

King and Queen County
Board of Supervisors Regular Meeting

Monday, January 13, 2025
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 called the meeting to order noting that all members were present.

Chairman Simpkins provided the invocation, followed by the Pledge of Allegiance to the Flag of the United States.

**ELECTION OF CHAIR AND VICE CHAIR OF THE BOARD OF SUPERVISORS FOR
2025**

Ms. Seay opened the floor for nominations for Chairman of the Board.

A motion was made by Ms. Norman and seconded by Ms. Alsop to nominate Mark Berry as Chairman of the Board for 2025.

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

There being no further nominations, a motion was made by Ms. Alsop and seconded by Ms. Norman to close nominations for Chairman.

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

The motion for Mr. Berry to be appointed as Chair for 2025 was approved unanimously.

Ms. Seay opened the floor for nominations of Vice Chairman.

A motion was made by Ms. Norman and seconded by Ms. Alsop to nominate Carolyn Billups as Vice Chair of the Board for 2025.

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

There being no further nominations, a motion was made by Mr. Berry and seconded by Ms. Alsop to close the nominations for Vice Chair.

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

The motion for Ms. Billups to be Vice Chair for 2025 was approved unanimously.

APPOINTMENT OF CLERK AND DEPUTY CLERK OF THE BOARD FOR 2025

A motion was made by Ms. Billups and seconded by Ms. Norman to appoint Vivian Seay as the Clerk of the Board for 2025.

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 appoint Tina Ammons as Deputy Clerk of the Board for 2025.

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

RESOLUTION FIXING THE DATE, TIME AND PLACE OF THE REGULAR MEETINGS OF THE BOARD OF SUPERVISORS FOR 2025 AND DATE IN THE EVENT OF HAZARDOUS WEATHER OR OTHER CONDITIONS

A motion was made by Ms. Alsop and seconded by Mr. Simpkins to approve the following resolution:

King and Queen County Board of Supervisors Meeting Dates

King and Queen County Courts and Administration Building

Regular Meeting – 2nd Monday of each month/General District Courtroom 7:00 P.M.

Presentations/Work Sessions – 4th Monday of each month/2nd Floor Conference Room 6:00 P.M.

Schedule of Meeting Dates 2025

January 13, 2025
January 27, 2025
February 10, 2025
February 24, 2025
March 10, 2025
March 24, 2025

July 14, 2025
July 28, 2025
August 11, 2025
August 25, 2025
September 8, 2025
September 22, 2025

April 14, 2025
April 28, 2025
May 12, 2025
No May Work Session (Memorial Day)
June 9, 2025
June 23, 2025

October 14, 2025*
October 27, 2025
November 12, 2025*
November 24, 2025
December 8, 2025
December 22, 2025

NOTES

October Regular meeting falls on Columbus Day, moved to Tuesday, October 14, 2025

November Regular meeting falls during the VACo conference, moved to Wednesday, November 12, 2025

KING AND QUEEN COUNTY BOARD OF SUPERVISORS' RESOLUTION FIXING THE DATE OF THE REGULAR MEETING AND THE DATE OF THE CONTINUED MEETING IN THE EVENT OF HAZARDOUS WEATHER OR OTHER CONDITIONS AND SETTING DATE FOR THE PURPOSE OF HOLDING WORKSHOPS AND TO HEAR PRESENTATIONS FOR THE BOARD OF SUPERVISORS OF KING AND QUEEN COUNTY, VIRGINIA

WHEREAS, the Board of Supervisors of King and Queen County (the "Board") is required by Section 15.2-1416 of the Code of Virginia, as amended, to set the date, time and place of the regular Board Meeting at the annual Meeting of the Board; and

WHEREAS, Section 15.2-1416 also permits the board to fix the date of days to which a regular meeting shall be continued if the Chairman, or Vice-Chairman if the Chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for Board Members to attend the regular meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF KING AND QUEEN COUNTY:

1. That the regular meeting of the Board shall be held in the King and Queen Courts and Administration Building, General District Courtroom at 7:00 P.M., the 2nd Monday of each month.
2. That upon the finding and declaration by the Chairman or Vice-Chairman, if the Chairman is unable to act, that the weather or other conditions are such that it is hazardous for Board members to attend the regular meeting of the Board, such meeting shall be continued until the seventh day immediately following such previously scheduled regular meeting at the same time and place.

3. That the fourth Monday of each month at 6:00 P.M., in the King and Queen Courts and Administration Building, 2nd Floor Conference Room be set for the purpose of holding workshops and to receive presentations.

**This resolution is effective immediately.
January 13, 2025**

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

ADOPT MEETING THROUGH ELECTRONIC COMMUNICATION POLICY

Ms. Seay advised that the Board adopted this policy in 2024 but it needs to be readopted each year. There are no changes to the policy other than the dates. The policy follows what is allowed by the Code of Virginia and there have been no code changes that affect it.

Ms. Billups questioned the highlighted item in the policy. Ms. Seay advise that this was an oversight, that it has not changed, it is the change from 2024 that affected the number of allowable meetings to be attended electronically and should not have been highlighted.

A motion was made by Ms. Alsop and seconded by Ms. Norman to adopt the following policy:

KING AND QUEEN COUNTY, VIRGINIA BOARD OF SUPERVISORS

POLICY FOR PARTICIPATION IN PUBLIC MEETING THROUGH ELECTRONIC COMMUNICATION

I. No State of Emergency Declared

A. A member of the King and Queen County, Virginia Board of Supervisors (Board member) may participate in a public meeting, both in open meeting and in closed meeting, through electronic communication from a remote location, not open to the public, on the following terms and conditions:

a. Temporary or Permanent Disability or Other Medical Condition

- i. The Board member requesting to participate in the meeting through electronic communication must notify the Board Chairman of that he or she will be unable to attend the meeting due to (i) a temporary or permanent disability or other medical condition of the Board member that prevented the Board member's physical attendance at the meeting, or (ii) a medical condition of a member of the Board member's family

that requires the Board member to provide care that prevents the Board member's physical attendance at the meeting.

ii. The Board must:

1. Record in its minutes the fact that the Board member participated through electronic communication means due to (i) a temporary or permanent disability or other medical condition of the Board member that prevented the Board member's physical attendance at the meeting, or (ii) a medical condition of a member of the Board member's family that requires the Board member to provide care that prevented the Board member's physical attendance at the meeting.
2. Record in its minutes the remote location from which the member participated.

b. Principal Residence More Than 60 Miles

- i.** The Board member requesting to participate in the meeting through electronic communication must notify the Board Chairman that his or her principal residence is more than 60 miles from the meeting location identified in the required notice for the meeting.

ii. The Board must:

1. Record in its minutes the fact that the Board member participated through electronic communication means due to the distance between the Board member's principal residence and the meeting location.
2. Record in its minutes the remote location from which the member participated.

c. Personal Matter

- i.** The Board member requesting to participate in the meeting through electronic communication must:

1. Notify the Board Chairman that he or she will be unable to attend the meeting due to a personal matter.
2. Identify to the Chairman the nature of the personal matter.
3. Confirm and certify that he or she has not used remote participation due to personal matters more than two meetings in the current calendar year or **50 percent** of the total meetings held in the current calendar year rounded up to the next whole number, whichever is greater. If the number of remote participation events for personal matters has exceeded the limit

set forth in this paragraph 3, the member's remote participation and votes will not be recorded for any actions taken during the first meeting in excess of the limit and all subsequent meetings in the calendar year attended by remote participation.

ii. The Board of Supervisors must:

1. Record in its minutes the nature of the Board member's personal matter; and
2. Record in its minutes the remote location from which the Board member participated.
3. Confirm and record in its minutes that the Board member has not used remote participation due to personal matters more than the limit set forth in paragraph c.i.3 above.

B. Electronic participation by a Board member as provided in Section A above shall be approved by the Chair if a quorum of the Board is physically assembled unless such participation would violate this policy. The determination of the Chair as to the Board member's participation from a remote location shall be recorded in the Board's minutes. When the Board member who wishes to participate in a public meeting through electronic communication is the Board Chair, then all notifications required under this policy to be provided to the Board Chair shall be provided by the Board Chair making the request to the Board Vice-Chair. Electronic participation of the Chair shall be approved by the Vice-Chair unless such participation would violate this policy. The determination of the Vice-Chair as to the Chair's participation from a remote location shall be recorded in the Board's minutes.

II. State of Emergency Declared

A. The King and Queen County Board of Supervisors (the Board) may meet, in open meeting and in closed meeting, by electronic communication means without a quorum physically assembled at one location when the Governor of the Commonwealth of Virginia has declared a state of emergency in accordance with Va. Code § 44-146.17 or King and Queen County has declared a state of emergency pursuant to Va. Code § 44-146.21 on the following terms and conditions:

- a. The catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location; and
- b. The purpose of the meeting is to provide for the continuity of operations of King and Queen County or the discharge of its lawful purposes, duties, and responsibilities.

B. If a meeting is held pursuant to paragraph A. above, the Board shall:

- a. Provide public notice using the best available method given the nature of the emergency contemporaneously with the notice provided the members of the Board;
- b. Make arrangements for public access to the meeting through electronic communications means, including videoconferencing if already used by the public body;
- c. Provide the public with the opportunity to comment when public comment is customarily received;
- d. Make available to the public at all locations at which public access will be provided, at the time of the meeting, agenda packets and all materials, unless exempt, that will be distributed to members of the Board in sufficient time for duplication and forwarding, as best as practicable given the emergency;
- e. Record minutes of the meeting, which minutes shall include:
 - i. the date, time, and location of the meeting;
 - ii. the members of the public body recorded as present and absent;
 - iii. a summary of the discussion on matters proposed, deliberated, or decided;
 - iv. a record of any votes taken;
 - v. the identity of the members of the public body who participated in the meeting through electronic communication means;
 - vi. the identity of the members of the public body who were physically assembled at one physical location;
 - vii. the identity of the members of the public body who were not present at the meeting location but who monitored such meeting through electronic communication means;
 - viii. the nature of the emergency;
 - ix. the fact that the meeting was held by electronic communication means, and
 - x. the type of electronic communication means by which the meeting was held.

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

APPROVAL AND SIGNING OF THE NOVEMBER 15, 2024, NOVEMBER 16, 2024, NOVEMBER 25, 2024, DECEMBER 9, 2024 AND DECEMBER 10, 2024 MINUTES

A motion was made by Ms. Billups and seconded by Ms. Norman approving November 15, 2024, November 16, 2024, November 25, 2024, December 9, 2024 and December 10, 2024 minutes of the Board.

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

APPROVAL AND SIGNING OF WARRANTS AND APPROPRIATIONS

A motion was made by Ms. Alsop and seconded by Mr. Simpkins to ratify the December 23, 2024 warrants, subject to audit.

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

A motion as made by Mr. Simpkins and seconded by Ms. Alsop approving the January 2025 County warrants and payroll.

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 approving the School Construction Funds appropriation in the amount of \$379,011.35, subject to audit.

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

CONFIRMATION OF DECLARATION OF LOCAL EMERGENCY

A local declaration of emergency was issued on January 5, 2025 in the anticipation of the predicted severe weather event. Pursuant to Section 44-146.21 of the Code of Virginia the Board needs to confirm this action taken by Greg Hunter, Coordinator of Emergency Management and Vivian Seay, Director of Emergency Management.

DECLARATION OF A LOCAL EMERGENCY

THE COORDINATOR OF EMERGENCY SERVICES OF KING AND QUEEN COUNTY, VIRGINIA, DECLARED A LOCAL EMERGENCY TO EXIST IN KING AND QUEEN COUNTY EFFECTIVE AT 5:00 P.M. ON JANUARY 5, 2025.

WHEREAS, the Coordinator of Emergency Services of King and Queen County, Virginia, does hereby find as follows:

1. That due to the occurrence of a severe weather event, January 5-7 Winter Storm, King and Queen County is facing a condition of peril to the lives, safety and property of the residents of King and Queen County;
2. That as a result of this peril, the declaration of the existence of an emergency is necessary to permit the full powers of government to deal effectively with this condition of peril.

NOW, THEREFORE, BE IT HEREBY DECLARED by the Director of Emergency Services of King and Queen County, Virginia, that a local emergency now exists throughout King and Queen County; and

IT IS FURTHER DECLARED AND ORDERED that during the existence of this emergency the powers, functions, and duties of the Director of Emergency Services and the Emergency Services organization and functions of King and Queen County shall be those prescribed by the Laws of the Commonwealth of Virginia and the Ordinances, resolutions , and approved plans of King and Queen County in order to mitigate the effects of said emergency.

It was noted that the declaration was extended due to a second event that happened shortly after the first on January 5th. The extension expired at 7:00 p.m. on January 12, 2025.

A motion was made by Ms. Alsop and seconded by Ms. Billups confirming the declaration.

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

NAYS: NONE

PUBLIC COMMENT PERIOD

No comments were received from the public.

PUBLIC HEARINGS

RZ24-02 – GARY SANGE, 2888 WALKERTON LANDING ROAD

Donna Sprouse, Director of Community Development, provided proof of publication and the following background information on this request:

The Planning and Zoning Department received an application on October 10, 2024 from Gary Sange, requesting approval of a rezoning application. The applicant is requesting to rezone an existing 0.57-acre parcel, identified as County Tax Map Parcel No. 1632-52X-134 from Limited Business (LB) to Residential Single-Family (RS). The subject property is located off of State Route 629, Walkerton Landing Road, in the Newtown Magisterial District, further identified as County Tax Map Parcel No. 1632-52X-134. The property's physical address is 2888 Walkerton Landing Road. The addressable structure currently on the property is a single-family residence. Other surrounding land uses include residential single-family zoning/homes and limited business uses/zoning. The parcel, though zoned Limited Business, does not appear to have had a business use/structure on the property. According to County tax assessment records, it appears to have always been a residential structure, going back beyond the year 1955. King & Queen County adopted zoning in 1986. According to the adopted zoning maps, dated May 1988, much of the Walkerton area was zoned Limited Business (LB). The County obtained new zoning maps, which were adopted in July of 1996. Those maps are still used today, however are updated based on zoning requests. The current map also identifies the subject property as being zoned Limited Business (LB), just as it was noted in the 1986 zoning maps. Perhaps it was the vision of the

County to have this area developed for commercial use, however all available records have identified this particular parcel as always having a single-family residence. The current owner is in the process of selling the property. The issue at hand is that the property is zoned Limited Business (LB), with a single-family residence structure on the parcel. This is considered a pre-existing non-conforming use, that is up until the use ceases for a period of 24 months or greater. The home has been vacant for more than 24 months, mostly during the time in which the home was for sale. King and Queen County Zoning Ordinance, Article 17, Section 3-383 states, *"Whenever a nonconforming use of land or a nonconforming use of a building is discontinued for a period of 24 consecutive months or longer, whether or not equipment or fixtures are removed, any subsequent use of the land or building shall conform with the use regulations of the district in which it is located."* The new potential owner wishes to utilize the structure as a single-family residence, as it has even prior to the adoption of zoning by the County. If the parcel were to be rezoned to Residential Single-Family (RS), the parcel and structure use would be a more conforming use and a more conforming parcel. The Limited Business zoning district requires a minimum lot size of 1.5 acres. The Residential Single-Family zoning district requires a minimum lot size of 40,000 sq. ft. Though the parcel is just over half an acre, it is closer to 40,000 sq. ft. than 1.5 acres in size. The Planning Commission, during their December 2, 2024 meeting, held a public hearing and recommended approval of RZ24-02, as requested by the property owner.

Chairman Berry opened the public hearing on the rezoning request.

Gary Sange, applicant, stated that he was present in case of any questions and advised that the property has been a residence for at least 46 years.

There being no further comments the public hearing was closed.

A motion was made by Ms. Billups and seconded by Ms. Norman to accept the recommendation of the Planning Commission to approve the rezoning request RZ24-02.

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

COMPREHENSIVE PLAN UPDATE

Donna Sprouse, Director of Community Development, provided proof of publication and the following background information on this request:

Planning and Zoning staff along with the County Administrator/County Attorney and the Planning Commission have been reviewing and updating the Comprehensive Plan for several months. The Economic Development Authority has reviewed the portion related to Economic Development. Staff updated language and maps as needed to reflect changes since the last update. Changes were made to reflect the addition of data centers as an economic development option as well. The Planning Commission held a public hearing at their December meeting and recommended approval of the Comprehensive Plan update.

Chairman Berry opened the public hearing.

There being no comments received; the public hearing was closed.

A motion was made by Ms. Alsop and seconded by Mr. Simpkins to approve the Comprehensive Plan.

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

NAYS: NONE

APPROVAL OF CONTRACT – CIRCUIT COURT REPAIRS

Capital Projects Manager Quentin Mascari advised that Evans Contracting was the lowest bidder with an estimate of \$100,340 for repairs to the circuit court building that include replacement of the roof and trim. The bid included a fixed amount per sheet for any sheathing that needs replacing since that will not be known until the current shingled roof is removed. This amount is below the funds allocated in the FY2025 budget.

Ms. Billups asked for an estimate of the cost of the sheathing. Mr. Mascari advised that this is hard to estimate but he expects that there will be at least some needed based on the suspected condition of the roof but he would guess 10% to 15%.

Mr. Simpkins asked how many bids were received. Mr. Mascari advised that three were requested with two received and one company choosing not to submit.

A motion was made by Ms. Billups and seconded by Ms. Norman to approve the bid from Evans Contracting and set a not to exceed amount of \$120,000.

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

NAYS: NONE

QUARTERLY REPORTS

Quarterly reports were received from the following department heads and agencies:

1. Hattie Robinson, Clerk of Circuit Court
2. Meredith Adkins, Commonwealth Attorney (submitted in advance since she was unable to attend)
3. Sheriff Balderson
4. Greg Hunter, Emergency Services
5. Quentin Mascari, Building Official
6. Lee McKnight, VDOT (report was provided in advance since he was unable to attend)

APPOINTMENTS AND REAPPOINTMENTS TO BOARDS AND COMMISSIONS

A motion was made by Ms. Billups and seconded by Ms. Norman to reappoint Jim Burns to the Middle Peninsula Regional Airport Authority.

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

COUNTY ADMINISTRATOR'S COMMENTS

Ms. Seay provided the following comments:

- The EDA and Economic Development staff are hosting a Business Appreciation event at Hub 33 on February 6th from 5:30 to 7:00 p.m.
- The Planning District Commission moved into Hub 33 on December 23rd and Sentara began operations today.
- The library drop box has been moved from the Via Center to Hub 33. It is located under the old farmer's market building.
- Reminded the Board that the January workshop meeting will be joint with the EDA. She will be bringing a lease of Suite 200 in Hub 33 to both entities at that meeting for approval.
- The HR staff will have a final draft of the Comp and Class Plan soon and will present it at a workshop meeting.
- Advised that staff is working on a strategy to reallocate budgeted funds in order to facilitate the purchase of the EMS vehicle since there are not enough funds budgeted. Detailed information will be provided to the Board prior to purchase.

BOARD MEMBER COMMENTS

Ms. Alsop had the following comments:

- Apologized for missing December meetings.
- She was not able to attend Legislative Day but will visit another day and speak to representatives about legislative concerns and agenda.

Ms. Norman had the following comments:

- She is glad to see everyone here and that Ms. Alsop is back and doing well.
- Thanks Mr. Simpkins and Ms. Alsop for their guidance last year and wished Mr. Berry and Ms. Billups well this year leading the Board.
- Wished everyone a happy new year.

Mr. Simpkins had the following comments:

- Wished everyone a happy new year and thanked them for coming.
- Noted that at the last meeting he commented on the need to have more subscribers on the Riverstreet internet and that he saw a commercial recently advertising it so they are really trying to get the word out. Both Riverstreet and the County spent a lot of time, money and effort to get this done and glad to see it being promoted.
- He is looking forward to the new year with Mr. Berry and Ms. Billups leading.
- Wished everyone a safe trip home.

Ms. Billups had the following comments:

- Wished everyone a happy new year.

- With the 2024 elections there will be a lot of changes coming.
- She is delighted to be Vice Chair. *Buckle up, 2025 will be a ride! Let's Go! Let's do It!*

Mr. Bery had the following comments:

- Thanked everyone for coming and thanked the Board for the confidence in electing him Chairman. He is looking forward to working with everyone in the coming year.
- He is looking forward to diving into the budget and doing the best things for the county and the citizens.
- There was a meeting today regarding the fire station and progress seems to have been made.
- He is looking forward to working with other boards and commissions to make things happen.
- Asked everyone to bring a friend next month, come out and let the board hear your voice and encouraged involvement.

IT IS ORDERED THAT THE BOARD BE ADJOURNED:

A motion was made by Ms. Billups and seconded by Ms. Alsop to adjourn the meeting at 8:40 p.m.

Chairman

Clerk of the Board