

**King and Queen County
Board of Supervisors Meeting
Monday, July 13, 2020**

7:00 P.M.

**Regular Meeting
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 Simpkins called the regular meeting to order. Attendance at the meeting by the Board was recorded as follows:

Members in attendance at the Court House: Jim Burns, Lawrence Simpkins, Doris Morris and Rusty Bailey

Member Sherrin Alsop in attendance via video due to health concerns related to the COVID19 virus.

Rusty Bailey provided the Invocation and led the Pledge of Allegiance to the Flag of the United States.

APPROVAL AND SIGNING OF THE MAY 26, 2020 AND JUNE 8, 2020 MINUTES OF THE BOARD

A motion was made by Mr. Burns and seconded by Mr. Bailey to approve the May 26, 2020, and June 8, 2020 minutes of the Board.

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

NAYS: NONE

APPROVAL AND SIGNING OF THE JULY 2020 WARRANTS AND APPROPRIATIONS

APPROVAL OF COUNTY WARRANTS FOR THE MONTH OF JULY

A motion was made by Ms. Alsop and seconded by Mr. Burns to approve, subject to audit, the County warrants for the month of July.

Mr. Bailey questioned the cost of invoices from Carter Machinery. Mr. Swartzwelder advised that they are for quarterly service on the generators for the county radio system. They are now approximately ten years old and are beginning to show the wear of being near end of use.

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

NAYS: D.H. MORRIS

APPROPRIATION OF MAY REVENUE TO THE SCHOOL FUND IN THE AMOUNT OF \$496,628.68 AND JUNE REVENUE IN THE AMOUNT OF \$764,358.05

A motion was made by Mr. Bailey and seconded by Mr. Burns to approve the appropriations to the School Food Fund in the amount of \$496,628.68 and \$764,358.05, subject to audit.

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

NAYS: NONE

Mr. Simpkins noted that the packet included a categorical transfer that had been approved by the School Board.

RATIFICATION OF ITEMS DISCUSSED AT JUNE 22, 2020 WORK SESSION

Due to a lack of 'in person' quorum at the June work session items were approved by consensus only. The Board needs to ratify these actions at a public meeting with a quorum. The following items were discussed that require action:

1. County Recurring Warrants
2. CARES Programs handled by DSS
3. Authorization for submission of GoVirginia grant application

A motion was made by Mr. Burns and seconded by Mr. Bailey ratifying actions taken at the June work session.

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

NAYS: NONE

PUBLIC COMMENT PERIOD

Martha Hart, Buena Vista District – She supports the funding of the broadband project, that working from home during COVID has been difficult due to slow internet speeds.

QUARTERLY REPORTS

The following provided written reports to the Board in advance of the meeting:

- Treasurer
- Commissioner of the Revenue
- Clerk of Circuit Court
- Department of Social Services
- Cooperative Extension
- Republic Services

The following provided reports to the Board:

Sheriff Charboneau provided a written report to the Board of the activities of his office for the quarter. He advised that things have been slowed down due to COVID but are picking

back up now that people are going out more since the Governor has allowed the state to enter into Phase 2.

Meredith Adkins, Commonwealth Attorney advised that the courts have been operating on a limited schedule due to COVID advised of the judicial issues that have been created by the current restrictions.

Dr. Carol Carter, School Superintendent made the following report:

- Rescheduled graduation is set for July 24th.
- 7th grade promotion events for both elementary schools were held on June 7th.
- The School Board held a workshop last Tuesday to create a reopening plan. They are scheduled to adopt the proposed plan at their meeting on Wednesday.

Several Board members expressed concerns relating to the proposed virtual reopening. Concerns included the quality of education some children will receive by not having the benefit of in person instruction, how children with no internet access will be able to achieve and whether or not there will be an effect on the ADM.

Ron Peaks, VDOT representative provided a written report to the Board but highlighted the following items:

- Three miles of Lilly Pond Road are scheduled for paving in August or September.
- The replacement of the bridge over Poropotank Creek is scheduled to begin in the spring of 2021. This project will have Rt. 14 (Buena Vista Road) closed at the King and Queen/Gloucester line for approximate a year.
- The VDOT bridge crews are working to replace many obsolete bridges across the district.
- The requested traffic study was completed at the intersection of Rt. 608 and Rt. 609 (Clancie area). No action will be taken regarding the request to lower the speed limit.
- Asphalt paving, surface treatment, mowing and other maintenance items continue to be done and details are included in the written report.
- The memo regarding the No Through Trucks restriction on Rt. 630 Deshazo Road needs to be disregarded. The draft proposal that was included will not work because the alternate route contains bridges with weight limit restrictions.

Ms. Morris advised that she is the one who requested this NO Through Truck restriction on behalf of a citizen on the road. However, after hearing from citizens in the area as well as the memo she does not think the problem in the area is not the road, it is the lack of maintenance and replacement of bridges. There are five bridges in that area alone that have weight limit restrictions. She withdraws her request for the restriction with the caveat that VDOT fix and maintain the bridges.

WALNUT SOLAR LLC DISCUSSION

Donna Sprouse, Director of Community Development was present and provided background on the Land Use application that has been submitted by Walnut Solar. She provided the timeline of the application and the action taken by the Planning Commission to deny the SIA. Ms. Sprouse

further provided comments on the items in the “matrix” provided to the Board by the applicant. The matrix is requesting changes to the conditions that were agreed upon by the applicant and staff prior to the Planning Commission’s public hearing. She explained staff’s reason behind the recommendations made and referred to the Staff Recommendations Booklet that had been provided to the Board. There are 16 conditions in the matrix including project phasing, stabilization, decommissioning, perimeter landscaping, height of plantings, number of rows of trees in screening, supplemental screening, project generating capacity, notice of violation, cessation of operations, dBA on construction noise, dry hydrants, location of inverters, setbacks, use of herbicides and pesticides, remove of bisecting fence.

PUBLIC HEARING

Budget Amendment – Fiber to the Home Project (FTTH)

Chairman Simpkins asked the County Administrator to provide proof of publication and background on the proposed amendment.

Mr. Swartzwelder advised that the public hearing was advertised in the Rappahannock Times and Tidewater Review for two consecutive weeks beginning June 24th and a courtesy ad was placed in the most recent issue of the Country Courier. King and Queen County in partnership with Riverstreet Networks has received Virginia Telecommunication Initiative (VATI) grant funds in the amount of \$2,020,291 from the Commonwealth of Virginia and will utilize \$1,266,666.67 in local funds to build the first phase of a fiber to the home broadband project in King and Queen County. This project will amend the adopted King and Queen County adopted budget by \$3,286,957.67

Chairman Simpkins opened the public hearing asking those who speak to provide their name, the district they are from and to limit comments to 3 minutes.

Carmen Thrower, Buena Vista District spoke in favor of the project and asked for a time frame of when the project would ‘go live’.

Hearing no further comments, the public hearing was closed.

Mr. Burns questioned when the project would begin. Rob Taylor (Riverstreet Networks) advised that the engineering process has begun but the project cannot start until the VATI contract is approved by DHCD and the funds are released.

Mr. Swartzwelder advised that depending on how quickly DHCD executes the contract, the project may begin as early as August.

A motion was made by Mr. Burns and seconded by Mr. Bailey to amendment FY2021 budget in the amount of \$3,286,957.67 and to appropriate the funds for the FTTH project. He further noted that the Board was not raising taxes to do this project.

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

NAYS: NONE

SET DATE FOR PUBLIC HEARINGS

A motion was made by Mr. Burns and seconded by Ms. Alsop to set the August regular meeting as the date for public hearings for the following items:

- Increase in Court Security Fees
- Elections Ordinance – Central Absentee Voting Precinct

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

NAYS: NONE

APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

Wetlands Board/Alternate member – Table.

Board of Zoning Appeals/Buena Vista District – A motion was made by Mr. Burns and seconded by Mr. Bailey to recommend to Judge Bondurant the reappointment of Mr. Robert Bland to the Board of Zoning Appeals.

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

NAYS: NONE

Economic Development Authority/Stevensville District – Table.

COUNTY ADMINISTRATOR’S COMMENTS

Thomas Swartzwelder, County Administrator, provided the following comments:

- The County buildings are now back open to the public utilizing COVID recommendations for safety.
- Advised that COVID programs through DSS and items purchased for the School Division are moving forward well.
- Updated the Board on new filing requirements for EDA members. They are now required to file the Statement of Economic Interests each year like the Board of Supervisors and Constitutional Officers. The first filing is due July 31st.
- The roof replacement project that was ‘sidelined’ by COVID is back on track and staff hopes to have cost estimates by the July work session.
- Riverstreet has requested to place an equipment shelter on the Farmer’s Market property. This will be incorporated into the Telework Center site plan. Preliminary site plans will be provided at the July work session.
- Advised that contracts for the Fiber to the Home project with Riverstreet have been fully executed. He has signed the VATI contract and has sent it to DHCD for their approval.

BOARD OF SUPERVISOR’S COMMENTS

Mr. Burns had the following comments:

- Thanked everyone for their reports and for coming out and phoning in.
- Asked for clarification on the CARES funding availability to Non-Profits and churches through the “Back to Business” program.
- Asked the County Administrator to look into the cost of having the Companion Calls to Seniors to be made a permanent program.

Ms. Morris had the following comments:

- Thanked everyone for their reports, especially Ms. Sprouse for the information on the solar project.
- Everyone have a safe evening and trip home.

Mr. Bailey had the following comments:

- Also thanked Ms. Sprouse for her presentation.
- He is glad to see Phase I of the fiber project getting started, he is proud that this is something King and Queen is doing. Thanked Mr. Swartzwelder for all of his hard work on this and the many other projects.
- Everyone have a safe trip home.

Ms. Alsop had the following comments:

- Thanked everyone for coming out and thanked the Board for allowing her to continue to participate remotely.
- Advised that she has lost five family members and friends to COVID19 and reminded everyone to stay safe and follow the rules.
- She will be participating in a Governor's Task Force meeting on COVID tomorrow.
- Everyone have a safe trip home.

Mr. Simpkins had the following comments:

- Thanked everyone for coming and phoning in.
- He attended the Planning Commission meeting this month. Every time he attends, he learns something new, they are a hardworking group that makes has to make some tough decisions.
- Everyone have a safe trip home.

IT IS ORDERED THAT THIS BOARD BE ADJOURNED

A motion was made by Mr. Bailey and seconded by Mr. Burns to adjourn the meeting.

J. Lawrence Simpkins, Chairman

Clerk of the Board