King and Queen County
Board of Supervisors Regular Meeting

Monday, September 14, 2026

Regular Meeting
7:00 P.M.

King and Queen County Courts and Administration Building
General District Courtroom

"Minutes of the Meeting"

CALL TO ORDER

Chairman Berry called the meeting to order and provided the invocation followed by the Pledge of Allegiance to the Flag of the United States of America.

It was noted that member Sherrin Alsop was absent.

APPROVAL AND SIGNING OF THE JULY 27, 2026 AND AUGUST 10, 2026 MINUTES OF THE BOARD

A motion was made by Ms. Norman and seconded by Mr. Simpkins to approve the July 27, 2026 minutes of the Board.

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

A motion was made by Ms. Billups and seconded by Mr. Simpkins to approve the August 10, 2026 minutes of the Board.

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

APPROVAL AND SIGNING OF WARRANTS AND APPROPRIATIONS

A motion was made by Mr. Simpkins and seconded by Ms. Norman approving the September 2026 warrants and payroll subject to audit.

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

ABSENT: S.C. ALSOP

A motion was made by Ms. Billups and seconded by Mr. Simpkins to approve the following appropriations for school fund:

- FY26 June revenue $1,041,961.86
- FY26 July & August accrued revenue $523,002.99

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

A motion was made by Ms. Norman and seconded by Ms. Billups to appropriate FY26 All In VA carryover funds to the school fund in the amount of $10,486.34

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

A motion was made by Ms. Billups and seconded by Mr. Simpkins to approve an additional FY26 appropriation to the School Food Services fund in the amount of $28,170.47

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

PRESENTATION OF DRAGON RUN STATE FORST TIMBER SALE PROCEEDS – DENNIS GASTON

State Forester Dennis Gaston presented the board with a check for $97,742.82. This represents 25% of the proceeds of timber sales from the state forest during FY26 and is payment in lieu of real estate taxes for the land included in the state forest.

PUBLIC HEARING – TAVERN MUSEUM LEASE APPROVAL

Chairman Berry advised that the lease between the Museum Council and the Board of Supervisors for the Tavern Museum needs to be renewed. In order to do so a public hearing is required.

County Administrator Vivian Seay provided proof of publication and background information.

Chairman Berry opened the public hearing.

Tim Hayes, Bruington – Mr. Hayes stated that he is President of the Historical Society and thanked the board for their continued support of the museum. The museum is celebrating its 25th year in 2026 and the historical society and museum council are excited to continue their relationship with the board.

Board members Berry and Billups expressed their thanks to them for the great museum that they provide for the county.

A motion was made by Ms. Norman and seconded by Ms. Billups to approve the lease between the Historical Society.

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

PRESENTATION – LANDFILL EXPANSION REQUEST/BFI CONTRACT AMENDMENT

County Administrator Vivian Seay provided the same presentation that was made at the August 24th meeting which highlighted items that are included in the requested contract amendment. Highlights included:

- Increase allowable height to match the approved DEQ permit held by the landfill. This would be an increase of 130 feet.
- Potential reduction in truck traffic related to the removal of leachate from the landfill.
- Extend the end date of the contract to 2075.
- A one-time payment of $12 million would be provided to the county.
- Annual contribution to the school division of .01/ton of waste received.
- Estimated additional increase of revenue to the county of $60 to $90 million over the life of the expansion.

PUBLIC COMMENT PERIOD

Ann Marie Voight, Stevensville District – Ms. Voight is opposed to the expansion and extending of the contract with BFI. It is difficult to make projections about future tax rates and may not reflect what will happen. Two citizens have been killed by trash trucks and it needs to have an end there should be no more. If the amendment is considered it should be included to change the language from preferred route to required route for trucks going to and from the landfill. The landfill needs to stop allowing parking on Rt. 614. Please speak to the people in the area and find out their concerns.

Freddie Byrd, Stevensville District – Asked for confirmation that the contract would be extended for 30 years. What will the CPT be in 30 years? What CPI is used? How was the information about this meeting provided to the public, many elderly people don't have internet to see it if that is the only way. Something needs to be done about the damage done by vultures on people's property near the landfill. The landfill was established in 1986 and the host agreement was done in 1992. How will they make sure the leachate doesn't go into the ground and affect people's drinking water? Both Wares Church and Second Mount Olive are historic churches in the area, how will this affect the ground that people are buried in at these churches? The landfill was supposed to help the school division and help offset costs to taxpayers.

Martha Hart, Buena Vista District – She is concerned about the leachate and the potential environment impacts on historic areas such as the churches. There are lot of unanswered questions. Will the company that treats the leachate always be there?

Jeffrey Willacker, Stevensville District – He supports the amendment and feels that it is a win/win for the county. Maybe the county could do something like the City of VA Beach with Mount Trashmore in the future. He hopes the board approves the amendment.

Virgie Byrd, Stevensville District – She lives on Mount Olive Road near the landfill and the buzzards are constantly on her house. She cannot sleep because of the noise they make, like someone is breaking into the house. They have even pulled the shingles off her roof. No one has talked to her about this because she is black. She pays her taxes every year and should not have to put up with it.

CONSIDERATION OF BFI LEASE AMENDMENT

This item was tabled to the workshop for further discussion when all members can be present.

QUARTERLY REPORTS

The Board received quarterly reports from the following department heads and agencies:

- Erin Lazar – Community Programming, Library and Tourism
- Kelly Evko – Economic Development
- Betty Dougherty – Human Resources
- Tina Ammons – Finance
- Dr. Carol Carter – School Division
- Brad Burgess – Emergency Services

SET PUBLIC HEARING DATE – ZA25-01 AND CUP26-02

A motion was made by Ms. Billups and seconded by Mr. Simpkins to set Tuesday, October 13, 2026 as the date for public hearing for ZA25-01 and CUP26-02.0

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

APPROVAL OF CMR PROCEDURES

Ms. Seay advised that the Board previously adopted the resolution allowing CMR as the procurement methods for capital construction projects. In order to proceed with the next step for the elementary school project the board needs to adopt procedures that it will follow for this process.

A motion was made by Ms. Billups and seconded by Mr. Simpkins to adopt the following procedures:

CONSTRUCTION MANAGEMENT PROCEDURES

ADOPTED BY THE
KING AND QUEEN COUNTY BOARD OF SUPERVISORS
SEPTEMBER 14, 2026

In accordance with Va. Code § 2.2-4382, the King and Queen County Board of Supervisors (the **"Board"**) hereby adopts the following procedures to be used in the procurement of Construction Management (**"CM"**) projects in King and Queen County (the **"County"**) over which the Board has authority. These Procedures are effective as of October 14, 2025.

The procedures to be used in selecting a CM and awarding a contract are as follows:

1. The County shall comply with all requirements set forth in the Va. Code, including, but perhaps not limited to, those requirements set forth in Va. Code § 2.2-4382.

2. Construction Management may be utilized on projects in the County, provided that (i) the project is a complex project and (ii) the procurement method for the project is approved by the local governing body.

3. The Board shall adopt a resolution on a per project basis setting forth the Board's (i) approval for using the CM method, and (ii) determination that the project is a complex project.

4. A copy of all Resolutions adopted pursuant to these Procedures shall be maintained in the procurement file.

5. Prior to publishing the Request for Qualification, the County will have in its employ or under its control or will retain as necessary a Virginia-licensed engineer or architect with the professional competence to advise the County regarding use of construction management for a specified construction project. The Virginia-licensed engineer or architect will assist the County with preparation of Request for Proposal (RFP), and evaluation of proposals received in response to the RFP.

6. Public notice of the Request for Qualifications shall be posted on the Commonwealth of Virginia central electronic procurement website, known as eVA, or the County's website, or both, at least 30 days prior to the date set for receipt of qualification proposals.

7. The CM contract shall be entered into no later than the completion of the schematic phase of design, unless prohibited by authorization of funding restrictions.

8. Prior CM experience or previous experience with the County shall not be considered as a prerequisite or factor considered for prequalification of a contract. The County may consider the experience of each contractor on comparable construction management or design-build projects.

9. All CM contracts to which the County is a party, except CM contracts involving infrastructure projects, shall require that (i) no more than 10 percent of the construction work, as measured by the cost of the work, be performed by the construction manager with its own forces, and (ii) the remaining 90 percent of the construction work, as measured by the cost of the work, be performed by subcontractors of the construction manager, which the construction manager shall procure by publicly advertised, competitive sealed bidding to the maximum extent practicable. For any work not procured by publicly advertised competitive sealed bidding, the CM shall provide documentation detailing the reasons that was not done and such documentation shall be placed in the procurement file.

10. Price is a critical basis for award of the CM contract.

11. When appropriate, the County will post or confirm the posting on the Commonwealth of Virginia central electronic procurement website, known as eVA, or the County's website, or both, when and where the general contractor plans to advertise bid packages for subcontracting opportunities.

12. A two-step competitive negotiation process must be used in the procurement of a CM contract consistent with Chapter 43.1 and the Construction Management Procedures As Adopted by the Secretary of Administration (effective December 17, 2024) for state public bodies.

13. Selection of Qualified Offerors (STEP I). The County shall conduct a prequalification process as follows to determine which offerors are qualified to receive Request for Proposals (RFPs).

    a) The County Administrator or designee will appoint an Evaluation Team (the "Evaluation Team") which shall consist of at least three staff members of the County, including a licensed professional engineer or architect. If possible, the Committee shall include a licensed design professional. The members of the Committee shall have experience relevant to the project, with backgrounds in such areas as design, construction, contracts, project management operations, and maintenance. The County shall consult with its

attorney to determine whether legal counsel should be involved to provide legal counsel to the Team as may be requested by it.

b) The County will prepare a Request for Qualifications ("RFQ") containing the County's Facility Requirements, building and site criteria, site and survey data (if available), the criteria to be used to evaluate RFQ Responses and other relevant information, including any unique capabilities or qualifications that will be required of the contractor. All offerors shall have a licensed Class "A" contractor registered in the Commonwealth of Virginia as part of the Project team.

c) The RFQ shall be posted in accordance with the requirements of these Procedures and shall include if responses may be submitted electronically and/or via paper response.

d) The Evaluation Team shall evaluate each responding firm's RFQ responses and any other relevant information and shall determine those deemed qualified with respect to the criteria established for the project.

e) The RFQ evaluation process shall result in a short list of three to five offerors to receive the RFP. If available, the short list shall include a minimum of one DSBSD-Certified Small Business that meets the minimum requirements for prequalification. An offeror may be denied prequalification only as specified under Va. Code § 2.2-4317, but the short list shall also be based upon the RFQ criteria.

f) The RFQ evaluation process shall evaluate an offeror's experience for a period of ten prior years to determine whether the offeror has constructed, by any method of project delivery, at least three projects similar in program and size.

g) At least 30 days prior to the date established for the submission of proposals, the County shall advise in writing each offeror which sought prequalification whether that offeror has been prequalified. Prequalified offerors that are not selected for the short list shall likewise be provided the reasons for such decision. In the event that an offeror is denied prequalification, the written notification to such offeror shall state the reasons for such denial of prequalification and the factual basis of such reasons.

14. Selection of a Construction Manager (STEP II).

a) The County shall send a Request for Proposal ("RFP") to the offerors on the short list and request submission of formal proposals from them. The RFP shall include the criteria for award and whether the responses may be submitted electronically and/or via paper response.

b) Proposals as described in the RFP shall be submitted to the Evaluation Team.

c) The Evaluation Team will evaluate and rank the proposals. After evaluation and ranking of the proposals, the Evaluation Team shall:

   i. Conduct negotiations with two or more offerors submitting the highest ranked proposals. (or)

   ii. Should the County determine, in writing and at its sole discretion, that only one offeror is fully qualified or that one offeror is clearly more highly qualified than the others under consideration, a contract may be negotiated and awarded to that offeror.

d) The Evaluation Team shall make its recommendation on the selection of a construction manager to the Board based on its evaluations and negotiations. The contract shall be awarded to the offeror who is fully qualified and has been determined to have provided the best value in response to the Request for Proposal.

e) The County will notify all offerors who submitted proposals which offeror was selected for the project. In the alternative, the County may notify all offerors who submitted proposals of the County's intent to award the contract to a particular offeror at any time after the Board has selected the Construction Manager. When the terms and conditions of multiple awards are so provided in the RFP, awards may be made to more than one offeror.

f) Upon request, documentation of the process used for the final selection shall be made available to the unsuccessful proposers.

15. The County shall post all documents open to public inspection pursuant to Va. Code § 2.2-4342, that are issued or received by the County.

16. The Guaranteed Maximum Price shall be established at the completion of working drawings unless a waiver has been granted to this requirement by the Director.

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

APPROVAL OF CONTRACT AMENDMENT – SKANSKA

Ms. Seay advised that the existing contract with Skanska who serves as our third-party construction project management firm needs to be amended to include future phases of existing projects and new projects that are starting.

Mr. Berry questioned the amount in the contract for the government center project. Ms. Seay advised that as long as that project is on hold, the funds would not be expended, but that there are funds allocated in the FY27 budget to begin the next phase which is more detailed interior design.

A motion was made by Ms. Norman and seconded by Ms. Billups to approve the contract amendment for Skanska in the amount of $1,366,873.00.

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

APPOINTMENTS AND REAPPOINTMENTS TO BOARDS AND COMMISSIONS

A motion was made by Ms. Billups and seconded by Ms. Norman to reappoint Vivian Seay to the VPPSA Board.

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

COUNTY ADMINISTRATOR'S COMMENTS

Ms. Seay had the following comments:

- Noted that there has been a lot of behind-the-scenes work done on the elementary school project to get to this point. The next step is selecting the contractor and architect for schematic design.
- Reminded the board that the September 28th workshop meeting will be joint with the school board.
- Noted that staff recently had a call with Davenport and with the board's approval will schedule them to meet with the board soon.
- Conveyed invitation from the Tavern Museum Council to the annual dinner at the museum. It will be October 13th prior to the meeting at 5:30 p.m.

BOARD MEMBER COMMENTS

Ms. Norman had the following comments:

- Welcomed Chief Burgess.
- Thanked citizens for their comments regarding the landfill.
- Noted that it was good to see some new faces and wished everyone a safe trip home.

Ms. Billups had the following comments:

- Thanked everyone for coming and for their patience with her speech since she has surgery on her mouth today.
- Thanked citizens for the insights on the landfill. She has spoken to engineers to get information herself on how the landfill works.

Mr. Simpkins had the following comments:

- Thanked everyone for coming and for the reports.
- Noted that the landfill is never an easy topic to discuss. No one wants it but everyone needs it. The board will make a decision based on meeting the county's needs and considering the citizens affected.
- Commented that the board is committed to expanded economic development and that the county needs to find a way to stand out to move forward. The landfill has served the county well, but more is needed.
- Expressed concern over budget amendments. The board needs to stop approving them and everyone needs to plan ahead and stick with the plan. Everyone also needs to be honest about what is a need and what is a want.
- Wished everyone a safe trip home and hope to see next month.

Mr. Berry had the following comments:

- Welcomed Chief Burgess.
- Noted that the board has received a lot of information tonight.
- Wished everyone a safe trip home.

CLOSED MEETING

A motion was made by Ms. Billups and seconded by Ms. Norman to enter closed meeting pursuant to Va. Code § 2.2-3711(A)(1) for discussion and consideration of the duties and salaries in the Regional Radio System Department.

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

A motion was made by Ms. Billups and seconded by Mr. Simpkins to enter into open session with each member of the King and Queen County Board of Supervisors certify 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: J.L. SIMPKINS, M.R. BERRY, C.R. BILLUPS, M.H. NORMAN
NAYS: NONE
ABSENT: S.C. ALSOP

IT IS ORDERED THAT THE BOARD BE ADJOURNED:

A motion was made by Ms. Norman and seconded by Ms. Billups to adjourn the meeting at 11:05 p.m. to Monday, September 28, 2026 for a joint workshop meeting with the School Board, at 6:00 p.m., King and Queen Court House, Virginia, 23085, Second Floor Conference Room A/B.

_____
Chairman

_____
Clerk of the Board