

King and Queen County
Board of Supervisors Regular Meeting

Monday, August 14, 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. Bailey provided the invocation, followed by the Pledge of Allegiance to the Flag of the United States.

APPROVAL AND SIGNING OF THE JUNE 26, 2023 AND JULY 10, 2023 MINUTES

A motion was made by Mr. Burns and seconded by Mr. Simpkins approving the June 26, 2023, and July 10, 2023 minutes of the Board.

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

APPROVAL AND SIGNING OF AUGUST 2023 WARRANTS AND APPROPRIATIONS

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

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

A motion was made by Ms. Alsop and seconded by Mr. Burns to approve Wilmot invoices in the amount of \$704,104.00.

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

A motion was made by Ms. Morris and seconded by Ms. Alsop to approve the quarterly appropriation to the School Food Services Fund in the amount of \$98,874.94.

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

NAYS: NONE

ABSENT: NONE

PUBLIC COMMENT PERIOD

There being no comments from the public, comment period was closed.

ADOPTION OF RESOLUTION ACKNOWLEDGING THE LYNCHING OF JAMES HORACE CARTER AND PROCLAMATION OF OCTOBER 12 AS JAMES HORACE CARTER REMEMBRANCE DAY

The 2019 General Assembly adopted a resolution acknowledging the profound regret of existence and acceptance of lynching within the Commonwealth. Organizations within the county have endorsed and received approval for the placement of a Historical Highway Marker recognizing the site of the lynching of James Horace Carter and a ceremony in the Administration Building in October. These organizations have requested the Board adopt the following resolution as part of this event:

Resolution to Acknowledge the Lynching of James Horace Carter

WHEREAS, throughout America's history of slavery, segregation, and inequality, thousands of African Americans were lynched across America, particularly throughout the southern United States, to perpetuate racial inequality and white supremacy and to terrorize African-American communities; and

WHEREAS, during Reconstruction, the Thirteenth, Fourteenth, and Fifteenth Amendments to the United States Constitution were ratified, abolishing slavery, granting citizenship to any person born or naturalized in the United States, and guaranteeing the rights to due process of law and equal protection under the law and the right to vote for African-American men; and

WHEREAS, in outright defiance of the Reconstruction Amendments, people across the nation acted outside of the law, deliberately, violently, and brutally, against African-American citizens in retribution for alleged or invented crimes and faced few or no consequences; and

WHEREAS, *Richmond Planet* editor John Mitchell, Jr. exposed lynchings in Virginia as they occurred and led the state's anti-lynching campaign; however, despite his efforts and other accounts, historians believe still more lynchings remain undocumented; and

WHEREAS, African-American men, women, and children lived in fear that their lives and the lives of loved ones could end violently at any time and in any place; and

WHEREAS, lynchings were often widely known and publicly attended; some were witnessed by crowds that numbered in the thousands, reflecting community acceptance, and many leaders and authorities and much of society denied and enabled the illegal and horrific nature of the acts; and

WHEREAS, more than 4,000 documented lynchings took place throughout the South between 1877 and 1950, over 100 of which took place in Virginia; and

WHEREAS, James Horace Carter, a 45-year-old African American husband and father was lynched on October 12, 1923, after having been charged with raping a white woman and arrested; and

WHEREAS, when Carter was being transported by sheriff's deputies to the King and Queen County jail; a mob seized him, shot him ten times, and left his body in a ditch; and

WHEREAS, although Governor of Virginia E. Lee Trinkle offered assistance, a grand jury was convened, and the case was widely reported, no one was prosecuted for the murder; and

WHEREAS, the legacy of racism that outlived slavery, enabled the rise and acceptance of lynching, facilitated segregation and disenfranchisement, and denied education and civil rights to African Americans has yet to be uprooted in Virginia, the South, and the nation, and this dark and shameful chapter of American history must be understood, acknowledged, and fully documented and the seemingly irreparable breach mended; and

WHEREAS, the most abject apology for past wrongs cannot right them; yet the spirit of true repentance on behalf of a government and, through it, a people can promote reconciliation and healing and avert the repetition of past wrongs and the disregard of manifested injustices; and

WHEREAS, an apology offered in the spirit of true repentance moves our society toward reconciliation and may become central to a new understanding upon which improved racial relations can be forged; and

WHEREAS, the County of King and Queen condemns the lynching of James Horace Carter and any and all similar acts of violence, apologizes for its lynching history, and seeks to inform all of our past and our troubled racial history, and to bear witness to these atrocities. King and Queen County is committed to restorative justice so our community emerges stronger and more inclusive. In this way, the death of James Horace Carter will never be forgotten; and

WHEREAS, on October 14, 2023, pursuant to the application of Middle Peninsula African-American Genealogical and Historical Society and the approval of the Virginia Board of Historic Resources, a Virginia historical highway marker will be dedicated to honor the life of James Horace Carter.

NOW, THEREFORE, BE IT RESOLVED that the King and Queen County Board of Supervisors expresses its deepest sympathies and most solemn regrets to the descendant community of James Horace Carter and all other victims who were deprived of life, human dignity, and the constitutional protections accorded other United States citizens, and remembers the history of lynching, to ensure that these horrific tragedies will be neither forgotten nor repeated.

BE IT FURTHER RESOLVED that we, the Board of Supervisors of King and Queen County, 100 years after the murder of James Horace Carter, do hereby proclaim in perpetuity October 12 to be

James Horace Carter Remembrance Day

in King and Queen County, a day to remember James Horace Carter's life, spirit, and legacy. We call this observance to the attention of all of our citizens, so that King and Queen County continues to always place first and foremost the rights of all humanity so that our County may become an example for all.

Bessida White Cauthorne provided the list of endorsing organizations as follows:

Endorsing Organizations James Horace Carter Historical Highway Marker Dedication and Film Screening

King and Queen County Democratic Committee

King and Queen County NAACP

King and Queen Historical Society - The Tavern Museum will be housing a soil sample from the lynching site. The Historical Society will be hosting a reception following the dedication.

Mattaponi Friends Meeting (Quakers)

New Mount Zion Baptist Church
Walkerton, Virginia

Third Union Baptist Church
King William, Virginia

Zion Baptist Church
King and Queen Court House, Virginia

A motion was made by Ms. Alsop and seconded by Ms. Morris to adopt this resolution.

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

NAYS: NONE

ABSENT: NONE

VDOT UPDATE

No representative was present but it was noted that they had provided a written report in advance.

DEPARTMENT OF FORESTRY – PRESENTATION OF STATE FOREST TIMBER SALES REVENUE

State Forester, Dennis Gaston presented the Board with a check in the amount of \$151,982.76. This is 25% of the timber harvesting sales in the Dragon Run State Forest during FY2023. It was noted that this was significantly more than the last few years due to some contracts being delayed during the COVID19 pandemic.

**MPNNCSB – APPROVAL OF FY24-25 PERFORMANCE CONTRACT
MIDDLE PENINSULA NORTHERN NECK COMMUNITY SERVICES BOARD (CSB)**

CSB Executive Director Linda Hodges presented an overview of the services provided by the CSB throughout the 10 counties they serve. She noted that their RISP programs are not part of the performance contract. She complimented the Sheriff’s office because they have the most CIT trained officers in the area. She noted areas of concern being that the CSB currently has a 40% employee vacancy rate and that they are having issues being able to provide psychiatric services and care.

Sherrin Alsop questioned the Veteran services offered.

A motion was made by Ms. Alsop and seconded by Mr. Simpkins to approve the FY24-25 Performance Contract.

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

NAYS: NONE

ABSENT: NONE

VIRGINIA TOURISM CORPORATION – TOURISM AND DESTINATION MARKETING ORGANIZATION DESIGNATION

Economic Development Director Kelly Evko introduced Laura Messer, VTC Destination Manager who provided the Board with an update on the fiscal impact of tourism in King and Queen County and ways that VTC is available to assist the county in accessing state tourism funding to improve tourism within the county. She also gave an overview of the process of designating a Destination Marketing Organization.

RESOLUTION – APPROVE EDA AS A DESTINATION MARKETING ORGANIZATION

A motion was made by Mr. Burns and seconded by Ms. Alsop to adopt the following resolution designating the King and Queen County EDA as a Destination Marketing Organization:

**A RESOLUTION TO DESIGNATE KING AND QUEEN COUNTY, VIRGINIA
A DESTINATION MARKETING ORGANIZATION**

WHEREAS, the County of King and Queen wishes to increase tourism opportunities; and

WHEREAS, the Commonwealth of Virginia’s Tourism Corporation coordinates marketing activities solely with Destination Marketing Organizations (DMOs) within the Commonwealth to market the Commonwealth as a premier travel destination; and

WHEREAS, the advantage of being a Destination Marketing Organization within the Commonwealth of Virginia is that such designation would allow for partner opportunities and grant applications; and

WHEREAS, increasing tourism to the King and Queen County and Virginia’s Middle Peninsula would serve to increase local businesses that may result in increased tax revenue to the County and surrounding communities.

NOW, THEREFORE BE IT RESOLVED by the King and Queen County Board of Supervisors this 14th day of August, 2023 that King and Queen County will petition the Virginia Tourism Corporation (VTC) to recognize the Economic Development Authority of King and Queen County, Virginia as a Destination Marketing Organization (DMO).

BE IT STILL FURTHER RESOLVED that the Economic Development Authority of King and Queen County, Virginia, or its designee, is hereby authorized and directed to act as chief liaison for the DMO.

The foregoing resolution was adopted by the King and Queen County Board of Supervisors at its regular meeting held on August 14, 2023 in King and Queen Court House, Virginia.

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

NAYS: NONE

ABSENT: NONE

RESOLUTION – AMEND VA. CODE § 42.1-36 REGARDING LIBRARY BOARDS

As part of the Board’s decision to exit the Pamunkey Regional Library system one of the things that needs to be addressed is having a library board. State code allows exemptions to several localities to not be required to have a board. The Board may wish to create an advisory board but this would allow the library to operate as a county department rather than a separate entity. County Administrator Vivian Seay asks that the Board adopt the following resolution requesting that the General Assembly include King and Queen County in the list of exempted counties.

A RESOLUTION TO REQUEST AMENDMENT OF VA. CODE § 42.1-36 TO EXEMPT KING AND QUEEN COUNTY FROM LIBRARY BOARD REQUIREMENT

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

WHEREAS, King and Queen County has provided to the other participating localities in the System the statutorily required notice of its intent to withdraw from the System alongside a request to withdraw at an earlier date if permitted by all other members; and

WHEREAS, King and Queen County intends to provide for the citizens of the County library and other services through a department of the County government; and

WHEREAS, Va. Code § 42.1-35 requires that the management and control of a library be vested in a board of not less than five members or trustees; and

WHEREAS, notwithstanding the mandate of Va. Code § 42.1-35, Va. Code § 42.1-36 provides certain instances when a library board is not mandatory, including an exclusion by name of certain select Virginia counties; and

WHEREAS, it is the desire of King and Queen County to be included in Va. Code § 42.1-36 as a county in which a library board is not required for the management and control of the library it wishes to provide in the County.

NOW, THEREFORE, BE IT RESOLVED, that the King and Queen County Board of Supervisors requests the General Assembly of Virginia in its 2024 General Session amend Va. Code § 42.1-36 to add King and Queen County alongside the Counties of Botetourt, Caroline, Chesterfield, and Shenandoah as a locality in which a library board is not mandatory.

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

NAYS: NONE

ABSENT: NONE

APPROVAL OF BID DOCUMENTS AND AUTHORITY TO ADVERTISE FOR BID – TELEWORK CENTER

County Administrator Vivian Seay advised that the bid packet and plans for the telework center were provided to the board previously. They have been approved by the federal EDA and staff anticipated having approval from VDOT by the end of the week.

A motion was made by Ms. Alsop and seconded by Ms. Morris to approve the bid documents and authorize advertisement of he IFB as soon as approval is received from VDOT.

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

NAYS: NONE

ABSENT: NONE

APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

Bay Consortium workforce Development Board – Tabled

Planning Commission/Buena Vista – Tabled

COUNTY ADMINISTRATOR'S COMMENTS

County Administrator Vivian Seay provided the following comments:

- Proposed a tour of the KQES modular campus at the August work session.
- Advised that there has been a large savings on this project by the ability to tie into the existing water and sewer on site. It is also beneficial that the cafeteria and gymnasium are both close to the modular campus.
- Reminded the Board that the September work session will be a joint meeting with the Planning commission and Economic Development Authority and that Charles Hartgrove will be there to facilitate the next steps in the Economic Development Strategic Action Plan.
- Advised that the new County and tourism websites will be up soon.

BOARD OF SUPERVISORS COMMENTS

Ms. Morris had the following comments:

- Thanked everyone for coming.
- Thanked the VTC representative for the very informative presentation.
- Asked that everyone come back next month.

Ms. Alsop had the following comments:

- Thanked everyone for coming.
- She was glad to see the resolution in remembrance of James Horace Carter adopted and invited everyone to the event in October.
- Advised that she will be attending the county Officials Summit this Thursday and Friday.
- Thanked everyone for the thoughts for her mother during her recent recovery from a fall.

Mr. Burns had the following comments:

- Thanked everyone for coming and for the reports that were provided.
- Advised that he attended the Planning Commission meeting last week. They are considering a mining application near the landfill. There are concerns over the trucks traffic. The Board needs to really pay attention to the accidents, especially fatalities in the area when reviewing the proposal when it comes to them. (Ms. Morris noted she met with Donna Sprouse and she has prepared a very good packet that the rest of the Board will receive. Ms. Seay advised that staff has reached out to VDOT and the landfill for more detailed traffic information on Rt. 614.)
- Advised that he still has not received the final plans for KQES project. He has been told that the 6th grade will not be moving to the "Middle School" at the high school as the Board had been told.
- He will not be able to attend the airport authority meeting tomorrow.

Mr. Simpkins had the following comments:

- Thanked everyone for coming.
- Advised of the email that the Board received from a concerned parent and that someone, whether it is the county, or the school division needs to keep the parents informed and involved. (It was noted that Dr. Carter is going to respond to the parent that sent the email)
- Wished everyone a safe trip home.

Mr. Bailey had the following comments:

- Thanked those present for the smiling faces and thanked everyone for being here.
- Commented that he was glad to see the resolution adopted tonight as well. The past needs to stay in the past, but it needs to be remembered.
- Hope to see everyone next month.

IT IS ORDERED THAT THE BOARD BE ADJOURNED:

A motion was made by Mr. Burns and seconded by Ms. Alsop to adjourn the meeting at 8:10 p.m.

Chairman

Clerk of the Board