

King and Queen County
Board of Supervisors Meeting

Monday, January 14, 2019
7:00 P.M.

King and Queen County Courts and Administration Building
General District Courtroom

“Minutes of the Meeting”

OPENING OF THE MEETING – THOMAS SWARTZWELDER

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

ELECTION OF THE CHAIRMAN OF THE BOARD OF SUPERVISORS FOR 2019

A motion was made by Mr. Bailey and seconded by Ms. Alsop nominating Mr. Jim Burns as Chairman for 2019.

After hearing no further nominations, a motion was made by Ms. Alsop and seconded by Mrs. Morris to close nominations.

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

ELECTION OF THE VICE-CHAIRMAN OF THE BOARD OF SUPERVISORS FOR 2019

A motion was made by Ms. Alsop and seconded by Mrs. Morris nominating Mr. Lawrence Simpkins as Vice-Chairman of the Board for 2019. After hearing no further nominations the floor was closed.

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

APPOINTMENT OF CLERK AND DEPUTY CLERK FOR 2019

A motion was made by Ms. Alsop and seconded by Mr. Bailey to appoint Mr. Thomas Swartzwelder as Clerk and K. Diane Gaber, CMC, as Deputy Clerk for 2019.

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

RESOLUTION FIXING THE DATE, TIME AND PLACE OF THE REGULAR MEETINGS OF THE BOARD OF SUPERVISORS FOR 2019.

A motion was made by Ms. Alsop and seconded by Mrs. Morris adopting the following meeting dates and Resolution fixing the date, time and place of the regular meeting of the Board:

**King and Queen County
Board of Supervisors Meeting Dates**

King and Queen County Courts and Administration Building
General District Courtroom
7:00 P.M.

Regular Meeting – 2nd Monday of each month
Presentations/Workshops – 4th Monday of each month
Note: Dates that have been changed/cancelled

Schedule of Meeting Dates
2019

| | |
|-------------------|-----------------------------|
| January 14, 2019 | July 8, 2019 |
| January 28, 2019 | July 22, 2019 |
| February 11, 2019 | August 12, 2019 |
| February 25, 2019 | August 26, 2019 |
| March 11, 2019 | September 9, 2019 |
| March 25, 2019 | September 23, 2019 |
| April 8, 2019 | October 15, 2019 |
| April 22, 2019 | October 28, 2019 |
| May 13, 2019 | November 4, 2019 |
| June 10, 2019 | November 25, 2019 |
| June 24, 2019 | December 9, 2019 |
| | December 23, 2019 |
| | Workshop...CANCELLED |

NOTE:

October and November 2019 regular meeting dates have been changed to:

Tuesday, October 15, 2019 and Monday, November 4, 2019

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

The 2nd Monday in November falls during the VACo Annual Conference and is a Holiday, Veterans Day, suggest moving date to the 1st Monday being November 4)

******The Workshop date for December falls on the 23rd, week of Christmas- cancelled ******

KING AND QUEEN COUNTY BOARD OF SUPERVISORS' RESOLUTION FIXING THE DATE OF THE REGULAR MEETING AND THE DATE OF THE CONTINUED MEETING IN THE EVENT OF HAZARDOUS WEATHER OR OTHER CONDITIONS AND SETTING DATE FOR THE PURPOSE OF HOLDING WORKSHOPS AND TO HEAR PRESENTATIONS FOR THE BOARD OF SUPERVISORS OF KING AND QUEEN COUNTY, VIRGINIA

WHEREAS, the Board of Supervisors of King and Queen County (the "Board") is required by Section 15.2-1416 of the Code of Virginia, as amended, to set the date, time and place of the regular Board Meeting at the annual Meeting of the Board; and

WHEREAS, Section 15.2-1416 also permits the board to fix the date of days to which a regular meeting shall be continued if the Chairman, or Vice-Chairman if the Chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for Board Members to attend the regular meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF KING AND QUEEN COUNTY:

- 1. That the regular meeting of the Board shall be held in the King and Queen Courts and Administration Building, General District Courtroom at 7:00 P.M., the 2nd Monday of each month.**
- 2. That upon the finding and declaration by the Chairman or Vice-Chairman, if the Chairman is unable to act, that the weather or other conditions are such that it is hazardous for Board members to attend the regular meeting of the Board, such meeting shall be continued until the seventh day immediately following such previously scheduled regular meeting at the same time and place.**
- 3. That the fourth Monday of each month at 7:00 P.M., in the King and Queen Courts and Administration Building, General District Courtroom be set for the purpose of holding workshops and to receive presentations.**

**This resolution is effective immediately.
January 14, 2019**

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

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

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

APPROVAL AND SIGNING OF THE NOVEMBER 26TH AND DECEMBER 17, 2018 MINUTES OF THE BOARD

Mr. Simpkins commented that on page 4 of the regular meeting minutes under County Administrator comments that there was a typo and should be "2 bids on Central Roof Project were received".

A motion was made by Mr. Simpkins and seconded to approve the minutes with correction.

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

APPROVAL AND SIGNING OF THE JANUARY 2019 WARRANTS AND APPROPRIATIONS

A motion was made by Ms. Alsop and seconded by Mr. Bailey to approve the January 2019 warrants and appropriations, as subject to audit

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

It was noted that Mr. Burns does not have a signature stamp to sign the warrants. It was the consensus of the Board authorizing the Chairman to utilize Mr. Bailey's stamp until a stamp can be obtained for Mr. Burns.

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

PUBLIC COMMENT PERIOD

Chairman Burns opened the public comment period, asking that those who wish to speak to come forward, stating their name and district that they reside in and to limit their comments to three (3) minutes.

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

PRESENTATION OF ANNUAL FY19 AUDIT – TABLED UNTIL FEBRUARY MEETING

County Administrator Thomas Swartzwelder advised the Board that Ms. Wall had asked to be excused from this meeting due to the uncertain weather conditions and asked that she be placed on the February regular meeting agenda.

Mr. Swartzwelder further commented, that he had advised several of the Constitutional Officers and asked that they used their best judgement in whether to attend the meeting due to the weather.

QUARTERLY REPORTS – CONSTITUTIONAL OFFICERS, SOCIAL SERVICES, SCHOOLS, DEPARTMENT HEADS, VDOT, REPUBLIC SERVICES AND ITI

The following reports were provided:

VDOT – Joyce McGowan was present providing an update on the following:

- Reminded the Board that they were able to prioritize 10 roads on the unpaved road program – Rt. 637, Chatham, Rt. 673 Martin Town, Rt. 607 Crouches and Rt. 612, the larger piece of Lily Pond Road and that they are scheduled to be built this year, as well as others on the list.
- Advised the Board of a couple of bridge projects they are doing – Rt. 660 replacement, Rt. 619 and Rt. 617 Exol Swamp
- Advised that they had a request for a School Bus Stop Sign on Rt. 14 and that was approved
- Advised that they have received a request for speed and safety study on Rt. 721 to reduce the speed to 45 mph from Rt. 360 past the school up to Ruffin Lane.
- Advised that they completed the Rt. 631 pipe
- Received a request for Rt. 619 and 623 regrading
- Advised of upcoming site distance work and mowing on Rt. 631 and 721
- Had 2 washouts to repair
- Upcoming projects: Corbin Mill Pond pipe to be repaired, Rt. 633 Rosemount Rd., replacement of pipe.
- Advised that students painted one of their snow plows

Ms. Alsop questions Rt. 660 Sograham Road and the fact that it always floods, questioning is something was going to be done. Mrs. McGowan advised that they were going to raise the elevation.

Mr. Simpkins expressed concern that when work was being done on Rosemount Road that it posted to advised the citizens in the area.

Mr. Bailey commented on the ditches on Rt. 14 and in some places there are no ditches.

Mrs. Morris expressed her appreciation for preparation of the roads and getting prepared for the snow storms, that VDOT did a great job.

Mr. Burns advised that another road needs attention, being Rt. 601, Taylorsville Road, that it was washed out as well.

SCHOOL BOARD REPORT – County Administrator Thomas Swartzwelder advised the Board that Mrs. Carter would not be present due to the uncertainty of the roads that evening due to the weather.

SOCIAL SERVICES BOARD – Betty Dougherty was present to provide the following report:

- Advised that they had a very successful holiday program for our citizens again this year, serving 58 families and 136 children with the help of 16 generous sponsors.
- Advised of the Federal Government Shutdown and Employee Furlough and the impact that he has been on Social Services so far, being minimal until they received a broad cast on January 11 urging to provide an early issuance to the February SNAP benefits with a deadline of January 15th.

COMMISSIONER OF THE REVENUE – Kelly Lumpkin had the following report

- Advised that on October 31, 2018, the business license for 2019 were processed and submitted to the Treasurer's Office for billing and they are in the process of issuing the 2019 business license this month, due by January 31, 2019.

- Advised that her office will be working on loading DMV and Vessel Valuation data this month. Personal Property forms will be mailed in mid-February and are due back by May 1st.
- Advised they are working on updating the files to submit to the Treasurers Office for billing of the vehicle license fees. Exemption of license fee form for Fire and Rescue Responders are due by January 31, 2019. The vehicles license fees are due by April 30, 2019.
- Advised that the Elderly and Disabled Relief Applications are available for anyone who may qualify and are due back by April 1st.

TREASURER – (REPORT SUBMITTED IN BOARD PACKET)

SHERIFF – John Charboneau had the following report:

- Provided a report for the time period of January 1, 1018 through December 31, 2018 advising of the number of calls, papers served, speeding tickets, etc., that were made.

CIRCUIT COURT CLERK – Vanessa Porter was present to answer any questions relating to her report that she had submitted and included within the Boards packet.

Ms. Alsop questioned the number of concealed handgun permits being 185, and if this was the normal number in comparisons with other years. Ms. Porter responded that it was about the same.

County Administrator Thomas Swartzwelder commented that Mrs. Lumpkin has been working extremely hard on the enforcement of business licenses. There are a lot of Statutory issues and will probably be seeing the Board in the spring for proposed ordinance changes to help her out.

Also, because of the Sheriffs hard work, the Board will be seeing a big budget amendment coming up for our usage at the jail as it has increased dramatically.

Mr. Bailey questioned the usage and was it before or after the trail. Mr. Swartzwelder advised that it was both.

APPOINTMENTS AND REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

WETLANDS BOARD – Vacancy for Alternate Member – to fill Mr. Gibsons unexpired term (12.14.20)
5 year terms

TABLED

FYI – Randy Shanks term on the Wetlands Board expires April 12, 2019 and does not wish to be reappointed.

APPOINTMENT OF BILL HENLEY TO WETLANDS BOARD – BEGINNING APRIL 2019

Mr. Simpkins commented that he has spoken with Bill Henley and he is willing to serve. A motion was made by Mr. Simpkins and seconded by Mrs. Morris that Mr. Bill Henley be appointed to take Mr. Shanks place at his term expiration, with term beginning April 12, 2019 for 5 years.

PLANNING COMMISSION – SHANGHAI DISTRICT – 4 YEAR TERMS

The Board was advised that Barbara Hudgins term on the Planning Commission expired January 11, 2019 and is willing to be reappointed per Donna Sprouse. Reappointment would be for a four (4) year term expiring January 11, 2023.

A motion was made by Mr. Bailey and seconded by Mrs. Morris to reappoint Barbara Hudgins to a four (4) year term expiring January 11, 2023.

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

ECONOMIC DEVELOPMENT/IDA – 4 YEAR TERMS

NEWTOWN DISTRICT – REAPPOINTMENT OF MR. JESSE HOLMES

A motion was made by Ms. Alsop and seconded by Mr. Simpkins to reappoint Mr. Jesse Holmes to a four (4) year term expiring January 14, 2023.

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

BUENA VISTA DISTRICT – REAPPOINTMENT OF MR. BOB FRASER

A motion was made by Mr. Burns and seconded by Mr. Bailey to reappoint Mr. Robert (Bob) Fraser to the Economic Development Authority for a four year term to expire January 14, 2023.

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

BOARD OF ZONING APPEALS – SHANGHAI DISTRICT – REAPPOINTMENT OF PAM ASHLEY

A motion was made by Mr. Bailey and seconded by Mr. Simpkins to reappoint Mrs. Pam Ashley to a five (5) year term on the Board of Zoning Appeals. Term to expire January 14, 2023.

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

KING AND QUEEN COUNTY PLANNING COMMISSION REQUEST TO SET DATE FOR PUBLIC HEARING ON THE 2030 COMPREHENSIVE PLAN

A motion was made by Ms. Alsop and seconded by Mr. Bailey to hold a public hearing at the February 11, 2019 regular meeting at 7:00 P.M., on the proposed 2030 comprehensive Plan.

It is noted that the Planning Commission held there public hearing on January 7, 2019 and has recommended approval .

Chairman Burns commented that the 2030 Comprehensive Plan was sent back due to the time limits and that the Board wanted the Planning Commission to re-visit the issue about fracking.

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

NAYS: NONE

COUNTY ADMINISTRATOR'S COMMENTS

Thomas Swartzwelder had the following comments:

- Advised that the Courthouse project was almost complete, tha the drainage is corrected and the basin is seeded. Advised that when parking lot lights were installed by VDOT, they were installed with the wrong color and that they are currently working with BDOT on that.
- Advised that Central HVAC Project is approaching completion. Some things have popped up today where apparently the schools have had issues and had not told anyone until today. They are going back and figure out why the engineers were not told of these issues.
- Advised that the hot water heater project is almost complete.
- Advised that they had to cancel the County's two credit cards because they were compromised with several charges that were not authorized. The Bank has advised that the County can no longer be issued a credit card in the name of the Board and that it has to have the name of someone on it and asked the Board to be thinking about whom they would like to have on it. Mr. Swartzwelder also advised that the credit card policy is currently being worked on.
- Advised that it was going to be a very busy the next several months with several large projects going on being the Solar Farm, Tuckers Beach Campground Expansion, and the Budget.
- Advised that the General Assembly is now in session with 15 bills that are being submitted by Delegate Hodges that will help King and Queen County, relating to VDOT issues, turn lanes, etc., that would reduce the burden on current and future business, as well as bills relating to Agriculture and Environmental.
- Commented that Bills are also out there to provide Sheriffs Deputies who are comp Board funded raises. If it can't be absorbed, the Board will have rough decisions to make
- Advised that an RFQ for Engineering Firm for King and Queen Elementary has been done with 10 to 12 proposals being received. Mr. Swartzwelder advised that a committee needs to be appointed, being the County Administrator, Finance and a Board Member to make the initial review and set up interviews.

Mr. Burns expressed that he would be willing to serve on the committee, but wanted the Board to be aware that there may be a conflict as he deals with a lot of companies and does not know if any of those have submitted an RFQ. Should this be the case, Mr. Bailey agreed that he would be the backup in case Mr. Burns finds he is not willing to serve.

A motion was made by Mr. Bailey and seconded by Mrs. Morris to appoint Mr. Burns to service on the review panel.

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

NAYS: NONE

ENGINEERING FIRM – LANDFILL CONCERNS – LEACHATE SPILL

- Advised of the leachate spill at the landfill and the fact that it was difficult to receive information during Republic Services transition. Mr. Swartzwelder advised that he asked David McIntire to go to the landfill and take picture of he did and his pictures reflected something similar to what the County was advised.
- Advised that Mrs. Morris has expressed concern of the ongoing issues at the landfill and that they way it currently is set up, he (Mr. Swartzwelder) cannot authorize the engineer to go out there without coming to the Board first. Mr. Swartzwelder further commented that the Board has never set that particular item as a line item in the budget and hiring a 3rd party engineer would require coming to the Board.

Mr. Swartzwelder asked if the Board wanted to give authority to be able to send someone when there is an issue whether it be on a quarterly basis or random visits The funds would come from the landfill contingency fund. Mr. Swartzwelder recommended it be budged for routine services.

Mrs. Morris commented that they are constantly changing at the landfill, who do we speak with , as several days can go by before speaking with someone.

Mr. Simpkins commented that he seems we need to have a retainer and see what they are going to do for the cost they will be charging.

A motion was made by Mr. Simpkins and seconded by Mr. Bailey to authorize the County Administrator to get an engineering firm to investigate the recent leachate spill and report back to the Board, and that the cost not exceed \$5000.00. Cost to come out of the landfill contingency fund.

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

NAYS: NONE

BOARD OF SUPERVISORS COMMENTS

Ms. Alsop had the following comments:

- Thanked everyone for coming and wished everyone a Happy New Year
- Expressed that she hoped this year would be a better year afor her
- Advised that she would be attending Government Day the end of the month as well as World Caucus Day
- Informed the Board that Richard Greene passed away and that she would be writing a letter to his family expressing the Boards appreciation for his service for numerous years on the Planning Commission, as well as working at the polls.
- Thanked everyone for bearing with her this past yaer.

Mrs. Morris had the following comments:

- Thanked those that were present for giving their reports
- Hopes to see everyone back next month

Mr. Simpkins had the following comments:

- Wished everyone a Happy New Year
- Thanked everyone for coming to the meeting
- Expressed that he looks forward in serving under Mr. Burns as Vice-Chairman for 2019

- Commented that as a follow up for Richard Green, that he was one of the nicest men he knew and that he also worked at the polls

Mr. Bailey had the following comments:

- Thanked those that were present for their report and for those that attended the meeting
- Asked that everyone be careful going home as there may be black/ice.

Mr. Burns had the following comments:

- Thanked everyone for their reports
- Reminded the Board of their filling of the Statement of Economic Interest Forms as they are due February 1st.
- Reflected on a letter received from the Bland family and their appreciation for Rescue Services and what they do
- Thanked the Board for their confidence in electing him and that he will not let them down.

IT IS ORDERED THAT THE BOARD BE ADJOURNED:

A motion was made by Mr. Bailey and seconded by Ms. Alsop to adjourn:

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

NAYS: NONE

James M. Burns, Chairman

Thomas J. Swartzwelder, Clerk