 1623-78R-673 and truck exiting the Site and traveling directly to Tax Parcel 1623-78R-673; shall not apply to any trips entering and exiting the Site within 60 days following the date on which the Governor of Virginia has declared a state of emergency due to a natural disaster; and shall not apply to or include truck traffic entering or exiting the Site for maintenance or repair. All vehicles used for transporting materials shall be licensed and permitted in accordance with applicable federal, state, and local law to operate on Virginia highways. This condition does not apply to 2-axle passenger vehicles.*

2. *The hours of material importation to the site or exportation from the site shall be limited to 6:00 AM until 6:00 PM Monday through Saturday. There shall be no limitation on the days and hours of operation within 60 days following the date on which the Governor of Virginia declares a State of Emergency due to a natural disaster.*
3. *Permanent outdoor lighting shall be limited to the security area lighting at the wash plant, parking area illumination, and security lighting as required by the Building Code for the egress door from the scale office. All outdoor lighting shall comply with the Code of King and Queen County, Article 22-Outdoor Lighting.*
4. *Outdoor speaker or paging system(s) shall be limited to communications between the scale operator and truck drivers utilizing the weigh scale. Any outdoor speaker or paging system shall comply with the provisions of the Code of King and Queen County, Article V pertaining to noise.*
5. *The entrance on parcel 1623-78R-687, as shown on site plan dated July 26, 2016, revised September 16, 2016, prepared by Wilson Engineers, LLC from State Route 628 shall be constructed and maintained in compliance with to Virginia Department of Transportation requirements.*
6. *Dust containment measures as prescribed by the Virginia Department of Mines, Minerals and Energy (VDMME) shall be utilized at all times during periods of dry weather and at any time at the direction of the zoning administrator.*
7. *Storm runoff, erosion and sedimentation from the surface mining operation will be controlled in compliance with VDMME standards. Upon completion of mining of the Site, the Site shall be reclaimed and the Site shall be replanted with vegetation approved by VDMME.*
8. *There shall be no encroachment into the Chesapeake Bay Preservation Area Resource Protection Area or buffer, except as required for access to the property and as approved by King and Queen County. Areas of the Site designated as 100-foot Resource Protection Area (RPA) buffer shall be maintained as forested riparian buffers. Existing RPA buffers which consist of open land or abandoned site access driveways shall be converted to forested riparian buffer according to the requirements of the King and Queen County Code of Ordinances, and any Water Quality Impact Assessment required for the site and approved by King and Queen County.*
9. *Existing forested buffers surrounding the Site shall be preserved and maintained at all times while mining and reclamation operations are being conducted.*
10. *100-Foot vegetated buffers identified on the approved Plan of Development shall consist of existing forested areas to be preserved and maintained or new landscape planting installations in existing open areas or previously timbered areas. New landscape plantings as shown of the project plans shall be installed prior to commencement of surface mining mineral extraction operations. New landscape plantings shall consist of five (5) rows of six (6) foot height Leyland cypress, White pine, or other evergreen tree species as approved by the County Zoning Administrator. Plantings shall be spaced at 20-feet on center with*

plantings staggered between rows. New landscape planting may be eliminated where the following conditions are met:

A. Mining operations remain obscured from public view from any improved public right-of-way;

B. Property owners adjacent to the required 100-foot vegetated buffer, or portion thereof, enter into a written agreement with the mine operator and property owner of the lands on which mining operations are being conducted agreeing that a 100-foot vegetated buffer, or portion thereof, established with landscape plantings is not necessary or desirable. Copies of all such agreements shall be provided to the County Zoning Administrator.

If existing forested areas outside of the mining limits or applicable areas of any Conditional Use Permit issued for mining operations are cleared or timbered is harvested to the extent that the active mining operations become visible from any improved public right-of-way, regardless of whether the clearing or timber harvesting occurs on the property subject to this Conditional Use Permit or not, then the mine operator will establish the required 100-foot vegetated buffer with the new landscape plantings as specified herein and as provided on the approved Plan of Development within sixty (60) days of written notification from the County Zoning Administrator directing that the vegetated buffer or portion thereof be provided.

11. All federal, state and county approvals shall be obtained prior to any site construction activity or issuance of any required King and Queen County permits.

12. Permanent signs containing verbiage approved by the County shall be erected at intervals not to exceed 500 feet along the length of the 100-foot Resource Protection Area buffer located adjacent to areas of the property to be mined or disturbed (the "Required Signs"). In addition, witness posts or additional signs shall be erected between the Required Signs at intervals not to exceed 100-feet along the length of the 100-foot Resource Protection Area buffer located adjacent to areas of the property to be mined or disturbed. All signs and/or witness posts shall be installed prior to the commencement of construction or mining activity on the Site and shall be maintained throughout the time the property is mined and/or undergoing reclamation.

13. Notwithstanding anything to the contrary in these conditions or the associated plan, all resource extraction will comply with the Conditions for such activity in Table 4.1 in Article 4 of the zoning ordinance, as it may be amended from time to time.

14. State Route 628 shall be inspected and swept daily by the mine operator to the extent necessary to ensure that the vehicular travel surface of State Route 628 is clear of sand, gravel or mineral soil material tracked or otherwise deposited onto the vehicular travel surface of State Route 628 within 100-feet of the intersection of the Site entrance with State Route 628. All operations within the State right-of-way shall be conducted according to the requirements of the latest edition of the Virginia Work Area Protection Manual and requirements of the Virginia Department of Transportation.

15. Warning signs with flashing beacons will be erected and maintained by the mine operator along State Route 628 alerting the traveling public that trucks are entering the

state highway. Such warning signs and flashing beacons will be installed and operational prior to the commencement of and throughout the duration of operations on the Site as directed and approved by the Virginia Department of Transportation and/or the County

16. *Only material extracted from Tax Parcel 1632-78R-673 will be imported to the Site for processing. Material mined from other locations is prohibited.*

17. *This conditional use permit shall terminate when the VDMME issued permit for Tax Parcel 1623-78R-687 is terminated.*

Mr. Coleman's motion was seconded by Mr. Jackson.

Voting For: Watkins, Richardson, Berry, Campbell, Coleman, Jackson

Voting Against: None

Abstain: None

A. RZ22-02, Mattaponi Sand & Gravel, LLC

Mr. Richardson asked if the Commission had any questions.

Mr. Berry made a motion to deny RZ22-02, assuming that the Board will accept their recommendation for approval of the text amendment. Mr. Berry's motion was seconded by Mr. Coleman.

Voting For: Watkins, Richardson, Berry, Campbell, Coleman, Jackson

Voting Against: None

Abstain: None

C. CUP22-03 & SP22-06, Mattaponi Sand & Gravel, LLC/ Kay Properties, LLC

Mr. Richardson asked if there are questions or if there is a motion. Mr. Coleman asked if these conditions for CUP22-02 coincide with previously recommended conditions for the Fisher site. Ms. Seay said they do, however the Fisher conditions has to do with the processing, where there would be no processing on the Kay site.

Mr. Berry noted that he had a comment. He stated that he agrees with the signage and hopes that the applicant continues to work with the citizens as it relates to the truck traffic in that area.

Mr. Jackson noted that the signage should be placed in accordance with VDOT regulations or at the advice of VDOT regarding the distance from each entrance in both directions. Mr. Murphy with Mattaponi Sand and Gravel noted that they are prepared to put the signs where ever needed to comply with the condition. Ms. Seay noted that Mrs. Sprouse has already talked with VDOT in length and should VDOT not allow the signage in their right-of-way, they may need to secure a private easement for the sign installations.

Mr. Campbell asked how many years do they anticipate to be mining on this site. Mr. Murray noted that they will be there between 8 to 10 years.

Mr. Jackson asked if there is any special permit or process should they dig near or find something in the archeological site. Mr. Murray noted that the site is outside of their mine limits and it should not be an issue. There is no separate permit through DMME for such sites if something is found during the mining process.

Mr. Berry made a motion to recommend CUP22-03 & SP22-06 with the amended CUP conditions as follows:

Conditions:

1. *Truck traffic shall be limited to 80 trips entering Tax Parcel 1632-78R-673 (the "Site") and 80 trips exiting from the Site per day. Notwithstanding the foregoing, the 80-trip limitation shall not include or apply to any trips entering and exiting the facility within 60 days following the date on which the Governor of Virginia declares a State of Emergency due to a natural disaster; and shall not apply to or include truck traffic entering or exiting the Site for maintenance or repair. This condition does not apply to 2-axle passenger vehicles.*
2. *All mined materials extracted from Tax Parcel 1632-78R-673 will be transported across State Route 628 onto that portion of Tax Parcel 1632-78R-687 zoned Industrial District for sorting, grading, classification, stockpiling, and final distribution. All vehicles used for transporting materials shall be licensed and permitted in accordance with applicable federal, state, and local law to operate on Virginia highways.*
3. *The hours of material exportation from the Site shall be limited to 6:00 AM until 6:00 PM Monday through Saturday. There shall be no limitation on the days and hours of operation within 60 days following the date on which the Governor of Virginia declares a State of Emergency due to a natural disaster.*
4. *No permanent outdoor lighting shall be used on this Site unless required by local, state, or federal laws or regulations or other binding action. Any outdoor lighting shall comply with the Code of King and Queen County, Article 22-Outdoor Lighting.*
5. *No outdoor speaker or paging systems shall be used on the Site.*
6. *The entrance to State Route 628 from Tax Parcel 1632-78R-673 as shown on the approved site plan shall be constructed and maintained according to Virginia Department of Transportation requirements.*
7. *Dust containment measures as prescribed by the Virginia Department of Mines, Minerals and Energy (VDMME) shall be utilized at all times during periods of dry weather and at any time at the direction of the zoning administrator.*
8. *Storm runoff, erosion, and sedimentation from the surface mining operation will be controlled in compliance with VDMME standards. Upon completion of mining of the Site, the Site shall be reclaimed and the Site shall be replanted with vegetation approved by VDMME.*

9. *There shall be no encroachment into the Chesapeake Bay Preservation Area Resource Protection Area or Resource Protection Area buffer, except as approved by King and Queen County. Areas of the Site within the limits of the Conditional Use Permit and designated as 100-foot Resource Protection Area (RPA) buffer shall be maintained as forested riparian buffers. Existing RPA buffers which consist of open agricultural land and are located within the limits of the Conditional Use Permit shall be converted to forested riparian buffer according to the requirements of King and Queen County Code, and any Water Quality Impact Assessment required for the Site and approved by King and Queen County.*

10. *Existing forested buffers surrounding the Site shall be preserved and maintained at all times while mining and reclamation operations are being conducted.*

11. *100-Foot vegetated buffers identified on the approved Plan of Development shall consist of existing forested areas to be preserved and maintained or new landscape planting installations in existing open areas or previously timbered areas. New landscape plantings as shown on the project plans shall be installed prior to commencement of surface mining mineral extraction operations. New landscape plantings shall consist of five (5) rows of six (6) foot height Leyland cypress, White pine, or other evergreen tree species as approved by the County Zoning Administrator. Plantings shall be spaced at 20-feet on center with plantings staggered between rows. New landscape planting installations may be eliminated where the following conditions are met:*

A. Mining operations remain obscured from public view from any improved public right-of-way;

B. Property owners adjacent to the required 100-foot vegetated buffer, or portion thereof, enter into a written agreement with the mine operator and property owner of the lands on which mining operations are being conducted agreeing that a 100-foot vegetated buffer, or portion thereof, established with landscape plantings is not necessary or desirable. A copy of any such agreement shall be provided to the County Zoning Administrator.

If existing forested areas outside of the mining limits or applicable areas of any Conditional Use Permit issued for mining operations are cleared or timber is harvested to the extent that the active mining operations become visible from any improved public right-of-way, regardless of whether the clearing or timber harvesting occurs on the property subject to this Conditional Use Permit or not, then the mine operator will establish the required 100-foot vegetated buffer with the new landscape plantings as specified herein and as provided on the approved Plan of Development within sixty (60) days of written notification from the County Zoning Administrator directing that the vegetated buffer or portion thereof be provided.

12. *All federal, state and county approvals shall be obtained prior to any Site construction activity or issuance of any required King and Queen County permits.*

13. *Permanent signs containing verbiage approved by the County shall be erected at intervals not to exceed 500 feet along the length of the 100-foot Resource Protection Area buffer located adjacent to areas of the property to be mined or disturbed (the "Required*

Signs”). In addition, witness posts or additional signs shall be erected between the Required Signs at intervals not to exceed 100-feet along the length of the 100-foot Resource Protection Area buffer located adjacent to areas of the property to be mined or disturbed. All signs and/or witness posts shall be installed prior to the commencement of construction or mining activity on the Site and shall be maintained throughout the time the property is mined and/or undergoing reclamation.

14. Notwithstanding anything to the contrary in these conditions or the associated plan, all resource extraction will comply with the Conditions for such activity in Table 4.1 in Article 4 of the zoning ordinance, as it may be amended from time to time.

15. State Route 628 shall be inspected and swept daily by the mine operator to the extent necessary to ensure that the vehicular travel surface of State Route 628 is clear of sand, gravel, or mineral soil material tracked or otherwise deposited onto the vehicular travel surface of State Route 628 within 100-feet of the intersection of the Site entrance with State Route 628. All operations within the State right-of-way shall be conducted according to the requirements of the latest edition of the Virginia Work Area Protection Manual and requirements of the Virginia Department of Transportation.

16. Warning signs with flashing beacons will be erected and maintained by the mine operator along State Route 628 alerting the traveling public that trucks are entering the state highway. Such warning signs and flashing beacons will be installed and operational prior to the commencement of, and throughout the duration of, mining operations on the Site, as directed and approved by the Virginia Department of Transportation and/or the County

17. This conditional use permit shall terminate when the VDMME issued permit for Tax Parcel 1632-78R-673 is terminated.

Mr. Berry’s motion was seconded by Mr. Coleman.

Voting For: Watkins, Richardson, Berry, Campbell, Coleman, Jackson

Voting Against: None

Abstain: None

Mr. Richardson asked the applicant how deep will they mine the Kay site. Mr. Murray said about 20 to 25 feet deep. Mr. Coleman asked if they remove the top soil, then mine the sand, and replace the top soil back in the areas mined. Mr. Murray confirmed that was correct. Mr. Jackson asked how deep they have to go to get gravel. Mr. Murray noted that it varies between sites. Here in Virginia, it could be anywhere between 5 feet to 30 feet for stone and about 15 feet to 30 feet for sand. Mr. Coleman asked if most of the sand is located along the river side. Mr. Murray stated that he wished that were the case, as its not always along the river. Mr. Berry asked how often are they inspected by DMME. Mr. Murray noted its quarterly or a couple times a year, with some sites more often than others. He noted that they have had an inspection of the Fisher site within the last 6 months.

Staff's Comments

Ms. Seay noted that she was not aware of other upcoming applications, however did have other comments to share with the Commission.

Ms. Seay noted that Mr. Miller is retiring and that Industrial Authority has secured the services for now with a consultant to assist as Mr. Millers last meeting will be Thursday. Mr. Richardson asked if she was referring to the EDA. Ms. Seay said yes, that she uses IDA because their name was never formally changed. That they started calling themselves the EDA, however never adopted an ordinance changing their name. That is one thing that is on her list to correct. What the IDA wishes to do, is to work on a strategic action plan for the County. They have a couple of properties, but what does King & Queen need and how do we move forward. Charles Hartgrove from the Virginia Institute of Government at the University of Virginia Weldon Cooper Center of Public Service, has agreed to facilitate a discussion on May 4th, 10 a.m. to 3 p.m. in the Courtroom. Lunch will be provided for guest in the hearing room. She noted that she would love to have folks attend who are active in the community, like the Commission and other business folks in the community. She hopes to gain from this meeting, direction as to what the County should consider working on, such as water and sewer on Rt. 33.

Mr. Richardson thanked Ms. Seay for the information and noted that since he had been on the Commission, he had not had any form of relationship with the IDA. He would have thought that a Planning Commission would have an annual dialog or something with them because we plan and the IDA should be in step with those plans. He notes that public hearings are held and the Comp Plan is discussed and amended, but with no discussions among or with the IDA. His experience has been that the IDA has been focused on buying properties and try to find someone to come and buy them to build something. Mr. Richardson noted that the IDA is in a bubble. He doesn't know what is going on and frustration is at the highest level.

Ms. Seay noted that she agreed and that is her goal to share information with everyone. She noted that making sure everyone one is aware and on the same page is her plan.

Ms. Seay added that she also provides the Board with a copy of the Planning Commission meeting minutes so if they chose to read them, they have them.

Ms. Seay stated that the IDA has had discussions about things that were not compliant with the Zoning Code. She noted that she had to advise them of such. She also noted that she suggested that the IDA make recommendations for the Planning Commission. That they should attend the Commission meeting and inform you of what it is they are trying to do that the ordinance may not allow for.

Mr. Coleman asked when did the IDA meet. Ms. Seay stated that they meet the first Thursday morning of each month at 8:30 a.m. She invited the Commission to attend. Mr. Richardson asked if it was a public meeting. Mr. Seay noted that it was, as they are a public body. Mr. Richardson noted that with the prior Administrator, it seemed that those meetings were a big secret. Mr. Richardson asked if the other Commissioners felt the same way. Mr. Coleman noted that he didn't know what they were doing.

Ms. Seay noted, to be fair, they were initially to be impaneled for loans and she doesn't know if there was any thought that they would do a whole lot more than that.

Mr. Richardson asked where does the money come from that the IDA uses to buy land. Ms. Seay responded that the money comes from the Board of Supervisors, from the General Fund. From her knowledge, no money has been borrowed for the purpose of buying land. Mr. Berry asked if the IDA were appointed members of the County. Ms. Seay noted that they were appointed by the Board of Supervisors. Mr. Berry asked what is the size of their Board. Ms. Seay noted that they have 7 members on the IDA. She noted that she believes not all positions are filled.

Ms. Seay noted that she created a document that is posted on the King & Queen County website on the home page. It is a list of boards and commissions and when they meet throughout the year.

Someone on the Commission asked about the minutes of the IDA. Ms. Seay noted that the minutes of the IDA seem sparse, but there are minutes of the IDA.

Ms. Seay handed out flyers for the May 4th meeting to the Commission members present.

Ms. Seay noted that in other localities, she used to provide the Commission a report as to what the Board of Supervisors do or are working on. She noted that she could do the same for the Commission for both the Board and IDA. Mr. Richardson noted that would be awesome. Mr. Coleman noted that he appreciates when the Board members attend the Commission meetings, as sometimes they get feedback from them.

Ms. Seay noted that there have been some updates regarding the library and being a member of the Pamunkey Regional Library System. Ms. Seay noted that being a member of such costs the County about \$200,000 per year. One thought that she has had and is looking very carefully at, is to keep the library open but staff it ourselves. The County could join a network of local libraries and they could join an e-book platform at about \$2,000 per year and is in fact the same one that the Pamunkey Library uses. Then the issue becomes the schools, as they run three libraries. The schools have agreed to help us out when it comes to books. She envisions having the paid staff person to operate the library and possibly help with other programs such as art programs, tutoring, adult day programs, etc. Hopefully working towards a youth league in the future. She noted that she had spoken with a few ladies from the Women's Club and they love the idea and want to help. Ms. Seay noted that she is meeting on the 19th with the museum folks to discuss this idea as well. Ms. Seay stated that the folks from the Woman's Club asked to meet her and came to her looking for a mission. They want to do things in the Community and love the idea of the library and what it can become.

Commissioner's Comments

Mr. Jackson – thanked Ms. Seay for leading the Commission tonight. She did a fantastic job.

Mr. Coleman – had heard on the news that the City of Richmond is trying to build a fire training center, however the Planning Commission denied their request. So please contact

the City of Richmond and let me know that we would like to have their fire training center here in King & Queen. People there said that they did not want it in their neighborhoods.

Mr. Campbell – noted that we got a lot accomplished tonight.

Mr. Watkins – no comments.

Mr. Berry – no comments.

Mr. Richardson – Ms. Seay I am very pleased with what I have seen with you and what I am hearing. I am so excited to get to know you better. Thank you and thank you again so much for what you have done so far. If this is just a little sample, then the County would be well served.

Mr. Watkins thanked Mr. Richardson for his kind words for Ms. Seay.

Adjournment

Mr. Richardson noted that the next meeting is set for Monday, May 1, 2023 at 6 p.m., unless told otherwise.

There being no further business, a motion was made by Mr. Watkins to adjourn the meeting. The meeting was adjourned by all present members stating “Aye”.

Hunter Richardson, Chairman