

**APPROVED MINUTES
KING WILLIAM COUNTY BOARD OF SUPERVISORS
REGULAR MEETING OF MAY 22, 2023**

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 22nd day of May, 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

2.a. Motion to approve electronic participation by Supervisor Moren due to illness.

Supervisor Garber made a motion to approve electronic participation by Supervisor Moren due to illness; seconded by Supervisor Moskalski. 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.	
Supervisor, 1st District: William L. Hodges – Chair	Aye

AGENDA ITEM 3. ROLL CALL

The members of the Board of Supervisors 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 (Zoom)
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 1st District: William L. Hodges – Chair	Aye

AGENDA ITEM 4. MOMENT OF SILENCE

The Chairman called for a moment of silence.

AGENDA ITEM 5. PLEDGE OF ALLEGIANCE

The Chairman led the pledge of allegiance.

AGENDA ITEM 6. REVIEW AND ADOPTION OF AMENDED MEETING AGENDA

Supervisor Moskalski made a motion to approve the amended agenda as presented. Vice Chair Garber 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 (Zoom)
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges – Chair	Aye

AGENDA ITEM 7. CITIZEN'S COMMENT PERIOD

Chairman Hodges opened the Citizen's Comment period.

Lisa Roberts of District 3 spoke regarding the special event ordinance and invited the community to the Juneteenth event being held June 17, 2023 from 10am-3pm.

Betsy Donoghue of District 3 spoke regarding the advantages of being part of the Pamunkey Regional Library system.

Josh Rellick of District 3 spoke in favor of staying with the Pamunkey Regional Library system.

There being no further speakers, Chairman Hodges closed the Citizen's Comment period.

AGENDA ITEM 8. CONSENT AGENDA

Consent Agenda items were:

- a. Approval of Minutes
 - i. April 10, 2023 Work Session Draft Minutes
 - ii. April 24, 2023 Regular Meeting Draft Minutes
- b. **Resolution 23-40** - Department of Social Services Budget Amendment

Supervisor Moskalski made a motion to approve the Consent Agenda; seconded by Vice Chair Garber. The Chairman called for any discussion. The members were polled:

Supervisor, 5th District: Edwin H. Moren, Jr.	Aye (Zoom)
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 23-40 AMENDMENT TO THE KING WILLIAM COUNTY FISCAL YEAR 2023 BUDGET DEPARTMENT OF SOCIAL SERVICES –BUDGET LINE 855

WHEREAS the King William County Board of Supervisors wishes to amend its Fiscal Year (FY) 2023 Budget to reflect the additional funding from State Department of Social Services; and

WHEREAS the King William County Department of Social Services will receive additional funding which will increase anticipated revenues and expenditures for FY2023. Additional funds are available for Family Partnership Meetings (FPM) to be utilized to assist with costs for local staff expenses associated with conducting FPM and tangible items used to support the FPM process. FPM are a mandated requirement by the state for certain decision points in child welfare cases; and

WHEREAS the local Department of Social Services budget will increase by \$600 for state budget lines as noted below;

NOW, THEREFORE, BE IT RESOLVED that the King William County Board of Supervisors does hereby authorize and appropriate the following amendments within the 2022-2023 Budget, such line items increased as follows, which monies shall be expended for purposes as authorized and approved by the Board of Supervisors of the County of King William:

FUND/ORGANIZATION

FPM money - \$300 for December 1, 2022 to February 28, 2022

FPM money - \$300 for September 1, 2022 to November 30, 2022

Department of Social Services Fund

Expenditures:

855 Local Staff and Operations (84.5/15.5 split)	\$	600
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Department of Social Services Fund

Revenues:

State Revenue (34.5%)	\$	207
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Federal Revenue (50%)	\$	300
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Local Share (15.5%)	\$	93
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DONE this 22nd day of May, 2023.

AGENDA ITEM 9. UNFINISHED BUSINESS

9.a. King & Queen County Request to Withdraw from the Pamunkey Regional Library - Percy C. Ashcraft, County Administrator

Supervisor Moskalski said there would have to be a revenue neutral outcome. Mr. Ashcraft said King & Queen is willing to negotiate but does not agree with Mr. Shepley's figures.

Vice Chair Garber said he is not in favor of it and our taxpayers should not experience a loss.

Chairman Hodges made a motion to deny King & Queen County's request to withdraw from the Pamunkey Regional Library. Vice Chair Garber seconded. The Chairman called for any discussion.

Supervisor Moskalski said he'd like to give King & Queen time to find out the cost of their withdrawal.

Vice Chair Garber said they want to stay in the system but not pay.

Supervisor Moren said he didn't think they would be able to use our libraries.

Mary Shipman, King William's representative on the library board, said her understanding is that King & Queen residents' library cards would be disabled if they leave the system.

Supervisor Greenwood asked if citizens could pay to have a library membership. Ms. Shipman said she would ask at the next library board meeting.

Vice Chair Garber asked how much King & Queen would have to contribute to stay in the system. Ms. Shipman said King & Queen is currently not able to pay for the number of hours they want the building to be kept open.

Chairman Hodges said they could still use our libraries if they reduced the number of hours theirs was open.

Vice Chair Garber said King & Queen wants to pay us to use our libraries. Chairman Hodges said he doesn't think we can do that.

Chairman Hodges withdrew his motion to deny King & Queen County's request to withdraw from the Pamunkey Regional Library and said the issue will be brought back up at the June work session.

Ms. Shipman said the library board does not have the authority to kick anyone out or to accept early withdrawal.

AGENDA ITEM 10. NEW BUSINESS

10.a. FY '22 Annual Financial Audit - Aaron B. Hawkins, CPA, CFE - Robinson, Farmer, Cox

Mr. Hawkins presented the FY '22 Annual Financial Audit report. He said progress is being made by the Finance Dept. to get back on track after the audits were delayed due to bank reconciliations not being completed.

He recommended that Finance continue completing the bank reconciliations and personnel from the Treasurer's office look them over and agree they're correct.

Mr. Hawkins said there is cash not identified of approximately \$70,000. Chairman Hodges asked if other localities are like that. Mr. Hawkins said no, most are at zero.

Supervisor Greenwood asked how it could start fresh when the new Treasurer came in when the bank reconciliations were not done. Mr. Hawkins said it could not. The turnover audit is based on other measures.

Supervisor Greenwood asked if the auditors worked with the Treasurer on the reconciliations. Mr. Hawkins said yes; however, the task was moved to Finance because it couldn't be done by the Treasurer's office. He said training would have to take place for the reconciliations to return to the Treasurer's office.

10.b. Motion to Authorize Board Chair and County Administrator to Sign and Submit Notarized Statement Certifying Presentation of FY2021 Financial Report to Local Governing Body - Natasha Brown, Director of Financial Services

The consensus of the Board was to move this to the June work session to give them time to review the report.

10.c. Resolution 23-39 - KWCPs Budget Amendment - Staci M. Longest, KWCPs Director of Finance (Moved from Consent)

Ms. Longest presented budget amendments approved by the School Board.

Vice Chair Garber asked how they got to \$1.2 million on the track estimate. Ms. Longest said after scoping, they found only one broken pipe. They also used a cooperative contract. Once the track is torn up, they could discover other problems which would cause the cost to rise again.

Supervisor Moskalski made a motion to approve Resolution 23-39 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 (Zoom)
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 1st District: William L. Hodges – Chair	Aye

RESOLUTION 23-39
AMENDMENT TO THE KING WILLIAM COUNTY FISCAL YEAR 2023 BUDGET
KING WILLIAM COUNTY PUBLIC SCHOOLS

WHEREAS the King William County Board of Supervisors wishes to amend its Fiscal Year (FY) 2023 Budget for additional revenues and expenditures for King William County Public Schools; and

WHEREAS the King William County School Board accepted on April 18, 2023 the budget amendments of funds and additional funding, and requests the Board of Supervisors to appropriate;

NOW, THEREFORE, BE IT RESOLVED that the King William County Board of Supervisors does hereby authorize and appropriate the following amendments within the 2022-2023 Budget, such line items increased as follows, which monies shall be expended for purposes as authorized and approved by the Board of Supervisors of the County of King William:

FUND/ORGANIZATION

<u>Operating Fund (205):</u>	\$21,251.94
KWCPS Resolution FY23-15	
Insurance Claims	\$21,251.94 Revenue

<u>Capital Fund (315):</u>	\$57,803.00
KWCPS Resolution FY23-17	
Security Grant Award	\$57,803.00 Revenue

<u>School Reserve Fund (190 to 315):</u>	\$246,146.00
KWCPS Resolution FY23-16	
2 Regular Education Buses- replacements	\$246,146.00 Revenue

<u>VPSA Bond Funding</u>	
Track repair and renovation	\$425,000

DONE this 22nd day of May, 2023.

10.d. Motion to approve KWCPs Wastewater Treatment Project - Staci M. Longest, KWCPs Director of Finance

Ms. Longest said the wastewater treatment plant refurbishment cost is over estimate and they will use some of the funds saved on the track. If the project can start June 1st, it would be complete before school reopens. She said the refurbishment will add 15 years to the life of the plant.

Vice Chair Garber asked the balance on the bond fund. Ms. Longest said they have procured \$5.2 million of the \$6.6 million awarded.

Supervisor Moskalski made a motion to approve moving forward with the wastewater treatment project. Supervisor Greenwood seconded. The Chairman called for any discussion.

Vice Chair Garber asked if a Resolution was needed. Ms. Brown said she did not think so because the Board has already appropriated the bond funds. Attorney Hlavin suggested tabling the issue while he investigated further.

Supervisor Moskalski withdrew his motion to approve moving forward with the wastewater treatment project.

Supervisor Moskalski made a motion to table the decision on the wastewater treatment project until the end of this meeting. Supervisor Greenwood seconded the motion. The Chairman called for any discussion. The members were polled:

Supervisor, 5th District: Edwin H. Moren, Jr.	Aye (Zoom)
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

10.e. Special Event Ordinance Discussion - Maxwell C. Hlavin, County Attorney

Attorney Hlavin said the ordinance would allow an exemption for events held on County property and/or County-sponsored events. A motion is needed to authorize a public hearing on the matter at the June 12, 2023 work session.

Vice Chair Garber made a motion to advance the special event ordinance discussion to a public hearing on June 12, 2023. 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 (Zoom)
Supervisor, 1st District: William L. Hodges – Chair	Aye

10.f. FY '23 3rd Quarter Financial Report - Natasha Brown, Director of Financial Services

Ms. Brown presented the 3rd Quarter Financial Report.

Ms. Brown said she has been working with the current Treasurer to identify the \$70,000 in unidentified revenues and she has been very helpful. She said they are resolving issues as they go.

She presented Mr. Whitt's last bank reconciliation and went over the events which have occurred since then. She said the Finance Department has finished reconciling April 2023 and is working on May now.

Ms. Brown said the Treasurer is working with TACS to collect delinquent personal property accounts from 2018-2022.

Ms. Brown said she is working to move the Utility Fund out of the General Fund per the auditor's recommendation and bond requirement.

AGENDA ITEM 11. ADMINISTRATIVE MATTERS FROM COUNTY ADMINISTRATOR

11.a. Administration Report - Percy C. Ashcraft, County Administrator

Mr. Ashcraft directed the Board to his report in the packet along with reports from various departments.

Attorney Hlavin said a Closed Meeting was necessary to discuss the KWCPWS Wastewater Treatment Project.

AGENDA ITEM 12. BOARD OF SUPERVISORS' REQUESTS

Supervisor Moren said he's sorry he couldn't make it to the meeting. He asked if the transfer site would be ready soon. Mr. Hudgins said yes, they are finishing with the fence and guard rail.

Vice Chair Garber wished everyone a happy Memorial Day and said to reflect on the true meaning of the day. He thanked people for coming and said he'd like an update on the Acquinton Church Road study results.

Supervisor Moskalski wished everyone a happy and safe Memorial Day. He said he is glad to see the middle mile work happening on the broadband project.

Supervisor Greenwood wished people a happy Memorial Day and said people are using Holly Road as a cut through. He said VDOT said it's the County's responsibility. Mr. Hudgins said the County must request VDOT to investigate it. He will check with Mr. McKnight.

Chairman Hodges wished everyone a safe and fun Memorial Day and remember the real meaning. He said he'd like a report from the Treasurer on sales of property in the near future. He said District 1 and District 5 were randomly chosen by the Electoral Board as the districts serving an initial two-year term to get the districts on a staggered basis.

AGENDA ITEM 13. CLOSED MEETING

13.a. Motion to Convene Closed Meeting

Supervisor Moskalski made a motion to Convene Closed Meeting in accordance with Section 2.2-3711 (A)(8) of the Code of Virginia to consult with legal counsel on a specific legal matter (KWCPS Wastewater Treatment Project) requiring the provision of legal advice by counsel. Motion was seconded by Supervisor Greenwood. 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 (Zoom)
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 1st District: William L. Hodges – Chair	Aye

13.b. Motion to Reconvene in Open Session

Supervisor Moskalski made a motion to Reconvene in Open Session; seconded by Supervisor Greenwood. 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 (Zoom)
Supervisor, 2nd District: Travis J. Moskalski	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 1st District: William L. Hodges – Chair	Aye

13.c. Certification of Closed Meeting

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

Supervisor, 5th District: Edwin H. Moren, Jr.	Aye (Zoom)
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

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 22nd day of May, 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 22nd day of May, 2023.

13.d. Action on Closed Meeting (if necessary)

Supervisor Moskalski made a motion to approve an emergency procurement with Bowman on behalf of the school board pursuant to Procurement Policy Sec 2-4(f). Mr. Greenwood 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 (Zoom)
Supervisor, 1st District: William L. Hodges – Chair	Aye

AGENDA ITEM 14. ADJOURN OR RECESS

Supervisor Greenwood made a motion to adjourn; 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 (Zoom)
Supervisor, 2nd District: Travis J. Moskalski	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