

**APPROVED MINUTES
KING WILLIAM COUNTY BOARD OF SUPERVISORS
WORK SESSION MEETING OF APRIL 10, 2023**

A work session meeting of the Board of Supervisors of King William County, Virginia, was held on the 10th day of April, 2023 beginning at 7:00 p.m. in the Board Meeting Room of the County Administration Building and via Zoom.

AGENDA ITEM 1. CALL TO ORDER

Chairman Hodges called the meeting to order.

AGENDA ITEM 2. APPROVAL OF ELECTRONIC PARTICIPATION BY A BOARD MEMBER

Not necessary.

AGENDA ITEM 3. ROLL CALL

The members of the Board of Supervisors were polled:

Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 4th District: C. Stewart Garber, Jr. – Vice Chair	Aye
Supervisor, 5th District: Edwin H. Moren, Jr.	Aye
Supervisor, 1st District: William L. Hodges – Chair	Aye

AGENDA ITEM 4. REVIEW AND ADOPTION OF AMENDED & UPDATED MEETING AGENDA

Supervisor Moskalski made a motion to approve the amended and updated agenda as presented. Vice Chair Garber seconded. The Chairman called for any discussion. The members were polled:

Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 4th District: C. Stewart Garber, Jr. – Vice Chair	Aye
Supervisor, 5th District: Edwin H. Moren, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 1st District: William L. Hodges – Chair	Aye

AGENDA ITEM 4. APPROVAL OF MINUTES

4.a. January 30, 2023 Budget Work Session Draft Minutes

4.b. February 6, 2023 Budget Work Session Draft Minutes

4.c. February 13, 2023 Work Session Draft Minutes

4.d. February 27, 2023 Regular Meeting Draft Minutes

Vice Chair Garber made a motion to approve the minutes as presented. Supervisor Moskalski seconded. The Chairman called for any discussion. The members were polled:

Supervisor, 4th District: C. Stewart Garber, Jr. – Vice Chair	Aye
Supervisor, 5th District: Edwin H. Moren, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges – Chair	Aye

AGENDA ITEM 6. PRESENTATIONS

6.a. Resolution 23-27 - Appreciation of the Service of Commonwealth's Attorney, Matthew R. Kite

Chairman Hodges read Resolution 23-27 and presented it to Mr. Kite.

Chairman Hodges said Mr. Kite works hard with heroin addicts to try to get them the help they need.

Mr. Kite recognized his team and local law enforcement and thanked the Board for their support.

6.b. Resolution 23-28 - Recognition and Appreciation of King William County CERT Volunteers - Stacy Reaves, Fire Chief

Supervisor Greenwood read Resolution 23-28 and presented it to the CERT members.

Supervisor Moskalski made a motion to approve Resolution 23-27 and Resolution 23-28. Vice Chair Garber seconded. The Chairman called for any discussion. The members were polled:

Supervisor, 5th District: Edwin H. Moren, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 4th District: C. Stewart Garber, Jr. – Vice Chair	Aye
Supervisor, 1st District: William L. Hodges – Chair	Aye

RESOLUTION 23-27 APPRECIATION OF THE SERVICE OF COMMONWEALTH'S ATTORNEY MATTHEW R. KITE

WHEREAS Matthew R. Kite has served as Commonwealth's Attorney for the County of King William since January, 2012; and

WHEREAS Matthew R. Kite served in the United States Navy on the U.S.S. Nimitz aircraft carrier and was awarded the Navy Achievement Medal and was honorably discharged; and

WHEREAS Mr. Kite has worked closely and collaboratively with the King William County Sheriff's Office, Town of West Point Police Department, Virginia State Police, and the Tri-Rivers Task Force and started and managed the Multi-Jurisdictional Grand Jury serving King William, King & Queen, New Kent, and Charles City Counties; and

WHEREAS Mr. Kite created the Alta Bell Perseverance Award in 2019 honoring crime victims and their families for their dedication and persistence to seek justice; and

WHEREAS Mr. Kite has served on multiple Boards, Commissions, and advisory committees, including the Tri-Rivers Virginia Alcohol Safety Action Program (VASAP) Commission, Virginia Association of Commonwealth's Attorneys (VACA) Board, the Middle Peninsula and Northern Neck Community Services Board, Sexual Assault Response Team, Multi-disciplinary Team, to name a few; and

WHEREAS Mr. Kite has served the community in many roles including volunteering with the King William Little League and being a member of the King William Ruritan Club; and

WHEREAS Mr. Kite has consistently committed whatever time is needed in his role as the King William County Commonwealth's Attorney to promote and protect the citizens of the community; and

WHEREAS through his dedication to protect the community and promote a safe environment within the community, Mr. Kite has lent his voice and followed with his actions in this endeavor; and

WHEREAS Matthew R. Kite has been appointed Judge in the 9th Judicial Circuit as of April 16, 2023, and the King William Board of Supervisors wishes to convey their appreciation and thanks for his years of service to the community;

NOW, THEREFORE, BE IT RESOLVED that the King William County Board of Supervisors expresses its appreciation to Matthew R. Kite for his valuable contributions to the well-being of the citizens of King William County, and

BE IT FURTHER RESOLVED that a copy of this Resolution expressing the sense of this Board of Supervisors on this matter shall be conveyed to Matthew R. Kite and shall be spread upon the meeting minutes of said Board of Supervisors.

DONE this 10th day of April, 2023.

RESOLUTION 23-28
RECOGNITION AND APPRECIATION OF KING WILLIAM COUNTY
COMMUNITY EMERGENCY RESPONSE TEAM (CERT) VOLUNTEERS

WHEREAS the Community Emergency Response Team (CERT) Program educates people about disaster preparedness for hazards that may impact their area; and

WHEREAS the CERT Program trains volunteers in basic disaster response skills such as fire safety, light search and rescue, team organization, and disaster medical operations; and

WHEREAS, using the training learned in the classroom and during exercises, CERT members can assist others in King William County following an event when professional responders are not immediately available to help; and

WHEREAS CERT members are volunteers who freely give of their time to serve the King William County community with dedication, training, and generosity; and

WHEREAS the first volunteers in the King William County CERT recently completed their training under Assistant Fire Chief, Willie Jones, and CERT member and instructor, Taylor Gunn;

NOW, THEREFORE, BE IT RESOLVED that the King William County Board of Supervisors recognizes the first graduates in the King William County CERT program **Ellen Davidson, Tom Davidson, Lisa Mason, Debi Moren, and Ed Moren**; and

BE IT FURTHER RESOLVED that the King William County Board of Supervisors expresses its appreciation to all the volunteer CERT members for their service to King William County.

**Ellen Davidson
Tom Davidson**

**Taylor Gunn
Lisa Mason**

**Debi Moren
Ed Moren**

DONE this 10th day of April, 2023.

AGENDA ITEM 7. WORK SESSION MATTERS

7.a. FOIA Overview - Alan Gernhardt, Executive Director, FOIA Council of Virginia (Zoom)

Mr. Gernhardt went over the basics of the Freedom of Information Act including requests for public records and requirements for public meetings.

Supervisor Greenwood asked about “email meetings.” Mr. Gernhardt explained it is best to have a staff member send correspondence and blind copy the Board members to prevent an “element of simultaneity.”

Chairman Hodges asked if data in a database is required to be converted. Mr. Gernhardt said only if that format is used in the regular course of business.

Supervisor Greenwood asked if the County doesn’t use the format but the software has the capability, are we required to convert data. Mr. Gernhardt said yes. Ms. Branch clarified that the issue the County currently has is that the contract for the software says it has the capability, but the option isn’t showing as available for all reports. Mr. Gernhardt said it’s reasonable that if the software can’t do it, you can’t do it and to explain this to the requestor.

7.b. VDOT Quarterly Update & Secondary Six-Year Plan (SSYP) Discussion - Lee McKnight, Residency Administrator, VDOT Saluda Residency

Mr. McKnight said Kentucky Road and Sandy Point Road are currently in progress. He said there was an emergency closure on Route 68, Dorrell Road, due to unsafe bridge issues and there is no timeline for reopening.

Vice Chair Garber asked for a traffic count on Millwood Road and said it needs to be widened (Route 607 between River Road and Upshaw Road). Mr. McKnight said road widening is very expensive. There must be a minimum 40 ft. right of way and utilities may need to be moved. He said this could possibly be done as a Smart Scale project, Revenue Sharing, or added to the SSYP. He said additional right of way would need to be purchased. He will have it evaluated to see if it will qualify for SSYP.

Vice Chair Garber said he receives continuous complaints about drainage on Newcastle Road. He also said Dabney’s Mill Road is very narrow and winding.

Chairman Hodges asked if they are going to get the pavement level with the utilities in West Point on Lee Street and Kirby. Mr. McKnight said he will get in contact with the utility department and find out who is responsible for it.

Supervisor Moskalski said he has received complaints that Kentucky Road is being paved. He said we are getting toward the end of the SSYP and asked other future uses of that fund that would be efficient and impactful. Mr. McKnight said the formula is based on the mileage of unpaved roads in the County so the fund would diminish as the number of unpaved roads diminishes. He said telefees can be used for trench-widening, which is like a paved shoulder and is very site specific.

Vice Chair Garber asked if it's allowed to circulate a petition to donate a right of way. Mr. McKnight said yes, it's allowed. The state is required to offer the amount the land is worth and the property owner can choose to forgo payment and donate the land. He said there are two types of easements – prescriptive, where the landowner retains ownership of the land but grants a permanent easement; and fee simple, where VDOT owns the land.

Supervisor Greenwood said the light signals at Route 30 and 360 do not line up with the lanes and asked if it could be fixed. Mr. McKnight said they are installed per the Manual on Uniform Traffic Control Devices (MUTCD) and that is the typical installation. He will look at it again.

Supervisor Greenwood said there are also two light heads and only one traffic lane. Mr. McKnight said he would take a look at it.

Supervisor Greenwood said there are still road work signs on Route 360 by Dixon's Automotive and the work is done.

Supervisor Moren said he has had issues handled very quickly using the myvdot.virginia.gov website.

Supervisor Moskalski said it is planting season and asked that VDOT keep an eye on the shoulders to give farm equipment the room to move over.

7.c. Land Use Discussion - Karena L. Funkhouser, Commissioner of the Revenue

Commissioner Funkhouser presented information on land use in the County. She said the same method was used for the 2023 reassessment as was used in 2015 and the State Land Evaluation and Advisory Council (SLEAC) sets the value. She said all vacant land in the County will experience a tax decrease at the proposed rate.

Vice Chair Garber asked how a 5-acre residential lot is assessed. Commissioner Funkhouser said the first acre is considered a homesite and is valued at \$40,000. Any residual acreage is valued at \$4,000 per acre.

Supervisor Moskalski asked Commissioner Funkhouser what she was proposing. Commissioner Funkhouser said nothing. She said the rates have been set by her and the state. She would have to defend a rate increase. Supervisor Moskalski said he also supports making no changes to the land use program.

Chairman Hodges asked if she's received any complaints. Commissioner Funkhouser said no.

Chairman Hodges asked for an explanation of land classes. Commissioner Funkhouser said they came from the system and include swamp, cleared, and forest.

Supervisor Moskalski said SLEAC gives land use values and asked if the County is supposed to class each parcel or County-wide. Commissioner Funkhouser said maybe the Farm Bureau could help with that. Supervisor Moren said the Commissioner has the discretion to set one rate for the County.

7.d. Personal Property Tax Discussion - Karena L. Funkhouser, Commissioner of the Revenue

Commissioner Funkhouser said the DMV download is finished and her office should have everything entered by next Wednesday to send to JD Power for values on vehicle years 2004-present. She said vehicles older than 2004 are valued at \$1,000.

Supervisor Moren reminded people that high mileage applications are due May 1, 2023. Commissioner Funkhouser said she's asked Edmunds to print that the discount has been applied on the invoices but she's not heard back from them.

7.e. Draft Staggered Terms Ordinance Review

Attorney Hlavin said he needs to revise the draft ordinance to address co-terminous School Board elections. This would include the provision that the at-large position would be determined the same as District 1.

Ms. Fox said the Election Board would draw the districts that would have 2-year terms in 2024 thirty days prior to the June 20, 2023.

7.f. Emergency Operation Plan (EOP) Update Approval - Stacy Reaves, Fire Chief

Chief Reaves outlined the updates made to the current EOP. The full plan is available for download from the County website.

Supervisor Moren asked when a tabletop exercise will be scheduled. Chief Reaves said hopefully in July.

Vice Chair Garber made a motion to approve the updates to the EOP. Supervisor Moskalski seconded. The Chairman called for any discussion. The members were polled:

Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 4th District: C. Stewart Garber, Jr. – Vice Chair	Aye
Supervisor, 5th District: Edwin H. Moren, Jr.	Aye
Supervisor, 1st District: William L. Hodges – Chair	Aye

7.g. Hazard Mitigation Grant Application Approval - Stacy Reaves, Fire Chief

Chief Reaves requested approval to apply for a FEMA Hazard Mitigation Grant which requires a County match of 5%. This equates to approximately \$5,250 of the quoted \$105,000 cost to replace the generator at Station 1 which will supply power to the entire building. This includes the firehouse, bays, and the emergency operations center.

Chairman Hodges asked if the amount includes wiring. Chief Reaves said it includes wiring, the generator, and the switch. It would run on propane.

Vice Chair Garber made a motion to approve applying for a FEMA Hazard Mitigation Grant requiring a County match of 5%. Supervisor Greenwood seconded. The Chairman called for any discussion. The members were polled:

Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 4th District: C. Stewart Garber, Jr. – Vice Chair	Aye
Supervisor, 5th District: Edwin H. Moren, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 1st District: William L. Hodges – Chair	Aye

AGENDA ITEM 8. BOARD OF SUPERVISORS' REQUESTS

Supervisor Greenwood said he'd like more information on internet and the people who are in limboland between the two grants.

Supervisor Moskalski asked for a granular map by address of who falls under each broadband project. He said he'd like updates at least monthly and they could be done over Zoom if necessary.

Supervisor Garber had no requests.

Supervisor Moren said there was an incident at the schools and he found out about it on Facebook after citizens asked him about it. He said an integrated system is needed to notify of the Board of Supervisors about such things. Sheriff Walton said they can work on it as they are not currently in the practice of notifying the Board.

Vice Chair Hodges thanked people for coming.

AGENDA ITEM 9. CLOSED MEETING

9.a. Motion to Convene Closed Meeting

Supervisor Moskalski made a motion to convene in closed meeting in accordance with Section 2.2-3711 (A)(1) of the Code of Virginia to consider a personnel matter involving the appointment of individuals to Boards and Commissions and involving the performance of a specific employee; and in accordance with Section 2.2-3711 (A)(8) of the Code of Virginia to consult with legal counsel on a specific legal matter regarding a volunteer agreement requiring the provision of legal advice by counsel. Supervisor Greenwood seconded. The Chairman called for any discussion. The members were polled:

Supervisor, 4th District: C. Stewart Garber, Jr. – Vice Chair	Aye
Supervisor, 5th District: Edwin H. Moren, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges – Chair	Aye

9.b. Motion to Reconvene in Open Session

Supervisor Greenwood made a motion to reconvene in open session; seconded by Supervisor Moskalski. The Chairman called for any discussion. The members were polled:

Supervisor, 5th District: Edwin H. Moren, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 4th District: C. Stewart Garber, Jr. – Vice Chair	Aye
Supervisor, 1st District: William L. Hodges – Chair	Aye

9.c. Certification of Closed Meeting

Supervisor Moskalski moved for the adoption of the Standing Resolution 1 (SR-1) in accordance with Section 2.2-3712 (D) of the Code of Virginia, 1950, as amended; seconded by Supervisor Greenwood. The Chairman called for any discussion. The members were polled:

Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 4th District: C. Stewart Garber, Jr. – Vice Chair	Aye
Supervisor, 5th District: Edwin H. Moren, Jr.	Aye
Supervisor, 1st District: William L. Hodges – Chair	Aye

STANDING RESOLUTION – 1 (SR-1)

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT REGARDING MEETING IN CLOSED MEETING

WHEREAS, the King William County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and,

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia requires a certification by the King William County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law,

NOW, THEREFORE, BE IT RESOLVED that the King William County Board of Supervisors on this 10th day of April, 2023, hereby certifies that, to the best of each member's knowledge:

1. Only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were heard, discussed, or considered in the closed meeting to which this certification resolution applies, by the King William County Board of Supervisors.
2. Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the King William County Board of Supervisors.

DONE this the 10th day of April, 2022.

9.d. Action On Closed Meeting

No action was taken as a result of the Closed Meeting.

AGENDA ITEM 10. APPOINTMENTS

10.a. Resolution 23-25 - Recommend Appointment to the Board of Zoning Appeals

Supervisor Greenwood made a motion to recommend to the Circuit Court the appointment of Janie Rhoads to the Board of Zoning Appeals for an unexpired term ending June 30, 2023 and for an additional five-year term ending June 30, 2028; seconded by Supervisor Moskalski. The members were polled:

Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 4th District: C. Stewart Garber, Jr. – Vice Chair	Aye
Supervisor, 5th District: Edwin H. Moren, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 1st District: William L. Hodges – Chair	Aye

RESOLUTION 23-25
APPOINTMENT TO THE BOARD OF ZONING APPEALS

WHEREAS there is currently one vacancy on the Board of Zoning Appeals (BZA) due to the resignation of Michael Nolan with a term expiration of June 30, 2023; and

WHEREAS four applicants have expressed interest in serving on the BZA – David Capen, Gary Crawford, Janie Rhoads, and Tim Vaughan; and

WHEREAS the Board of Supervisors now desires to make a recommendation to the King William County Circuit Court for an appointment to this vacant position;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of King William County, Virginia does recommend to the King William County Circuit Court that Janie Rhoads be appointed to the Board of Zoning Appeals for an unexpired term ending June 30, 2023; and

BE IT FURTHER RESOLVED that the Board of Supervisors of King William County, Virginia does recommend to the King William County Circuit Court that Janie Rhoads also be appointed to the Board of Zoning Appeals for an additional five-year term ending June 30, 2028.

DONE this 10th day of April, 2023.

10.b. Resolution 23-26 - Appointment to the VA 250 Planning Committee

Supervisor Greenwood made a motion that Reginald Neale be appointed to the VA250 Planning Committee through the commemoration period of 2022-2026; seconded by Vice Chair Garber. The members were polled:

Supervisor, 4th District: C. Stewart Garber, Jr. – Vice Chair	Aye
Supervisor, 5th District: Edwin H. Moren, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges – Chair	Aye

RESOLUTION 23-26
APPOINTMENT TO THE VA250 PLANNING COMMITTEE

WHEREAS the King William County Board of Supervisors established the King William County VA250 Planning Committee via Resolution 22-66 on August 22, 2022 to plan and coordinate programs occurring within the County and communicate regularly with VA250 in order to promote and commemorate the 250th anniversary of Virginia's participation in American independence; and

WHEREAS the Board of Supervisors now desires to make additional appointments to the VA250 Planning Committee; and

WHEREAS one applicant has expressed interest in serving on the VA250 Planning Committee – Reginald Neale;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of King William County, Virginia that Reginald Neale be appointed to the VA250 Planning Committee through the commemoration period of 2022-2026.

DONE this 10th day of April, 2023.

AGENDA ITEM 11. ADJOURN OR RECESS

Supervisor Moskalski made a motion to adjourn; seconded by Supervisor Greenwood. The members were polled:

Supervisor, 5th District: Edwin H. Moren, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 4th District: C. Stewart Garber, Jr. – Vice Chair	Aye
Supervisor, 1st District: William L. Hodges – Chair	Aye

COPY TESTE:

William L. Hodges, Chairman
Board of Supervisors

Christine H. Branch
Clerk to the Board of Supervisors