

King and Queen County  
Board of Supervisors Regular Meeting

Monday, June 10, 2024  
7:00 P.M.

King and Queen County Courts and Administration Building  
General District Courtroom

“Minutes of the Meeting”

**CALL TO ORDER, 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. He further noted that all members were present.

**APPROVAL AND SIGNING OF THE April 5, 2024, APRIL 22, 2024, MAY 7, 2024 AND  
MAY 13, 2024 MINUTES**

A motion was made by Mr. Berry and seconded by Ms. Alsop approving the April 5, 2024, April 22, 2024, May 7, 2024 and May 13, 2024 minutes of the Board.

AYES: S.C. ALSOP, J.L. SIMPKINS, M.R. BERRY, M.H. NORMAN, C.R. BILLUPS  
NAYS: NONE

**APPROVAL AND SIGNING OF JUNE WARRANTS AND APPROPRIATIONS**

A motion was made by Mr. Berry and seconded by Ms. Alsop to approve the June County warrants and payroll, subject to audit.

AYES: S.C. ALSOP, J.L. SIMPKINS, M.R. BERRY, M.H. NORMAN, C.R. BILLUPS  
NAYS: NONE

A motion was made by Ms. Alsop and seconded by Ms. Norman to appropriate the remaining \$500,000 in local funds to the School Fund.

AYES: S.C. ALSOP, J.L. SIMPKINS, M.R. BERRY, M.H. NORMAN, C.R. BILLUPS  
NAYS: NONE

A motion was made by Ms. Norman and seconded by Ms. Alsop to appropriate March 2024 revenue in the amount of \$1,401,500.66 and April 2024 revenue in the amount of \$997,802.89 to the School Fund.

AYES: S.C. ALSOP, J.L. SIMPKINS, M.R. BERRY, M.H. NORMAN, C.R. BILLUPS

NAYS: NONE

**PUBLIC COMMENT PERIOD**

Sandra Davis, Stevensville District – Thanked the volunteers, county EMS staff, the Sheriff’s office and the community for all they have done for her family since the fire in their home. She thanked Mr. Berry for all he had done also.

Annie Carter, St. Stephens Church District – Voiced concern for resident next to New Mount Zion Church, 3110 Rosemount Road. It seems to be a junkyard around the house. It is very unsightly.

Sequoia Fortune, St. Stephens Church District – Commented on the improved paving at the intersection of Rt. 721 and Rt. 360. This is very good, but the two derelict properties at that intersection would seem to be a deterrent to development. He also asked if there are any initiatives offered by the county for rezoning. Mr. Simpkins commented that the Board and EDA are currently working on a strategic plan but there are no plans in the works currently. Mr. Fortune further commented that he recently learned that summer school was cancelled and had heard that it was due to a lack of students. He feels that even if there is only one student, that it is still important.

Charles Tompson, St. Stephens Church District – He read an article in the Rappahannock Times about water being piped from the Rappahannock River to the Mattaponi River. The permit would call for 14 million gallons per day to be piped. This would definitely affect water quality and economic growth in King and Queen County. There have been studies showing increased levels of mercury in the Dragon Run which could be attributed to the landfill. He also commented that there is a waste of water at the library because he witnessed a county employee washing a synergy green Camaro while at work there.

**ORDINANCE AMENDMENT – ELECTION ORDINANCE PERTAINING TO MARRIOTT SCHOOL**

Ms. Seay advised that now that the County is no longer a part of the Pamunkey Library system, the election ordinance needs to be updated to reflect the change.

A motion was made by Ms. Alsop and seconded by Ms. Billups to adopt the following resolution and ordinance amendment:

**AN ORDINANCE TO AMEND  
KING AND QUEEN COUNTY CODE SEC. 18-32 PRECINCTS AND POLLING  
PLACES TO CLARIFY THE DESIGNATION OF A POLLING PLACE**

**WHEREAS**, King and Queen County Code Sec. 18-32 sets for the polling places for each of the County’s election districts; and

**WHEREAS**, the St. Stephen’s Church Election District polling place is identified in part as the Pamunkey Regional Library, King and Queen County Branch; and

**WHEREAS**, the balance of the polling place identification correctly describes the location as Marriott School, 396 Newtown Road, St. Stephen’s Church, Virginia 23148, which is the current polling place and is not a change of the polling place used for many years; and

**WHEREAS**, effective December 31, 2023, the building located at 396 Newtown Road, St. Stephen’s Church, Virginia is no longer operated as a branch of the Pamunkey Regional Library System; and

**WHEREAS**, the Board of Supervisors wishes to amend King and Queen County Code Sec. 18-32 to update and clarify the said St. Stephen’s Church Election District polling place description.

**NOW, THEREFORE, BE IT ORDAINED** by the King and Queen County Board of Supervisors that King and Queen County Code Sec. 18-32 is hereby amended as set forth on the attached **Exhibit A**, to update and clarify the description of the polling place for the St. Stephen’s Church Election District, Clark’s Precinct, but not to change the situs of the said polling place.

This Ordinance is effective immediately.

**Sec. 18-32. Precincts and polling places.**

The county is divided into five precincts. The precincts for each election district and the polling place for each precinct are set forth as follows:

Election District	Precinct	Polling Place
Newtown	Owenton	Upper King & Queen Fire Department 8982 Newtown Road, St. Stephens Ch., VA 23148
St. Stephen's Church	Clark's	Marriott School 396 Newtown Road, St. Stephens Ch., VA 23148
Stevensville	Court House	Central High School, 17024 The Trail, King & Queen Court House, VA 23085
Shanghai	Old Mill	Poroporone Baptist Church, 30071 The Trail, Shacklefords, Virginia 23156
Buena Vista	Shackleford's	Lower King & Queen Fire Department, 4764 York River Road, Shacklefords, VA 23156
CAP (Central Absentee Precinct)		King & Queen County Courts & Administrative Building, Room 124, Hearing Room 242 Allens Circle, King & Queen C.H., VA 23085

(Ord. No. 13-01, § 1, 11-8-2001; Amend. of 4-11-2011; Ord. of 3-9-2015 ; Ord. of 2-2-2018 ; Ord. of 1-9-2023 )

AYES: S.C. ALSOP, J.L. SIMPKINS, M.R. BERRY, M.H. NORMAN, C.R. BILLUPS

NAYS: NONE

**PUBLIC HEARINGS:**

**ZA24-01 CHAPTER 5, EROSION & SEDIMENT CONTROL ORDINANCE**

Donna Sprouse, Director of Community Development provided background information and proof of publication of this request. This text amendment will update the current zoning ordinance to the new standards set forth by DEQ. Staff has made recommendations in addition to the model ordinance that was provided by DEQ that do not affect compliance with regulations.

Chairman Simpkins opened the public hearing for comments from the public.

Receiving no comments from the public, the hearing was closed.

Mr. Berry questioned whether the ordinance referencing back to June 2014 would affect projects going back that far. Ms. Sprouse advised that it does, however Ms. Seay advised that landowners with approved projects have vested rights.

A motion was made by Mr. Berry and seconded by Ms. Alsop to accept the recommendation of the Planning Commission to approve the text amendment.

AYES: S.C. ALSOP, J.L. SIMPKINS, M.R. BERRY, M.H. NORMAN, C.R. BILLUPS

NAYS: NONE

**RZ24-01, CUP24-01 AND SP24-01 – DOMINION ENERGY VIRGINIA**

Donna Sprouse provided proof of publication and background information on the request. Dominion Energy to construct a new and permanent electrical substation on a property located at the intersection of The Trail and Carltons Corner Road in the Stevensville District. Comments have been received from state and local agencies and the applications were heard by the Planning Commission at a hearing on May 6, 2024. The Planning Commission recommended approval with conditions as recommended by staff.

Staff from Dominion Energy provided a power point presentation providing scope of work, the location of the project, site layout and timeline if the project is approved.

Ms. Billups questions the screening and fencing related to its ability to cover the equipment on the site. She also questioned whether there would be anything located outside of the fencing.

Ms. Norman questioned the possible addition of vegetation, or the type of sound-proofing walls used on interstates to screen from view.

Mr. Berry commented that he understands the need for reliable electrical service but feels that concerns raised to him by Ms. Porter need to be addressed. Items such as public safety and health, noise and visual concerns when there is no foliage on the tree buffers, stormwater management with no diversion of water to other properties and that there are no assurances of control of aesthetics and noise along the property line adjacent to the Ms. Porter's property.

Ms. Alsop questioned where water from the property is going if it isn't going off the property but is going to the front where there is a ditch line.

Chairman Simpkins opened the public hearing.

Vanessa Porter, Stevensville District and adjoining property owner – Voiced concerns related to the project being adjacent to her property. Specific concerns with safety, noise, buffers, water diversion to her property and the possible inability to make improvements to her home and property. She also questioned why citizens were told that the sub station was temporary and now it is going to become permanent and larger. Who knew about this and why weren't citizens told? She asked the Board to please not vote in favor of the project.

Ann Marie Voight, Stevensville District – She understands Ms. Porter's concerns and agrees with many of them. She also asked that the Board include restriction of construction traffic to Route 14 rather than on secondary roads.

Jerone Davis, Stevensville District – He lives next door to his sister, Vanessa Porter, and he agrees with everything she said. In the winter, there is no foliage on the trees, and you can see and hear from the site to their homes. He further stated that when he attended the meetings regarding the temporary station he asked about the 'hum' noise and was told there is no hum. But there is a definite hum. Why can't the substation be located at the other end of Carlton Corner Road? There are no houses in that area. He understands that a lot of money has been spent and he understands that sometime the needs of many outweigh the needs of the few but hopes that if the Board approves it that they will add buffers and address the water issues.

There being no further comments, the hearing was closed.

Mr Berry asked that Dominion try to work with the Davis' and the Porters to address their concerns and find common ground, not just remind them how convenient it is to have electricity. Ms. Alsop commented that she feels that if a sub station is needed, then it is needed however Dominion needs to consider the citizens.

Ms. Billups commented on the fact that since the project was originally temporary the citizens have not seen it as being permanent. Even though sound proofing walls are expensive, they would be cheaper than relocating to a different site. She also commented that even though growth is often painful, it doesn't have to be the death of anyone.

After discussion amount the board members it was the consensus to defer action at this time.

## **FY2024 BUDGET AMENDMENTS**

Tina Ammons, Director of Finance provided proof of publication and background on the items in the budget amendment.

Chairman Simpkins opened the public hearing.

Sequoia Fortune, St. Stephens Church District – Noted that the format for the notice made it appear that there were discrepancies in the figures and asked that in the future that the amendments be contextualized.

There being no other comments the hearing was closed.

A motion was made by Mr. Berry and seconded by Ms. Alsop to approve the following budget amendments to the FY24 budget:

**GENERAL FUND**

REVENUE FROM THE COMMONWEALTH		
Department of Fire Programs training grant	\$	54,695
DCJS Grant - Sheriff	\$	317,000
LOCAL REVENUE		
Use of General Fund balance	\$	75,000
<b>TOTAL GENERAL FUND REVENUE</b>		<b><u>\$ 446,695</u></b>
EXPENDITURES		
Emergency Services Coordinator	\$	54,695
Sheriff	\$	317,000
Transfer to CSA Fund	\$	75,000
<b>TOTAL GENERAL FUND EXPENDITURES</b>		<b><u>\$ 446,695</u></b>

**CSA FUND**

Revenue – state sources	\$	125,000
Revenue – local sources	\$	75,000
<b>TOTAL CSA FUND REVENUE</b>		<b><u>\$ 200,000</u></b>
<b>TOTAL CSA FUND EXPENDITURES</b>		<b><u>\$ 200,000</u></b>

**ELEMENTARY SCHOOL CONSTRUCTION FUND**

Use of fund balance		<b><u>\$ 1,300,000</u></b>
Elementary School Construction Fund expenditures		<b><u>\$ 1,300,000</u></b>

AYES: S.C. ALSOP, J.L. SIMPKINS, M.R. BERRY, M.H. NORMAN, C.R. BILLUPS  
 NAYS: NONE

**SHERIFF REQUEST FOR TWO ADDITIONAL DEPUTY POSITIONS**

Chief Deputy Wilson spoke on behalf of the Sheriff. He advised that the funds are available in the budget under contingency since the county was awarded the SRO grants. The Sheriff would like to have 3 deputies on shift and this would be moving toward that goal. If approved now, he would be able to enroll them in academy which starts in August. Even with that time they would not be able to be on the road until March 2025.

Ms. Seay reminded the Board that even though the funding is in the budget, the FY25 budget called for use of fund balance and so the funding really isn't available without continuing to do so.

After brief discussion, it was the consensus to table this item for further discussion.

## **COUNTY ADMINISTRATOR'S COMMENTS**

Ms. Seay provided the following updates:

- She apologized for not having provided the analysis of the deputy position funding in advance of the meeting. She prepared it after thinking though the request and at that point the packet had already gone out.
- Reminded the Board that trash pickup using the Litter Grant funds will begin on Thursday.
- Advised that Ms. Sprouse and Ms. Ammons met with VPPSA recently and are considering a tire collection event to use next years Litter Grant funds and that Three Rivers Soil and Water may participate if it does occur.

## **BOARD OF SUPERVISORS COMMENTS**

**Ms. Alsop had the following comments:**

- Thanked everyone for coming and noted that she enjoyed the good discussions.
- Reminded everyone to enjoy Juneteenth celebrations that will be happening in the community.

**Mr. Berry had the following comments:**

- Thanked everyone for coming and to have a safe trip home.

**Ms. Billups had the following comments:**

- Thanked everyone for coming and also reminded everyone to take advantage of the Juneteenth celebrations.

**Ms. Norman had the following comments:**

- Thanked everyone for coming and taking interest.
- Advised that Baylands Family Credit Union is collecting eyeglasses for the Lions Club.
- Wished everyone a safe trip home.

**Mr. Simpkins had the following comments:**

- Thanked everyone for coming and participating. He was also glad to see the good discussion on many items.
- Wished everyone a safe trip home and hopes to see everyone next month.

## **CLOSED SESSION**

A motion was made by Mr. Berry and seconded by Ms. Norman to enter into closed session pursuant to section 2.2-3711(A)6 for discussion of the investment of public funds where

competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected and Va. Code § 2.2-3711(A)(8) consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, the subject being the acquisition of real property in the Stevensville Magisterial District of King and Queen County, Virginia.

AYES: S.C. ALSOP, J.L. SIMPKINS, M.R. BERRY, M.H. NORMAN, C.R. BILLUPS  
NAYS: NONE

A motion was made by Ms. Billups and seconded by Ms. Alsop to enter into open session with each member certifying that to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the King and Queen County Board of Supervisors, and (iii) no action was taken in the closed meeting.

AYES: S.C. ALSOP, J.L. SIMPKINS, M.R. BERRY, M.H. NORMAN, C.R. BILLUPS  
NAYS: NONE

**IT IS ORDERED THAT THE BOARD BE ADJOURNED:**

A motion was made by Mr. Berry and seconded by Ms. Billups to adjourn the meeting at 9:00 p.m.

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**Chairman**

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**Clerk of the Board**