

King and Queen County
Board of Supervisors Regular Meeting

Monday, July 11 2022
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. Simpkins provided the invocation, followed by the Pledge of Allegiance to the Flag of the United States. Vice Chairman Bailey advised that Ms. Morris was absent.

APPROVAL AND SIGNING OF THE MAY 23, 2022 AND JUNE 13, 2022 MINUTES

A motion was made by Ms. Alsop and seconded by Mr. Burns approving the May 23, 2022 and June 13, 2022 minutes as presented.

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

NAYS: NONE

ABSENT: D. H. MORRIS

Lawrence Simpkins advised that he would abstain from the May 23rd minutes since he was absent at the meeting.

APPROVAL OF JULY 2022 WARRANTS AND APPROPRIATIONS

- 1) A motion was made by Ms. Alsop and seconded by Mr. Burns to approve the County warrants and payroll for the month of July 2022, subject to audit.

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

NAYS: NONE

ABSENT: D. H. MORRIS

- 2) A motion was made by Ms. Alsop and seconded by Mr. Simpkins to appropriate May revenue in the amount of \$\$706,850.79 to the School Fund.

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

NAYS: NONE

ABSENT: D. H. MORRIS

- 3) A motion was made by Ms. Alsop and seconded by Mr. Simpkins authorizing staff to pay the KQES debt services payments outside of the normal warrant process.

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

NAYS: NONE
ABSENT: D. H. MORRIS

PUBLIC COMMENT PERIOD

Ann Marie Voight, Stevensville District, voiced concerns over a traffic incident involving an ambulance being driven by county staff on June 21st at approximately 1:19 p.m. on Bunker Hill Road. She also voiced concern with the phone system at the courthouse because she has called twice to report the incident and the first time was directed to the wrong department when choosing the County Admin option and the second time, she left a message and did not receive a call back.

PUBLIC HEARING – SOLAR REVENUE SHARE ORDINANCE

Vice Chairman Bailey asked the County Administrator for proof of publication and background information.

Mr. Swartzwelder advised that the public hearing had been properly advertised in the Rappahannock Times and Tidewater Review with courtesy notice in the Country Courier. Further, legislation adopted by the General Assembly has authorized counties to enter into revenue sharing agreements on large scale solar projects. In order to do so, an ordinance must be adopted outlining the terms of any agreement.

Vice Chairman Bailey opened the public hearing for comments. Hearing no comments, the public hearing was closed.

A motion was made by Mr. Burns and seconded by Mr. Simpkins approving the following Revenue Share ordinance:

ARTICLE VIII. REVENUE SHARE FOR SOLAR ENERGY PROJECTS & ENERGY STORAGE SYSTEMS

Secs. 30-280. Revenue Sharing

A. In accordance with the authority granted localities pursuant to Section 58.1-2636 of the Code of Virginia (1950 as amended). The county hereby assesses: (i) a revenue share of \$1,400 per megawatt, as measured in alternating current (AC) generation capacity of the nameplate capacity of the facility based upon submissions by the facility owner to the interconnecting utility, on any solar photovoltaic (electric energy) project and (ii) a revenue share of \$1,400 per megawatt, as measured in alternating current (AC) storage capacity, on any energy storage system.

B. The revenue share of \$1,400 per megawatt imposed pursuant to subsection (A) of this section shall be increased on July 1, 2026 and every five years thereafter by 10 percent.

(1) The provisions of subdivision 2 shall not apply to solar photovoltaic projects or energy storage systems for which an application has been filed with the locality, as defined by subsection D of § 58.1-3660, and such application has been approved by the locality prior to January 1, 2021. The provisions of subdivision 2 shall apply to all such projects and systems for which an application is approved by the locality on or after January 1, 2021.

(2) The provisions of this subsection (B) shall apply to all solar photovoltaic projects and energy storage systems for which an application is approved by the locality on or after January 1, 2021.

C. For purposes of this section, “solar photovoltaic (electric energy) project” shall not include any project that is (i) described in §56-594, 56-594.01, or 56-594.2 of the Code of Virginia; (ii) 20 megawatts or less, as measured in alternating current (AC) generation capacity, for which an initial interconnection request form has been filed with and electric utility or regional transmission organization on or before December 31, 2018; or (iii) five megawatts or less.

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

NAYS: NONE

ABSENT: D. H. MORRIS

QUARTERLY REPORTS

The following reports were provided to the Board:

Sheriff – Provided report in advance and responded to Ms. Alsop’s question regarding the recent alleged hate crime that occurred in her community.

Commonwealth Attorney – Also addressed the alleged hate crime advising that three individuals have been charged and the main instigator is incarcerated. The courts have been very busy with drug related cases, violent felonies, DUI (both felony and misdemeanor) and theft. Her paralegal has been kept busy watching hours of body cam video. She has provided training to law enforcement on new laws that went into effect July 1st and she attended a Secret Service training on computer crimes.

Treasurer – Provided report in advance.

Commissioner of Revenue – Provided report in advance.

Clerk of Circuit Court – Provided report in advance and at the request of Ms. Alsop provided information on the “Hope Card” program. This program is provided through Circuit Court and provides a card (similar to a credit card in size) with information on protective orders to victims of domestic violence.

Director of Social Services – Report was provided in advance and Ms. Dougherty also gave an update on the Bay Rivers Telehealth which is now offering Substance Abuse treatment. The closest in-person is in Gloucester or Glen Allen but telehealth option are available to anyone.

Republic Services – Report was provided in advance.

VDOT – Report was provided in advance and Lee McKnight also reviewed current projects that are either underway or complete. He also answered questions from the

Board regarding grass cutting schedules, pothole repair on Rt. 625 and tree removal on Smithfield Road.

Cooperative Extension – Report was provided in advance.

ADOPTION OF HR POLICIES

Mr. Swartzwelder advised that he has received comments from several Board members since the discussion at the work session. He asked that the Board table the policies for further review at the next work session.

A motion was made by Ms. Alsop and seconded by Mr. Burns to table to the July work session.

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

NAYS: NONE

ABSENT: D. H. MORRIS

DISCUSSION – VIRGINIA 250 COMMISSION

Mr. Swartzwelder advised that the county has received a request from the Virginia American Revolution Commission requesting the appointment of a County liaison to serve as the ‘go between’ for the local community and the state commission.

It was the consensus of the Board to have Mr. Swartzwelder reach out to the Historical Society to see if any of their members would be interested.

APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

Economic Development Authority/Stevensville – Tabled

Bay Consortium Workforce Development Board - Tabled

Planning Commission/Newtown – Tabled

Planning Commission/Newtown – Tabled

Planning Commission/Shanghai – Tabled

Planning Commission/Buena Vista – Tabled

Pamunkey Regional Library Board – Tabled

Middle Peninsula Juvenile Detention Commission – A motion was made by Mr. Bailey and seconded by Ms. Alsop to appoint Meredith Adkins to a four-year term.

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

NAYS: NONE

ABSENT: D. H. MORRIS

Social Services Advisory Board/Buena Vista District – A motion was made by Mr. Burns and seconded by Mr. Simpkins to reappoint Angie Alley to a four-year term.

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

NAYS: NONE

ABSENT: D. H. MORRIS

Board of Zoning Appeals/Stevensville – Tabled.

COUNTY ADMINISTRATOR'S COMMENTS

Mr. Swartzwelder had the following comments:

- Advised that the mold remediation and cleaning have been completed at Circuit Court and that court will resume in that building on Wednesday.
- Reminded the Board that budget amendments for Constitutional Officers and their employees will be on the August agenda. These are due to salaries approved by the Compensation Board as part of the state budget.
- Advised the Board of the Riverstreet event at King and Queen Elementary School on Wednesday the 14th from 11:00to 3:00. All citizens are welcome and anyone who signs up will receive a \$100 credit on their first bill.

BOARD OF SUPERVISORS COMMENTS

Ms. Alsop had the following comments:

- Thanked everyone for coming.
- Expressed her concern regarding the incident in her area. Citizens are surprised by who it has been that committed the alleged hate crime.
- Acknowledged Kenneth Byrd, President of the King and Queen NAACP as being present.
- Advised that she is celebrating her ‘ birthday month’ and that the July work session is the day after her birthday.
- Reminded everyone to watch out for deer driving home.

Mr. Burns had the following comments:

- Thanked everyone for coming and thanked everyone for the reports that they really do help the Board when making decisions.

Mr. Simpkins had the following comments:

- Thanked everyone for coming.
- Echoed Mr. Burns’ comments on reports.
- Expressed concern that COVID seems to be making a comeback and that the Middle Peninsula is currently considered a ‘hotspot’.
- Be careful going home and hope to see everyone next month.

Mr. Bailey had the following comments:

- Thanked everyone for coming and for providing reports.
- Thanked citizens for their comments and stated that if the Board doesn’t know about their concerns, they cannot do anything about them.
- Advised that he is a grandpa again. Grandson Charles Bailey was born today.

- Wished everyone a safe trip home and see next month.

CLOSED SESSION

Mr. Swartzwelder asked if the Board felt they needed a closed session to discuss County Administrator candidates. It was the consensus to have him reach out to the candidates already discussed and try to set up “Zoom” interviews for first-round and that second-round interviews would be in-person.

Mr. Swartzwelder also advised that no applications have been received for County Attorney but that he has reached out to Hefty & Wiley and Sands, Anderson for proposals for legal services.

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 7:55 p.m.

Doris H. Morris, Chairman

Thomas J. Swartzwelder, Clerk