

AMENDED MINUTES
KING WILLIAM COUNTY
BOARD OF SUPERVISORS
REGULAR MEETING OF FEBRUARY 22, 2021

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 22nd day of February 2021, 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 Moskalski called the meeting to order.

Agenda Item 2. ROLL CALL

The members were polled:

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

Also, in attendance:

Bobbie H. Tassinari, County Administrator

Olivia S. Lawrence, Deputy Clerk

Andrew McRoberts of Sands Anderson, County Attorney

Agenda Item 3. MOMENT OF SILENCE

The Chairman called for a moment of silence.

Agenda Item 4. PLEDGE OF ALLEGIANCE

The Chairman led the pledge of allegiance.

Agenda Item 5. REVIEW AND ADOPTION OF MEETING AGENDA

Supervisor Moren moved for the adoption of the amended agenda for this meeting as presented with the addition of a closed meeting; motion was seconded by Supervisor Garber.

The members were polled:

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

Agenda Item 6. PUBLIC COMMENT PERIOD

Chairman Greenwood opened the public comment period.

1. Raymond Carter, of District 1, ~~stated his opposition of the recent survey created by The Berkley Group and noted his desire to serve on the advisory group yet to be created.~~ asked about the status of an advisory board for the reassessment. He said he strongly opposes the current zoning survey that's going on, specifically with regard to the 3-acre minimum land division and family land division waiting period. He said this discriminates against low-income individuals and starter homes.
2. J. N. Mills, of District 5, commended the Board for invalidating the erroneous reassessment by Brightminds and ~~provided some suggestions on filling the advisory board~~ said the advisory board should encompass a cross-section of the county – landowners, developers, homeowners, and farmers.

There being no further speakers, Chairman Moskalski closed the public comment period. Chairman Moskalski said we're in the early days of trying to put an advisory board together and asked for patience.

Agenda Item 7. CONSENT AGENDA

Supervisor Greenwood moved for the ~~approval~~ acceptance of the Consent Agenda as presented; motion was seconded by Supervisor Hodges.

The Chairman called for any discussion.

There being no discussion the Consent Agenda was approved by the following roll call vote:

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

Agenda Item 8. PRESENTATIONS

a. Recognition of Captain James R. Nester, Jr.

Sheriff, Jeff Walton, presented Resolution 21-10 to Captain James R. Nester, Jr.

RESOLUTION 21-10 RESOLUTION OF APPRECIATION CAPTAIN JAMES R. NESTER, JR.

WHEREAS, Captain James R. Nester, Jr. served 25 years in the King William Sheriff's Office as a Deputy Sheriff from 1995 until 2020. In 2001 he was promoted to the rank of Lieutenant and in 2006 promoted to Chief Deputy serving in that capacity until his retirement; and

WHEREAS, Captain James R. Nester, Jr. was the first Deputy Sheriff in King William County to be certified as a Crime Prevention Specialist by the Department of Criminal Justice Services; and

WHEREAS, Captain James R. Nester Jr. also served as a General Instructor and RADAR Instructor at the Rappahannock Regional Criminal Justice Academy, instructing many new recruits; and

WHEREAS, Captain James R. Nester, Jr. has been a positive representation of the Sheriff's Office in the community and serving as a liaison with the many criminal justice partners to include surrounding jurisdictions; and

NOW, THEREFORE, BE IT RESOLVED, that the King William County Board of Supervisors expresses its appreciation to Captain James R. Nester, Jr. for his valuable contributions to the safety and 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 Captain Nester, and shall be spread upon the meeting minutes of said Board of Supervisors.

Captain Nester thanked the Board, Sheriff, and citizens of King William County.

b. Introduction of the Newly Elected Commissioner of the Revenue

Newly elected Commissioner of the Revenue, Karena Funkhouser, introduced herself and provided a brief update on the plans of the Commissioner's Office. She said they are processing business licenses and applications for tax relief. Ms. Funkhouser stated interest in receiving real estate assessment responsibilities once again.

Ms. Funkhouser asked how compensation was determined and if she were limited to the minimum salaries when hiring per personnel policy. Chairman Moskalski said the salaries

would need to be looked at through the Human Resources and Finance Departments for policy and justification consistency. Ms. Funkhouser said the state Commissioner Association has been helpful and she'll consult them on their policies.

Ms. Funkhouser said VGSI-Vision software for real estate assessments is being used. She said it can be used to initiate a one-page mailer to send to people to verify their information and make corrections. However, the COR office will need training and she is aware the people want to be on a citizen review board.

Vice Chair Moren said a mailer would be a good idea. Supervisor Greenwood said he never received a doorhanger notice with the last reassessment. Chairman Moskalski asked about including other tangible personal property in the mailing. Ms. Funkhouser said she downloads that information from DMV monthly.

c. Introduction of the Newly Elected Treasurer

Newly elected Treasurer, Mary Sue Bancroft, ~~spoke of the challenges she has faced since starting as well as the discrepancies she has become aware of within the office. Ms. Bancroft spoke of her skills and assured the Board she is capable of correcting the issues the office is currently faced with.~~ said her first days have been overwhelming. Every day a new challenge is discovered. She is being mentored by the Treasurer for Lancaster County and she is also surprised by some of the things Ms. Bancroft has shared with her. Ms. Bancroft assured the Board she has the background and experience necessary to face these challenges. She said we have passed the state audit but not the exit audit because accounts have not been settled since September 30, 2020. She doesn't know what has and hasn't happened and has found it disheartening to see what had not been done. She said she likely will not fill the Chief Deputy Treasurer position as the current two staff members are very knowledgeable and diligent. She says they have never received cross-training because the person who was supposed to provide the training did not have the knowledge to do it. She said there is a lot of work to do and she doesn't know when the exit audit will be complete.

~~She~~ Ms. Bancroft stated she felt the county should supplement the same amount to her salary as was supplemented to the previous Treasurer, as she is more qualified despite not yet having received the required certifications. She said she has over twenty years of accounting experience and didn't know the state paid part of the Treasurer's salary and the county supplemented it. She said the certifications didn't help her predecessors with any additional knowledge.

Supervisor Garber asked if Ms. Bancroft would want another increase after she got the certifications if she were given one now.

Chairman Moskalski said we needed to know if her predecessors' certifications were valid and what they received compensation-wise because of them.

Supervisor Greenwood said there's no salary plan in writing for constitutional officers and the Board of Supervisors needs to work with staff to do that.

Chairman Moskalski said he would contact people tomorrow to begin gathering information. He said the Board knew there were problems, just not how many, and thanked Ms. Bancroft for stepping up.

d. Board of Zoning Appeals Annual Report

Benjamin Shumaker, Chairman of the Board of Zoning Appeals, presented the Annual Report of the Board of Zoning Appeals. Noted were the meetings held, the variances and appeals heard, and goals for 2021. He said all BZA members passed state certification and requested funds be budgeted for education and legal counsel for the BZA. He thanked Sherry Graham and her staff for doing an excellent job.

Supervisor Greenwood said this was the first time the Board ever received this report from the BZA and commended them for following code. Chairman Moskalski agreed.

e. Infrastructure Bonds

James Sanderson, of Davenport & Co., presented a capital funding discussion including the methods of paying for the projects, financial planning, tax-support and revenue-supported debt and various types of bonds.

Agenda Item 9. OLD BUSINESS

There was no ~~new~~ old business.

Agenda Item 10. NEW BUSINESS

a. Public Hearing and Consideration of Ordinance 01-21 to Amend Chapter 78 Utilities Fees Schedule

Steve Hudgins, Interim County Administrator, presented Ordinance 01-21 to amend Chapter 78 of the Utilities Fees Schedule. The utilities fee schedule was last updated in 2015. Current fees include charges for the sewer system which are obsolete as the system and associated charges are controlled by Hampton Roads Sanitation District. Also, the current fee schedule does not include charges for such items as hydrant meter rentals and utility plan review. These fees are being added to offset the expense for large new developments. The proposed fee schedule will rectify these items. Usage rated charges and connection fees remain unchanged.

Chairman Moskalski opened the public hearing.

Mr. Shumaker of District 3 asked what the planning review fees were. Mr. Hudgins said these fees are for when plans for proposed new subdivisions go to the engineering consultant who then charges the county to review them.

There being no further public comments, Chairman Moskalski closed the public hearing.

Upon motion of Supervisor Hodges, second by Supervisor Garber, Ordinance 01-21 was approved by the following roll call vote with no discussion:

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

ORDINANCE 01-21
AN ORDINANCE TO AMEND CHAPTER 78 “UTILITIES” DIVISION 3 “UTILITY SERVICE TERMS AND PROCEDURES” AND ADOPT UTILITY FEE SCHEDULE CHANGES

WHEREAS, on October 25, 2010 King William County adopted Sec. 78-245 *Fee Schedule* which established facilities and minimum monthly charges for water and sewer service; and

WHEREAS, Hampton Roads Sanitation District (HRSD) operates the public sewer system within King William County; and

WHEREAS, certain fees pertaining to the operation of the sewer system are not charged by King William County but are controlled by HRSD; and

WHEREAS, the costs of providing certain utility services are not currently being charged as fees; and

WHEREAS, additional fees as adopted herein are found to be fair and reasonable by the Board to cover a portion of the cost of providing such services; and

WHEREAS the proposed increases have been advertised by the Board pursuant to §15.2-107 and a public hearing was conducted on February 22, 2021 on the proposed amendments; and

WHEREAS the Board believe it appropriate to amend Sec 78-245 as recommended by staff; and

WHEREAS the affected fee schedule shall be effective March 1, 2021.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, that the Board of Supervisors of King William County, Virginia, does this 22nd day of February, 2021 amends and re-enacts Sec. 78-245 to read as follows:

Sec. 78-245. - Fee schedule.

The following are the fee charge and service rate schedules:

FACILITIES CHARGE SCHEDULES

Water Meter Size (in inches)	Water System Charge	Sewer System Charge
5/8	\$4,000.00	\$8,000.00
3/4	\$5,250.00	\$11,630.00
1	\$8,750.00	\$19,380.00
1½	\$15,310.00	\$33,890.00
2	\$28,000.00	\$62,000.00
3	\$56,000.00	\$124,000.00
4	\$87,500.00	\$193,750.00
6	\$175,000.00	\$387,500.00

SERVICE RATE SCHEDULES

Water System

Minimum monthly charge: \$30.00 for 0 to 3,000 gallons

Over 3,000 gallons: \$6.00 per 1,000 gallons

Number of billings per year: 6

Number of gallons for minimum monthly charges: 0 to 3,000

~~Sewer System~~

~~Minimum monthly charge: \$28.50 for 0 to 3,000 gallons~~

~~Over 3,000 gallons: \$7.00 per 1,000 gallons~~

~~Number of billings per year: 6~~

~~Number of gallons for minimum monthly charge: 0 to 3,000~~

MISCELLANEOUS FEES

Hydrant Meter Rental

Deposit: \$1,000.00

Rental: \$50.00 per month plus applicable rated usage fees

Plan Review

Main line pipe installation plan review fee: \$2,200.00

Service plan review for new meter service only: \$150.00

b. Resolution 21-07 to Reappropriate Unencumbered CIP Balances of FY20

Natasha Joranlien, Director of Financial Services, presented Resolution 21-07 to reappropriate unencumbered Capital Improvement Plan balances at Fiscal Year-End in the amount of \$633,462.42 **to be spent in FY2021**.

Supervisor Garber asked if West Point Pavilion was finished and if the unspent money would be put back in the budget. Ms. Joranlien said the money was already spent but didn't show on the books in FY2020. This is why it needed to be reappropriated to FY2021, which is when the funds were actually expended. Chairman Moskalski said this will reflect more accurately when the money is actually spent.

Chairman Moskalski opened the public hearing.

There being no public comments, Chairman Moskalski closed the public hearing.

Upon motion of Supervisor Hodges, second by Supervisor Greenwood, Resolution 21-07 was approved by the following roll call vote **with no discussion**:

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

**RESOLUTION 21-07
REAPPROPRIATION TO THE KING WILLIAM COUNTY
FISCAL YEAR 2021 CAPITAL FUND BUDGET**

WHEREAS, the King William County Board of Supervisors wishes to amend by reappropriating its Fiscal Year (FY) 2021 Capital Fund budget to reflect the use of unexpended project funds in the amount not to exceed \$633,462.42; and

WHEREAS, the King William County Board of Supervisors appropriated the original Capital Funds within prior fiscal years Capital Improvement Plan for specific projects; and

WHEREAS, the King William County Board of Supervisors wishes to reappropriate those Capital Funds for the original purposes authorized for expenditure; and

WHEREAS, the appropriated funds will be utilized as specified in *Attachment A* within the fiscal year 2021; and

NOW, THEREFORE, BE IT RESOLVED by the King William County Board of Supervisors that the FY2021 Budget is amended via the reappropriation to reflect an amount not to exceed \$633,462.42 within the Capital Fund for capital projects identified within *Attachment A*.

c. FY22 Capital Funding Needs

Natasha Joranlien, Director of Financial Services, presented fiscal year 2022 capital needs. ~~including:~~ She noted this was for informational purposes only and no decision from the Board was necessary at this time.

- \$60,000 to fund Capital needs for West Point VFR and Mangohick VFR (\$30k each)
- \$78,000 to fund King William County Fire/EMS Safer Grant~~ed~~ Project - Turn out gear
- \$30,000 to fund King William County Fire/EMS Brush Truck purchase (grant-County to match 10%)
- \$30,000 to fund King William County Fire/EMS Lifepacks & Lucas Devices (grant-County to match 50%)
- \$42,595 to fund King William County Fire/EMS Lease purchase of Ambulance
- \$107,405 to fund King William County Fire/EMS Lease purchase of Fire Engine (over 7 years)
- (3) Law Enforcement Cruisers to include up-fitting with equipment and (1) 4x4 Facilities vehicle
- Radio replacement using 7-year radio replacement cycle (46) radios/year x \$5,000 each *\$230,000 requested FY22, FY23, and FY24
- Master Utility Plan needs to be funded by Utility Bond (estimate \$6,761,328 – water project)
- \$100,000 to fund paving at 360 Complex
- \$8,000 to fund fencing around soccer field at 360 Complex
- \$15,000 to fund purchase of lawn mower for the Park Complex
- \$150,000 to fund gutting and renovating the Juvenile Building
- \$150,000 to fund purchase of Office trailer to relocate staff during renovation and to be used by the Sheriff's office afterward
- \$100,000 for HVAC replacements at facilities complexes
- \$250,000 for Station 1 Parking Lot Repairs and Signage
- \$12,000 to complete carpet replacement in Administration office
- \$50,000 for McAlister Building renovation to include flooring, windows, and painting
- \$30,000 for 360 Complex siding replacement
- \$175,000 for remaining buildings that need roof replacement: Courthouse, RAS, 360 Complex

Supervisor Garber said he thought the Upper Mattaponi Tribe paid for paving at the 360 Complex. Ms. Joranlien said they did pay for part of the lot to be paved, but not all of it.

Supervisor Hodges asked what happened to the John Deere diesel lawnmower that was given to Parks & Rec. Mr. Hudgins said it is being used by Utilities. The other mower is on its last legs so the proposed new mower would replace that one. Supervisor Garber asked if Little League cuts the ball fields. Chairman Moskalski said they only mow a portion of it. Mr. Hudgins said the new mower would be shared by the 360 Complex and Parks & Rec. Supervisor Garber asked why the mower cost is so high. Supervisor Hodges said that is what they go for and they are good quality and last a long time.

Supervisor Greenwood said that \$100,000 for paving seems like a lot, especially since Station 1 is totally separate.

Vice Chair Moren asked when the Board will make a decision. Ms. Joranlien said at the Budget Work Session. Vice Chair Moren said he would like to hear about some Plan B's.

Supervisor Garber said the Social Services payment of bills amount doesn't match their January report of \$113,114.02. He will ask Ms. Loadholdt to call Ms. Joranlien tomorrow.

Agenda Item 11. Administrative Matters from County Administrator

a. Board Information

Steve Hudgins, Interim County Administrator, ~~presented~~ **provided** board informational items.

Agenda Item 12. BOARD MEMBER COMMENTS

Supervisor Garber expressed his concern for the lack of representation for the 4th District on the Planning Commission **and suggested there possibly be two members per district. He noted the Meals Tax Report shows that 18 of the 24 business paying meals tax are in the 4th District.**

Supervisor Greenwood agreed with Supervisor Garber and thanked everyone for attending. **He said there should be an ordinance making it mandatory that at least one member on the Planning Commission be from each district, but two would be better. He questioned whether people joining by Zoom want to talk and are unable. He invited Mr. Carter to come to the Planning Commission meeting next week. He also suggested that more people might volunteer to be on the Planning Commission if there were a per diem for attending the meetings.**

Supervisor Hodges stated the bricks located at the intersection of Route 30 and Route 33 need replacing **and he has reached out to Joyce McGowen with VDOT. He said he's glad so many are on Zoom and thinks that those wanting to talk may not know how to work it.**

Supervisor Moren thanked Ms. Bancroft and Ms. Funkhouser for their **openness and diligence**, noted various boards and commissions are not compensated for their time, and encouraged citizens to register for their COVID-19 vaccinations **at vaccinate.va.gov**. **He applauded people for picking up trash in the county.**

Chairman Moskalski thanked the first responders for their commitment during the recent inclement weather across the state. **He thanked citizens for their great participation and said to let him or Mr. Wolfe know if they've been unable to get through to speak. He thanked the Dominion and Rappahannock Electric linemen for their work in restoring power to the area due to the weather.**

Agenda Item 13. CLOSED MEETING

a. Motion to Convene Closed Meeting

Upon motion of Supervisor Moren, seconded by Supervisor Hodges, the Board acted to convene a Closed Meeting pursuant to § 2.2-3711 (A)(5) of the Code of Virginia to consider a prospective business or industry or the expansion of an existing business or industry ~~a discuss the investing of public funds where competition or bargaining is involved and where discussion in open session would adversely affect the financial interest of the County.~~

The roll call vote on the motion was as follows:

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

b. Motion to Reconvene in Open Session

Having completed the Closed Meeting, Chairman Moskalski reconvened the regular meeting back to order in Open Session.

c. Certification of Closed Meeting

Chairman Moskalski called for a motion to approve Standing Resolution 1 (SR-1) In accordance with Section 2.2-3712~~7~~ (D) of the Code of Virginia, 1950, as amended.

Supervisor Hodges moved that the King William County Board of Supervisors adopt the following SR-1 Resolution certifying that the Closed Meeting was conducted in conformity with the requirements of the Virginia Freedom of Information Act; the motion was seconded by Supervisor Garber.

Chairman Moskalski announced the motion was properly moved and properly seconded; he called for any discussion. There being no discussion among Board members SR-1 was adopted.

The roll call vote in favor of this motion was as follows:

Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 5th District: Edwin H. Moren, Jr. – Vice Chair	Aye
Supervisor, 3rd District: Stephen K. Greenwood	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	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)¹ 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 February, 2021, 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 February, 2021.

Agenda Item 14. APPOINTMENTS

There were no appointments.

Agenda Item 15. ADJOURN

Upon motion of Supervisor ~~Garber~~ Greenwood, second by Supervisor ~~Greenwood~~ Moren, the meeting was adjourned by the following roll call vote:

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

COPY TESTE:

Travis J. Moskalski, Chairman
Board of Supervisors

Christine H. Branch (Reviewed via Zoom)
Deputy Clerk to the Board