

King and Queen County
Board of Supervisors Regular Meeting

Monday, June 13, 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. Bailey provided the invocation, followed by the Pledge of Allegiance to the Flag of the United States.

APPROVAL AND SIGNING OF THE APRIL 25, 2022 AND MAY 9, 2022 MINUTES

A motion was made by Mr. Burns and seconded by Mr. Bailey approving the April 25, 2022 and May 9, 2022 minutes as presented.

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

APPROVAL OF JUNE 2022 WARRANTS AND APPROPRIATIONS

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

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

- 2) A motion was made by Ms. Alsop and seconded by Mr. Bailey to approve the COVID Assistance Grant in the amount of \$35,977 and the LOLE Equipment Grant in the amount of \$2,402 that were received by the Sheriff’s office.

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

- 3) A motion was made by Ms. Alsop and seconded by Mr. Simpkins to reappropriate remaining FY22 funds in the amount of \$15,000 for website redesign and to appropriate ARPA Tourism funds in the amount of \$30,000.

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

A motion was made by Mr. Bailey and seconded by Mr. Burns to authorize the County Administrator to execute contract with Consociate Media for the ARPA Tourism funds.

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

NAYS: NONE

- 4) A motion was made by Mr. Bailey and seconded by Ms. Alsop to appropriate March revenue in the amount of \$1,007,564.92 and April revenue in the amount of \$861,284.59 to the School Fund.

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

NAYS: NONE

PUBLIC COMMENT PERIOD

No comments were received from the public.

SET PUBLIC HEARING DATE – SOLAR REVENUE SHARE ORDINANCE

A motion was made by Mr. Burns and seconded by Ms. Alsop to set the regular July meeting as the date for the public hearing on the Solar Revenue Share ordinance.

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

NAYS: NONE

RESOLUTIONS – VDOT SMART SCALE PROJECTS

Mr. Swartzwelder advised that Mr. Burns and Donna Sprouse, Director of Community Development, served on the VDOT committee as part of the traffic study requested to address safety concerns regarding several intersections along Route 33. Background information and site designs of the recommended improvements at three of the intersections was provided and reviewed.

A motion was made by Mr. Bailey and seconded by Mr. Burns to approve the following resolution of support for the Rt. 14 (Buena Vista Road) intersection project:

Authorizing the Submittal of a Transportation Project at the Intersection of Rte 33 and Rte 14 (Buena Vista Road) for Smart Scale Funding

Whereas, the General Assembly has created a means of funding proposed transportation projects across the Commonwealth that is based on scoring criteria that emphasizes safety and accessibility environmental quality and economic development known as Smart Scale funding; and

Whereas, the County of King & Queen desires to submit a local transportation project for potential funding under the Smart Scale process; and

Whereas, the King & Queen County Board of Supervisors supports the submittal of the following project for potential funding under the Smart Scale process:

Add a median acceleration lane on WB Rte 33 at the intersection of Rte 33 (Lewis B Puller Memorial Highway) and Rte 14 (Buena Vista Road). In addition, this project will offset and lengthen the existing right turn lane on EB Rte 33 to Rte 14. This improvement will increase the safety of travelers, as the intersection has experienced numerous accidents, including fatalities over the years.

Now, Therefore Be It Resolved, that the Board of Supervisors of King & Queen County hereby approves and supports the submittal of the identified project for funding under the Smart Scale process; and

Be it Finally Resolved, that a copy of this resolution expressing the sense of the Board of Supervisors of King & Queen County on this matter be conveyed to the Virginia Department of Transportation Saluda Residency, Fredericksburg District and the Commonwealth Transportation Board.

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

A motion was made by Mr. Burns and seconded by Mr. Bailey approving the following resolution of support for the Rt. 678 (Centerville Road) intersection:

**Authorizing the Submittal of a Transportation Project at the Intersection of
Rte 33 and Rte 678
(Centerville Road) for Smart Scale Funding**

Whereas, the General Assembly has created a means of funding proposed transportation projects across the Commonwealth that is based on scoring criteria that emphasizes safety and accessibility environmental quality and economic development known as Smart Scale funding; and

Whereas, the County of King & Queen desires to submit a local transportation project for potential funding under the Smart Scale process; and

Whereas, the King & Queen County Board of Supervisors supports the submittal of the following project for potential funding under the Smart Scale process:

Convert the current crossover intersection to a Reduced Conflict U-turn (RCUT) at the intersection of Rte 33 (Lewis B. Puller Memorial Highway) and Rte 678 (Centerville Road)/Nick's Spaghetti & Steak House. Access management will be applied on Rte 33 within the project limits. This improvement will increase the safety of travelers, as the intersection has experienced numerous accidents, including fatalities over the years.

Now, Therefore Be It Resolved, that the Board of Supervisors of King & Queen County hereby approves and supports the submittal of the identified project for funding under the Smart Scale process; and

Be it Finally Resolved, that a copy of this resolution expressing the sense of the Board of Supervisors of King & Queen County on this matter be conveyed to the Virginia Department of Transportation Saluda Residency, Fredericksburg District and the Commonwealth Transportation Board.

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

A motion was made by Mr. Bailey and seconded by Mr. Burns to adopt the following resolution of support for the Rt. 605 (York River Road) intersection project:

**Authorizing the Submittal of a Transportation Project at the Intersection of
Rte 33 and Rte 605
(York River Road) for Smart Scale Funding**

Whereas, the General Assembly has created a means of funding proposed transportation projects across the Commonwealth that is based on scoring criteria that emphasizes safety and accessibility environmental quality and economic development known as Smart Scale funding; and

Whereas, the County of King & Queen desires to submit a local transportation project for potential funding under the Smart Scale process; and

Whereas, the King & Queen County Board of Supervisors supports the submittal of the following project for potential funding under the Smart Scale process:

Add an intersection conflict warning system at Rte 33 (Lewis B Puller Memorial Highway) and Rte 605 (Chain Ferry Road/York River Road). In addition, the project will improve the right turn lane on Rte 33 to York River Road. This improvement will increase the safety of travelers, as the intersection has experienced numerous accidents over the years.

Now, Therefore Be It Resolved, that the Board of Supervisors of King & Queen County hereby approves and supports the submittal of the identified project for funding under the Smart Scale process; and

Be it Finally Resolved, that a copy of this resolution expressing the sense of the Board of Supervisors of King & Queen County on this matter be conveyed to the Virginia Department of Transportation Saluda Residency, Fredericksburg District and the Commonwealth Transportation Board.

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

ADOPTION OF THE FY2023 FUND BALANCE POLICY RECOMMENDATIONS

Tina Ammons, Director of Finance, reviewed the recommendations that were provided at the May work session. These recommendations, if approved, become part of the FY22 audit process.

A motion was made by Mr. Burns and seconded by Ms. Alsop to adopt the fund balance policy recommendations as presented by staff.

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

REQUEST FROM SHERIFF TO INCREASE THE VRS RETIREMENT MULTIPLIER FOR LAW ENFORCEMENT OFFICERS

Tom Swartzwelder advised that the Sheriff requested the Board to consider increasing the retirement multiplier for law enforcement officers from the current 1.7% to 1.85%. The original request was to have this implemented in FY24 due to the length of time required to obtain an actuarial form VRS. When staff reached out to VRS, they did not require an actuarial to be done. Based on timing of the request, rates for FY23 have already been set. If the County were to implement this now, the new monthly VRS rate would be 9.83% and would increase the annual contributions by approximately \$23,000. If approved now it would require a budget amendment to the recently adopted FY23 budget.

A motion was made by Mr. Simpkins and seconded by Mr. Burns to wait and address as part of the FY24 budget process.

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

MARCUS ALERT – LEGISLATION ALLOWING LOCALITIES TO “OPT OUT”

Tom Swartzwelder reminded the Board that Captain Balderson briefed the Board on this issue at the May work session. The Marcus Alert System legislation was approved by the General Assembly and is intended to create uniform response by law enforcement to calls involving individuals in a mental health crisis situation. The legislation offers to localities with a population of less than 40,000 an ‘opt out’ option for certain portions.

A motion was made by Ms. Alsop and seconded by Mr. Bailey to ‘opt out’ of the allowable portions of the Marcus Alert legislation.

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

Ms. Alsop further commented her appreciation to Captain Balderson for his active role in the regional committees that have been working on the required policies, procedures and training.

DISCUSSION – FY23 PAMUNKEY REGIONAL LIBRARY FUNDS

Mr. Swartzwelder advised the Board of the lack of response from Tom Shepley, Library Director, on concerns raised regarding the reduction in library hours despite the increased funding. Mr. Simpkins shared information from the King and Queen representative on the library board and there was general discussion regarding options for library service to the citizens. It was the consensus to have the County Administrator reach out to Mr. Shepley again and also to reach out to RCC for additional alternatives.

DISCUSSION – CREATION OF REGIONAL JAIL IN-HOUSE ROAD CREW

Tim Doss, Jail Superintendent, provided a proposal for creating a trustee road crew that would be available to member localities for FY23. The cost per locality is approximately \$24,000. It was the consensus of the Board to agree to the concept as long as all localities participate.

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

Social Services Advisory Board/Stevensville District – A motion was made by Ms. Morris and seconded by Ms. Alsop to appoint Sandra Jones to a four-year term.

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

NAYS: NONE

Social Services Advisory Board/Newtown District – A motion was made by Ms. Alsop and seconded by Mr. Burns to appoint Alda Norris to a four-year term.

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

NAYS: NONE

Pamunkey Regional Library Board – Tabled

Pamunkey Regional Library Board – A motion was made by Mr. Simpkins and seconded by Ms. Alsop to reappoint Patricia Simpkins to a four-year term.

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

NAYS: NONE

Middle Peninsula Juvenile Detention Commission – Tabled

Middle Peninsula Regional Airport Authority – A motion was made by Ms. Morris and seconded by Ms. Alsop to appoint Mr. Burns to fulfill the unexpired term of Mr. Swartzwelder.

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

NAYS: NONE

COUNTY ADMINISTRATOR'S COMMENTS

Mr. Swartzwelder had the following comments:

- Advised the Board that due to unexpected equipment failure, the condensing unit that serves the courts wing in the Admin Building will need to be replaced.

- Reminded the Board that if they wish to make a change in the personal property valuation ratios, they need to do so soon in order to allow the Commissioner time to make the adjustments in the accounting system.
- Advised that he has received the VPPSA Debris Removal contract for regional debris removal in the event of a regional disaster.
A motion was made by Mr. Bailey and seconded by Mr. Alsop authorizing the County Administrator to execute the contract.
AYES: S. C. ALSOP, J. L. SIMPKINS, D. H. MORRIS, R.F. BAILEY, J. M. BURNS
NAYS: NONE
- Advised the Board that there will be several budget amendments coming to them in July for salary adjustments made by the Compensation Board as part of the state budget.
- Advised the Board that he received the cost estimate for the design of the fire and rescue building. The estimate is \$79,000. Mr. Burns expressed concern that this is too high for the building design needed.
A motion was made by Mr. Simpkins and seconded by Mr. Bailey to authorize the County Administrator to sign the contract with Commonwealth Architects for the design of the new fire and rescue building.
AYES: S. C. ALSOP, J. L. SIMPKINS, D. H. MORRIS, R.F. BAILEY
NAYS: J. M. BURNS

BOARD OF SUPERVISORS COMMENTS

Mr. Burns had the following comments:

- Advised that it was good to be back, he enjoyed his trip to the beach.
- Thanked everyone for coming.

Ms. Alsop had the following comments:

- Thanked everyone for coming.
- Advised that at the annual VACo meeting in November, the Middle Peninsula and Northern Neck region will finally have 2 representatives. This has been a long time coming and has taken a lot of work.
- Wished everyone a Happy Juneteenth and reminded all that this is an important celebration especially in the African American community.
- Advised that she has been ill and had to undergo several procedures but is feeling better and glad to be back.
- Wished everyone a safe trip home.

Mr. Bailey had the following comments:

- Thanked other members for patience as he has been absent for 2 meetings with surgery and a sinus infection. He enjoyed this meeting and is glad to be back.

- Thank the County Administrator and the IT staff for getting him back into his iPad over the weekend.
- Thanked everyone for coming and wished them a safe trip home.

Mr. Simpkins had the following comments:

- Expressed that he was glad to see Ann Marie Voight back as she had missed several meetings.
- Advised that he attended the Central High School graduation and that it was a festive event.
- Wished everyone a safe trip home and see them next month.

Ms. Morris had the following comments:

- Expressed that she was glad to have both Mr. Baily and Ms. Alsop back and that they are feeling better.
- Thanked everyone for coming and hope to see them next month.

CLOSED SESSION

A motion was made by Mr. Bailey and seconded by Mr. Burns to enter into closed session pursuant to Section 2.2-3711A (1) to discuss a personnel matter regarding the resignation of the County Administrator.

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

NAYS: NONE

A motion was made by Ms. Alsop and seconded by Mr. Burns to enter into open session with all members certifying by individual vote that only those public business matters lawfully exempted from the open meeting requirements of the Freedom of Information Act were heard, discussed or considered in closed session.

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

NAYS: NONE

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 9:15 p.m.

Doris H. Morris, Chairman

Thomas J. Swartzwelder, Clerk