

**King and Queen County Board of Supervisors Meeting
Monday, November 4, 2019**

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

Chairman Burns called the regular meeting to order with all members present. Mr. Simpkins provided the invocation followed by the Pledge of Allegiance to the Flag of the United States.

**APPROVAL AND SIGNING OF THE SEPTEMBER 23, 2019 AND OCTOBER 15, 2019
MINUTES OF THE BOARD**

A motion was made by Mrs. Morris and seconded by Mr. Bailey and voted unanimously to approve the September 23rd and October 15, 2019 minutes of the Board as presented.

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

**APPROVAL AND SIGNING OF THE NOVEMBER 2019 WARRANTS AND
APPROPRIATIONS FOR COUNTY AND SCHOOLS**

A motion was made by Mr. Bailey and seconded by Mr. Simpkins to approve the November 2019 warrants and appropriations, subject to audit.

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

SCHOOL FUND REVENUES FOR JULY, AUGUST AND SEPTEMBER 2019

A motion was made by Mr. Simpkins, seconded by Ms. Alsop to approve and appropriate the following school revenues for July, August and September 2019.

July School Fund Revenue	\$188,992.41
August School Fund Revenue	\$539,207.08
September School Fund Revenue	\$428,950.23

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

BUDGET AMENDMENTS/SUPPLEMENTS

SHERIFFS DEPARTMENT – VIRGINIA HIGHWAY SAFETY OFFICE AWARD

The Virginia Highway Safety Grant Office awarded a total of three (3) highway safety grants effective October, 2019 through September 30, 2020. These grants will reimburse for overtime, training/lodging and equipment. The total is \$28,280.00 and are federal grant pass-through funds.

A motion was made by Ms. Alsop and seconded by Mrs. Morris to approve the budget supplement in the amount of \$28,280.00.

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

DISCUSSION/APPROVAL OF FY2021 BUDGET SCHEDULE

A motion was made by Ms. Alsop and seconded by Mrs. Morris to approve the FY2021 Budget Schedule as presented:

FY 2020/2021 BUDGET SCHEDULE

FY2021 Proposed Budget Schedule

December 2019

20th – Send out budget packets to departments and agencies

January 2020

3rd – Budget requests due back from all departments, offices and agencies

27 th 7:00 p.m. Regular Workshop	County Administrator provides 1 st draft to Board of Supervisors
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February 2020

10 th 7:00 p.m. Regular Meeting	Presentations from Outside Agencies
18 th 6:00 p.m. Special Meeting (Tuesday)	Board Budget Work Session
24 th 7:00 p.m. Regular Workshop	Meet with County Departments & Schools

March 2020

16 th 6:00 p.m. Special Meeting	Board Budget Work Session (Will need consensus for advertising of synopsis at this meeting)
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23rd 7:00 p.m. Regular Workshop

Board Budget Work Session

March 20th - Deadline for submission of Budget Synopsis to newspapers.

March 25th Budget Synopsis and proposed tax rates advertised in Tidewater Review, Rappahannock Times and County Courier.

April 2020

6th 7:00 p.m. Regular Meeting

Public Hearing

13th 6:00 or 7:00 p.m. Special Meeting

(Optional) Board Budget Work Session

20th 7:00 p.m. Regular Workshop

Adopt FY2021 Budget and 2020 Tax Rates

**Presented to Board of Supervisors November 4, 2019

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

NAYS: NONE

PUBLIC COMMENT PERIOD

Chairman Burns opened the public comment period, asking that those who wish to speak to state their name, district and limit their comments to three (3) minutes and for items not on the agenda.

Ann Marie Voight, Stevensville District, advised that one of the County Ambulances was on Rt. 30 in King William at 6:50 p.m., and going to dinner and putting unnecessary miles on ambulance cost and does not understand why the County is allowing them to go out of the county to get dinner and feels the Board needs to put restrictions on where they go to get meals.

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

SCHOOL SUPERINTENDENT OF SCHOOLS AND SOCIAL SERVICES DIRECTOR REPORTS

Carol Carter, Superintendent of Schools provided a report on the following:

- Advised that the average daily membership was 795 as of October 31st, with 772 budgeted and total 828 including VAVA and Preschool.
- Advised that she did not have a financial report and would email to Mr. Swartzwelder
- Reported on Central High School roof repairs project and is now complete
- Replaced PA System at Central High School
- Two new buses use gasoline instead of diesel
- Thanked Ms. Alsop, Mr. Simpkins and Mr. Swartzwelder for attending Community Pride Day and their Homecoming football game
- Provided a report on the Scholastic Team

- Wished everyone well on their elections and for the Boards support
- Betty Dougherty, Director of Social Services** had the following report:
- Provided a report on behalf of the safety and security committee

PUBLIC HEARINGS

CUP19-02 AND SP19-07 – CELLCO PARTNERSHIP’S d.b.a. Verizon Wireless

CELLCO PARTNISHIPS d.b.a. Verizon Wireless is requesting approval of a Conditional Use Permit and Level 3 Site Plan for a 305’ communications tower including lightning rod, located on County’s Tax Map Parcel 1624-51L-430. The site location is at the intersection of Rt. 14, The Trail and Rt. 631 Poor House Lane, in the Stevensville Magisterial District. Property owner is R. Earl Parker.

County Administrator Tom Swartzwelder provided background information and provided proof of publication

The floor was open for public comment.

- Ms. Lisa Murphy was present on behalf of the applicant
- Mr. Eugene Rivara, adjacent property owner, was present speaking in favor of the project

It was noted that the Planning Commission after their public hearing made a motion and a second approving request and is asking that the Board of Supervisors accept their recommendation for approval.

After hearing no further comments, the public hearing was closed.

Mrs. Morris commented that the project is in the Stevensville District and that they do need cell service.

Ms. Alsop commented that she received an e-mail from a citizen who was concerned on how this would affect the area and any impact on being a historical district and both Mrs. Morris and Ms. Alsop feel that it would not affect it in any way.

A motion was made by Mrs. Morris and seconded by Ms. Alsop to accept the recommendation of the Planning Commission for approval, subject to conditions approved by the Planning Commission.

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

PUBLIC HEARING – CUP19-03 AND SP19-08

CELLCO PARTNERSHIP’S d.b.a. VERIZON WIRELES

Chairman Burns opened the public hearing on CUP19-03 and SP19-08 – CELLCO PARTNERSHIP’S d.b.a. Verizon Wireless requesting approval of a Condition Use Permit and Level 3 site plan for a 199’ tower (including lightning rod), located on County Tax Map Parcel No. 1623-66L-270. The site location is located off of Rt. 14 Buena Vista Road approximately ¾ of a mile from the Gloucester County line, in the Buena Vista Magisterial District. Subject property is owned by Mark V. Chandler.

County Administrator Thomas Swartzwelder verified proof of publication and provided background information. The Planning Commission held a public hearing and is recommending approval along with any conditions.

The floor was open for comments.

- Lisa Murphy spoke on behalf of the applicant (2nd site in the County) and addressed concerns of those that spoke during the meeting
- Zena Taliaferro, adjacent property owner, expressed concerns about radiation and being harmful and would the project be expanded in the future.
- Joseph Stephenson spoke on behalf of some of the neighbors that were not able to be in attendance: Gloria Bagby, 4078 Buena Vista Road, Buena Vista District - Leonard Chapman and (speakers address) property owner located at 4372 Buena Vista Road – concerns expressed of property values and was in opposition of the project.
Mr. Stephenson expressed that he was opposed to the project as well, noting the distance of the tower from his home, possible fires, and radiation, and an eyesore
- Clyde King, adjoining landowner is concerned about property values and generator noise

After hearing all comments, the public comment period was closed.

Mr. Burns expressed concerns that the Fire Department needs cell coverage for public safety. If we do not have internet, property is hard to sell and children cannot do their homework.

Mrs. Morris commented that she had the landfill in her district and fought it because she thought it was wrong because it was not the right placement for a landfill. The people that live on Rt. 14 and 614 watch trash trucks each day, and would be much happier to see 4 towers. There are things much worse and we do need cell service. When someone needs EMS and they cannot reach anyone, then this falls on the County for not responding to the needs of the citizens.

Mr. Simpkins commented on the location of the towers, they can vary a little in location but not much in order to get it to work. Mr. Simpkins further commented that he has 2 towers within site of his home and he has not had anyone to come to him with any concerns. It is a big plus to have cell phone services and feels that it will make a better place for the citizens to have access

After hearing all comments, the public hearing was closed. A motion was made by Mr. Burns and seconded by Mr. Bailey to accept the recommendation of the Planning Commission to approve, subject to conditions approved by the Planning Commission.

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

PUBLIC HEARING

ZA19-02 ZONING TEXT AMENDMENT – ARTICLE 4, TABLE 4.1

Chairman Burns opened a public hearing on ZA19-02, Zoning Text Amendment amending Article 4, Table 4.1 to include fuel distribution facility with no retail from the property and no outdoor storage in the General Business 1 and General Business 2 zoning districts as a by right use. Fuel Distribution facility with onsite retail and/or outside storage of tanks, equipment, vehicles in the General Business 1 by approved conditional use permit (CUP) or as a by right use in General Business 2, Light Industrial and Industrial zoning districts.

County Administrator Thomas Swartzwelder verified proof of publication in the October 16 and 23, 2019 issue of the Tidewater Review and Rappahannock Times and provided background information. The Planning commission held a public hearing and approved, recommending approval by the Board.

The floor was open for public comment.

After hearing no comments, the public hearing was closed.

A motion was made by Mr. Simpkins and seconded by Mr. Bailey to accept the Planning Commission's recommendation for approval.

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

NAYS: NONE

PUBLIC HEARING

ZA19-04 – ZONING TEXT AMENDMENT – ARTICLE 14, SECTOIN 3-316a (Y & Z)

Chairman Burns opened a public hearing on ZA19-04 – Zoning Text Amendment, Article 14, Section 3-316A (y & z) requesting approval of a zoning text amendment amending Article 14, Section 3-316A (y & z) to include specific regulatory agencies and include adjoining parcel uses as part of the site plan review.

County Administrator Thomas Swartzwelder verified proof of publication in the October 16th and 23rd issues of the Rappahannock Times and Tidewater Review and in 1 issue of the Country Courier, and provided background information.

The floor was open for public comments. After hearing no comments, the comment period was closed.

Ms. Alsop asked that information received from specific regulatory agencies be sent to the fire and rescue in case of emergency situations.

A motion was made by Mr. Bailey and seconded by Mr. Simpkins to accept recommendation of the Planning Commission for approval.

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

NAYS: NONE

PUBLIC HEARING

COUNTY TEXT AMENDMENT – CHAPTER 30, TAXATION, ARTICLE VII LICENSE TAX

Chairman Burns opened a public hearing on County Text Amendment – Chapter 30 Taxation, Article VII License Tax relating to business licenses; amending Chapter 30 Article VII, License Tax to remove the \$25.00 administrative fee and include "Direct Seller" as defined in the State Code of Virginia, Section 58.1-3719.1 as an exception for payment of the license tax. Delinquencies will be reported to the Commonwealth of Virginia.

County Administrator Thomas Swartzwelder provided background information and proof of publication of notice in the Rappahannock Times and Tidewater Review in the October 16th and 23rd, 2019 issues and in 1 issue of the Country Courier.

Commissioner of the Revenue Kelly Lumpkin was present to answer any questions.

The floor was open for comment. After hearing no comments, the public comment period was closed.

A motion was made by Mr. Bailey and seconded by Ms. Alsop to approve the amendment to the Ordinance.

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

APPOINTMENTS/REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

Wetlands Board – 5 year term (to fill Mr. Gibson’s unexpired term – 12.14.20)

TABLED

Planning District (Buena Vista District)

Mr. Burns advised that he has been talking to someone to take his place on the Planning Commission and would get advice at the December meeting.

RESOLUTION NAMING THE RT. 360 BRIDGE OVER THE MATTAPONI RIVER AS “ROBERT H. MORECOCK MEMORIAL BRIDGE”

County Administrator Thomas Swartzwelder advised the Board that the County was contacted by the family of Mr. Morecock asking that a Resolution be approved naming the west bound bridge on Rt. 360 over the Mattaponi River be named in his honor. Mr. Morecock had been a traffic engineer for a number of years and was a participant in the design of the two new bridges that come in and out of West Point. The family worked with VDOT to come up with a model resolution. The only issue that the County needs to resolve with the family directly is that the family has said that they are willing to pay for cost and installation of the sign. Discussion needs to be made of ongoing maintenance. The applicant is in attendance for any questions. Mr. Swartzwelder further commented that the Board can adopt the resolution subject to an agreement being reached on these things, if the Board is interested in doing that.

The applicant provided background information as to why they picked the Rt. 360 river as it is close to where he last lived. The family has offered to pay all cost associated with the sign.

A motion was made by Mr. Simpkins and seconded by Mrs. Morris to approve the following Resolution as presented, subject to details being worked out relating to all expenses associated with the sign.

RESOLUTION

WHEREAS, Bob Morecock moved to the county in 2006 following a long career with VDOT in their Fredericksburg District office: Bob was the Structure and Bridge Engineer for the Fredericksburg District for his last 26 years with VDOT: During that time, he was involved with the design, maintenance, inspection, and construction supervision of many bridges in King and Queen County: He moved to Mattaponi after retiring from VDOT when the consultant firm he was working for won the construction oversight contract for the new State Route 33 bridges over the Pamunkey and Mattaponi Rivers: Due to the length of time for construction, he and his wife moved from

Fredericksburg to Mattaponi to drastically shorten his commute time to the job site where they remained until Bob's passing April 6, 2019;

WHEREAS, Bridges were a big part of Bob's life and dedicating a bridge he was involved with, in the County he last resided in, over the river he closely resided near, would be a lasting memorial recognizing him for his service and dedication to the Commonwealth;

WHEREAS, provide further information in multiple "whereas" clauses as the County sees fit; and

WHEREAS, Section 33.2-213 of the *Code of Virginia* authorizes the Commonwealth Transportation Board (CTB) to give suitable names to state highways, bridges, interchanges, and other transportation facilities and change the names of any highways, bridges, interchanges, or other transportation facilities forming a part of the systems of state highways; and

WHEREAS, Section 33.2-213 provides that the Virginia Department of Transportation shall place and maintain appropriate signs indicating the names of highways, bridges, interchanges, and other transportation facilities named by the CTB and requires that the costs of producing, placing, and maintaining such signs shall be paid by the localities in which they are located.

NOW, THEREFORE, BE IT RESOLVED, that King and Queen County, in accordance with the requirements of Section 33.2-213 of the *Code of Virginia*, does hereby request that the Commonwealth Transportation Board name the bridge on Route 360, Richmond-Tappahannock Highway over Mattaponi River in King and Queen County as the "Robert H. Morecock Memorial Bridge";

BE IT FURTHER RESOLVED, that King and Queen County agrees to pay the costs of producing, placing, and maintaining the signs calling attention to this naming.

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

COUNTY ADMINISTRATORS COMMENTS

County Administrator Thomas Swartzwelder provided the following comments:

- Advised that the HVAC project in the Administration Building is completed with both units up and running.
- In the boards packet is an invitation from the Museum Council inviting the Board to their annual dinner before the next meeting on December 9th. Action will need to be taken at the end of the meeting on that
- Advised that The Edge Worship Center, located on Rt. 14, near Shacklefords, has received their permits/site plan has been approved. No architectural design has been submitted.

MOVE MEETING TIME ON DECEMBER 9, 2019 – ANNUAL DINNER AT THE TAVERN MUSEUM

Motion was made by Mr. Bailey and seconded by Ms. Alsop to move the meeting time to 6:00 P.M., at which time the Board will open the meeting and recess to have dinner at the Tavern and the regular meeting to begin at 7:00 P.M.

BOARD OF SUPERVISORS COMMENTS

Mr. Bailey had the following comments:

- Commented that he wanted to correct himself on the comment that he made at the prior meeting relating to the solar project and cadmium and according to that information it would have to be ground up into a powder to hurt anyone in anyway.
- Thanked everyone for coming and for the reports that were given
- Asked that everyone be safe going home and hopes to see everyone next month.

Ms. Alsop had the following comments:

- Thanked everyone for coming out tonight
- Hopes to see everyone sitting on the Board come January and encouraged everyone for go out and vote
- Advised that the VACO Conference was next week and that there were a lot of things going on and has addressed concerns of King and Queen
- Expressed for everyone to be careful, that deer were everywhere

Mr. Simpkins had the following comments:

- Commented that he did attend Community Pride Day and the football game. This Friday night they will play King William and will be there to see it.
- Encouraged everyone to vote
- As far as naming the bridge in honor of Mr. Morecock, he did some research and he seemed to be quite an intelligent fellow and worked on a number of bridges and was an honor to support that.
- Wished everyone a safe trip home and don't forget to be thankful for all your blessings, and see everyone next month.

Mrs. Morris had the following comments:

- Thanked everyone for coming and for reports that were given , questions and concerns that were expressed and hope to see everyone back at the next meeting
- Have a safe trip home

Mr. Burns had the following comments:

- Thanked everyone for coming and the reports that were given as they make the Boards job much easier
- Commented that he tries to do his homework before he makes a decision on an issue, he is not just saying it because that is what he thinks or feels and does not take the opinions from the county staff as he does not know if they have an agenda for themselves, no offense to county staff.
The Cell towers are very important to the county and rely on them dramatically and the County has to have that communication. His biggest concern is emergency services.
- Expressed that Veterans Day is coming up and can't express enough the honor to serve this Country. He served for over 20 years in the military and it is a thankless job. Thank someone for their service
- Asked that everyone go out and vote

IT IS ORDERED THAT THE BOARD BE ADJOURNED:

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