



County of King William, Virginia

**BOARD OF SUPERVISORS
REGULAR MEETING OF NOVEMBER 29, 2021 - 7:00 PM
KING WILLIAM COUNTY ADMINISTRATION BUILDING
KING WILLIAM, VIRGINIA**

A G E N D A

- 1. Call to Order**
- 2. Roll Call**
- 3. Moment of Silence**
- 4. Pledge of Allegiance**
- 5. Review and Adoption of Meeting Agenda**
- 6. Public Comment Period** *One opportunity of three minutes per individual or five minutes per group; Those attending via Zoom must preregister at kingwilliamcounty.us by noon on the day of the meeting.*
- 7. Consent Agenda**
 - a. Approval of Minutes:
 - i. October 19, 2021 Special Called Meeting Draft Minutes
 - ii. October 25, 2021 Regular Meeting Draft Minutes
 - iii. November 8, 2021 Work Session Draft Minutes
 - b. Approval of Payment of Bills - October-November Reports Will Be Provided at the December Board of Supervisors Meeting
 - c. **Resolution 21-83** Appropriating USAC-ECF Grant Proceeds for KWCPs IT Chromebook Purchase
 - d. **Resolution 21-84** Appropriating KWCPs ARP Funds for Preschool Special Education Programs
 - e. **Resolution 21-85** Appropriating KWCPs ARP Funds for Special Education Programs
 - f. **Resolution 21-86** Appropriating KWCPs ESSER-II Set-Aside Grant Funds for Mitigating Learning Loss

8. Old Business

- a. **Resolution 21-87** and **Resolution 21-88** Regarding Proposed Opioid Abatement Fund Settlements - Steve Hudgins, Interim County Administrator
- b. Commissioner of Revenue Office Update - Karena L. Funkhouser, Commissioner of Revenue
- c. **Resolution 21-89** Appropriating Funding for Additional Temporary Employee Wages and the Hiring of a Full-Time Staff Member, and Treasurer's Office Update - Mary Sue Bancroft

9. Administrative Matters from County Administrator

- a. Board Information
 - i. Animal Activities Report - October 2021
 - ii. Building Department Report - July-October 2021
 - iii. Utility Activity Report - October 2021
 - iv. November 2021 VDOT Transportation Briefing
 - v. FY23 Recommended Budget Preparation & Adoption Schedule
 - vi. Synopsis of MPPDC Meeting of October 27, 2021

10. Public Hearing *One opportunity of three minutes per individual or five minutes per group; Those attending via Zoom must preregister at kingwilliamcounty.us by noon on the day of the meeting.*

- a. **Ordinance 11-21** Rezoning Request Z-02-21, Tap Map Parcel 19-20A, Steve Adams, Inc. - Sherry Graham, Director of Planning

11. Board of Supervisors' Comments

12. Closed Meeting

- a. Motion to Convene 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 the Middle Peninsula Northern Neck Community Services Board
- b. Motion to Reconvene in Open Session
- c. Certification of Closed Meeting
- d. Action on Closed Meeting (if necessary)

13. Appointments

- a. **Resolution 21-90** Appointment to the Middle Peninsula Northern Neck Community Services Board

14. Adjourn or Recess

NOTES REGARDING AGENDA:

This agenda is tentative only and subject to change by the Board of Supervisors.

During the Public Comment Period and Public Hearing periods, speakers shall be provided one opportunity of three minutes per individual or five minutes per group. Speakers shall provide their name, address, and if applicable, the group they are representing. The Board of Supervisors may modify and/or set other rules governing the conduct of Public Hearings.

Those wishing to speak via Zoom or other electronic means must preregister by noon on the day of the meeting at kingwilliamcounty.us.

AGENDA ITEM 7.a.i.

October 19, 2021 Special Called Meeting Draft
Minutes

**DRAFT MINUTES
KING WILLIAM COUNTY BOARD OF SUPERVISORS
SPECIAL CALLED MEETING OF OCTOBER 19, 2021**

A Special Called meeting of the Board of Supervisors of King William County, Virginia, was held on the 19th day of October 2021, beginning at 7:00 p.m. in the Board Meeting Room of the County Administration Building.

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

Agenda Item 3. REVIEW AND ADOPTION OF MEETING AGENDA

Supervisor Hodges made a motion to adopt the meeting agenda as presented. Supervisor Greenwood seconded. With no discussion or opposition, 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 4. CLOSED MEETING

4a. Motion to Convene Closed Meeting

Vice Chair Moren 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 interview of a prospective candidate for the County Administrator position. Motion was seconded by Supervisor Hodges. The chairman called for any discussion. The members were polled:

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

4b. Motion to Reconvene in Open Session

Having completed the Closed Meeting, Supervisor Hodges made a motion to Reconvene in Open Session, seconded by Supervisor Greenwood. The members were polled:

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, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Aye

4c. Certification of Closed Meeting

Supervisor Greenwood moved for adoption of Standing Resolution 1 (SR-1) in accordance with Section 2.2-3712 (D) of the Code of Virginia, 1950, as amended; the motion was seconded by Supervisor Hodges. The chairman called for any discussion. 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

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 19th day of October, 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 19th day of October, 2021.

4d. Action on Closed Meeting (if necessary)

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

Agenda Item 5. ADJOURN OR RECESS

Supervisor Garber made a motion to adjourn the meeting; seconded by Supervisor Hodges. The chairman called for any discussion. 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

COPY TESTE:

Travis J. Moskalski, Chairman
Board of Supervisors

Christina Grover
Zoning Administrator

AGENDA ITEM 7.a.ii.

October 25, 2021 Regular Meeting Draft Minutes

**DRAFT MINUTES
KING WILLIAM COUNTY BOARD OF SUPERVISORS
REGULAR MEETING OF OCTOBER 25, 2021**

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 25th day of October 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

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 AMENDED MEETING AGENDA

Supervisor Garber moved for the adoption of the amended agenda for this meeting as presented; motion was seconded by Supervisor Hodges. The Chairman called for any discussion. 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

Two individuals attending via Zoom disrupted the meeting with offensive comments.

No one physically attending the meeting came forward to provide comments.

The Chairman closed the Public Comment period and apologized for the disruptions.

Agenda Item 7. CONSENT AGENDA

Consent Agenda items included:

- a. Approval of Minutes:
 - i. Draft Minutes of the September 23, 2021 Special Called Meeting
 - ii. Draft Minutes of the September 27, 2021 Regular Meeting
 - iii. Draft Minutes of the October 4, 2021 Work Session
- b. Approval of Payment of Bills – September, 2021

Vice Chair Moren moved for approval of the Consent Agenda; motion was seconded by Supervisor Garber. The Chairman called for any discussion. The members were polled:

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

8.a. Resolution 21-69 Declaring October 2021 as Domestic Violence Awareness Month – Matthew R. Kite, Commonwealth's Attorney

Mr. Kite presented information about Domestic Violence and its impact on the County (see Attachment A).

[At this time, the Zoom meeting was inundated with participants attempting to disrupt the meeting and presentation. Therefore, the Zoom meeting was locked and offending participants were removed.]

Supervisor Moren asked Mr. Kite if, in the last two years, he has seen any trends in this particular area. Mr. Kite said domestic violence cases increased in 2020. One of the most dangerous types of domestic violence they see is strangulation. Strangulation perpetrators are more likely to attempt to murder their victims and also more likely to attempt to assault

an officer. He said his office and the Witness & Victim Protection office have a very good relationship with Bon Secours and the nurses are excellent at identifying the evidence needed to identify these cases. Agencies also work off a checklist which helps them to identify strangulation cases. Mr. Kite said they have seen an increase in strangulation cases but he believes it's a result of better investigation.

Supervisor Garber asked if they ever receive bogus or false complaints. Mr. Kite said it seems to come in cycles. In the ten years he's been with the County, he's found identifying false complaints really depends on the quality and experience of the magistrate. Often, they are able to identify false claims. Because his office reviews all complaints before arraignment, they are able to speak with those involved and get in front of any possible false allegations.

Supervisor Hodges noted that Tiffany Webb, Deputy Commonwealth's Attorney for King William County, is doing a good job. Mr. Kite said Ms. Webb is fantastic and the County is lucky to have her.

Chairman Moskalski asked Mr. Kite to mention some resources available for those needing help. Mr. Kite mentioned Thrive Virginia (thriveva.org) and the Virginia 24-Hour Family Violence and Sexual Assault Hotline (1-800-838-8238). He also said victims, families, and neighbors should contact local law enforcement. He stressed that law enforcement's intent and goal is to help solve problems and break the cycle of abuse.

Supervisor Hodges made a motion to approve Resolution 21-69 Declaring October 2021 as Domestic Violence Awareness Month. Supervisor Garber seconded. The Chairman called for any discussion. The members were polled:

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, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Aye

RESOLUTION 21-69 DECLARING OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH

WHEREAS, domestic violence is the willful intimidation, physical assault, battery, sexual assault, and/or other abusive behavior as part of a systematic pattern of power and control perpetrated by one intimate partner against another; and

WHEREAS, domestic violence accounts for 15% of all violent crime nationwide; and

WHEREAS, domestic violence is prevalent in every community and affects people of all races, ages, gender, and income levels; and

WHEREAS, during their lifetime, 1 in 4 women and 1 in 7 men experience physical violence by an intimate partner; and

WHEREAS, 9 out of 10 children who are exposed to domestic violence are eyewitnesses and these children can be more prone to dating violence themselves, delinquency, further victimization, and involvement with the child welfare and juvenile justice systems; and

WHEREAS, domestic violence costs the nation billions of dollars annually in medical expenses, police and court costs, shelters, foster care, sick leave, absenteeism, and non-productivity; and

WHEREAS, only a coordinated community effort will break cycles of domestic violence; and

WHEREAS, Domestic Violence Awareness Month provides an excellent opportunity for citizens to learn more about preventing domestic violence and to show support for the numerous organizations and individuals who provide critical advocacy, services, and assistance to victims;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of King William County, Virginia that the month of October, 2021 be proclaimed as Domestic Violence Awareness Month and ask the citizens of King William County to work together to eliminate domestic violence from our community.

DONE this the 25th day of October, 2021.

8.b. Resolution 21-75 Declaring November 2021 as Adoption Awareness Month – Letecia L. Loadholt, Director of Social Services

Ms. Loadholt noted there are over 5,500 children in foster care in the Commonwealth of Virginia. 53% of these children are boys and 47% are girls. 60% are Caucasian, 29% are African-American, and 11% are Hispanic. On average, children spend 21 months in foster care before being adopted, placed in residential homes, aging out, or being reunited with their family.

Adoption provides a child with a forever home with parents who have legal rights and responsibilities for them. There are over 1,700 children awaiting adoption in the Commonwealth. 35% are under the age of 5 and 30% are over age 13. November 23rd is National Adoption Day and the month of November has been proclaimed Adoption Awareness Month by Governor Northam to raise awareness and attention to the need for foster and adoptive families.

Supervisor Hodges asked where the children are cared for while awaiting adoptive families. Ms. Loadholt said some are in foster homes or residential programs. She noted there are three children in foster care in King William County, one of whom is awaiting adoption.

Supervisor Garber made a motion to approve Resolution 21-75 Declaring November 2021 as Adoption Awareness Month. Supervisor Hodges seconded. The Chairman called for any discussion. 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

**RESOLUTION 21-75
DECLARING NOVEMBER AS ADOPTION AWARENESS MONTH**

WHEREAS, the health and safety of all Virginians is important to the happiness, prosperity, and well-being of our Commonwealth’s families and communities; and

WHEREAS, every child in Virginia, regardless of physical, medical or emotional challenges, age or race, needs love, support, security, and a place to call home; and

WHEREAS, these children can thrive, reach their full potential, and spread their wings when given the loving and firm foundation of family — a family with a desire to parent a child who would otherwise not have permanency in their lives; and

WHEREAS, in addition to adoption from foster care, it is appropriate to recognize and acknowledge those who have chosen other adoption options to build a family; and

WHEREAS, it is important for every child who cannot be raised by a birth parent to find a permanent home because children have better outcomes when they are raised in families; and

WHEREAS, there are more than 5,354 children in Virginia’s foster care program and approximately 653 children have the goal of adoption and are currently available for placement in an adoptive home; and

WHEREAS, not all children waiting to be adopted are newborns; many older youth who live in foster care desire to be adopted, just as many siblings who are separated in foster care long to be adopted by the same family, and all of these children want a sense of belonging that adoptive parents can provide; and

WHEREAS, Virginia Heart Galleries have been created throughout the Commonwealth to provide much needed exposure of the faces of waiting children, and these endeavors can continue their unprecedented successes in finding loving and permanent homes;

NOW THEREFORE, BE IT RESOLVED BY the King William County Board of Supervisors that the month of November, 2021 be proclaimed as Adoption Awareness Month; and

BE IT FURTHER RESOLVED that the King William County Board of Supervisors asks the citizens of King William County to be aware of the need for loving adoptive families and the options and services available from the King William County Department of Social Services and the Commonwealth of Virginia Department of Social Services.

DONE this 25th day of October, 2021.

8.c. VDOT Transportation Briefing – Lee McKnight, Saluda Residency Administrator

Mr. McKnight introduced himself as the new Administrator for the VDOT Saluda Residency and presented information on construction projects completed in the County, projects underway, projects in the next 24 months, maintenance operation highlights, and land use highlights (see Attachment B).

Supervisor Garber thanked VDOT for addressing the issues on Enfield Road and asked about funding that may be available to increase mowing frequency in the County. Mr. McKnight said he would look into it. He said VDOT sprays a Plant Growth Regulator (PGR) to retard growth of broad leaf weeds which helps keep the taller weeds down. He said the first mow occurs in July and the last in October. He is reviewing the schedule to see if the last mow needs to be pushed forward.

Vice Chair Moren said the Route 360 corridor is the first thing people see when driving to or through the County and it is overgrown. He said the areas in Hanover are mowed but King William is not. He asked if this could be made a priority, especially during tourist season. Mr. McKnight said they are trying to sync mowing cycles in the different counties better. Mr. McKnight said King William County currently has the same three cutting cycles as other counties in the Saluda residency and they may need to be timed differently. He said some counties do allocate funding for additional mowing.

Supervisor Hodges asked what the growth retardant does to the water system. Mr. McKnight said the substance is safe and that it doesn't kill vegetation; it slows growth.

Supervisor Hodges asked about the situation in West Point with the broken and missing bricks. Mr. McKnight said it is scheduled for Spring/Summer 2022 and will have to be done at night. He is working with the mills to schedule a good time. Supervisor Hodges said not to schedule the repairs during their planned outages because there is actually more traffic then. Mr. McKnight said he'd make a note of it. He also said they were looking into a different product, possible stamped asphalt, as the bricks are very hard and costly to maintain.

Supervisor Greenwood said he has advised his constituents to register their complaints with VDOT's Highway Helpline and they are told the issues will be fixed but they are not. He said when crews do come out to fix the problems, they only do a small portion of the work and then say it's done. Specific concerns include potholes on Ayletts Road and overgrowth which limits the road to one lane. He said the Highway Helpline is not very helpful, requiring Route numbers sometimes and street names at other times. Mr. McKnight said he would look into

those specific problems and said he is working to get back to a preventative maintenance schedule. He said if repair crews are coming out, they should be fixing all potholes they encounter, not just the specific ones called in. He also said he'd look into the tree trimming plan to see if that area is on it.

Supervisor Greenwood said the County needs extra cutting and asked if the County or perhaps local businesses provided funding, could they use the same contractors VDOT uses to get the work done. He commended VDOT for the good job on the Route 360/Route 60 intersection and asked when the intersection of Route 360 and Ayletts Road would be addressed. Mr. McKnight said it is on the schedule for Spring 2022.

Agenda Item 9. OLD BUSINESS

9.a. Resolution 21-76 Adjustments to the Overtime and Compensatory Time Policy and Updates to the County Observed Holidays Schedule – Nita McInteer, Human Resources Manager

Ms. McInteer presented information discussed at the October 4, 2021 Work Session regarding changing the County's Overtime and Compensatory Time Policy due to recent General Assembly changes. The County's Observed Holiday Schedule is also recommended to be updated to match State observed holidays.

Supervisor Garber made a motion to approve Resolution 21-76. Supervisor Greenwood seconded. The Chairman called for any discussion. 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

RESOLUTION 21-76

AMENDMENT TO THE KING WILLIAM COUNTY PERSONNEL POLICIES AND PROCEDURE MANUAL REGARDING ADJUSTMENTS TO THE OVERTIME AND COMPENSATORY TIME POLICY AND UPDATES TO THE COUNTY OBSERVED HOLIDAYS SCHEDULE

WHEREAS, The Board of Supervisors adopted the King William County Personnel Policies and Procedures Manual (Manual) by Resolution 15-53 on December 14, 2015 effective January 1, 2016; and

WHEREAS, the Board amended the Manual by Resolution 18-66 on October 22, 2018 effective November 1, 2018; Resolution 19-54 on August 26, 2019 effective September 1, 2019; Resolution 20-09 on February 24, 2020 effective July 1, 2020; and Resolution 20-28R on May 18, 2020 effective March 1, 2020; and

WHEREAS, the Virginia General Assembly recently made changes to compensatory time paid by local government entities; and

WHEREAS, County attorney, Sands Anderson, recommended changes to the Manual to bring the County in line with FLSA rules and regulations; and

WHEREAS, it is further recommended the published list of County observed holidays be updated to match the State observed holidays; and

WHEREAS, the Board has reviewed and discussed these changes to the Manual at its meetings on October 4, 2021 and October 25, 2021; and

WHEREAS, the Board finds the proposed amendments appropriate and necessary for the proper administration of the County's personnel system;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of King William, Virginia that the following amendments to the King William County Personnel Policies and Procedures Manual are amended effective November 1, 2021 as follows (deletions strike through; amendatory language appears in blue and underlined):

Section 3-5: Pay for Performance Increases

a. Employees are eligible for a pay for performance increases on their performance review date (PRD) until they reach the maximum salary for their position. Once an employee has reached the maximum salary for their pay grade they are ineligible for pay for performance increases until such time as they have rendered 20 years of service to King William County. On the first PRD following the completion of 20 years of service and on each PRD thereafter, such employees are again eligible for a pay for performance increase.

b. Salary increases provided for by movement within a pay grade shall not accrue solely as a result of the completion of a required period of service, but shall be based on the established performance appraisal process.

c. When authorized, employees will receive a pay for performance salary increase. The average percentage or dollar increase and the range of allowable increases are established annually by the County Administrator based on the total funds allocated by the Board of Supervisors for such purpose as part of the budget approval process.

d. The established salary scale for employees who work a ~~thirty-five~~ or a forty-hour week is computed on 2080 work hours per year. ~~The established salary scale for employees who work a thirty-five hour week is computed on 1820 work hours per year.~~ Some public safety employees may be assigned different schedules and work hours based on departmental needs and Fair Labor Standards Act guidelines. All rates in the pay scale are those authorized for full-time employment for a period of 12 months and include compensation for holidays.

e. Pay for performance salary increases are effective on the PRD unless otherwise established by the Board. Department Heads will be advised of the approved allowable increases and the date by which completed performance reviews must be received in the designated personnel office. An employee is not eligible for a pay increase until the

performance review form has been completely processed and no pay increases will be given until the forms are properly completed, signed and received by the designated personnel office.

Section 3-15: Premium Pays

Premium pays are authorized as follows:

a. Overtime Pay

Overtime may be approved when necessary to accomplish particular tasks. The County Administrator shall designate those positions eligible for overtime pay or compensatory leave and those not eligible for such pay or leave in accordance with the standards of the Fair Labor Standards Act (FLSA). Positions designated as exempt or non-exempt from the provisions of the FLSA are so identified in the approved County Pay Plan. All overtime hours must be approved in writing by supervisor prior to being incurred. The signed overtime form should be attached to the employee time report for the month it was incurred.

The overtime pay rate is ~~one and~~ one-half times the regular hourly rate of pay or time worked, ~~in addition to the regular hourly rate or time worked~~. Overtime compensation is paid or granted in accordance with applicable state and federal laws. Except when otherwise required by state or federal law, compensation paid for a leave of absence is not counted as hours worked for overtime purposes and paid holidays, are not counted as hours worked for overtime purposes.

Overtime hours ~~in excess of forty (40) in a standard weekly work period~~ are credited to employees in compensatory time the month after it is earned. Compensatory time off, at the rate of one-and one-half times the number of hours worked, must be taken within the following pay period. Any leave taken in that pay

period (annual or sick) will be credited with the compensatory time before being applied. Any remaining compensatory time not used in that pay period will be remitted to the employee in that pay period.

b. Holiday Pay

With the exception of work-as-required employees, employees who do not work on a holiday are entitled to pay equal to the employees' regularly scheduled hours of work not to exceed eight (8) hours. An employee shall forfeit eligibility to be compensated for a holiday observed by the County unless he/she actually works the last scheduled day before the holiday and the first scheduled work day after the holiday or is on approved, sick, annual or non-exempt compensatory leave on such days.

Section 3-16: Additional Pay and Overtime Procedures

Holiday Premium Pay: Those non-exempt employees who work during any declared Holiday are paid overtime for those hours worked during such holiday leave time.

Employees called back: Non-exempt employees required to return to a work site, at least one hour after the termination of the employee's regular work shift, shall receive a minimum of two hours at the applicable pay rate.

Emergencies: This paragraph shall not apply to; firefighters and emergency medical services providers, deputies sheriff and communication dispatchers. Essential personnel required to work in addition to their normally scheduled hours during periods of authorized emergency conditions leave will receive pay at their normal hourly rate for all such hours worked in addition to their normally scheduled hours, until total hours actually worked exceed the applicable over-time threshold. In addition, such essential personnel will receive compensatory leave, on an hour for hour basis, for any hours of required work performed during the periods of authorized

emergency conditions leave that fall within their normally scheduled work hours. Such compensatory time shall be used at a time approved by the appropriate supervisor. Any hours in which employees are not required to work during the period of emergency conditions leave will not count toward over-time eligibility. Employees in any other approved leave status (i.e., vacation, sick, military etc.) will remain in that status.

Section 13-2: Hours of Work

The standard weekly work period for all King William County Employees shall be from 12:01 a.m. Saturday through midnight Friday. The core hours for administrative offices of the County to be open for public business are 8:30 a.m. to 4:30 p.m., Mondays through Fridays, including periods of lunch.

The normal work schedule for regular full-time employees is thirty-five (35) hours per week, seven (7) hours per day, Mondays through Fridays. The workday begins at 8:30 a.m. and ends at 4:30 p.m. and includes an hour lunch period. Because of differing requirements, schedules may vary from these times. Department Heads may adjust the workday beginning and ending times and lunch schedules provided that full-time employees work a minimum of seven (7) hours each day (not including a lunch period) and administrative offices are adequately staffed and open from 8:30 a.m. to 4:30 p.m., Monday through Friday. Any regular schedule for more than eight (8) or less than seven (7) hours per workday must be approved by the Department Head with notice to the County Administrator. The fifty-two (52) week work year consists of ~~4820~~ 2080 work hours.

Part-time employees will work varied hours and days. Part-time employees are to report at their designated time, date and location per the published schedule. Failure to report for an assigned shift may be considered an absence without notice and the employee may be subject to disciplinary action or termination.

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Section 13-5: Holidays

King William County observes the following holidays and other such holidays as may be prescribed by the Board of Supervisors:

New Year's Day	First day of January
Lee Jackson Day	Friday preceding Martin Luther King Day
Martin Luther King Day	Third Monday in January
Washington's Birthday	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth	Nineteenth Day of June
Independence Day	Fourth day of July
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Election Day	Tuesday After the First Monday of November
Veteran's Day	Eleventh day of November
Thanksgiving	Fourth Thursday in November
Day After Thanksgiving	Fourth Friday in November
Christmas Day	Twenty-fifth day of December

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In addition to the above holidays the County will follow special state holidays as announced by the Governor. When a holiday falls on a Saturday, the preceding Friday shall be observed; when a holiday falls on a Sunday, the following Monday shall be observed.

The Board of Supervisors may designate other days as official holidays of the County. When granted, employees receive compensation in the same manner as is the case for other holidays.

9.b. Upcoming Public Hearing for Proposed Central Garage Water Storage Tank Location – Sherry Graham, Director of Planning

Ms. Graham said the Planning Commission voted 5-0 to recommend approval of the Manquin site for the proposed water tower location at their regular meeting on October 5, 2021. A Board of Supervisors Public Hearing has been advertised and is scheduled during the November 8, 2021 Work Session meeting to receive public comment.

Vice Chair Moren asked for more detail on exactly where the site is located. Ms. Graham said she would email mapping to the Board and include it in the November 8th meeting packet.

Supervisor Greenwood asked about the new information presented at the last meeting regarding the Kelly Lane site. Mr. Hudgins said he had spoken with the Tribe and their plans for that area are not yet in a state to be able to consider a water tower. Chairman Moskalski said he had also spoken with the Tribe and they will be doing their own thing. The Manquin site will have a positive impact for the area and for Commerce Park.

9.c. Resolution 21-77 Establishing a Reassessment Advisory Committee – Steve Hudgins, Interim County Administrator

Mr. Hudgins provided information regarding the establishment of a Reassessment Advisory Committee as opposed to a formal Board of Assessors (BOA). The Committee would have more of a working input than a BOA would. General information was provided regarding the makeup of the Committee as well as a draft Resolution establishing the Committee.

Supervisor Hodges said the Committee should have one citizen from each district and no Board of Supervisors member. He said Mr. Hubbard would be a good person to chair the Committee.

Supervisor Garber agreed there should be one citizen from each district and no Board of Supervisors member. He said he spoke with both Mr. Pearson and Mr. Wampler and both said it would be best not to have a Board member on the Committee.

Supervisor Greenwood agreed with one citizen from each district and no Board of Supervisors member.

Andrew McRoberts, County Counsel, said it would be best not to have a Board of Supervisors member on the Committee because the Board is responsible for the taxation phase of the Reassessment. Not having a Board member on the Committee would provide good separation.

Vice Chair Moren asked if they would be able to find citizens willing to be on the Committee who also had the required skills and abilities. Chairman Moskalski said yes.

Chairman Moskalski said the Board's consensus was that they did want to establish a Reassessment Advisory Committee.

Supervisor Hodges asked if the Committee members would be paid. Chairman Moskalski said no.

Mr. Hudgins asked if the Committee members' terms would cease once a Board of Equalization (BOE) is formed. Chairman Moskalski said yes and asked if membership on the Committee would then disqualify a person from being on the BOE. Mr. McRoberts said a person could legally be on the BOE if their term on the Committee terminates first and they are not on any other County or Regional Boards or Committees.

Chairman Moskalski said he could see advantages and disadvantages both ways. Supervisor Garber said the two groups should be separate. Supervisor Greenwood said it might be good to have Committee members' experience on the BOE. Chairman Moskalski said Committee members could be seen as not being impartial if they are also on the BOE. The Committee's role is to establish the most transparent process possible and members would be working closely with the Reassessment team and Commissioner of Revenue. The BOE is tasked with providing fair and impartial decisions for citizens. If BOE members had also worked closely with the Reassessment team as part of the Committee, they could be seen as biased.

Vice Chair Moren asked what would happen if qualified applicants from each district were not received. Supervisor Hodges also said he agreed with not having Committee members on the BOE and also asked what would happen if qualified applicants from each district were not received. Chairman Moskalski suggested asking the former BOE members to be on the Committee first since they have already received the necessary training.

Supervisor Hodges said a revised Community Service Application was needed for Reassessment Advisory Committee applicants. Chairman Moskalski and Mr. Hudgins agreed.

Vice Chair Moren commended Mr. Hubbard for his work and research into this matter.

Supervisor Greenwood made a motion to approve Resolution 21-77R, changing lines 16-18 to reflect no Board of Supervisors member and five Committee members, one from each of the five election districts. Supervisor Hodges seconded the motion. The Chairman called for any discussion. The members were polled.

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

RESOLUTION 21-77R
ESTABLISHING A KING WILLIAM COUNTY
REASSESSMENT ADVISORY COMMITTEE

WHEREAS, under Virginia Code § 15.2-1411. Appointment of advisory boards, committees and commissions; compensation and reimbursement of expenses, the governing body of any locality may appoint such advisory boards, committees, and commissions as it deems necessary to advise the governing body with regard to any matter of concern to the locality. Members shall be appointed to serve at the pleasure of the governing body; and

WHEREAS, the King William County Board of Supervisors wishes to create such an advisory committee, the Reassessment Advisory Committee, to advise the Board regarding the 2023 General Reassessment of King William County; and

WHEREAS, the committee shall provide support for the reassessment process, facilitate citizen engagement and communication management, and monitor quality of the overall project; and

WHEREAS, the committee shall consist of ~~one member of the governing body of the county and three~~ **five** citizens of the county, **one from each of the county's five election districts**, of proven ability appointed by the governing body; and

WHEREAS, the committee members' terms shall end at the time the informal hearings by the reassessment contractor are mailed to homeowners;

NOW, THEREFORE BE IT RESOLVED by the King William County Board of Supervisors this 25th day of October, 2021, a Reassessment Advisory Committee is created to act as an advisory committee to the King William County Board of Supervisors.

DONE this the 25th day of October, 2021.

9.d. Department of Finance Update – Natasha Joranlien, Director of Financial Services

Ms. Joranlien said the auditors are here conducting an audit of County Administration and the Department of Social Services. They will be at the schools conducting the audit at another time.

The Finance Department took over the completion of the County's operating account bank reconciliations from the Treasurer's office on October 7, 2021. They have completed reconciliations for October 2020 through June 2021 and turned them over to the auditors. The auditors have informed Ms. Joranlien that they will have to report a material weakness on the 2021 CAFRA due to the reconciliations not being done on a monthly basis. The Treasurer's office continues to work on the July and August, 2021 reconciliations.

Supervisor Garber asked if there was a violation if the reconciliations were not completed by the June 30 deadline. Ms. Joranlien said there will be a Disclaimer from the auditor if it is not done.

Chairman Moskalski asked if there were any other issues with the audit that Ms. Joranlien was concerned about. Ms. Joranlien said no, the main issue was confirming that the data from the old and new software systems was correct and it was.

Chairman Moskalski said there are always implementation pains when changing systems. Ms. Joranlien said Edmunds has been very responsive and is dedicating a week to the County where all departments can come together and discuss any outstanding issues.

Chairman Moskalski asked about reports of lack of response from Edmunds. Ms. Joranlien said the Commissioner of Revenue office had problems with responses which has been addressed by using the help desk. She said the Building, Finance, and Planning Departments have all had good response from Edmunds and have no complaints. She said the issue is that you need to be able to explain to Edmunds exactly what you are wanting the program to do. Simply telling them the way you used to do it in the old system does not give them enough information to be able to help.

Vice Chair Moren asked if the different issues are being collected and tracked in any way. Ms. Joranlien said the Finance Department has a shared file in which they log all help desk questions, when they were made, when they were resolved, and what the response was. This reduces the number of help desk tickets created because they all consult the file first when looking for answers. Vice Chair Moren asked if other department personnel have access to that file. Ms. Joranlien said no because the issues aren't the same for other departments as they are to Finance and vice versa.

Supervisor Hodges asked when the training is with Edmunds. Ms. Joranlien said in the next couple of weeks.

Supervisor Greenwood said others are saying they've had no response from Edmunds. Ms. Joranlien said Travis Wolfe, Systems Engineer, has been coordinating and helping those departments having trouble. Mr. Hudgins said the Finance Department has had Edmunds longer than other departments and therefore are past the initial implementation problems the Commissioner of Revenue and Treasurer's offices are having.

Supervisor Garber said both the former Commissioner and Treasurer said the implementation of new software would result in "predicted confusion". He asked Ms. Joranlien to confirm that the County's accounts were reconciled when former Treasurer, Harry Whitt, left office. Ms. Joranlien said yes.

9.e. Treasurer's Office Update – Mary Sue Bancroft, Treasurer

Ms. Bancroft said the auditors have given her positive feedback. The Treasurer's office has completed all reconciliations for the school's accounts and are working on the County's operating account for July 2021 through September 2021. She said Real Estate and Property Tax bills have not yet been mailed due to a mapping problem with Edmunds. The mapping should be complete by the end of the week. She has mailed Real Estate bills to mortgage lenders. She said 2018 delinquent taxes will be turned over on December 6, 2021 for collection and the collection agency has been doing well on collecting delinquent funds. An ad has been placed in the Country Courier for Wednesday listing 83 additional delinquent parcels. She has filed 77 warrants in debt, most from 2016.

Supervisor Greenwood asked if an extension for the payment of taxes will have to be given. Ms. Bancroft said bills have to be mailed out 15 days before the due date so there is still time. Also, the due date for Personal Property tax has just been changed to January 15th.

Ms. Bancroft said she spoke with Harry Whitt.

Vice Chair Moren asked if there were any additional possible problems ahead. Ms. Bancroft said her only concerns are with Edmunds and they have been a nightmare. She said her office checked the balances when the data first came over and it was correct. However, as they looked deeper, they discovered problems. She reiterated it's been a nightmare getting a response from Edmunds and said they just got the ability to process dog kennel fees last week.

Supervisor Garber said the Interim Treasurer, Marie Wilson, said she asked for and was refused help. She also said the implementation was a "predictable train wreck".

Ms. Bancroft said she's very serious about collecting the delinquent taxes due to the County and has refused settling with some debtors.

Chairman Moskalski asked if Ms. Bancroft needed more resources such as a Deputy Treasurer. Ms. Bancroft said the prior process was the problem. The Deputies were not involved in the process and now they are. She is watching the accounts daily and matching transactions daily. She only deposits cash and scans and deposits all checks electronically which makes it cleaner to reconcile. She said her office has had no training on Edmunds and that she's figured out things on her own which she then taught to her deputies. She said the current two deputies are not ready to become Deputy Treasurer. One does not live in the county and the other is not ready. She said she doesn't know where she can find someone but does think it would help.

Supervisor Garber asked if Ms. Bancroft had used her assigned mentor. Ms. Bancroft said yes but that person does not know or use Edmunds. Supervisor Garber suggested she reach out to the state and try to get another mentor with Edmunds experience.

Chairman Moskalski said the Board would like monthly reports from the Treasurer's Office for at least the next six months.

Supervisor Greenwood asked if Ms. Bancroft had a log of Edmunds questions similar to Ms. Joranlien. Ms. Bancroft said she has all the mails and keeps resubmitting them if she doesn't receive a response.

Agenda Item 10. NEW BUSINESS

10.a. Resolution 21-78 Approving Voting Credentials for the 2021 Virginia Association of Counties Annual Conference – Steve Hudgins, Interim County Administrator

Supervisor Hodges moved to approve Resolution 21-78 and nominated Chairman Moskalski as the County's voting representative. Chairman Moskalski accepted the nomination and Supervisor Garber seconded the motion. The Chairman called for any discussion. The members were polled.

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, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Aye

RESOLUTION 21-78 APPROVING VOTING CREDENTIALS FOR 2021 VIRGINIA ASSOCIATION OF COUNTIES ANNUAL CONFERENCE

BE IT HEREBY RESOLVED by the Board of Supervisors of King William County, Virginia that the Board hereby designates **Travis J. Moskalski** as King William County's voting representative at the 2021 Virginia Association of Counties Annual Conference Business Meeting on November 16, 2021.

DONE this the 25th day of October, 2021.

10.b. Resolution 21-80 Forming a Redistricting Committee – Steve Hudgins, Interim County Administrator

Mr. Hudgins said the County is required to redraw voting districts by the end of this year due to recently released census data. Districts must be redrawn every 10 years. The last redistricting was done in 2011, with a Redistricting Advisory Committee consisting of 9 members representing the demographic composition of the County. The 2001 Redistricting Advisory Committee consisted of 11 members.

It is proposed the County utilize a Redistricting Advisory Committee to develop the redistricting or election district plan for the Board of Supervisors consideration. County staff

and consultants will provide all necessary support, including GIS data and maps. Rules for redistricting are set out in Virginia state code § 24.2-304.1.

Supervisor Hodges asked how anything would change with West Point. Chairman Moskalski said last time they were able to draw West Point alone as a district but this would need to be looked at now due to the new census data which he has not yet seen. He said the Committee would have to be informed of the issues surrounding West Point.

Supervisor Garber asked moving West Point district lines would affect school attendance. Chairman Moskalski said no but there was an issue in the past where some West Point residents were able to vote in King William County School Board elections.

Mr. Hudgins said he had the census information and noted the Board has final approval of whatever plan the Committee comes up with.

Mr. McRoberts said the redistricting has to be done by the end of the year and it has to be done by an Ordinance change. However, because of the lateness of the census data release, many counties will probably be unable to comply. Supervisor Hodges asked what the penalty will be for not finishing by the end of the year. Mr. McRoberts said there is no penalty.

Supervisor Garber asked about the number of members on the Committee. Chairman Moskalski said there is no formal process and it had been done by motion in the past. This time, members would be appointed by Resolution rather than by motion and letter. There needs to be one person per district so there would be five members.

Supervisor Hodges made a motion to approve Resolution 21-80R, adding “**WHEREAS**, the committee shall consist of five citizens of the county, one from each of the county’s five election districts, appointed by the governing body; and” between lines 16 and 17. Supervisor Garber seconded the motion. The Chairman called for any discussion. 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

RESOLUTION 21-80R
ESTABLISHING A KING WILLIAM COUNTY
REDISTRICTING ADVISORY COMMITTEE

WHEREAS, under Virginia Code § 15.2-1411. Appointment of advisory boards, committees and commissions; compensation and reimbursement of expenses. - The governing body of any locality may appoint such advisory boards, committees, and commissions as it deems necessary to advise the governing body with regard to any

matter of concern to the locality. Members shall be appointed to serve at the pleasure of the governing body; and

WHEREAS, the King William County Board of Supervisors wishes to create such an advisory committee, the Redistricting Advisory Committee, to advise the Board regarding the required redistricting of the year 2021; and

WHEREAS, the committee shall review current census data and recommend to the Board a redrawn election district map; and

WHEREAS, the reapportionment of the election districts shall be pursuant to Virginia Code § 24.2-304.1, et. al; and

WHEREAS, the committee shall consist of five citizens of the county, one from each of the county's five election districts, appointed by the governing body; and

WHEREAS, the committee members' terms shall end at the adoption of the new election district map;

NOW, THEREFORE BE IT RESOLVED by the King William County Board of Supervisors this 25th day of October, 2021, a Redistricting Advisory Committee is created to act as an advisory committee to the King William County Board of Supervisors.

DONE this the 25th day of October, 2021.

Agenda Item 11. PUBLIC HEARING

11.a. Resolution 21-79 Approving Conditional Use Permit CUP 09-21 – Sherry Graham, Director of Planning

Ms. Graham said the applicants, James and Helene Prince, were present to answer any questions the Board may have. They are seeking to construct an accessory dwelling on their property for their son, who is returning home from military duty, and his family. The Planning Commission held a Public Hearing on October 5, 2021 and voted 5-0 to recommend approval to the Board of Supervisors with the condition the accessory dwelling be occupied by immediate family only. Ms. Graham showed photos of the property and plats.

Vice Chair Moren asked if anyone had contacted Ms. Graham's office regarding this application. Ms. Graham said yes, someone had contacted her office to ask what was going on but didn't voice any opposition. There were no comments during the Public Hearing held by the Planning Commission.

Supervisor Garber made a motion to approve Resolution 21-79 and CUP 09-21. Supervisor Hodges seconded the motion. The Chairman called for any discussion. 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

RESOLUTION 21-79
APPROVING CONDITIONAL USE PERMIT (CUP) 09-21
TAX MAP PARCEL 22-1-B-1 - JAMES & HELENE PRINCE

WHEREAS, a goal in the current King William County Comprehensive Plan is to encourage the development of a variety of housing types to accommodate current and future citizens of varying ages, stations in life, and income levels and one of the implementation strategies is to “Consider revisions to the County Ordinance that permits options for accessory/secondary housing for family members requiring care”; and

WHEREAS, applicants James L. and Helene C. Prince are requesting a Conditional Use Permit in order to construct an accessory dwelling consisting of approximately 1500 square feet on their property for their son and family to be located at 888 Mill Road, Tax Map Parcel 22-1-B-1 which consists of approximately 19.1 acres zoned R-1 (Suburban-Residential) located in the Aylett District and which currently contains a single-family home; and

WHEREAS, the King William County Planning Commission held a duly advertised public hearing on October 5, 2021 and voted 5-0 to recommend approval to the Board of Supervisors with the condition that the accessory dwelling be occupied by immediate family only; and

WHEREAS, the King William County Board of Supervisors conducted a duly advertised public hearing on October 25, 2021 to consider CUP 09-21,

NOW, THEREFORE, BE IT RESOLVED, the King William County Board of Supervisors this 25th day of October, 2021, hereby approves CUP 09-21, with the above one (1) condition.

DONE this 25th day of October, 2021.

11.b. Ordinance 10-21 – Approving Rezoning Request Z-01-21 - Sherry L. Graham, Director of Planning

Ms. Graham said the applicants, Forest Pro, Inc., are requesting that 6 acres of property, identified as Tax Map Number 21-36 and consisting of approximately 37.23 acres, be rezoned from A-C (Agricultural-Conservation) to B-2 (General Business). The site is currently a vacant parcel, located at the corner of Venter Road and King William Road, and the applicant wishes to subdivide the property and re-zone a 6-acre parcel to B-2 in order to operate an office and farm machinery retail and repair shop.

The Planning Commission held a Public Hearing on October 5, 2021 and voted 3-2 to recommend approval to the Board of Supervisors. During that meeting, three people spoke in opposition of the rezoning saying it was a dangerous location and a traffic study was needed.

Ms. Graham showed photos and plats of the site and said she has had several inquiries. The main concerns expressed included traffic and noise. Representatives from Forest Pro, Inc. were present to answer any questions and provide additional information.

Supervisor Hodges asked the hours of operation.

Supervisor Greenwood asked if the current gravel pull-off on the site was owned by VDOT or the property owner. Ms. Graham said it is owned by the property owner. She also noted the property does not adjoin Venter Road but is very near it.

Supervisor Garber noted the gravel holding area will disappear if the rezoning request is approved and VDOT will need to move their equipment elsewhere.

Vice Chair Moren asked the impact of the three conditions mentioned in the Ordinance and what would happen if they were not met. Ms. Graham said property is located in the Transportation Corridor Overlay (TCO) and any use in this area must adhere to those requirements. She said the entrance will probably require a VDOT transportation study and it will be up to them to determine the type of entrance and any turn lanes necessary.

Chairman Moskalski opened the Public Hearing period for Ordinance 10-21. There being no speakers, Chairman Moskalski closed the Public Hearing period.

Pete Caramanis, representing Forest Pro, said the proposed business sells forestry equipment to professional foresters and loggers and is not a public retail store. He said locating the business on this property will probably result in less noise for the area rather than more. The store hours are 8am-5pm on weekdays. He noted the concerns expressed by citizens seemed to be more about current problems rather than any new ones the store would create. He said according to the County's Comprehensive Plan, this is the type of business the County is looking to attract. It should generate substantial tax revenue for the County. He said any TCO and VDOT issues would be addressed during the site plan stage.

Vice Chair Moren asked when Forest Pro was planning to move in. Mr. Caramanis said Forest Pro is currently just seeking to purchase the property from the current owners with the condition the property is rezoned to B-2. Once the purchase is done, they will need to submit a site plan, etc.

Supervisor Garber asked for an estimate of how many units Forest Pro sells per year. Forest Pro representatives said they sell 10-12 units at an average cost of \$250,000-\$500,000 per unit. After purchase, units are delivered to the purchaser's site and maintenance to the equipment is also done on the purchaser's site.

Chairman Moskalski asked how many jobs the new location might add to the local economy. Forest Pro representatives said they currently have a staff of six and their long-term goal is to add three-four more people. Forest Pro is currently located at 1056 Richmond Tappahannock Highway in Manquin.

Supervisor Greenwood asked for clarification that Forest Pro does not currently own the land being discussed. Mr. Caramanis confirmed they do not own the land yet as the purchase is conditional upon rezoning. He said Forest Pro will do what they can to be a good neighbor.

Supervisor Hodges said people are more concerned with the current noise, not with Forest Pro. He noted the speed limit there drops and there will continue to be the noise from truck air brakes.

Ms. Graham said three people spoke in opposition at the Planning Commission Public Hearing and two people came to her office and spoke in favor of Forest Pro.

Supervisor Hodges made a motion to adopt Ordinance 10-21 and Zoning Request Z-01-21 with the three conditions mentioned. Supervisor Greenwood seconded the motion. The Chairman called for any discussion. The members were polled:

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

ORDINANCE 10-21
AN ORDINANCE TO APPROVE REZONING REQUEST Z-01-21
TAX MAP NUMBER 21-36 - APPLICANTS – FOREST PRO, INC.

WHEREAS, Forest Pro, Inc. submitted an application requesting that six (6) acres of property, identified as Tax Map Number 21-36 and consisting of approximately 37.23 acres, located at the corner of Venter Road and King William Road, be rezoned from A-C (Agricultural-Conservation) to B-2 (General Business); and

WHEREAS, the applicant wishes to subdivide the property, currently a vacant parcel, and re-zone a 6-acre parcel to B-2 in order to operate an office and farm machinery retail and repair shop; and

WHEREAS, one of the goals in the comprehensive plan is to attract new commercial enterprises and expand existing ones, both in the retail and service sector, to serve the County's needs and create new employment opportunities in these fields; and

WHEREAS, the current road access and need for any right-of-way dedication will be addressed at the time of preparation, review, and approval of a Traffic Impact Analysis; and

WHEREAS, the King William County Planning Commission, after study and review, conducted a duly advertised Public Hearing on October 5, 2021, and following such Public Hearing voted 3-2 to recommend that the Board of Supervisors approve Rezoning Request Z-01-21 with the following three (3) conditions:

- 1) The property is located in the Transportation Corridor Overlay District and any use in this area must adhere to all TCO requirements.
- 2) The existing entrance from King William Road (State Route 30) is an unpaved entrance. Any change or use relative to the existing use of the site requires review and approval by the Virginia Department of Transportation.
- 3) A traffic study and recommended roadway improvements are the responsibility of the applicant/future owner(s) and any such improvements will be based on the use and development proposed at a future time; and

WHEREAS, the Board of Supervisors conducted a duly advertised Public Hearing on October 25, 2021, to consider Rezoning Request Z-01-21,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, the King William County Board of Supervisors this 25th day of October, 2021, hereby approves Rezoning Request Z-01-21 with the above three (3) conditions and amends the Zoning Map of King William County by rezoning six (6) acres of property, identified as Tax Map Number 21-36 and consisting of approximately 37.23 acres, located at the corner of Venter Road and King William Road, be rezoned from A-C (Agricultural-Conservation) to B-2 (General Business).

ADOPTED this 25th day of October, 2021.

Agenda Item 12. ADMINISTRATIVE MATTERS FROM COUNTY ADMINISTRATOR

12.a. Board Information

The Board was provided the Animal Activities and Utilities Department reports for the month of September 2021. Mr. Hudgins pointed out the VPPSA Community Partner Information and said he will bring more about that to the Board's next Work Session.

Agenda Item 13. BOARD OF SUPERVISORS' COMMENTS

Supervisor Hodges said Anna's in West Point is reopen and doing take-out only. The former owners, two brothers, both died from COVID and one of their sons has reopened it.

Supervisor Greenwood thanked everyone for coming and apologized for the Zoom outbursts. He said be safe and careful, get your booster and COVID shots, and protect yourself so you can protect others.

Vice Chair Moren congratulated King William High School on winning their Homecoming game over the weekend. He urged people to get their flu shots and gave kudos to the Regional Animal Shelter for their neuter/spay program saying they took great care of a cat he had recently brought in.

Supervisor Garber thanked Gene Campbell for the article on Mike Gault in the newspaper. He said King William Tire & Auto is shutting down after fifteen years in business. He welcomed Forest Pro and said they are a good fit for the area. He thanked people for coming and reminded everyone to get out and vote.

Chairman Moskalski thanked everyone for coming and said he was happy to approve the zoning matters and welcome a veteran home. He said Forest Pro is good for the County.

Agenda Item 14. CLOSED MEETING

A Closed Meeting was not needed.

Agenda Item 15. APPOINTMENTS

There were no appointments.

Agenda Item 16. ADJOURN OR RECESS

Supervisor Greenwood made a motion to adjourn the meeting; seconded by Supervisor Garber. The chairman called for any discussion.

The members were polled:

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, 4th District: C. Stewart Garber, Jr.	Aye
Supervisor, 2nd District: Travis J. Moskalski – Chairman	Aye

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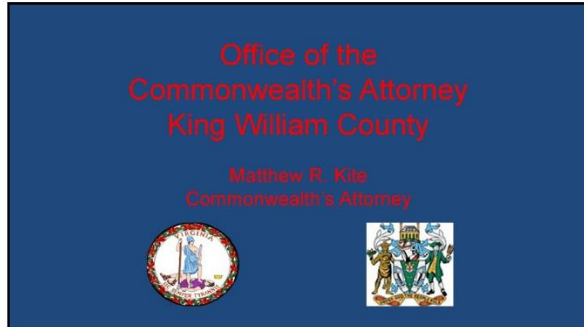
Travis J. Moskalski, Chairman
Board of Supervisors

Christine H. Branch
Deputy Clerk to the Board of Supervisors

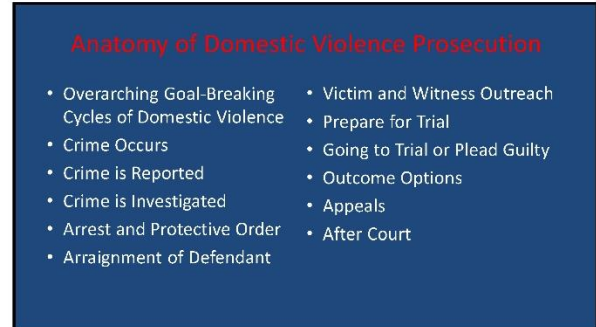
ATTACHMENT A

DECLARING OCTOBER 2021 AS DOMESTIC VIOLENCE AWARENESS MONTH

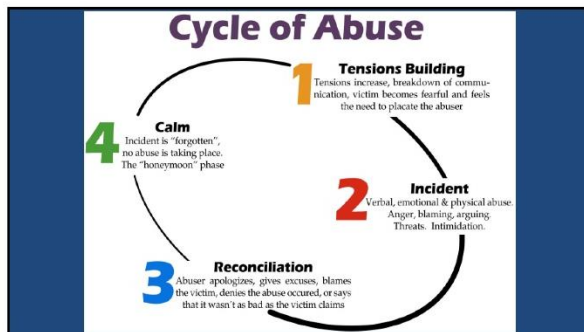
Matthew R. Kite, Commonwealth's Attorney



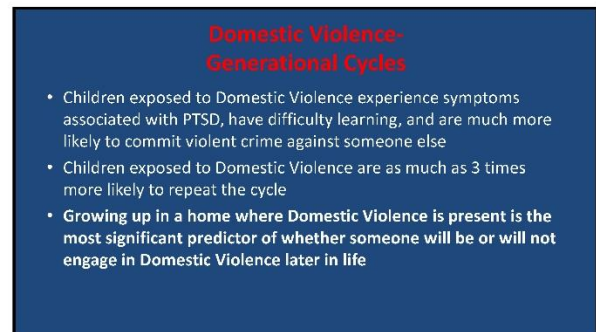
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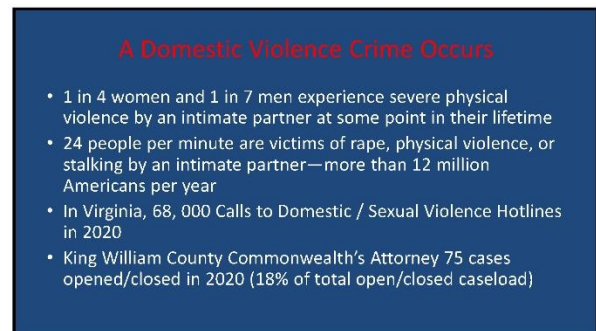
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ATTACHMENT A
DECLARING OCTOBER 2021 AS DOMESTIC VIOLENCE AWARENESS MONTH
Matthew R. Kite, Commonwealth's Attorney

A Domestic Violence Crime is Reported to Law Enforcement

- Nationwide- approximately 56% of non-fatal domestic violence victimizations are reported to Law Enforcement
- In Virginia- 71% of persons who sought domestic violence advocacy services had reported their assaults to law enforcement
- However-victims "leave" their abusers an average of 6-8 times before finally ending the relationship

7

Reasons Domestic Violence Victims Don't Leave

- **Fear**- perpetrator more violent if attempt to leave
 - "If you leave I will kill you."
- **Isolated**- no support from family, friends, community
 - "You cannot go anywhere without me knowing."
 - "It can't be that bad, you need to work on your marriage."
- **Children**- safety, custody, financial support
 - "If you leave- I will take the kids and you won't see them."
- **Financial**- loss of income, home, vehicles
 - "You cannot survive without my income. The house and car are in my name."
- **Emotions**- love, hope, manipulation, intimidation, fear
 - "I love you, it won't happen again if you don't make me mad."

8

A Domestic Violence Crime is Investigated

- Law Enforcement talks with the victim, witnesses, and the alleged abuser
- Evidence is collected- photographs of injuries (if any visible), photographs of the scene, physical evidence (if any)
- Determination of the "predominant physical aggressor"
- Assessment of danger to victim and/or children
- "Victimless" prosecution goal

9

Arrest and Protective Order

- Arrest by investigating Law Enforcement Officer—defendant taken before magistrate for issuance of warrant
- Warrant can also be issued by a magistrate after a citizen complaint (misdemeanor only)
- Defendant bond status reviewed by magistrate
- Emergency Protective Order automatically issued- good for 72 hours or until next Court date—victim can petition for additional protective orders

10

Arraignment of the Defendant

- Defendant brought before Court- usually the Juvenile and Domestic Relations Court
- Formally informed of the charge or charges
- Informed of right to counsel and asked what he/she intends to do about an attorney
- If qualified- a defendant will be appointed an attorney
- Case is set for trial
- Bond and/or conditions of bond reviewed by KWCA and the Court
 - No contact with victim and/or witnesses
 - Independent of whether or not there is a continued protective order

11

Victim and Witness Outreach

- King William Commonwealth's Attorney and Victim/Witness Program contact with victims as soon as possible
 - **Key to achieving effective prosecution outcome**
 - Ensure the safety of victims and children
 - Assist victims with criminal justice and/or protective order process
 - Help victims meet any immediate needs for housing, medical care, or counseling
 - Learn the facts of the case early and help victims understand how the case may unfold

12

ATTACHMENT A
DECLARING OCTOBER 2021 AS DOMESTIC VIOLENCE AWARENESS MONTH
Matthew R. Kite, Commonwealth's Attorney

Prepare for Trial

- Re-Interview / Interview witnesses
- Review facts of case
- Review law
- Consider impacts on victim and any children involved—positive and negative
- Set Goal for Case—What are we trying to accomplish?
- Plea agreement offer to achieve goal (if appropriate)

13

Going to Trial or Plead Guilty

- Trial: Commonwealth has burden of proof—"Beyond a Reasonable Doubt"
 - Evidence heard by Court—Witnesses testify—Exhibits presented
 - Arguments from Commonwealth and Defendant
 - Court makes a decision
- Plead Guilty: No Trial—Outcome based upon agreement or decision of the Court

14

Outcome Options

- Go to trial—found "Not Guilty"
- Go to trial—evidence sufficient to find guilty
 - Could lead to "First Offender" depending upon arguments of counsel
 - Appeal of JDR Court decision possible
- Plead Guilty—either in response to plea agreement offer or to charge as presented
 - Plea agreement: usually has agreed upon disposition, but not always
 - Plead guilty to charge as presented: Court sentences after considering arguments of counsel—defendant can appeal JDR Court decision

15

Outcome Options-First Offender

- "First Offender"—available for cases of Assault and Battery only and only when it is a true first offense
- Two years of Probation
- Must complete an anger management or batterer's invention course
- Must maintain peace and good behavior
- If successful—case will be dismissed
- If not successful—case brought back to Court and potential for finding of guilt and imposition of sentence

16

Appeals

- Defendant has right to appeal decision of JDR Court to Circuit Court for trial *de novo* (new trial)
 - Statutory right of defendant that can be waived
 - Commonwealth has no right to appeal finding of "not guilty"
 - Circuit Court trial same burden of proof on the Commonwealth
 - Defendant, Commonwealth, or Court can ask for jury to hear case
 - Evidence presented and Judge or Jury makes finding of guilt or not guilty
- Defendant has right of appeal from Circuit Court to Court of Appeals and/or Supreme Court of Virginia
 - Not a new trial. No evidence presented.
 - Appeal usually based upon alleged errors in application of law by Circuit Court or argument about sufficiency of evidence to find guilty

17

After Court

- A protective order may be entered (in some cases must be entered)
- Victims and their families receive counseling—if they want
- Depending upon disposition of case, victims begin to rebuild their lives—often requires support from the community, victim advocates, and family
- Hope that cycles of domestic violence are broken

18

ATTACHMENT B
VDOT TRANSPORTATION BRIEFING
Lee McKnight, Saluda Residency Administrator



Fredericksburg

King William County Board of Supervisors
October 2021 VDOT Transportation Briefing

Construction Projects Completed

Route 637 White Oak Landing Road – UPC 114817

Construction Projects Underway

UPC 116636 -Eltham Bridge Inspections Project underway, the purpose of the project is to identify specific areas for any needed future rehabilitation efforts.

Construction Projects

Upcoming Unpaved Road Projects on Secondary Six Year Plan:

As a reminder the board prioritized seven roads on the six-year plan, they are listed in priority order below.

Route 608 Hazelwood Road – UPC 110089 - underway

Route 634 Kentucky Road – UPC 114818 – March 2023

Route 633 Sandy Point Road – UPC 114819 – March 2024

Route 624 Trimmers Shop Road – UPC 114820 – March 2024

Route 617 W. Spring Forest Road – UPC 115626 – March 2025

Route 621 Green Level Road – UPC 115628 – March 2027

Construction Projects Next 24 Months

UPC 106179 – Route 600 Turn lane addition at Route 360, planned start spring 2022 – STP funds

Bridge Projects next 24 Months

None

Traffic Engineering Requests

None

Supervisor Requests

None

ATTACHMENT B
VDOT TRANSPORTATION BRIEFING
Lee McKnight, Saluda Residency Administrator

Maintenance Operation Highlights

Completed Projects

- Contractor Primary mowing completed
- Route 30 Shoulder Repair
- Routes 30 and 360 Daylighting Signs
- Route 30 Dead Tree Removal
- Routes 600, 605 and 606 Ditching
- Sign Repair countywide
- Unpaved road maintenance countywide
- Patch potholes countywide

Upcoming Projects

- VDOT Secondary mowing underway
- Route 605 Asphalt Repair
- Brush Cutting Guardrails
- West Point Ditching
- Route 609 Shoulder Repair
- Routes 641 and 1135 Ditching
- Sign Repairs/Daylighting signs countywide
- Unpaved Road maintenance throughout the county
- Continue to patch potholes Countywide

Land Use Highlights

- Site Plan reviews completed: 7
- Subdivision reviews completed: 0
- Average number of days per review: 4.2
- Number of permits issued: 7
- Number of permits completed: 3

Contact for questions or concerns:

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Residency Administrator

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Ron Peaks

Assistant Residency Administrator

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VIRGINIA IS FOR LOVERS,
NOT LITTER

AGENDA ITEM 7.a.iii.

November 8, 2021 Work Session Draft Minutes

**DRAFT MINUTES
KING WILLIAM COUNTY BOARD OF SUPERVISORS
WORK SESSION OF NOVEMBER 8, 2021**

A work session of the Board of Supervisors of King William County, Virginia, was held on the 8th day of November 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

Agenda Item 3. REVIEW AND ADOPTION OF AMENDED MEETING AGENDA

Vice Chair Moren moved for the adoption of the amended agenda for this meeting as presented; Supervisor Hodges seconded motion. The Chairman called for any discussion. 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 4. PRESENTATION

4.a. The RAFT – Resilience Adaptation Feasibility Tool – Elizabeth Andrews, VCPC and Dr. Wie Yusuf

Ms. Andrews gave an overview of the RAFT program and said the team partnered first with the Middle Peninsula Planning District Commission and then each individual community. The study was done at no charge to the communities but was funded by several grants.

Work on the study began in 2015 and the Commonwealth of Virginia is in the process of developing a Coastal Resiliency Master Plan.

Dr. Yusuf spoke on the risk of future flooding in King William County and explained the various maps shown in the presentation.

Ms. Andrews pointed out that there is a video embedded in her slide presentation and suggested it be placed on the County website for people to watch. [Presentation has been posted to News Flash section and added as a menu item on the Planning page of the County website.]

Ms. Andrews referenced the King William County Scorecard Report and said the County scored very well with a 57, which equals moderate resilience. She then outlined the County's top opportunities to improve resilience.

A community workshop is being planned for January, 2022 and the team would like a member of the Board of Supervisors to attend as well as be a liaison between the RAFT team and the County and get input from County staff and the community.

Supervisor Hodges asked if West Point was looked at separately from the rest of the County. Ms. Andrews said yes.

Supervisor Garber asked what sort of overall achievement would help lower people's flood insurance rates. Ms. Andrews said rates are affected by FEMA's community rating system. She mentioned a non-profit, Wetlands Watch, who helps community's improve their scores in order to lower insurance rates.

Chairman Moskalski said this is something for the County to look into as flood risks increase. Ms. Andrews said the RAFT works closely with the Middle Peninsula Planning District Commission which works for the benefit of all their members.

Vice Chair Moren asked at what point do you stop trying to mitigate risk and start relocating people out of harm's way, such as the problems in New Orleans. Ms. Andrews said the point is to plan and prepare so getting to that point doesn't come as a surprise. Chairman Moskalski said we have an opportunity to be proactive and not end up in a situation where areas are beyond repair.

Supervisor Hodges asked about raising houses. Ms. Andrews said that is a temporary solution and doesn't address other issues such as road flooding, sanitation systems, and weak stormwater infrastructure.

Ms. Andrews reiterated that she would like a member of the Board of Supervisors to act as a liaison and advocate for RAFT.

4.b. VPPSA Community Partner Information - Steve Hudgins, Interim County Administrator

The full interactive presentation from VPPSA was played.

Chairman Moskalski said the Board was interested in seeing the impact of adding the service hours back into the contract which were cut for budgetary reasons. He said he is unaware of another viable option available besides VPPSA.

Supervisor Garber asked the contract length. Mr. Hudgins said ten years. Supervisor Garber asked if the contract was bid out. Mr. Hudgins said he didn't know as that happened before he joined the County. Supervisor Garber said he thinks the County should bid it out or we're at VPPSA's mercy. Mr. Hudgins said we're at their mercy but we're also on VPPSA's Board of Directors and all member localities have to agree to terms and pricing.

Vice Chair Moren would like to hear more about some of the things discussed with Mr. Magnant from VPPSA such as the number of tires allowed and other things brought up at a previous Board meeting. He said the Epworth station seems to have improved somewhat since that discussion.

Supervisor Garber said the Central Garage site is a bad location and is dangerous. Vice Chair Moren suggested an additional day open might be helpful in alleviating the problem.

Supervisor Hodges said he thought the sites were not enforcing the tire maximums and asked about the requirement to cut them in half. Chairman Moskalski said he believed you cut them in half if they were going in the landfill but did not cut them if they were being recycled.

Supervisor Hodges asked about disposing of chemicals. He said the community often doesn't hear about special collection events until they're over.

Supervisor Greenwood said an additional location for Central Garage needed to be investigated in a safer area.

Mr. Hudgins said there was a plan to add on to that site at one time but it wouldn't have provided much additional space and would be cost prohibitive.

Supervisor Hodges asked if the Central Garage site was closed every Tuesday. Mr. Hudgins said yes. Vice Chair Moren said Epworth was open on Tuesdays.

Chairman Moskalski said there is still a desire to do something additional in Central Garage. Mr. Hudgins said VPPSA is unable to offer curbside service only to Central Garage, they would have to offer it to everyone in the County.

Chairman Moskalski said special taxing districts could be created but that was a whole different option and discussion. He said VPPSA had already talked with some of the HOAs in Central Garage and asked them to approach private services.

Agenda Item 5. PUBLIC HEARING

5.a. Resolution 21-81 Proposed Central Garage Water Storage Tank Location – Sherry Graham, Director of Planning

Chairman Moskalski noted that a line needed to be added to Resolution 21-81R before line 18, “and WHEREAS, the King William County Board of Supervisors held a duly advertised Public Hearing on November 8, 2021 to receive public comment;”.

Chairman Moskalski opened the Public Hearing period. There being no speakers, the Public Hearing period was closed.

Ms. Graham presented several pictures of the proposed site at the Board’s request.

Ms. Graham said the Manquin water tower location gives them the ability to loop the system rather than dead-end the line which is better for the system.

Vice Chair Moren asked if the land was being donated or if the County would need to purchase it. Mr. Hudgins said it has been offered as a donation to the County.

Vice Chair Moren asked if there will be a platform for antennas. Mr. Hudgins said yes, that can be requested and is required for lightning protection. The County could also rent space on the platform to recoup some of the expense.

Vice Chair Moren asked what material the storage tank would be constructed of. Mr. Hudgins said originally an all metal tank was designed however, since the cost of metal is now very high, a metal-concrete mix is being considered.

Vice Chair Moren said the tank should have some graphics to show off King William County. Ms. Graham said that was discussed. Vice Chair Moren suggested maybe a design contest could be run.

Supervisor Hodges asked what other materials it could be made from. Mr. Hudgins said the bowl would be metal and could be supported by steel or concrete based on material cost.

Supervisor Hodges noted the dates on the Resolution were incorrectly listed as the 25th day of October and needed to be changed to the “8th day of November”.

Supervisor Greenwood made a motion to approve Resolution 21-81R with the two changes noted above. Supervisor Garber seconded the motion. The chairman called for any discussion. The members were polled:

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 6. WORK SESSION MATTERS

6.a. Fire & EMS Department Update – Stacy Reaves, Fire Chief

Chief Reaves said new COVID-19 case rates are going down a little in the county. There were some staff at the fire house who had to quarantine due to exposure. He continues to recommend vaccination and isolation. He also said the flu vaccine is available and recommends being vaccinated. Chief Reaves said the Three Rivers District (which includes King William County) is still in Status Black. This means EMS responders have to call VCU to determine ambulance destinations.

Supervisor Hodges asked why we were still in Status Black if rates are declining. Chief Reaves said due to saturation of hospitals and available staffing. Hospitals are also experiencing a great need for staff and existing staff is exhausted.

Supervisor Greenwood asked if we are being asked to help other localities. Chief Reaves said yes. West Point has a mutual aid agreement with New Kent, King William County does not but EMS has mutual aid agreements through PARA. Chief Reaves said it is in the best interest of all counties to have mutual aid agreements with each other and said they are normally engaged in life-threatening situations.

Chief Reaves said offers for the seven positions funded through ARPA have been sent out. Candidates are now undergoing physical agility tests. Candidates are also asked to sign an agreement stating they will reimburse the County for training costs if they leave voluntarily within a certain period of time.

Supervisor Hodges asked if that agreement would actually be enforced in those situations. Chief Reaves said yes. Supervisor Hodges said it is the local governments causing the problems by trying to lure employees away by offering more attractive pay. Chief Reaves said the verbiage of the agreement has been vetted by King William County Human Resources, VRSA, and the County Attorney. He said new hires are obtaining their firefighter and EMT certifications for free and an agreement to ensure citizens benefit from this investment is necessary and standard.

Chief Reaves said the department continues to work on updating SOPs for all stations and are ensuring the procedures work for all involved.

The transition to the ESO system is on time but still not going as quickly as he had hoped. He said keeping all three departments consistent with each other while also keeping them separate is tedious but progressing on time as planned.

The third ambulance is out of service and will not be repaired at this time due to the cost of repairs. He said the intention is to sell it and currently, it would not pass state inspection. The new ambulance has been built and final inspection is scheduled for December 13th. It will be delivered after striping and will hopefully be on the road by the end of December.

The second ambulance is going in for inspection and might be out for a week, bringing Station 1 down to one ambulance for a short period of time. He said they are not holding off on the inspection because there seems to be an electrical problem.

The pre-build on the engine is on time. Chief Reaves does not have any pictures yet. He said the parts are all being built at the same time so it will come together quickly. He said the County got lucky with the timing of the apparatus orders and new orders are currently experiencing extreme delays.

The VDEM EOP exercise is scheduled for December 10th. They are continuing to work on getting the EOC fitted. Desks were donated from another locality and will be in Station One. The necessary technology is a long-term goal.

Supervisor Hodges asked if there was a generator at Station One. Chief Reaves said yes. It will run the majority of the EOC. The department will be asking for funding through a FEMA grant for an upgraded generator in about a year.

Chairman Moskalski pointed out that the COVID booster shots are out and have been approved for 5-11 year-olds as well.

6.b. Resolution 21-82 Proposed Changes to Virtual Meeting Procedures – Steve Hudgins, Interim County Administrator

Mr. Hudgins presented options to address hacking, distractions, and verbally and visually offensive content and comments during live-streamed public meetings. Staff recommends not allowing the public to unmute and offer public comment via Zoom or other electronically broadcast meetings.

Other options include requiring Zoom participants to authenticate, which means they must have a valid free Zoom account, requiring participants to register for the meeting through Zoom, and requiring those who wish to speak during Public Comment and Public Hearings to preregister on the County website. These options are simply precautions and do not fully eliminate the possibility of online users making offensive comments.

Supervisor Hodges asked if these precautions would protect against spoofing and hacking. Mr. Hudgins said it would help.

Chairman Moskalski said he does not want the disruptors to win and discourage people from participating. Rather than eliminating allowing online users to unmute and offer

comment, he would like to try the authentication and registration options. Supervisor Hodges agreed.

Supervisor Garber asked if part of it was Zoom issues. Mr. Hudgins said no, it is because we allow people to unmute and offer comments.

Chairman Moskalski said we can be more vigilant to try to prevent it.

Vice Chair Moren said people also need to understand that we are doing our best.

Chairman Moskalski said the Resolution was not necessary and this could be done by directive. The directive is to add additional safeguards to meetings by requiring Zoom authentication and registration and by requiring those wishing to speak during Public Comment and Public Hearing periods to register on the County website. (Resolution 21-82 was not passed due to the actions being made by directive.)

6.c. Opioid Settlement Discussion – Steve Hudgins, Interim County Administrator

Mr. Hudgins said two proposed nationwide settlement agreements have been reached which would resolve all opioid litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors and one manufacturer. The Commonwealth of Virginia has already opted into these settlement agreements will received funds based on how many localities also join. The County must opt in by Resolution to both the settlement and the Memorandum of Understanding (MOU).

Mr. Hudgins said King William County has not been immune to problems caused by the opioid crisis. Mr. Matthew Kite, King William County Commonwealth's Attorney, said the impact has been tremendous on police and emergency services. He said that while many users never come into contact with the authorities, those that do tend to be the worst of the worst. He said in his ten years as Commonwealth's Attorney for King William County, he doesn't remember the opioid crisis not having an impact in various forms. He said there are reports of it being added to cocaine and marijuana. He said these settlements are civil penalties and the funds can be used for training and other programs. He sees no reason why the County would not participate. He said there is a lack of qualified, certified treatment providers and these settlements address a true drag on our community.

Supervisor Garber said two young people in his district recently died from overdoses.

Mr. Kite said we can't arrest and incarcerate out of this problem. The work of treatment is significant and there is a nationwide lack of qualified treatment programs.

Mr. Hudgins said the County must opt in via Resolution by January 2, 2022.

Chairman Moskalski said to bring the required Resolutions forward at the next Board of Supervisors meeting.

6.d. Governor's Agriculture and Forestry Industries Development Fund (AFID): Infrastructure Grant for the Expansion of Processing Capabilities for Two Goat Dairies in King William County -Steve Hudgins, Interim County Administrator

Mr. Hudgins said a local business, Bees Knees Farms, has requested the County apply for an AFID grant for up to \$25,000 from the State which would support the expansion of their farm and Riverwatch Farm, both locally owned, licensed goat dairies. Given the strong demand for their products, the likelihood of success for this project is strong. Staff requests the Board make a motion that King William County fully support Bees Knees Farm's and Riverwatch Farm's AFID grant application. County support would include submitting the grant application, writing a letter of support, and endorsing a local match. Bees Knees will perform the grant writing if the county provides a local match of approximately \$5,594.00. The local match amount was \$6,670.00, however King & Queen County has partnered with them and committed to \$2,231.00. Mr. Hudgins said the farms qualify for a 2 to 1 match because King William County is considered an economically distressed region.

Supervisor Garber asked what is meant by a reimbursable grant. Mr. Hudgins said the farms have to pay for the improvements first and then submit an application to be reimbursed from the grant award.

Supervisor Garber asked if others came forward wanting to do a similar thing, would the County treat them all the same. Mr. Hudgins said it's something that could be budgeted for in the future, possibly through the EDA, and suggested the County could put a maximum amount in the budget in the future to address these types of projects. Once the maximum was met, the County would not consider additional projects until the next year if it were again funded in the budget.

Vice Chair Moren said this was a perfect project for the EDA. He said not everyone could write a grant and asked who would oversee it. Mr. Hudgins said the owner of Bees Knees Farm has experience writing grants and has already written this one.

Supervisor Garber asked if someone else came forward who doesn't have grant writing abilities, how would the County help them.

Vice Chair Moren said he'd like there to be some publicity about this project in the community.

Supervisor Hodges asked how their products were distributed. Mr. Hudgins said mainly through farmer's markets and direct sales.

Supervisor Greenwood asked why the farms don't put some money up for the project. Mr. Hudgins said the grant gives the County the opportunity to help the businesses.

Chairman Moskalski made a motion to that King William County fully support Bees Knees Farm's and Riverwatch Farm's AFID grant application by submitting the grant application written by Bees Knees Farm, writing a letter of support, and endorsing a local match of

\$5,594.00. Supervisor Garber seconded the motion. The chairman called for any discussion. 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

Agenda Item 7. BOARD OF SUPERVISORS' REQUESTS

Supervisor Hodges said the King William County Sheriff's Office firearms training should be done twice per year and costs about \$4,000.00. He would like this to be included in budget discussions. He asked where he could find the new census data. Mr. Hudgins said he would send what he had to Supervisor Hodges.

Supervisor Greenwood said COVID boosters and flu shots were available from Walgreens and urged people to get vaccinated.

Vice Chair Moren said some County school bus drivers spoke to him about the need for additional signage going east and west on Route 30 in Central Garage for those turning right. He said VDOT needs some additional turn signs for safety. He also mentioned Thursday is Veterans Day and thanked those who have served.

Supervisor Garber asked how the schedule for electing Board of Supervisors members was determined. He said he thought it would benefit the County to stagger the elections so the entire Board would not expire at the same time. Chairman Moskalski said he did not think the Board could make that decision at this time because the next election isn't for two years. He said he's not sure there's enough advantage to it, in his opinion. He said he wasn't sure this Board could force that decision on the next one. Supervisor Hodges said Prince George did it and could be asked how they went about it. He said he also thought it would have to be done after the next election since the current four members were elected to four-year terms.

Agenda Item 8. ADJOURN OR RECESS

Supervisor Hodges made a motion to adjourn the meeting; seconded by Supervisor Greenwood. The chairman called for any discussion. 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

COPY TESTE:

Travis J. Moskalski, Chairman
Board of Supervisors

Christine H. Branch
Deputy Clerk to the Board of Supervisors

DRAFT

AGENDA ITEM 7.b.

Approval of Payment of Bills - October-November
Reports Will Be Provided at the December Board of
Supervisors Meeting

AGENDA ITEM 7.c.

Resolution 21-83 Appropriating USAC-ECF Grant
Proceeds for KWCPS IT Chromebook Purchase

RESOLUTION 21-83

APPROPRIATING USAC-ECF GRANT PROCEEDS FOR KING WILLIAM COUNTY PUBLIC SCHOOLS INFORMATION TECHNOLOGY PURCHASE OF 1,800 CHROMEBOOKS

WHEREAS, the King William County Public School Director of Information Technology applied for a USAF-ECF grant to purchase 1,800 Chromebooks to expand one on one with newer devices with warranties; and

WHEREAS, these devices will provide needed support for upcoming standardized testing, for which some current devices cannot be used; and

WHEREAS, King William County Public Schools was notified on October 12, 2021 of a grant award in the amount of \$715,608 for the purchase of these devices; and

WHEREAS, the King William County Public School Board approved the appropriation and expenditure of the grant award funds at their October 19, 2021 meeting; and

WHEREAS, the King William County Board of Supervisors wishes to amend its FY2022 School Capital budget to reflect this grant award and the purchase of 1,800 Chromebooks as follows:

Revenues: USAC-ECF Grant Award	\$715,608
Expenditures: 1,800 Chromebooks	\$715,608

NOW, THEREFORE, BE IT RESOLVED by the King William County Board of Supervisors that the FY2022 Budget is amended via appropriation to reflect the above amounts within the Schools Capital Fund for the purchase of 1,800 Chromebooks.

DONE this the 29th day of November 2021.

SCHOOL BOARD AGENDA ITEM

MEETING DATE:

October 19, 2021

FY22-01

Closed Session: _____

Special Recognition/Announcement: _____

Instructional Highlights: _____

Consent: _____

Action: _____

X

Information/Discussion: _____

Materials for Board Review : _____

STAFF OR BOARD CONTACT PERSON:

Staci Longest, Director of Finance

SUBJECT: Accept and Amend Budget IT

Director of Information Technology applied for a USAC- ECF grant in late summer of 2021. On October 12, 2021 we were awarded \$715,608 in funding to purchase 1800 chrome books to expand one on one with newer devices with warranties. These devices will provide needed support for upcoming standardized testing, in which some of our current devices cannot be used for.

Revenue increased \$715,608

Expense increased \$715,508

Recommended Action: Motion to accept budget amendment of funds and additional funding from the Federal Government and request the Board of Supervisors to appropriate at a future meeting.

AGENDA ITEM 7.d.

Resolution 21-84 Appropriating KWCPS ARP Funds
for Preschool Special Education Programs

RESOLUTION 21-84

**APPROPRIATING DEPARTMENT OF EDUCATION ARP FUNDS FOR KING WILLIAM
COUNTY PUBLIC SCHOOL PRESCHOOL SPECIAL EDUCATION PROGRAMS**

WHEREAS, the Commonwealth of Virginia Department of Education released ARP
funds to King William County Public Schools for Preschool Special Education programs; and

WHEREAS, these funds are to be used to help mitigate learning loss in the King
William County Public Schools Preschool classrooms; and

WHEREAS, the King William County Public School Board approved the
appropriation and expenditure of these funds at their October 19, 2021 meeting; and

WHEREAS, the King William County Board of Supervisors wishes to amend its
FY2022 School budget to reflect the receipt and expenditure of these funds as follows:

Revenues: ARP Funds	\$7,534
Expenditures: Preschool Special Ed Programs	\$7,534

NOW, THEREFORE, BE IT RESOLVED by the King William County Board of Supervisors that
the FY2022 Budget is amended via appropriation to reflect the above amounts within the
Schools Preschool Education Fund for the purchase of Preschool Special Education program
materials.

DONE this the 29th day of November 2021.

SCHOOL BOARD AGENDA ITEM

MEETING DATE:

October 19, 2021

FY22-02

Closed Session:

Special Recognition/Announcement:

Instructional Highlights:

Consent:

Action:

 X

Information/Discussion:

Materials for Board Review :

STAFF OR BOARD CONTACT PERSON:

Staci Longest, Director of Finance

SUBJECT: Accept and Amend Budget Preschool Education

Department of Education released ARP funds to Preschool Special Education programs. King William Public Schools will receive \$7,534 in reimbursable funds to help mitigate learning loss in the Preschool classrooms.

Revenue increased \$7,534

Expense increased \$7,534

Recommended Action: Motion to accept budget amendment of funds and additional funding from the Commonwealth of Virginia and request the Board of Supervisors to appropriate at a future meeting.

AGENDA ITEM 7.e.

Resolution 21-85 Appropriating KWCPS ARP Funds
for Special Education Programs

RESOLUTION 21-85

**APPROPRIATING DEPARTMENT OF EDUCATION ARP FUNDS FOR KING WILLIAM
COUNTY PUBLIC SCHOOL SPECIAL EDUCATION PROGRAMS**

WHEREAS, the Commonwealth of Virginia Department of Education released ARP funds to King William County Public Schools for Special Education programs; and

WHEREAS, these funds are to be used to help mitigate learning loss in King William County Public Schools Special Education classrooms; and

WHEREAS, the King William County Public School Board approved the appropriation and expenditure of these funds at their October 19, 2021 meeting; and

WHEREAS, the King William County Board of Supervisors wishes to amend its FY2022 School budget to reflect the receipt and expenditure of these funds as follows:

Revenues: ARP Special Education Funds	\$103,038.63
Expenditures: Special Education Programs	\$103,038.63

NOW, THEREFORE, BE IT RESOLVED by the King William County Board of Supervisors that the FY2022 Budget is amended via appropriation to reflect the above amounts within the Schools SPECIAL EDUCATION Fund for the purchase of Special Education program materials.

DONE this the 29th day of November 2021.

SCHOOL BOARD AGENDA ITEM

MEETING DATE:

October 19, 2021

FY22-03

Closed Session:

Special Recognition/Announcement:

Instructional Highlights:

Consent:

Action:

_____ **X** _____

Information/Discussion:

Materials for Board Review :

STAFF OR BOARD CONTACT PERSON:

Staci Longest, Director of Finance

SUBJECT: Accept and Amend Budget Special Education

Department of Education released ARP funds to Special Education programs. King William Public Schools will receive \$103,038.63 in reimbursable funds to help mitigate learning loss in the classrooms.

Revenue increased \$103,038.63

Expense increased \$103,038.63

Recommended Action: Motion to accept budget amendment of funds and additional funding from the Commonwealth of Virginia and request the Board of Supervisors to appropriate at a future meeting.

AGENDA ITEM 7.f.

Resolution 21-86 Appropriating KWCPS ESSER-II
Set-Aside Grant Funds for Mitigating Learning Loss

RESOLUTION 21-86

**APPROPRIATING DEPARTMENT OF EDUCATION ESSER II-SET ASIDE GRANT FUNDS
FOR KING WILLIAM COUNTY PUBLIC SCHOOLS LEARNING LOSS MITIGATION**

WHEREAS, the Commonwealth of Virginia Department of Education awarded
ESSER-II Set-Aside grant funds in the amount of \$675,088.80 to King William County Public
Schools to assist with learning loss over a two-year period; and

WHEREAS, these funds are to be used to help mitigate learning loss and include a
Math Coach, Student/Family Engagement Liaison, and mentoring for the EL program; and

WHEREAS, the King William County Public School Board approved the
appropriation and expenditure of these funds over a two-year period at their October 19,
2021 meeting; and

WHEREAS, the King William County Board of Supervisors wishes to amend its
FY2022 School budget to reflect the receipt and expenditure of these funds as follows:

FY 22 Revenues: ARP Funds	\$337,544.40
FY 22 Expenditures as set forth above:	\$337,544.40; and

WHEREAS, the King William County Board of Supervisors acknowledges year two
revenues and expenditures in these same amounts will be included in the FY23 budget;

NOW, THEREFORE, BE IT RESOLVED by the King William County Board of Supervisors that
the FY2022 Budget is amended via appropriation to reflect the above amounts within the
Schools ESSER II SET-ASIDE GRANT Fund for the funding of a Math Coach, Student/Family
Engagement Liaison, and mentoring for the EL program.

DONE this the 29th day of November 2021.

SCHOOL BOARD AGENDA ITEM

MEETING DATE:

October 19, 2021

FY22-04

Closed Session:

Special Recognition/Announcement:

Instructional Highlights:

Consent:

Action:

_____X_____

Information/Discussion:

Materials for Board Review :

STAFF OR BOARD CONTACT PERSON:

Staci Longest, Director of Finance

SUBJECT: Accept and Amend Budget ESSER II- Set aside Grant

Department of Education accepted applications for ESSER II set- aside funds; King William County Public Schools received \$675,083.80 to assist with learning loss. Items that were included in this 2 year grant window are: Math Coach, Student/Family Engagement Liaison, mentoring for EL program

Revenue increase FY22- \$337,544.40

Revenue increase FY23- \$337,544.40

Expense increase FY22- \$337,544.40

Expense increase FY23- \$337,544.40

Total of \$675,088.06

Recommended Action: Motion to accept budget amendment of funds and additional funding from the Commonwealth of Virginia and request the Board of Supervisors to appropriate at a future meeting.

AGENDA ITEM 8.a.

Resolution 21-87 and **Resolution 21-88** Regarding
Proposed Opioid Abatement Fund Settlements -
Steve Hudgins, Interim County Administrator



King William County
Est. 1702

Board of Supervisors

Interim County Administrator
Steve G. Hudgins

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

DATE: November 29, 2021
TO: King William County Board of Supervisors
FROM: Steve Hudgins, Interim County Administrator
SUBJECT: **Resolution 21-87** and **Resolution 21-88** Regarding Proposed Opioid Abatement Fund Settlements

REQUEST FOR ACTION

Staff recommends the Board approve Resolution 21-87 approving the County's participation in the Virginia Opioid Abatement Fund Settlement Allocation Memorandum of Understanding (MOU) and directing the County Attorney to execute the documents necessary to effectuate the County's participation in the MOU, and Resolution 21-88 approving the County's participation in the proposed settlement of opioid-related claims against McKesson, Cardinal Health, Amerisourcebergen, Janssen, and their related corporate entities and authorizing the County Attorney to execute the documents necessary to effectuate the County's participation in the settlements.

SUMMARY

As discussed in the November 8, 2021 Board of Supervisors Work Session, two proposed nationwide settlement agreements ("Settlements") have been reached that would resolve all opioid litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors, McKesson, Cardinal Health, and AmerisourceBergen ("Distributors"), and one manufacturer, Janssen Pharmaceuticals, Inc., and its parent company, Johnson and Johnson (collectively, "Janssen").

The Commonwealth of Virginia has already decided to join both Settlements, but localities must also decide to participate. The agreement between the Commonwealth and participating localities is set forth in the Virginia opioid abatement fund and settlement allocation memorandum of understanding (MOU). Localities must join by January 2, 2022. Joining requires the governing bodies of localities to adopt resolutions joining both settlements (Resolution 21-88) as well as the Virginia MOU (Resolution 21-87).

BACKGROUND

King William County has not been immune to the opioid crisis. There have been numerous overdose situations (some fatal), as well as property crimes that could be associated with opioids. Domestic violence from disrupted families can also be traced back to opioids. Effective rehab has been impossible to find. King William County Commonwealth's Attorney, Matthew Kite, spoke to these issues at the November 8, 2021 Work Session.

ATTACHMENTS

- Resolution 21-87 with Exhibit A - Virginia MOU
- Resolution 21-88

RESOLUTION 21-87

**A RESOLUTION OF THE KING WILLIAM COUNTY BOARD OF SUPERVISORS
APPROVING OF THE COUNTY'S PARTICIPATION IN THE VIRGINIA OPIOID
ABATEMENT FUND AND SETTLEMENT ALLOCATION
MEMORANDUM OF UNDERSTANDING ("MOU") AND DIRECTING THE COUNTY
ATTORNEY TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE
COUNTY'S PARTICIPATION IN THE MOU**

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its cities and counties by adversely impacting, amongst other things, the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services; and

WHEREAS, the Commonwealth of Virginia and its cities and counties have been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of Virginia; and

WHEREAS, in order to advance their common interests, Virginia local governments and the Commonwealth of Virginia, through counsel, have extensively negotiated the terms of a memorandum of understanding relating to the allocation and use of litigation recoveries relating to the opioid epidemic;

NOW THEREFORE BE IT RESOLVED that the King William County Board of Supervisors, this 29th day of November, 2021, hereby authorizes and approves of the Virginia Abatement Fund and Settlement Allocation Memorandum of Understanding ("MOU") attached hereto and incorporated by reference as Exhibit "A," and directs the County Attorney to execute the MOU.

DONE this 29th day of November, 2021.

**King William County Board of
Supervisors Resolution 21-87
EXHIBIT A**

**VIRGINIA OPIOID ABATEMENT FUND AND
SETTLEMENT ALLOCATION MEMORANDUM OF UNDERSTANDING**

WHEREAS, the people of the Commonwealth of Virginia and its communities have been harmed through the national and statewide epidemic caused by licit and illicit opioid use and distribution within the Commonwealth of Virginia;

WHEREAS, the Commonwealth of Virginia, through the Office of Attorney General Mark R. Herring, and certain Political Subdivisions, through their elected representatives and counsel, are separately engaged in litigation seeking to hold those entities in the Pharmaceutical Supply Chain accountable for the damage caused;

WHEREAS, the Commonwealth of Virginia and its Political Subdivisions share a common desire to abate and alleviate the impacts of the opioid epidemic throughout Virginia; and now

THEREFORE, the Commonwealth of Virginia and certain of its Political Subdivisions, subject to completing formal documents effectuating the Parties' agreements, enter into this Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding ("MOU") relating to the allocation and use of the proceeds of any Settlements as described herein.

A. Definitions

As used in this Virginia Term Sheet:

1. "The Commonwealth" shall mean the Commonwealth of Virginia acting through its Attorney General.
2. "Political Subdivision(s)" shall mean the Virginia counties and independent cities represented by Counsel.
3. "Participating Political Subdivisions" shall mean the Political Subdivisions, along with all Virginia counties and independent cities who agree to become signatories to this MOU and to be bound by the terms of future Settlements.

4. "Counsel" shall mean the undersigned private attorneys representing the Political Subdivisions.
5. "The Parties" shall mean the Commonwealth of Virginia, the Political Subdivisions, and Counsel.
6. "Negotiating Committee" shall mean a three-member representative group of the Parties. The Commonwealth shall be represented by the Virginia Attorney General or his designees. The Political Subdivisions and Counsel shall be represented by W. Edgar Spivey of Kaufman & Canoles, P.C. or his designee, and J. Burton LeBlanc of Baron & Budd, P.C. or his designee.
7. "Settlement" shall mean the negotiated resolution of legal or equitable claims against a Pharmaceutical Supply Chain Participant named in Complaints filed by all the Political Subdivisions in court on or before April 30, 2020 when that resolution has been jointly entered into by the Commonwealth, the Political Subdivisions, and Counsel. "Settlement" also shall include the approval by a United States Bankruptcy Court of a plan of reorganization or liquidation of a Pharmaceutical Supply Chain Participant, or any other determination, ruling, or decision by a United States Bankruptcy Court, in which legal or equitable claims against the Pharmaceutical Supply Chain Participant by the Commonwealth and the Political Subdivisions are settled, adjudicated, released, or otherwise resolved.
8. "Opioid Funds" shall mean monetary amounts obtained through a Settlement as defined in this MOU.
9. "Approved Abatement Purposes" shall mean efforts to treat, prevent, or reduce opioid use disorder or the misuse of opioids or to otherwise abate or remediate the

opioid epidemic, including but not limited to those efforts described in Section C(4)(a) through (j) of this MOU. In addition, "Approved Abatement Purposes" shall include the types of efforts approved for funding by the Authority that is defined in Section C(1). "Approved Abatement Purposes" also shall include any other abatement or remediation purposes to the extent such purposes are described in a Settlement.

10. "Pharmaceutical Supply Chain" shall mean the process and channels through which opioids or opioid products are manufactured, marketed, promoted, distributed or dispensed.
11. "Pharmaceutical Supply Chain Participant" shall mean any entity that engages in or has engaged in the manufacture, marketing, promotion, distribution, or dispensing of an opioid analgesic.

B. Allocation of Settlement Proceeds

1. All Opioid Funds shall be initially divided with fifteen percent (15%) going to the Participating Political Subdivisions ("Subdivision Share"), seventy percent (70%) going to the Virginia Opioid Abatement Fund and to other Approved Abatement Purposes as further described herein ("Opioid Abatement Share"), and fifteen percent (15%) going to the Commonwealth of Virginia ("Commonwealth Share").
2. The Subdivision Share shall be allocated and paid to the Participating Political Subdivisions in accordance with the division of proceeds referenced in the schedule attached hereto as Exhibit A. The shares of Virginia counties and independent cities who elect not to become Participating Political Subdivisions, if any, shall be reallocated ratably to the Participating Political Subdivisions.

3. In the event a Participating Political Subdivision merges, dissolves, or ceases to exist, the allocation percentage for that Participating Political Subdivision shall be redistributed equitably based on the composition of the successor subdivision.
4. The Commonwealth Share shall be deposited to the Attorney General's Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund with moneys transferred to the Commonwealth's General Fund as provided by law. To the extent a Settlement requires that all Opioid Funds be used only for abatement or similar purposes, then the Commonwealth Share shall be deposited and distributed accordingly.
5. The Opioid Abatement Share of 70% of the Opioid Funds shall be allocated and paid as follows:
 - a. Fifty-five percent (55%) of the Opioid Funds shall be allocated and paid to the Virginia Opioid Abatement Fund ("Fund").
 - b. Fifteen percent (15%) of the Opioid Funds shall be allocated and paid to the Participating Political Subdivisions and shall be used for Approved Abatement Purposes ("Direct Subdivision Abatement Share"). Upon request, a Participating Political Subdivision shall make publicly available information showing the purposes for which the Participating Political Subdivision used Direct Subdivision Abatement Share funds. The Direct Subdivision Abatement Share shall be allocated and paid to the Participating Political Subdivisions in accordance with the division of proceeds referenced in the schedule attached hereto as Exhibit A. The shares of Virginia counties and independent cities who

elect not to become Participating Political Subdivisions, if any, shall be reallocated ratably to the Participating Political Subdivisions.

6. To the extent a Settlement requires that all Opioid Funds be used only for abatement or similar purposes, then the Subdivision Share and the Commonwealth Share shall be used for Approved Abatement Purposes.
7. To receive funds allocated under this MOU from any Settlement, the Commonwealth and the Participating Political Subdivisions will comply with the terms of any such Settlement, including, among other things, any reporting requirements or restrictions on the use of funds for administrative purposes.

C. Virginia Opioid Abatement Fund and Virginia Opioid Abatement Authority

1. The Parties have sought creation of a Virginia Opioid Abatement Authority ("Authority") through legislation submitted to the Virginia General Assembly, which passed in the form attached hereto as Exhibit B. The Authority shall administer the Fund, which also shall be created through the legislation. The Authority shall seek to abate and remediate the opioid epidemic in Virginia through financial support from the Fund in the form of grants, donations, or other assistance, for efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids in Virginia.
2. The Authority shall be governed by a Board of Directors consisting of 11 members as follows: (i) the Secretary of Health and Human Resources, or his designee; (ii) the Chair of the Senate Committee on Finance and Appropriations or his designee and the Chair of the House Committee on Appropriations or his designee; (iii) an elected member of the governing body of a Participating Political Subdivision, to

be selected from a list of three submitted jointly by the Virginia Association of Counties and the Virginia Municipal League; (iv) one representative of a community services board or behavioral health authority of an urban or suburban region containing Participating Political Subdivisions and one representative of a community services board or behavioral health authority of a rural region containing Participating Political Subdivisions, each to be selected from lists of three submitted by the Virginia Association of Community Services Boards; (v) one sheriff of a Participating Political Subdivision, to be selected from a list of three submitted by the Virginia Sheriffs' Association; (vi) one licensed, practicing City or County Attorney of a Participating Political Subdivision, to be selected from a list of three submitted by the Local Government Attorneys of Virginia; (vii) two medical professionals with expertise in public and behavioral health administration or opioid use disorders and their treatment; and (viii) one representative of the addiction and recovery community.

- a. The members appointed pursuant to clause (i) shall serve ex officio, and the members appointed pursuant to clauses (iii) through (viii) shall be appointed by the Governor.
- b. After an initial staggering of terms, members of the Board shall serve terms of four years. No member shall be eligible to serve more than two terms. Any appointment to fill a vacancy shall be for the unexpired term. A person appointed to fill a vacancy may be appointed to serve two additional terms. Ex officio members shall serve terms coincident with their terms of office.

- c. The Board shall elect annually a chairman and vice-chairman from among its membership. The chairman, or in his absence the vice-chairman, shall preside at all meetings of the Board. A majority of the members of the Board serving at any one time shall constitute a quorum for the transaction of business. The Board shall meet annually or more frequently at the call of the chairman.
- 3. The Authority shall establish specific criteria and procedures for awards from the Fund; establish requirements for the submission of funding requests; evaluate funding requests in accordance with the criteria established by the Authority; make awards from the Fund in a manner that distributes funds equitably among all community services board regions of the Commonwealth, including the establishment of minimum percentages of funds that must be awarded to each Participating Political Subdivision; and evaluate the implementation and results of all efforts receiving support from the Authority.
- 4. The Authority may make grants and disbursements from the Fund that support efforts to treat, prevent, or reduce opioid use disorder or the misuse of opioids or otherwise abate or remediate the opioid epidemic. Such efforts may include but shall not be limited to the following:
 - a. Support treatment of opioid use disorder and any co-occurring substance use disorder or mental health conditions through evidence-based or evidence-informed methods, programs, or strategies.
 - b. Support people in recovery from opioid use disorder and any co-occurring substance use disorder or mental health conditions through evidence-based or evidence-informed methods, programs, or strategies;

- c. Provide connections to care for people who have, or are at risk of developing, opioid use disorder and any co-occurring substance use disorder or mental health conditions through evidence-based or evidence-informed methods, programs, or strategies;
- d. Support efforts, including law-enforcement programs, to address the needs of persons with opioid use disorder and any co-occurring substance use disorder or mental health conditions who are involved, or are at risk of becoming involved, in the criminal justice system through evidence-based or evidence-informed methods, programs, or strategies;
- e. Support drug treatment and recovery courts that provide evidence-based or evidence-informed options for people with opioid use disorder and any co-occurring substance use disorder or mental health conditions;
- f. Support efforts to address the needs of pregnant or parenting women with opioid use disorder and any co-occurring substance use disorder or mental health conditions, and the needs of their families, including babies with neonatal abstinence syndrome, through evidence-based or evidence-informed methods, programs, or strategies;
- g. Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based or evidence-informed methods, programs, or strategies;
- h. Support efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed methods, programs, or strategies;

- i. Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based or evidence-informed methods, programs, or strategies; and
 - j. Support efforts to provide comprehensive resources for patients seeking opioid detoxification, including detoxification services.
- 5. The Authority shall provide financial support only for efforts that satisfy the following conditions:
 - a. The efforts shall be conducted or managed by a Virginia state agency or Participating Political Subdivision;
 - b. No support provided by the Authority shall be used by the recipient to supplant funding for an existing program or continue funding an existing program at its current amount of funding;
 - c. No support provided by the Authority shall be used by the recipient for indirect costs incurred in the administration of the financial support or for any other purpose proscribed by the Authority; and
 - d. Recipients of support provided by the Authority shall agree to provide the Authority with such information regarding the implementation of the effort and allow such monitoring and review of the effort as may be required by the Authority to ensure compliance with the terms under which the support is provided.
- 6. The Authority shall give priority to applications for financial support for efforts that:

- a. Collaborate with an existing program or organization that has an established record of success treating, preventing or reducing opioid use disorder or the misuse of opioids;
 - b. Treat, prevent, or reduce opioid use disorder or the misuse of opioids in a community with a high incidence of opioid use disorder or opioid death rate relative to population;
 - c. Treat, prevent or reduce opioid use disorder or the misuse of opioids in a historically economically disadvantaged community, as that term is defined in Va. Code § 56-576; or
 - d. Include a monetary match from or on behalf of the applicant, with higher priority given to an effort with a larger matching amount.
7. For every deposit to the Fund, the Authority shall allocate a portion to the following purposes:
- a. Fifteen percent (15%) shall be restricted for use by state agencies;
 - b. Fifteen percent (15%) shall be restricted for use by Participating Political Subdivisions with these funds distributed in accordance with the division of proceeds referenced in the schedule attached hereto as Exhibit A. The shares of Virginia counties and independent cities who elect not to become Participating Political Subdivisions, if any, shall be reallocated ratably to the Participating Political Subdivisions.
 - c. Thirty-five percent (35%) shall be restricted for use for regional efforts (a partnership of at least two Participating Political Subdivisions within a community services board region); and

- d. Thirty-five percent (35%) shall be unrestricted and may be used to fund the Authority's staffing and administrative costs and may be distributed for use by state agencies, by the Participating Political Subdivisions, or for regional efforts in addition to the amounts set forth in subparagraphs 7(a)-(c), provided that the Authority shall ensure that such funds are used to accomplish the purposes described above or invested as described immediately below.
8. In distributing money from the Fund, the Authority shall balance immediate and anticipated needs with projected receipts of funds in order to best accomplish the purposes for which the Authority is established.
9. The Board may designate any amount from the Fund to be invested, reinvested, and managed by the Board of the Virginia Retirement System.

D. Payment of Counsel and Litigation Expenses

1. The Parties anticipate that any national Settlement will provide for payment of all or a portion of the attorneys' fees and litigation expenses of named plaintiff Participating Political Subdivisions. Counsel for any named plaintiff Participating Political Subdivision that seeks to recover attorneys' fees and litigation expenses from Settlement funds shall first seek to recover such fees and expenses from any national Settlement fund established to pay such fees and expenses. For such purposes, the Parties agree that the monetary recoveries obtained via Settlement are attributable to the Commonwealth and the Political Subdivisions 50% each.
2. In addition, the Parties agree that a supplemental attorneys' fees and costs fund (the "Deficiency Fund") will be created; provided, however, that such Deficiency Fund may not violate the terms of any national Settlement. In such event, the Parties

agree to exert diligent efforts to accomplish an alternate arrangement that preserves the payment of counsel and litigation expenses outlined hereunder. Administration of the Deficiency Fund shall be the responsibility of the Political Subdivisions, and the costs of administration may be paid out of the Deficiency Fund.

3. The Deficiency Fund is to be used to compensate counsel for the Participating Political Subdivisions that filed suit on or prior to April 30, 2020. Eligible contingent fee contracts shall have been executed on or before April 30, 2020.
4. The Deficiency Fund shall be funded as follows: from any national Settlement, the funds deposited in the Deficiency Fund shall be 25% of the Subdivision Share and 25% of the Direct Subdivision Abatement Share of each payment (annual or otherwise) that is allocated to the Commonwealth of Virginia (including its political subdivisions) for that Settlement. These funds shall be deposited to the Deficiency Fund prior to distribution to the Participating Political Subdivisions. No portion of the Deficiency Fund shall be drawn from the Commonwealth Share or the Fund.
5. The maximum percentage of any contingency fee agreement permitted for compensation shall be 25% of the portion of the Subdivision Share and the Direct Subdivision Abatement Share attributable to the named plaintiff Participating Political Subdivision that is a party to the contingency fee agreement, plus expenses attributable to that named plaintiff Participating Political Subdivision. Under no circumstances may counsel collect more for its work on behalf of a named plaintiff Participating Political Subdivision than it would under its contingency agreement with that named plaintiff Participating Political Subdivision.

6. To the extent that funds available in the designated amounts or percentages set forth in this Section D are inadequate to fully pay amounts due under contingent fee contracts, funds shall be distributed to private counsel for named plaintiff Participating Political Subdivisions who filed suit and entered into contingent fee contracts prior to April 30, 2020 on a pro rata basis based on the percentage of the total population of named plaintiff Participating Political Subdivisions contained in the named plaintiff Participating Political Subdivision that private counsel represents.
7. Any funds remaining in the Deficiency Fund in excess of the amounts needed to cover private counsel's representation agreements shall revert to the Participating Political Subdivisions and be allocated to the sources from which they derived.
8. Any attorneys' fees related to representation of the Commonwealth of Virginia shall not be paid from the Subdivision Share, the Direct Subdivision Abatement Share, or the Fund but shall be drawn directly from the Commonwealth Share or through other sources. Any payments of attorneys' fees related to representation of the Commonwealth of Virginia from such other sources shall not be deemed Opioid Funds subject to allocation under this MOU.

E. Settlement Negotiations

1. The Negotiating Committee members agree to inform each other in advance of any negotiations relating to any Virginia-only Settlement with a Pharmaceutical Supply Chain Participant that includes both the Commonwealth and its Political Subdivisions and shall provide each other the opportunity to participate in such negotiations.

2. The Parties further agree to keep each other reasonably informed of all other global settlement negotiations with Pharmaceutical Supply Chain Participants. Neither this provision, nor any other, shall be construed to state or imply that the Commonwealth or the Political Subdivisions are unauthorized to engage in settlement negotiations with Pharmaceutical Supply Chain Participants without prior consent or contemporaneous participation of the other, or that either party is entitled to participate as an active or direct participant in settlement negotiations with the other. Rather, while the Commonwealth's and the Political Subdivisions' efforts to achieve worthwhile settlements are to be collaborative, incremental stages need not be so.
3. As this is a Virginia-specific effort, the Negotiating Committee shall be chaired by the Attorney General or his designee.
4. The Commonwealth of Virginia, the Political Subdivisions, or Counsel may withdraw from coordinated Settlement discussions detailed in this Section upon 5 days' written notice to the remaining Committee Members and counsel for any affected Pharmaceutical Supply Chain Participant. The withdrawal of any Member releases the remaining Committee Members from the restrictions and obligations in this Section E.
5. The obligations in this Section E shall not affect any Party's right to proceed with trial or, within 30 days of the date upon which a trial involving that Party's claims against a specific Pharmaceutical Supply Chain Participant is scheduled to begin, reach a case-specific resolution with that particular Pharmaceutical Supply Chain Participant.

6. Nothing in this MOU alters or changes the right of the Commonwealth or any Political Subdivision to pursue its own claim. The intent of this MOU is to join the Parties to reach a Settlement or Settlements.

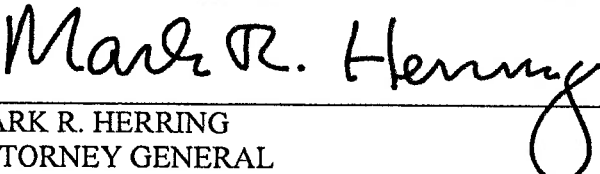
Acknowledgment of Agreement

We, the undersigned, have participated in the drafting of the above MOU, including comments solicited from client Political Subdivisions. This document has been collaboratively drafted to maintain all individual claims while allowing the Commonwealth and its Political Subdivisions to cooperate in exploring all possible means of resolution. Nothing in this agreement binds any party to any specific outcome. Any resolution under this document will require acceptance by the Commonwealth of Virginia and the Participating Political Subdivisions.

We, the undersigned, hereby accept the VIRGINIA OPIOID ABATEMENT FUND AND SETTLEMENT ALLOCATION MEMORANDUM OF UNDERSTANDING. We understand that the purpose of this MOU is to permit collaboration between the Commonwealth of Virginia and Political Subdivisions to explore and potentially effectuate earlier resolution of the Opioid Litigation against Pharmaceutical Supply Chain Participants. We also understand that an additional purpose is to create an effective means of distributing any potential Settlement funds obtained under this MOU between the Commonwealth of Virginia and the Participating Political Subdivisions in a manner that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Virginia.

Executed this 20th day of August, 2021.

FOR THE COMMONWEALTH OF VIRGINIA:



MARK R. HERRING
ATTORNEY GENERAL

Executed this 20th day of August, 2021

Signature: _____

Printed Name: W. Edgar Spivey

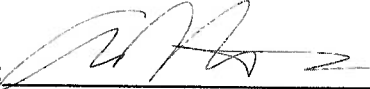
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Executed this 20th day of August, 2021

Signature: 

Printed Name: Aaron L. Harrah

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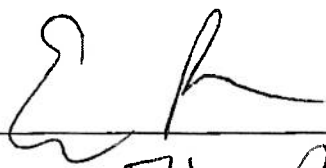
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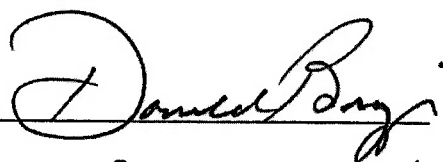
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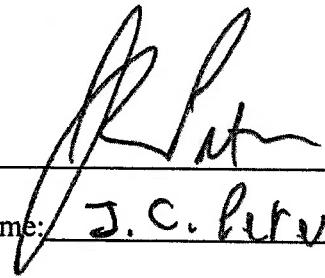
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EXHIBIT A

Table 1: Opioid Settlement Allocations to Counties and Independent Cities

Location	%	Location	%	Location	%
Accomack	0.348%	Franklin City	0.079%	Norton City	0.110%
Albemarle	0.863%	Frederick	1.277%	Nottoway	0.133%
Alexandria City	1.162%	Fredericksburg City	0.524%	Orange	0.638%
Alleghany	0.213%	Galax City	0.139%	Page	0.410%
Amelia	0.100%	Giles	0.409%	Patrick	0.329%
Amherst	0.299%	Gloucester	0.424%	Petersburg City	0.395%
Appomattox	0.133%	Goochland	0.225%	Pittsylvania	0.750%
Arlington	1.378%	Grayson	0.224%	Poquoson City	0.186%
Augusta	0.835%	Greene	0.178%	Portsmouth City	1.937%
Bath	0.037%	Greensville	0.124%	Powhatan	0.262%
Bedford	0.777%	Halifax	0.353%	Prince Edward	0.190%
Bland	0.147%	Hampton City	1.538%	Prince George	0.351%
Botetourt	0.362%	Hanover	1.079%	Prince William	3.556%
Bristol City	0.434%	Harrisonburg City	0.523%	Pulaski	1.061%
Brunswick	0.107%	Henrico	4.473%	Radford City	0.247%
Buchanan	0.929%	Henry	1.220%	Rappahannock	0.091%
Buckingham	0.127%	Highland	0.023%	Richmond	0.084%
Buena Vista City	0.078%	Hopewell City	0.344%	Richmond City	4.225%
Campbell	0.456%	Isle of Wight	0.356%	Roanoke	1.498%
Caroline	0.318%	James City	0.612%	Roanoke City	1.859%
Carroll	0.440%	King George	0.306%	Rockbridge	0.235%
Charles City	0.073%	King William	0.178%	Rockingham	0.614%
Charlotte	0.138%	King and Queen	0.072%	Russell	1.064%
Charlottesville City	0.463%	Lancaster	0.135%	Salem City	0.786%
Chesapeake City	2.912%	Lee	0.556%	Scott	0.421%
Chesterfield	4.088%	Lexington City	0.093%	Shenandoah	0.660%
Clarke	0.125%	Loudoun	2.567%	Smyth	0.592%
Colonial Heights City	0.283%	Louisa	0.449%	Southampton	0.137%
Covington City	0.100%	Lunenburg	0.088%	Spotsylvania	1.417%
Craig	0.070%	Lynchburg City	0.816%	Stafford	1.443%
Culpeper	0.790%	Madison	0.163%	Staunton City	0.440%
Cumberland	0.100%	Manassas City	0.452%	Suffolk City	0.710%
Danville City	0.637%	Manassas Park City	0.095%	Surry	0.058%
Dickenson	0.948%	Martinsville City	0.494%	Sussex	0.081%
Dinwiddie	0.196%	Mathews	0.088%	Tazewell	1.606%
Emporia City	0.050%	Mecklenburg	0.344%	Virginia Beach City	4.859%
Essex	0.101%	Middlesex	0.108%	Warren	0.766%
Fairfax	8.672%	Montgomery	1.205%	Washington	0.996%

Fairfax City	0.269%	Nelson	0.147%	Waynesboro City	0.363%
Falls Church City	0.102%	New Kent	0.156%	Westmoreland	0.223%
Fauquier	1.210%	Newport News City	2.047%	Williamsburg City	0.086%
Floyd	0.182%	Norfolk City	3.388%	Winchester City	0.649%
Fluvanna	0.194%	Northampton	0.122%	Wise	1.756%
Franklin	0.954%	Northumberland	0.129%	Wythe	0.642%
				York	0.561%

EXHIBIT B

Va. Code Ann. § 2.2-2365

Current through the 2021 Regular Session and Special Session I of the General Assembly

VA - Code of Virginia (Annotated) > TITLE 2.2. ADMINISTRATION OF GOVERNMENT > SUBTITLE I. ORGANIZATION OF STATE GOVERNMENT > PART D. STATE AUTHORITIES, BOARDS, COMMISSIONS, COUNCILS, FOUNDATIONS AND OTHER COLLEGIAL BODIES > CHAPTER 22. AUTHORITIES > ARTICLE 12. OPIOID ABATEMENT AUTHORITY

§ 2.2-2365. Definitions

As used in this article, unless the context requires a different meaning:

"*Authority*" means the Opioid Abatement Authority.

"*Board*" means the board of directors of the Authority.

"*Community services board region*" means a region as determined by the Department of Behavioral Health and Developmental Services for purposes of administering Chapter 5 (§ 37.2-500 et seq.) of Title 37.2.

"*Fund*" means the Opioid Abatement Fund.

"*Historically economically disadvantaged community*" means the same as such term is defined in § 56-576.

"*Local apportionment formula*" means any formula submitted to the Attorney General by participating localities pursuant to the provisions of subsection B of § 2.2-507.3.

"*Participating locality*" means any county or independent city that agrees to be bound by the terms of a settlement agreement entered into by the Attorney General relating to claims regarding the manufacturing, marketing, distribution, or sale of opioids, and that releases its own such claims.

"*Regional effort*" means any effort involving a partnership of at least two participating localities within a community services board region.

History

2021, Sp. Sess. I, cc. 306 , 307 .

Annotations

Notes

EFFECTIVE DATE. --

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Va. Code Ann. § 2.2-2366

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§ 2.2-2366. Opioid Abatement Authority established

The Opioid Abatement Authority is established as an independent body. The purpose of the Authority is to abate and remediate the opioid epidemic in the Commonwealth through financial support from the Fund, in the form of grants, donations, or other assistance, for efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids in the Commonwealth. The Authority's exercise of powers conferred by this article shall be deemed to be the performance of an essential governmental function and matters of public necessity for which public moneys may be spent and private property acquired.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

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Va. Code Ann. § 2.2-2367

Current through the 2021 Regular Session and Special Session I of the General Assembly

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§ 2.2-2367. Board of directors; members

A. The Authority shall be governed by a board of directors consisting of 11 members as follows: (i) the Secretary of Health and Human Resources or his designee; (ii) the Chair of the Senate Committee on Finance and Appropriations or his designee and the Chair of the House Committee on Appropriations or his designee; (iii) an elected member of the governing body of a participating locality, to be selected from a list of three submitted jointly by the Virginia Association of Counties and the Virginia Municipal League; (iv) one representative of a community services board or behavioral health authority serving an urban or suburban region containing participating localities and one representative of a community services board or behavioral health authority serving a rural region containing participating localities, each to be selected from lists of three submitted by the Virginia Association of Community Services Boards; (v) one sheriff of a participating locality, to be selected from a list of three submitted by the Virginia Sheriffs' Association; (vi) one licensed, practicing county or city attorney of a participating locality, to be selected from a list of three submitted by the Local Government Attorneys of Virginia; (vii) two medical professionals with expertise in public and behavioral health administration or opioid use disorders and their treatment; and (viii) one representative of the addiction and recovery community.

The member appointed pursuant to clause (i) shall serve ex officio, and the members appointed pursuant to clauses (iii) through (viii) shall be appointed by the Governor. If the term of the office to which a member appointed pursuant to clause (iii) or (v) was elected expires prior to the expiration of his term as a member of the board, the Governor may authorize such member to complete the remainder of his term as a member or may appoint a new member who satisfies the criteria of clause (iii) or (v), as applicable, to complete the remainder of the term.

B.1. After an initial staggering of terms, members of the Board shall serve terms of four years. No member shall be eligible to serve more than two terms. Any appointment to fill a vacancy shall be for the unexpired term. A person appointed to fill a vacancy may be appointed to serve two additional terms.

2. Ex officio members shall serve terms coincident with their terms of office.

C. The Board shall elect annually a chairman and vice-chairman from among its membership. The chairman, or in his absence the vice-chairman, shall preside at all meetings of the Board.

D. A majority of the members of the Board serving at any one time shall constitute a quorum for the transaction of business.

E. The Board shall meet annually or more frequently at the call of the chairman.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EDITOR'S NOTE. --

Acts 2021, Sp. Sess. I, cc. 306 and 307, cl. 2 provides: "That the initial appointments of nonlegislative citizen members to the board of directors of the Opioid Abatement Authority shall be staggered as follows: (i) two nonlegislative citizen members appointed by the Governor shall be appointed for a term of one year, (ii) two nonlegislative citizen members appointed by the Governor shall be appointed for a term of two years, (iii) two nonlegislative citizen members appointed by the Governor shall be appointed for a term of three years, and (iv) two nonlegislative citizen members appointed by the Governor shall be appointed for a term of four years. For purposes of this enactment, "nonlegislative citizen member" means any member identified in clauses (iii) through (viii) of § 2.2-2367 of the Code of Virginia, as created by this act. Any nonlegislative citizen member appointed to an initial term of less than four years shall be eligible to serve two additional full four-year terms."

EFFECTIVE DATE. --

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Va. Code Ann. § 2.2-2368

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§ 2.2-2368. Duties of the Authority

The Authority shall:

1. Establish specific criteria and procedures for awards from the Fund;
2. Establish requirements for the submission of funding requests;
3. Evaluate funding requests in accordance with the criteria established by the Authority and the provisions of this article;
4. Make awards from the Fund in a manner that distributes funds equitably among all community services board regions of the Commonwealth, including the establishment of mandatory minimum percentages of funds to be awarded from the Commonwealth to each participating locality;
5. Evaluate the implementation and results of all efforts receiving support from the Authority; and
6. Administer the Fund in accordance with the provisions of this article.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

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Va. Code Ann. § 2.2-2369

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§ 2.2-2369. Powers of the Authority

In order to carry out its purposes, the Authority may:

1. Make grants and disbursements from the Fund that support efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids or otherwise abate or remediate the opioid epidemic;
2. Pay expenditures from the Fund that are necessary to carry out the purposes of this article;
3. Contract for the services of consultants to assist in the evaluation of the efforts funded by the Authority;
4. Contract for other professional services to assist the Authority in the performance of its duties and responsibilities;
5. Accept, hold, administer, and solicit gifts, grants, bequests, contributions, or other assistance from federal agencies, the Commonwealth, or any other public or private source to carry out the purposes of this article;
6. Enter into any agreement or contract relating to the acceptance or use of any grant, assistance, or support provided by or to the Authority or otherwise in furtherance of the purposes of this article;
7. Perform any lawful acts necessary or appropriate to carry out the purposes of the Authority; and
8. Employ such staff as is necessary to perform the Authority's duties. The Authority may determine the duties of such staff and fix the salaries and compensation of such staff, which shall be paid from the Fund. Staff of the Authority shall be treated as state employees for purposes of participation in the Virginia Retirement System, health insurance, and all other employee benefits offered by the Commonwealth to its classified employees. Staff of the Authority shall not be subject to the provisions of Chapter 29 (§ 2.2-2900 et seq.) of Title 2.2.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

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Va. Code Ann. § 2.2-2370

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§ 2.2-2370. Conditions and restrictions on financial assistance

A. The Authority shall provide financial support only for efforts that satisfy the following conditions:

1. The efforts shall be designed to treat, prevent, or reduce opioid use disorder or the misuse of opioids or otherwise abate or remediate the opioid epidemic, which may include efforts to:
 - a. Support treatment of opioid use disorder and any co-occurring substance use disorder or mental health conditions through evidence-based or evidence-informed methods, programs, or strategies;
 - b. Support people in recovery from opioid use disorder and any co-occurring substance use disorder or mental health conditions through evidence-based or evidence-informed methods, programs, or strategies;
 - c. Provide connections to care for people who have, or are at risk of developing, opioid use disorder and any co-occurring substance use disorder or mental health conditions through evidence-based or evidence-informed methods, programs, or strategies;
 - d. Support efforts, including law-enforcement programs, to address the needs of persons with opioid use disorder and any co-occurring substance use disorder or mental health conditions who are involved in, or are at risk of becoming involved in, the criminal justice system through evidence-based or evidence-informed methods, programs, or strategies;
 - e. Support drug treatment and recovery courts that provide evidence-based or evidence-informed options for people with opioid use disorder and any co-occurring substance use disorder or mental health conditions;
 - f. Support efforts to address the needs of pregnant or parenting women with opioid use disorder and any co-occurring substance use disorder or mental health conditions and the needs of their families, including infants with neonatal abstinence syndrome, through evidence-based or evidence-informed methods, programs, or strategies;
 - g. Support efforts to prevent overprescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based or evidence-informed methods, programs, or strategies;
 - h. Support efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed methods, programs, or strategies;
 - i. Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based or evidence-informed methods, programs, or strategies; and
 - j. Support efforts to provide comprehensive resources for patients seeking opioid detoxification, including detoxification services;
2. The efforts shall be conducted or managed by any agency of the Commonwealth or participating locality;
3. No support provided by the Authority shall be used by the recipient to supplant funding for an existing program or continue funding an existing program at its current amount of funding;
4. No support provided by the Authority shall be used by the recipient for indirect costs incurred in the administration of the financial support or for any other purpose proscribed by the Authority; and

5. Recipients of support provided by the Authority shall agree to provide the Authority with such information regarding the implementation of the effort and allow such monitoring and review of the effort as may be required by the Authority to ensure compliance with the terms under which the support is provided.

B. The Authority shall give priority to applications for financial support for efforts that:

1. Collaborate with an existing program or organization that has an established record of success treating, preventing, or reducing opioid use disorder or the misuse of opioids;
2. Treat, prevent, or reduce opioid use disorder or the misuse of opioids in a community with a high incidence of opioid use disorder or opioid death rate, relative to population;
3. Treat, prevent, or reduce opioid use disorder or the misuse of opioids in a historically economically disadvantaged community; or
4. Include a monetary match from or on behalf of the applicant, with higher priority given to an effort with a larger matching amount.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

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Va. Code Ann. § 2.2-2371

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§ 2.2-2371. Cooperation with other agencies

All agencies of the Commonwealth shall cooperate with the Authority and, upon request, assist the Authority in the performance of its duties and responsibilities.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

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§ 2.2-2372. Form and audit of accounts and records

A.The accounts and records of the Authority showing the receipt and disbursement of funds from whatever source derived shall be in such form as the Auditor of Public Accounts prescribes.

B.The accounts and records of the Authority are subject to an annual audit by the Auditor of Public Accounts or his legal representative.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

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Va. Code Ann. § 2.2-2373

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§ 2.2-2373. Annual report

The Authority shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Authority no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website. The executive summary shall include information regarding efforts supported by the Authority and expenditures from the Fund.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

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Va. Code Ann. § 2.2-2374

Current through the 2021 Regular Session and Special Session I of the General Assembly

VA - Code of Virginia (Annotated) > TITLE 2.2. ADMINISTRATION OF GOVERNMENT > SUBTITLE I. ORGANIZATION OF STATE GOVERNMENT > PART D. STATE AUTHORITIES, BOARDS, COMMISSIONS, COUNCILS, FOUNDATIONS AND OTHER COLLEGIAL BODIES > CHAPTER 22. AUTHORITIES > ARTICLE 12. OPIOID ABATEMENT AUTHORITY

§ 2.2-2374. Opioid Abatement Fund

A. There is hereby created in the state treasury a special, nonreverting fund to be known as the Opioid Abatement Fund, referred to in this section as "the Fund," to be administered by the Authority. All funds appropriated to the Fund, all funds designated by the Attorney General under § 2.2-507.3 from settlements, judgments, verdicts, and other court orders relating to claims regarding the manufacturing, marketing, distribution, or sale of opioids, and any gifts, donations, grants, bequests, and other funds received on the Fund's behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund at the end of each fiscal year, including interest thereon, shall not revert to the general fund but shall remain in the Fund. Expenditures and disbursements from the Fund, which may consist of grants or loans, shall be authorized by majority vote of the Board.

B. Moneys in the Fund shall be used to provide grants and loans to any agency of the Commonwealth or participating locality for the purposes determined by the Authority in accordance with this article and in consultation with the Office of the Attorney General. The Authority shall develop guidelines, procedures, and criteria for the application for and award of grants or loans in consultation with the Office of the Attorney General. Such guidelines, procedures, and criteria shall comply with the terms of any applicable settlement, judgment, verdict, or other court order, or any agreement related thereto between the Attorney General and participating localities.

C. The Authority shall fund all staffing and administrative costs from the Fund. Its expenditures for staffing and administration shall be limited to those that are reasonable for carrying out the purposes of this article.

D. For every deposit to the Fund, the Authority shall allocate a portion to the following purposes:

1. Fifteen percent shall be restricted for use by state agencies;
2. Fifteen percent shall be restricted for use by participating localities, provided that if the terms of a settlement, judgment, verdict, or other court order, or any agreement related thereto between the Attorney General and participating localities, require this portion to be distributed according to a local apportionment formula, this portion shall be distributed in accordance with such formula;
3. Thirty-five percent shall be restricted for use for regional efforts; and
4. Thirty-five percent shall be unrestricted. Unrestricted funds may be used to fund the Authority's staffing and administrative costs and may be distributed for use by state agencies, by participating localities, or for regional efforts in addition to the amounts set forth in subdivisions 1, 2, and 3, provided that the Authority shall ensure that such funds are used to accomplish the purposes of this article or invested under subsection F.

E. In distributing money from the Fund under subsection D, the Authority shall balance immediate and anticipated needs with projected receipts of funds to best accomplish the purposes for which the Authority is established.

F. The Board may designate any amount from the Fund to be invested, reinvested, and managed by the Board of the Virginia Retirement System as provided in § 51.1-124.40. The State Treasurer is not liable for losses suffered by the Virginia Retirement System on investments made under the authority of this section.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

This section is effective July 1, 2021.

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End of Document

Va. Code Ann. § 2.2-2375

Current through the 2021 Regular Session and Special Session I of the General Assembly

VA - Code of Virginia (Annotated) > TITLE 2.2. ADMINISTRATION OF GOVERNMENT > SUBTITLE I. ORGANIZATION OF STATE GOVERNMENT > PART D. STATE AUTHORITIES, BOARDS, COMMISSIONS, COUNCILS, FOUNDATIONS AND OTHER COLLEGIAL BODIES > CHAPTER 22. AUTHORITIES > ARTICLE 12. OPIOID ABATEMENT AUTHORITY

§ 2.2-2375. Exemption from taxes or assessments

The exercise of the powers granted by this article shall be in all respects for the benefit of the people of the Commonwealth, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions, and as the operation and maintenance of projects by the Authority and the undertaking of activities in furtherance of the purpose of the Authority constitute the performance of essential governmental functions, the Authority shall not be required to pay any taxes or assessments upon any project or any property acquired or used by the Authority under the provisions of this article or upon the income therefrom, including sales and use taxes on tangible personal property used in the operations of the Authority, and shall at all times be free from state and local taxation. The exemption granted in this section shall not be construed to extend to persons conducting on the premises of a facility businesses for which local or state taxes would otherwise be required.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

This section is effective July 1, 2021.

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Va. Code Ann. § 2.2-2376

Current through the 2021 Regular Session and Special Session I of the General Assembly

VA - Code of Virginia (Annotated) > TITLE 2.2. ADMINISTRATION OF GOVERNMENT > SUBTITLE I. ORGANIZATION OF STATE GOVERNMENT > PART D. STATE AUTHORITIES, BOARDS, COMMISSIONS, COUNCILS, FOUNDATIONS AND OTHER COLLEGIAL BODIES > CHAPTER 22. AUTHORITIES > ARTICLE 12. OPIOID ABATEMENT AUTHORITY

§ 2.2-2376. Exemption of Authority from personnel and procurement procedures

The provisions of the Virginia Personnel Act (§ 2.2-2900 et seq.) and the Virginia Public Procurement Act (§ 2.2-4300 et seq.) shall not apply to the Authority in the exercise of any power conferred under this article.

History

2021, Sp. Sess. I, cc. 306, 307.

Annotations

Notes

EFFECTIVE DATE. --

This section is effective July 1, 2021.

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RESOLUTION 21-88

**A RESOLUTION OF THE KING WILLIAM COUNTY BOARD OF SUPERVISORS
APPROVING OF THE COUNTY'S PARTICIPATION IN THE PROPOSED SETTLEMENT OF
OPIOID-RELATED CLAIMS AGAINST MCKESSON, CARDINAL HEALTH,
AMERISOURCEBERGEN, JANSSEN, AND THEIR RELATED CORPORATE ENTITIES, AND
DIRECTING THE COUNTY ATTORNEY TO EXECUTE THE DOCUMENTS NECESSARY TO
EFFECTUATE THE COUNTY'S PARTICIPATION IN THE SETTLEMENTS**

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its cities and counties by adversely impacting, amongst other things, the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services; and

WHEREAS, the Commonwealth of Virginia and its cities and counties have been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of Virginia; and

WHEREAS, settlement proposals have been negotiated that will cause McKesson, Cardinal Health, AmerisourceBergen, and Janssen to pay up to \$26 billion nationwide to resolve opioid-related claims against them;

NOW THEREFORE BE IT RESOLVED that the King William County Board of Supervisors, this 29th day of November, 2021, approves of the County's participation in the proposed settlement of opioid-related claims against McKesson, Cardinal Health, AmerisourceBergen, Janssen, and their related corporate entities, and directs the County Attorney to execute the documents necessary to effectuate the County's participation in the settlements, including the required release of claims against settling entities.

DONE this 29th day of November, 2021.

AGENDA ITEM 8.b.

Commissioner of Revenue Office Update - Karena L.
Funkhouser, Commissioner of Revenue

AGENDA ITEM 8.c.

Resolution 21-89 Appropriating Funding for
Additional Temporary Employee Wages and the
Hiring of a Full-Time Staff Member, and Treasurer's
Office Update - Mary Sue Bancroft



KING WILLIAM COUNTY

FOUNDED 1702 IN VIRGINIA 180 HORSE LANDING RD. SUITE 103 • KING WILLIAM, VIRGINIA 23086

MARY SUE BANCROFT
County Treasurer

Telephone
(804) 769-4931
treasurer@kingwilliamcounty.us

November 17, 2021

To: King William County Board of Supervisors
Steve Hudgins, Interim County Administrator

From: Mary Sue Bancroft, Treasurer

Subject: Budget Adjustment Request
Robert Half Associates-Bank Reconciliation Assistance

I would like to request the following from the unassigned funds.

1. Additional expenditure incurred for assistance from Account temps (a Robert Half Company) to prepare for reconciling the King William County Virginia bank records.
\$4000

Initially requested funds in August 2021 have been exceeded due to more efforts needed to prepare for a complete reconciliation of bank records.

Mary Sue Bancroft



KING WILLIAM COUNTY

FOUNDED 1702 IN VIRGINIA 180 HORSE LANDING ROAD

SUITE 103 • KING WILLIAM, VIRGINIA 23086

MARY SUE BANCROFT
County Treasurer

Telephone
(804) 769-4931
treasurer@kingwilliamcounty.us

November 17, 2021

To: King William County Board of Supervisors
Steve Hudgins, Interim County Administrator

From: Mary Sue Bancroft, Treasurer

Subject: Budget Adjustment Request
Full Time Position Request

I would like to request the following from the unassigned funds.

1. Funds to hire a full-time Deputy II associate.

After 9 months as Treasurer, I have concluded that a full-time Deputy II associate is needed in the Treasurer's office. With another full-time associate it will allow the training of a deputy for the ultimate position of Chief Deputy Treasurer. Funds requested for the full-time associate will start at \$34,500 per year.

Mary Sue Bancroft

RESOLUTION 21-89

**BUDGET AMENDMENT – APPROPRIATING FUNDING FROM UNASSIGNED FUNDS TO
THE OFFICE OF THE TREASURER FOR ADDITIONAL TEMPORARY EMPLOYEE WAGES
AND THE HIRING OF A FULL-TIME STAFF MEMBER**

WHEREAS, the King William County office of the Treasurer (Treasurer) engaged a temporary employee from Accountemps (a Robert Half Company) to assist in reconciling past bank records; and

WHEREAS, the King William County Board of Supervisors appropriated funds to the Treasurer's Office in the amount of \$18,216.18 on August 23, 2021 via Resolution 21-67 for the engagement of that temporary employee; and

WHEREAS, the Treasurer has since incurred additional unbudgeted expense in retaining that temporary employee to assist with the reconciliation of bank records; and

WHEREAS, the Treasurer now recognizes the need for a full-time Deputy II staff member in addition to that temporary employee; and

WHEREAS, there are currently no funds budgeted for the addition of a full-time staff member in the Treasurer's office; and

WHEREAS, the Treasurer estimates the need for unbudgeted funds in the amount of \$4,000 for the additional expense of the temporary employee and \$34,500 for the annual salary of a full-time Deputy II staff member;

NOW THEREFORE, BE IT RESOLVED BY the King William County Board of Supervisors that \$4,000 be appropriated to the office of the Treasurer from Unassigned Funds for the continued engagement of a temporary employee in the Treasurer's office to assist with the reconciliation of bank records and that \$34,500 be appropriated to the office of the Treasurer from Unassigned Funds for the annual salary of a full-time Deputy II staff member.

DONE this 29th day of November, 2021.

AGENDA ITEM 9.a.i.

Animal Activities Report - October 2021

**Regional Animal Shelter
Animal Activities Report**

October 2021

Dogs Received	Stray		Seized		Bite Cases		Surrendered		Other		Total	
	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
Month												
KW Animal Control	4	48	0	4	0	1	0	2	0	0	4	55
K & Q Animal Control	1	52	0	4	0	2	0	6	0	0	1	64
King William Citizens	3	39	0	0	0	1	3	40	0	0	6	80
King & Queen Citizens	0	24	0	0	0	0	1	12	0	0	1	36
Other	0	0	0	0	0	0	0	0	0	0	0	0
Totals	8	163	0	8	0	4	4	60	0	0	12	235
Disposition (Dogs)	Reclaimed		Adopted		Transferred		Euthanized		Other		Total	
	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
Month												
3	3	56	3	32	2	121	4	26	0	0	12	235
Cats Received	Stray		Seized		Bite Cases		Surrendered		Other		Total	
	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
Month												
KW Animal Control	1	18	0	0	0	1	4	76	0	0	5	95
K & Q Animal Control	2	21	0	0	0	0	1	43	0	0	3	64
King William Citizens	17	50	0	0	0	0	11	71	0	0	28	121
King & Queen Citizens	2	3	0	0	0	0	4	47	0	0	6	50
Other	0	0	0	0	0	0	0	0	0	1	0	1
Totals	22	92	0	0	0	1	20	237	0	1	42	331
Disposition (Cats)	Reclaimed		Adopted		Transferred		Euthanized		Other		Total	
	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
Month												
0	11	9	59	163	12	99	0	1	0	42	331	
Month												
6	87											
Feral Cats	Other Species Handled		Month		YTD		Month		YTD		Month	
	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
Month												
6	87											
Other Received Explanation	Other Received Explanation		Month		YTD		Month		YTD		Month	
	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
Month												
1 cat escaped 2/21												
Other Disposition Explanation	Other Disposition Explanation		Month		YTD		Month		YTD		Month	
	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
Month												
11/1/21												
Animals On Hand	Animals On Hand		Month		YTD		Month		YTD		Month	
	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
Month												
15	87											
Dogs	Dogs		Month		YTD		Month		YTD		Month	
	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
Month												
15	87											

AGENDA ITEM 9.a.ii.

Building Department Report - July-October 2021

King William County Building Department Report

	JULY 2021	AUGUST 2021	SEPTEMBER 2021	OCTOBER 2021
TOTAL PERMITS ISSUED	79	93	118	93
BUILDING INSPECTIONS COMPLETED	420	305	396	280
NEW COMMERCIAL PERMITS	3	1	1	1
NEW DWELLINGS	16	24	17	21
CERTIFICATE OF OCCUPANCY	18	7	10	4
BUILDING PLAN REVIEW	15	16	20	32

AGENDA ITEM 9.a.iii.

Utility Activity Report - October 2021

UTILITIES MONTHLY ACTIVITY REPORT - OCTOBER 2021

PROJECTS

ITEM	STATUS	NOTES
Industrial Park Water System	Ongoing	Submittals have been turned into DEQ
Kennington Office Warehouse	Started 1/25/2021	Building is under construction.
McCauley Park Sec. 2	Under Construction	All water lines installed. Tied into Project 100%
Central Crossings Sec 2B	Under Construction	Water and Sewer being installed
DEQ Withdrawl Permit : Central Garage System	Ongoing	Submittals have been turned into DEQ for evaluation
Kennington Section 2B	Under Review	Not yet started
Kennington Section 2C	Under Review	Not yet started

INFRASTRUCTURE GROWTH

	MONTHLY	FYTD
Water Connections	18	43
Sewer Connections	18	43
Water Meter Sales	17	30

SERVICE AND REPAIRS

	MONTHLY	FYTD
Miss Utility tickets	67	327
Repair items addressed	2	7
Flow Tests	1	2
Customer Transfers (Manual meter reads)	5	51
Replace defective meters	18	22
Manual Meter reads after Electronic Billing Reads	0	84
Bac't Samples per month	6	32
Number of inspection per working project	24	65
DEQ readings using Levellogger	2	8
Daily Water Usage Readings (3 wells)	20	82
Weekly Well Inspections (4 wells)	18	53

AGENDA ITEM 9.a.iv.

November 2021 VDOT Transportation Briefing



Fredericksburg

King William County Board of Supervisors November 2021 VDOT Transportation Briefing

Construction Projects Underway

UPC 116636 - Eltham Bridge Inspections Project underway, the purpose of the project is to identify specific areas for any needed future rehabilitation efforts.

UPC 116589 - Edge line rumble strips underway Routes 30 and 360 countywide

Construction Projects

Upcoming Unpaved Road Projects on Secondary Six Year Plan:

As a reminder the board prioritized seven roads on the six-year plan, they are listed in priority order below.

Route 608 Hazelwood Road – UPC 110089 - underway

Route 634 Kentucky Road – UPC 114818 – March 2023

Route 633 Sandy Point Road – UPC 114819 – March 2024

Route 624 Trimmers Shop Road – UPC 114820 – March 2024

Route 617 W. Spring Forest Road – UPC 115626 – March 2025

Route 621 Green Level Road – UPC 115628 – March 2027

Construction Projects Next 24 Months

UPC 106179 – Route 600 Turn lane addition at Route 360, planned start spring 2022 – STP funds

Bridge Projects next 24 Months

None

Traffic Engineering Requests

Under Review: Directional Lane signage for Route at Route 360.

Supervisor Requests

None

Maintenance Operation Highlights

Completed Projects

- Route 605 Asphalt Repair
- Route 605 Shoulder Repair
- Routes 30 and 360 Daylighting Signs
- Route 30 Dead Tree Removal
- West Point Ditching
- Routes 605, 606, 641 and 1135 Ditching
- Sign Repair countywide
- Unpaved road maintenance countywide
- Patch potholes countywide

Upcoming Projects

- VDOT Secondary mowing underway
- Route 635 Pipe Repair
- Route 1107 Pipe Replacement
- Route 609 Shoulder Repair
- Brush Cutting Guardrails
- Sign Repairs/Daylighting signs countywide
- Unpaved Road maintenance throughout the county
- Continue to patch potholes Countywide

Land Use Highlights

- Site Plan reviews completed: 10
- Subdivision reviews completed: 0
- Average number of days per review: 4.6
- Number of permits issued: 6
- Number of permits completed: 9

Contact for questions or concerns:

Lee McKnight
Residency Administrator
(804) 286-3115
lee.mcknight@vdot.virginia.gov

Ron Peaks
Assistant Residency Administrator
(804) 286-3118
ronald.peaks@vdot.virginia.gov

**VIRGINIA IS FOR LOVERS,
NOT LITTER**

AGENDA ITEM 9.a.v.

FY23 Recommended Budget Preparation &
Adoption Schedule

KING WILLIAM COUNTY



FISCAL YEAR 2023 BUDGET -- PREPARATION AND ADOPTION SCHEDULE Recommended as of November 15, 2021 (Revised)

<u>Day & Date:</u>	<u>Purpose (Time):</u>
Monday, November 22, 2021	Budget Request Documents Submitted to Departments and Outside Agencies
Monday, December 20, 2021	Budget Request Submittal Deadline for Departments and Outside Agencies
Monday, January 10, 2022	Staff Annual Performance Evaluations request sent out to Departments-TENTATIVE
Monday, January 10, 2022	Work Session (7:00 p.m.) – Financial Overview of the County and Funding Future Capital Needs - TENTATIVE
Tuesday, January 11, 2022	Town Hall Meeting for Public Input on the Budget (7:00 p.m.) - TENTATIVE
Monday, February 14, 2022	Work Session (7:00 p.m.) – Budget Retreat/OUTSIDE AGENCIES PRESENTATIONS – TENTATIVE
Monday, February 28, 2022	Regular Meeting (7:00 p.m.) – Budget Retreat/CIP & TAX RATES
Monday, February 28, 2022	Annual Performance Evaluations return deadline
Tuesday, March 8, 2022	Joint Meeting with School Board to Review Draft School Budget – Location TBD (6:30 p.m.) – TENTATIVE
Monday, March 28, 2022	Regular Board Meeting (7:00 p.m.) - Budget Released –TENTATIVE
Wednesday, March 30, 2022	Publication of Public Hearing Notice – Proposed Budget and Tax Levies – TENTATIVE
Monday, April 4, 2022	Public Hearing of Proposed Budget and Tax Levies (7:00 p.m.) - TENTATIVE
Monday, April 11, 2022	Work Session (7:00 p.m.) – Budget Discussion - TENTATIVE
Friday, April 15, 2022	Budget Work Session (9:00 a.m.) – TENTATIVE
Monday, April 25, 2022	Regular Board Meeting (7:00 p.m.) – Adoption of Budget and Tax Levies and Appropriation of Funds - TENTATIVE

Note: The regular meeting of the Board of Supervisors is not listed on this schedule unless specific action is needed that night.

AGENDA ITEM 9.a.vi.

Synopsis of MPPDC Meeting of October 27, 2021



COMMISSIONERS

Essex County
Hon. Edwin E. Smith, Jr.
Hon. John C. Magruder
Ms. Sarah Pope
Mr. Michael A. Lombardo

Town of Tappahannock
Hon. Fleet Dillard

Gloucester County
Hon. Ashley C. Chriscoe
(Vice-Chairman)
Hon. Michael R.
Winebarger
Dr. William G. Reay
Mr. J. Brent Fedors

King and Queen County
Hon. Sherrin C. Alsop
Hon. R. F. Bailey
Mr. Thomas J.
Swartzwelder
(Chairman)

King William County
Hon. Ed Moren, Jr.
Hon. Travis J. Moskalski
(Treasurer)
Mr. Otto Williams

Town of West Point
Hon. James Pruett
Mr. John Edwards

Mathews County
Hon. Michael C. Rowe
Hon. Melissa Mason
Mr. Thornton Hill

Middlesex County
Hon. Wayne H. Jessie, Sr.
Hon. Reggie Williams, Sr.
Mr. Gordon E. White

Town of Urbanna
Ms. Marjorie Austin

Secretary/Director
Mr. Lewis L. Lawrence

TO: Middle Peninsula County Administrators and Town Managers
Assistant Co. Administrators and Assistant Town Managers
County Board of Supervisors
Town Council Members
MPPDC Board of Commissioners
Planning Directors
Economic Development Authority Members

FROM: Lewie Lawrence, MPPDC Executive Director

DATE: November 1, 2021

RE: Synopsis of MPPDC Meeting of October 27, 2021

In an effort to bring broader awareness to the work of the Middle Peninsula Planning District Commission to all elected officials and locality administrators and to alert you as to items that may require local participation or input, after each monthly meeting MPPDC staff will transmit a quick update on items discussed at the PDC meeting.

We hope this is of benefit to you. Please do not hesitate to contact me or my staff if you have any questions or want more information on any of the topics discussed.

Thank you.

Attachment

Middle Peninsula Planning District Commission Meeting

7:00 P.M.

Wednesday, October 27, 2021

125 Bowden Street

Saluda VA 23149

- I. Welcome and Introductions
- II. Approval of September Minutes
- III. Approval of Financial Report for September
- IV. Executive Director's Report on Staff Activities for the month of October
- V. MPCBPAA Update
None
- VI. MPA Update
MPA Chairman, Ashley Chriscoe reported the final tax filing documents have been submitted to the IRS. A meeting will be convened soon where the Board will determine its next steps. Mr. Chriscoe stated he will keep the Commission posted as things progress.
- VII. MPPDC Public Relations/Communications Update
Bay Direct App – Stephanie Heinatz, Consociate Media provided an update on the Bay Direct App and encouraged those present to continue to recommend this tool to connect consumers with businesses in the Middle Peninsula.
MidPen Rideshare – Stephanie Heinatz, Consociate Media announced a survey on commuting and telecommuting habits in the Middle Peninsula will be released to the public for participation in November.
Stephanie Heinatz, Consociate Media announced that next year begins the 50th Anniversary of the Middle Peninsula Planning District Commission.
- VIII. Public Comment
None

AGENDA ITEMS FOR DISCUSSION

- IX. Middle Peninsula Dredging Discussion Part I
 - MPPDC Dredging Plan Executive Summary
 - Draft Middle Peninsula Local Government Dredging Implementation Plan
 [**DRAFT 8-14-21 Dredging Implementation Plan \(Complete\).pdf**](#)
MPPDC Executive Director, Lewie Lawrence drew the Commissions attention to their handout of a map of the Middle Peninsula illustrating all Virginia Port Authority (VPA) Waterway Maintenance Fund Projects from 2019 to 2022. This map represents ~\$40M of dredging needs in the Middle Peninsula. Mr. Lawrence then reviewed the Draft Executive Summary of the Middle Peninsula Local Government Dredging Implementation Plan in their meeting packet. The MPPDC received a grant from the VPA to research cost-efficient ways to fund the tens of millions of dollars in dredging needs in the Middle

Peninsula, for less. The conclusion of the study showed a ~40% cost savings by developing a municipal model. This topic will remain on the Commission's Agenda for the next few months.

X. Virginia Port Authority Waterway Maintenance Fund Priority

MPPDC Executive Director, Lewie Lawrence provided a handout comparing two of the 2019 Virginia Port Authority (VPA) Waterway Maintenance Fund (WMF) Project Outcomes. The Aberdeen Creek in Gloucester County and the Davis Creek in Mathews County are almost identical dredging projects and of equal value. However, the \$1.5M awarded annually by the VPA is not enough to complete both projects at the same time. Last year's award was used for the Hole-in-the-Wall in Mathews County, which is almost out for bid at this time. The Commission was asked to decide which project they would like the MPPDC to apply for in February 2022. It was the consensus of the Commission to apply in the upcoming round to fund the Aberdeen Creek project in Gloucester County.

XI. DCR Flood Fund Status and Open Discussion

Robert Crockett, Advantus Strategies provided a presentation which covered topics ranging from the Community Flood Preparedness Act (2020) and the allocation of Round 1 funding for the VA Community Flood Preparedness Fund (Flood Fund). Options for making improvements for future management of the Fund were discussed. The Virginia Flood Fund's estimated annual revenue is \$190M. The current allocation for flood projects (loans and grants) is 45%. The state made \$18M available for Round 1 and of that \$18M, only \$7.8M was awarded. The VA Joint Subcommittee on Coastal Flooding will meet on November 22nd and will likely discuss the potential and value in creating a board to provide oversight of the Flood Fund.

MPPDC Executive Director, Lewie Lawrence reported that MPPDC staff submitted a total of 17 Construction and Design Project proposals and one Capacity and Planning proposal. All projects, except for 1, have been placed on hold by DCR. The project that was funded, is for flood mitigation design at the public boat landing at Mill Creek, which was submitted on behalf of Middlesex County.

XII. General Assembly Update

Robert Crockett, Advantus Strategies reported the General Assembly will convene on January 11, 2022, at which time he will have more to report.

XIII. Other Business

None

XIV. Adjournment

AGENDA ITEM 10.a.

Ordinance 11-21 Rezoning Request Z-02-21, Tap
Map Parcel 19-20A, Steve Adams, Inc. - Sherry
Graham, Director of Planning



King William
County
Est. 1702

Board of Supervisors

Office of the Director of
Community Development

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

TO: Board of Supervisors

FROM: Sherry Graham, Director of Planning

SUBJECT: Z-02-21

DATE: November 29, 2021

Summary of Request for Z-01-21

The owner/applicant, Steve Adams, Inc. is requesting that his property located on Dabney's Mill Road, identified as Tax Map Number 19-20A and consisting of approximately 7.15 acres, be rezoned from A-C (Agricultural-Conservation) to R-R (Rural-Residential).

The parcel is further identified as:

Parcel Map:	19-20A
Address:	Dabney's Mill Road
Parcel Size:	7.15 acres
Current Zoning Classification:	A-C (Agricultural-Conservation)
Proposed Zoning Classification:	R-R (Rural-Residential)

Project Description

The site is currently a vacant parcel. The applicant wishes to re-zone the property in order to subdivide the property into two lots, one consisting of 4.0 acres and the other lot consisting of 3.15 acres

Topography and Physical Features

The property currently has R-R zoning to the right and A-C zoning to the rear, left and across the street. Most of the parcels located in this area are approximately 1 acre with single family residential homes and there is also farmland located in this general area.

Surrounding Development and Zoning

The properties adjacent to the subject parcel are zoned A-C and R-R. In the R-R zoning district, the minimum required lot size is 3 acres. In the A-C zoning district, the minimum required lot size is 5 acres.

Public Facilities and Services

This property is not available to public water or sewer; therefore, the property owner would be required to install septic systems and wells.

Future Land Use Map

The Future Land Use Map show this property being used as Agricultural.

Comprehensive Plan

One of the goals in the comprehensive plan is to provide a variety of safe, decent, affordable, and quality housing opportunities for all current and future citizens of the County.

Recommendation

On November 9, 2021, the Planning Commission voted 4-1 to recommend approval of Z-02-21.

Attachments

Application
Receipt
Public Hearing Notice
Adjacent Property Owners List and Letters
Property Owner Letters
Opposition Letters
Property Plat
Zoning Map
GIS View
Pictures

Application



REZONING APPLICATION
King William County
Department of Community Development
180 Horse Landing Rd. #4 King William, VA 23086
Phone (804) 769-4980 Fax (804) 769-2235

1. Owner:

Name: Steve Adams Inc

Address: 12833 W. River Road Aylett, VA 23009

Phone: 804 370-5009

2. Applicant: (if different from Owner):

Name: _____

Address: _____

Phone: _____

3. Property identification:

(a) Size (acres): 7.15 Road frontage (feet): 402.09

(b) Describe exact location in detail:

(c) Tax Map: 19-20A

(d) Deed recorded in Deed Book 236 at Page 480
Plat recorded in Plat Book 4 at Page 22

(e) If property is in a recorded subdivision, give:

Name of Subdivision: NO

Section: _____ Block: _____ Lot(s): _____

- (f) If property is not in a recorded subdivision, attach a typed or printed copy of the legal description (i.e., metes and bounds) of the boundaries of the property.

(g) Present zoning district: Agricultural Conservation

(h) Present use of property: vacant land

4. Proposed change to existing zoning of property:

(a) Proposed zoning district: RR - rural residential

(b) Proposed use if rezoned: Single lot subdivide

- (c) If only a portion of a parcel is to be rezoned, or if more than one new zoning district is requested on a parcel, please attach additional page(s) with the written legal description (metes and bound or bearings and distances) of boundaries of proposed zoning district(s).

5. Zoning History:

- (a) Has the property been the subject of a rezoning request any time during the last year? NO (There is a minimum one-year period during which the Board of Supervisors cannot act on an identical or substantially similar rezoning request on the same property.)

6. Adjacent Property Owners List:

- (a) Please list below the names and mailing addresses of all owners of property adjoining or directly across the road from the property proposed to be rezoned. (Planning Office staff can assist with completing this list if needed)

NAME	MAILING ADDRESS
Dari Swift - 198-1-21A 198-1-21	164 Woodlin Lane Manquin, VA 23106
Valjean Davenport 198-1-25	34 Woodlin Lane Manquin, VA 23106
Linwood Davenport Sr. 19-19	34 Woodlin Lane Manquin VA 23106
Roger Jenkins Jr 19-208	8825 Dabneys Mill Road Manquin VA 23106
Masters Construction 19-3-5 19-3-4	164 Woodlin Lane Manquin VA 23106
Darrell Kellum Inc	662 Sharon Rd King William VA 23086

7. Owner or Applicant's signature and certification: (Note: a power of attorney must be granted by the owner to the applicant if signed by someone other than the owner)

I hereby certify that the information provided in this application is complete and accurate to the best of my knowledge. I hereby authorize members of the Planning Commission and County staff or their representatives to enter upon the property identified in this application in order to perform inspection and research in regard to this application.


Owner or Applicant



CERTIFICATE OF NOTARY PUBLIC

STATE OF: Virginia COUNTY OF: King William, to-wit:

The foregoing instrument was acknowledged before me this 14 day of 09, 2021.

Christine H. Branch
Notary Public

03-31-2023
My Commission Expires

FOR OFFICE USE ONLY

Zoning Map Amendment Case # _____
Date Application Filed: _____
Date(s) reviewed by Planning Commission: _____
Public Hearing Date: _____
Action by Planning Commission: _____

Action by Board of Supervisors: _____

Effective 12-2019

Legal Description

All that certain piece or parcel of land containing 7.15 acres in Mangohick District of King William County, Virginia and being Tax Parcel number 19-20A and more particularly described as follows;

Beginning at a point on the westerly right of way line of Dabneys Mill Road state route 604;

Thence leaving said right of way line and along the line of Woody, Jenkins, and Hollins and Mccurry S31°10'25W, 716.59' to a point;

Thence along the line of Jenks N67°31'10W, 386.91' to a point being the common corner of Jenks and Swift;

Thence along the line of Swift and Davenport N31°21'11E, 906.12' to a point on the westerly right of way line of the aforementioned road;

Thence following along said right of way line in a curve to the right having a radius of 3763.01, an arc length of 272.30' and a chord length of 272.24' to a point;

Thence continuing along said right of way in a curve to the right having a radius of 1116.23' an arc length of 129.79' and a chord length of 129.71' and returning to the point of beginning.

ADJOINER LIST Names and Mailing Addresses

T.M. 19-3-5

MORGAN WOODY
7425 DABNEYS MILL ROAD
MANQUIN VA 23106

T.M. 19-3-4

NANCY H. & THOMAS B. JENKINS
7409 DABNEYS MILL ROAD
MANQUIN VA 23106

T.M. 19-20B

MCKENZIE H. HOLLINS & CAMERON B. MCCURRY
7301 DABNEYS MILL ROAD
MANQUIN VA 23106

T.M. 19-19

ROGER D. JENKS JR.
207 WOODLIN LANE
MANQUIN VA 23106

T.M. 19B-1-21A

DARI N. SMITH
164 WOODLIN LANE
MANQUIN VA 23106

T.M. 19B-1-21

VALJEAN A. DAVENPORT
34 WOODLIN LANE
MANQUIN VA 23106

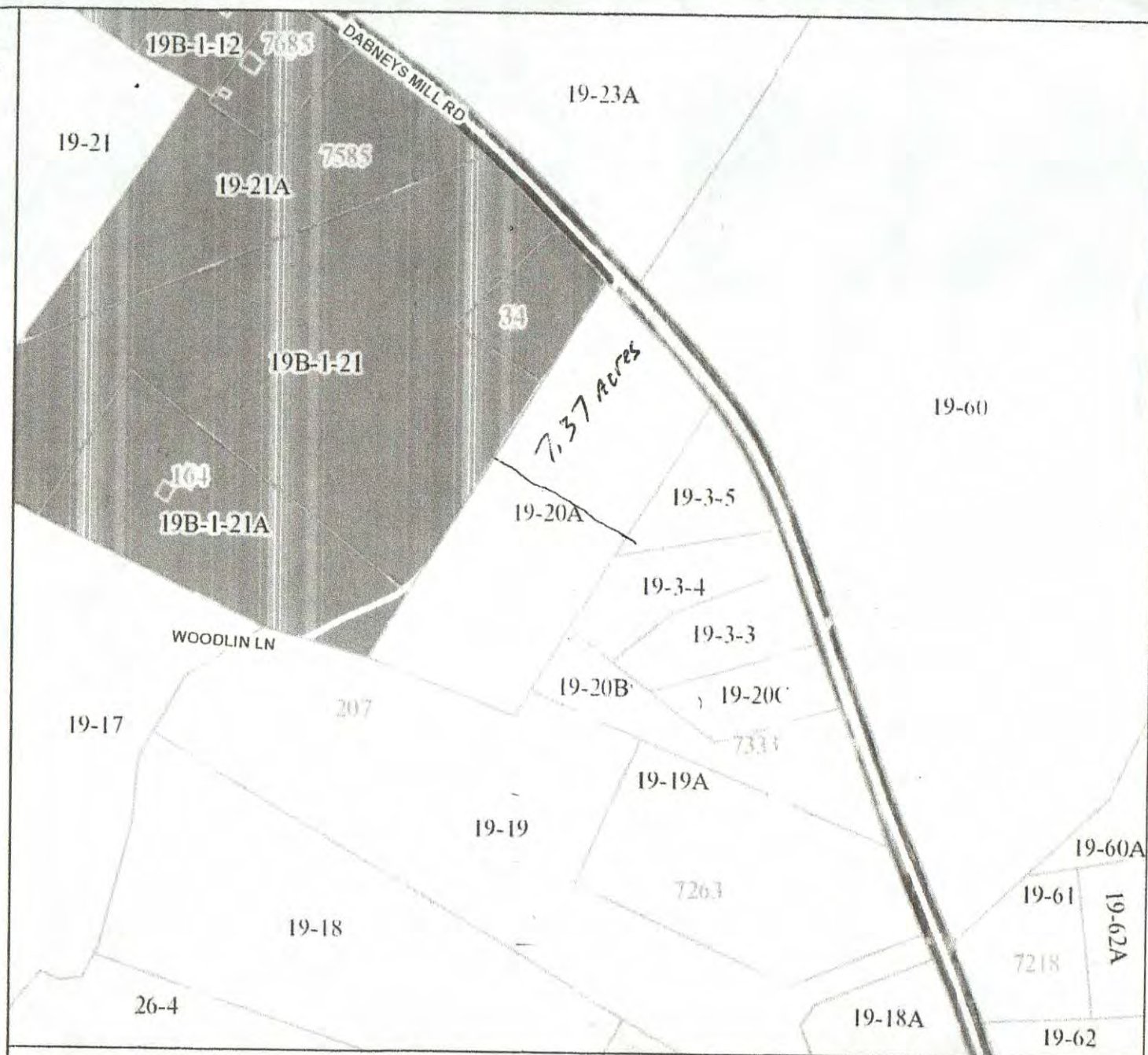
T.M. 19B-1-25

LINWOOD W. DAVENPORT SR. & VALJEAN A. DAVENPORT
34 WOODLIN LANE
MANQUIN VA 23106

King William County, Virginia

Legend

- County Boundary
- Parcel Boundaries
- Buildings
- Hidden WestPoint_Streets 4514
- Driveways
- Zoning**
 - A-C (Agricultural-Conservation)
 - R-R (Rural Residential)
 - R-1 (Suburban Residential)
 - B-1 (Local Business)
 - B-2 (General Business District)
 - M (Industrial)
 - HP (Historic Preservation)



Title:

Date: 12/1/2020

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and King William County, VA is not responsible for its accuracy or how current it may be.

Public Hearing Notice

King William County Public Hearing Notice

The Board of Supervisors of King William County, Virginia will hold a Public Hearing on Monday, November 29th at 7:00 p.m., or as soon thereafter, in the Board Meeting Room of the County Administration Building, 180 Horse Landing Road, King William, Virginia, and **via Zoom** to receive public comments on the following matter:

Z-02-21: Applicant/Owner-Steve Adams Inc.

A request to rezone 7.15 acres located on Dabney's Mill Road, tax map number 19-20A. The property is currently zoned A-C (Agricultural-Conservation), and the applicant is requesting that the property be rezoned to R-R (Rural-Residential) in order to create a single lot subdivision. The property is located in the Manquin District.

All interested persons may appear and present their views in person or via **Zoom Meeting** as applicable. If a member of the public cannot attend, comments may be submitted by mail to 180 Horse Landing Road, #4, King William, VA 23086: by email to sgraham@kingwilliamcounty.us or by calling 804-769-4980. Comments received by 12:00 noon on the day of the hearing will be distributed to Board members and made a part of the public record. All records pertaining to this matter may be viewed in the Office of Community Development at 180 Horse Landing Road, King William, VA during regular business hours. Anyone needing assistance or accommodations under the provisions of the American with Disabilities Act should contact the Office of Community Development at (804)769-4978 or sgraham@kingwilliamcounty.us.

By Authority of
Sherry L. Graham
Director of Community Development

Ad to run in the Tidewater Review, November 17th and November 24th, 2021, Edition

Adjacent Property Owner List

**Steve Adams, Inc
Re-Zoning Case 02-21
Tax Map Number 19-20A
Dabney's Mill Road**

Linwood W. Davenport, Sr.
34 Woodlin Lane
Manquin, VA 23106
19B-1-25
R-R, 1.11 acres

Dori N. Swift
164 Woodlin Lane
Manquin, VA 23106
19B-1-21A
R-R, 4.41 acres

Roger D. Jenks, Jr.
207 Woodland Lane
Manquin, VA 23106
19-19
A-C, 10.45 acres

McKenzie Hope Hollins
7301 Dabney's Mill Road
Manquin, VA 23106
19-20B
A-C, 2.01 acres

VaJean A. Davenport
34 Woodlin Road
Manquin, VA 23106
19B-1-21
R-R, 12.21 acres

Darrell Kellum, Inc.
662 Sharon Road
King William, VA 23086
19-3-4
A-C, 1.31 acres

Masters Construction & Home Improvements
164 Woodlin Lane
Manquin, VA 23106
19-3-5
A-C, 1.03 acres

Robert L. and Genevive Stevens
7090 Covenant Woods Drive
The Lodge, K102
Mechanicsville, VA 23111
19-60
A-C, 251.63 acres

Adjacent Property Owner Letters



King William
County
Est. 1702

Board of Supervisors

Office of
Community Development

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

November 10, 2021

Mr. Darrell Kellum
Darrell Kellum, Inc.
662 Sharon Road
King William, VA 23086

RE: Notice to Adjacent Property Owners
Request for Re-Zoning: 02-21
Tax Map Parcel: 19-20A
Owner/Applicant: Steve Adams, Inc.

Dear Property Owner:

The King William County Board of Supervisors will hold a Public Hearing on Monday, November 29, 2021, at 7:00 p.m., or as soon thereafter, in the Board Meeting Room of the County Administration Building, 180 Horse Landing Road, King William, Virginia and via Zoom to receive public comment on the following matter:

A request to re-zone a parcel located on Dabney's Mill Road, identified as Tax Map Number 19-20A and consisting of 7.15 acres, from the current zoning of A-C (Agricultural-Conservation) to R-R (Rural-Residential).

You are being notified of this hearing because your property is adjacent to or in close proximity to the above-stated request. All interested persons may appear and present their views at the above time and place, or via the Zoom Meeting, as applicable. If a member of the public cannot attend, comments may be submitted by mail to 180 Horse Landing Road, #4, King William, VA 23086; by email to sgraham@kingwilliamcounty.us or by calling 804-769-4980. Comments received by 12:00 noon on the day of the hearing will be distributed to Board Members and made a part of the public record. All records pertaining to this matter may be viewed in the Office of Community Development at 180 Horse Landing Road, King William, VA during regular business hours. Anyone needing assistance or accommodations under the provisions of the American with Disabilities Act should contact the Office of Community Development at (804)769-4978 or sgraham@kingwilliamcounty.us.

Sherry L. Graham
Director of Planning

180 Horse Landing Road, No.4 • King William, Virginia 23086
804-769-4969 • Fax: 804-769-4964



King William
County
Est. 1702

Board of Supervisors

Office of
Community Development

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

November 10, 2021

Ms. Dori N. Swift
164 Woodlin Lane
Manquin, VA 23106

RE: Notice to Adjacent Property Owners
Request for Re-Zoning: 02-21
Tax Map Parcel: 19-20A
Owner/Applicant: Steve Adams, Inc.

Dear Property Owner:

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Est. 1702

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C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

November 10, 2021

Mr. Linwood W. Davenport, Sr.
34 Woodlin Lane
Manquin, VA 23106

RE: Notice to Adjacent Property Owners
Request for Re-Zoning: 02-21
Tax Map Parcel: 19-20A
Owner/Applicant: Steve Adams, Inc.

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King William
County
Est. 1702

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Travis J. Moskalski, Second District
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C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

November 10, 2021

Masters Construction & Home Improvements
164 Woodlin Lane
Manquin, VA 23106

RE: Notice to Adjacent Property Owners
Request for Re-Zoning: 02-21
Tax Map Parcel: 19-20A
Owner/Applicant: Steve Adams, Inc.

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Sherry L. Graham
Director of Planning

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King William
County
Est. 1702

Board of Supervisors

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Community Development

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

November 10, 2021

Ms. McKenzie Hope Hollins
7301 Dabney's Mill Road
Manquin, VA 23106

RE: Notice to Adjacent Property Owners
Request for Re-Zoning: 02-21
Tax Map Parcel: 19-20A
Owner/Applicant: Steve Adams, Inc.

Dear Property Owner:

The King William County Board of Supervisors will hold a Public Hearing on Monday, November 29, 2021, at 7:00 p.m., or as soon thereafter, in the Board Meeting Room of the County Administration Building, 180 Horse Landing Road, King William, Virginia and via Zoom to receive public comment on the following matter:

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Sherry L. Graham
Director of Planning

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King William
County
Est. 1702

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C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

November 10, 2021

Mr. and Mrs. Robert L. Stevens
7090 Covenant Woods Drive
The Lodge, AK102
Mechanicsville, VA 23111

RE: Notice to Adjacent Property Owners
Request for Re-Zoning: 02-21
Tax Map Parcel: 19-20A
Owner/Applicant: Steve Adams, Inc.

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King William
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Est. 1702

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William L. Hodges, First District
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C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

November 10, 2021

Mr. Roger D. Jenks, Jr.
207 Woodland Lane
Manquin, VA 23106

RE: Notice to Adjacent Property Owners
Request for Re-Zoning: 02-21
Tax Map Parcel: 19-20A
Owner/Applicant: Steve Adams, Inc.

Dear Property Owner:

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King William
County
Est. 1702

Board of Supervisors

Office of
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William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

November 10, 2021

Ms. VaJean A. Davenport
34 Woodlin Road
Manquin, VA 23106

RE: Notice to Adjacent Property Owners
Request for Re-Zoning: 02-21
Tax Map Parcel: 19-20A
Owner/Applicant: Steve Adams, Inc.

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Sherry L. Graham
Director of Planning

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Property Owner Letter



King William County
Est. 1702

Board of Supervisors

Office of
Community Development

William L. Hodges, First District
Travis J. Moskalski, Second District
Stephen K. Greenwood, Third District
C. Stewart Garber, Jr., Fourth District
Edwin H. Moren, Jr., Fifth District

November 10, 2021

Mr. Steve Adams
Steve Adams, Inc.
12833 W. River Road
Aylett, VA 23009

RE: Application for Re-Zoning Z-02-21

Dear Mr. Adams:

The King William County Board of Supervisors will hold a Public Hearing on Monday, November 29, 2021, at 7:00 p.m. in the Board Meeting Room of the County Administration Building, 180 Horse Landing Road, King William, Virginia and via Zoom to consider your re-zoning request of 7.15 acres located on tax map number 19-20A.

Although your attendance is not mandatory, it is strongly encouraged. If you have any questions, please do not hesitate to call.

Sincerely,

Sherry L. Graham
Director of Planning

Opposition Letters

October 4, 2021

Linwood and ValJean Davenport
34 Woodlin Lane
Manquin, VA 23106

Office of Community Development
Attention: Ms. Sherry Graham
180 Horse Landing Road, #4
King William, VA 23086

Dear Ms. Graham

We are writing in response to the September 27, 2021 letter from your office notifying us the current owner of Tax Map Number 19-20A, Steve Adams, Inc., has applied to request a change to the zoning designation from A-C to R-R to allow him build 1 to 2 new homes on the 7.15-acre parcel.

We are against this initiative. We built our home in a somewhat secluded area just off Dabney's Mill Road in 1983 for the peace and tranquility the location offered us. In just under 2 years, we have seen 4 new homes built within less than an eighth of a mile from us along our stretch of Dabney's Mills Road. This is already too many for such a short span of road.

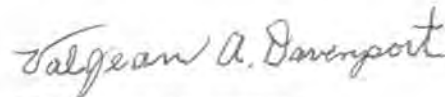
The zoning ordinances are designed for a purpose; if everyone were able to change a plat's zoning to suit their desires, in this case a building contractor that wants to build at least 2 houses which requires a minimum of 5 acres each in A-C, there would be no need for ordinances at all. While we realize we probably can't stop one home from being built, we cannot and do not support more than one.

We thank the members of the Planning Commission and the Office of Community Development for their consideration.

Sincerely



Linwood W. Davenport, Sr.



ValJean A. Davenport

Planning Commission public hearing, 10-5-21, zoning case Z-01-21, to rezone a 7.15 ac. parcel, 19-20A from AC to RR in order to allow the property to be subdivided to create two residential lots.

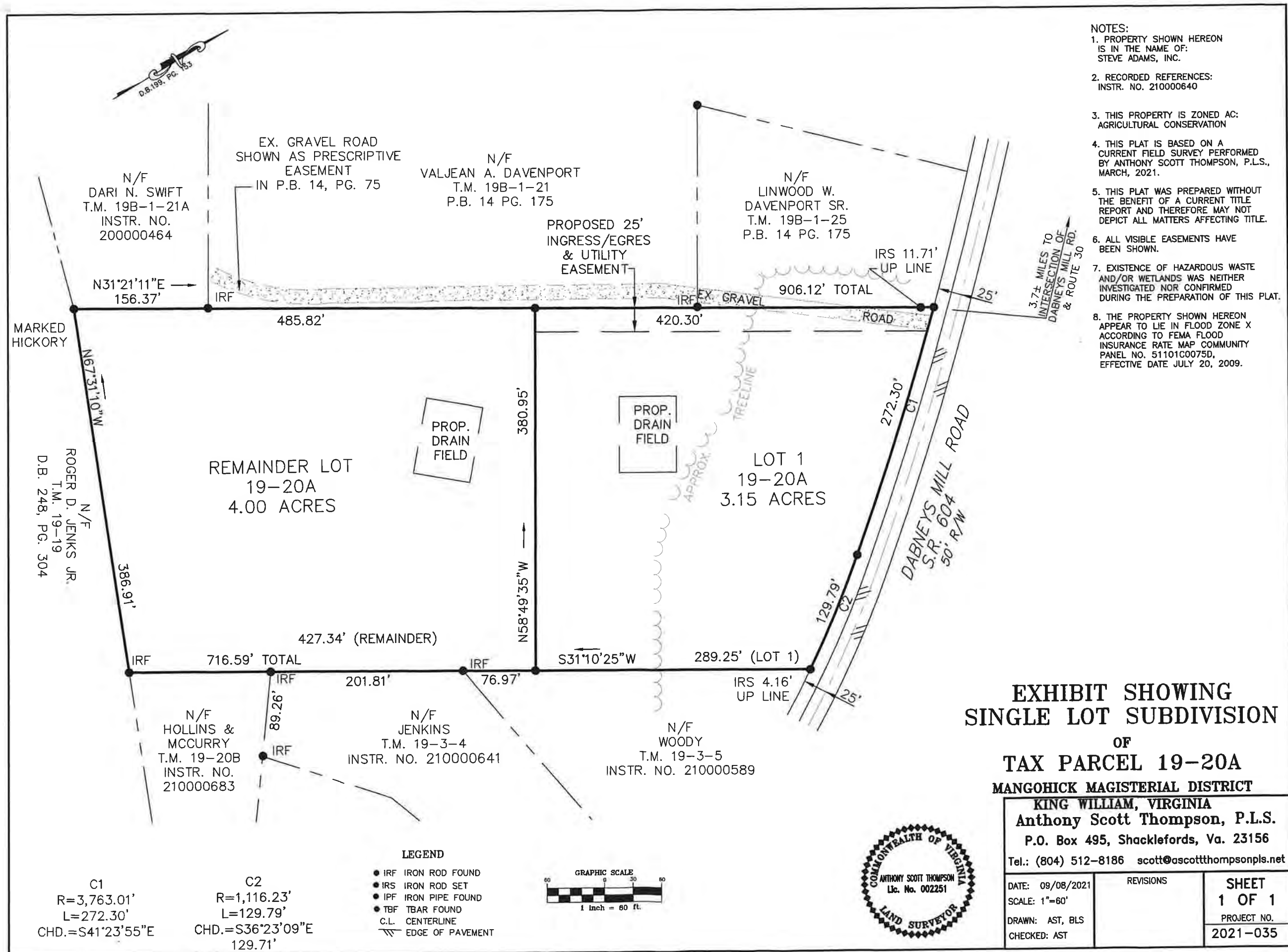
I am opposed to this request as I am of the opinion that such a rezoning would circumvent the intent and the letter of our comprehensive plan and our current zoning ordinances. To illustrate, this property is located adjacent to an RR development which was platted and approved with one acre +/- lots, prior to the 2003 comprehensive plan and the revised 2004 subdivision ordinance. While the prior ordinance allowing the one acre +/- lots was grandfathered, it should have no impact on future development. Prior to the 2003 comprehensive plan and the 2004 subdivision ordinance there had been a proliferation of residential development in the rural areas of the county allowing one acre road front lots throughout the rural areas of the County.

The 2003 Comprehensive plan, under the chapter on Growth Management, stated the following Objective. "High priority is placed on the preservation of the natural areas of the County. Strip development along our highways cannot be extended beyond acceptable bounds. All development and improvements must be compatible with this vital objective." The Future Land Use Map, developed as a part of the 2003 Comprehensive Plan, did not designate this area for future medium density (RR), in compliance with the objectives for growth management.

Another comment in regard to a comment by Mr. Adams. Mr. Adams indicated that he may use the easement for Woodlin Road for access to the two parcels he wishes to develop. I have attached a copy of the Deed of Easement and plat for this easement which describes the easement as "a perpetual exclusive easement of right of way". As an exclusive easement to the grantees the easement cannot be used for access unless the prior owner of parcel 19-20A was a grantee of this easement.

With all due respect,

Don Wagner



FILE T. Clemons
Florence, Gordon and Brown
DATE 3/28/95
RETURNED 7/95

BOOK 242 PAGE 724

THIS DEED OF EASEMENT, made this 14th day of March, 1995, by and between Valgene A. DAVENPORT and Linwood W. DAVENPORT, SR., her husband, Grantors, and J. Allen RUDD, JR. and Catherine D. RUDD, husband and wife, Grantees,

WITNESSETH:

That for and in consideration of the sum of ten dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantors do hereby convey unto the Grantees, their successors and assigns, the following described easement ("Easement"), to wit:

A perpetual exclusive easement of right of way, which shall run with the land, fifty feet (50') in width along the South Eastern boundary line of Grantors' parcel of real property fronting on Virginia State Route 604 for ingress to and egress from Grantee's property and Virginia State Route 604, all as shown on a plat of survey entitled "Survey of 4.409 Acres Situated Southwest of Route # 604", prepared by George W. Robertson, L.S., dated February 20, 1995, revised March 10, 1995, and recorded herewith, to which plat reference is hereby made for a more particular description of the easement of right of way hereby conveyed.

The Grantees shall have the right to improve the Easement with a paved or gravel road at the Grantees' expense. This Easement is subject to conditions, restrictions, and other easements of record insofar as they may legally affect the Easement.

WITNESS the following signatures and seals:

Valgene A. Davenport (SEAL)
Valgene A. Davenport, Grantor

Linwood W. Davenport Sr. (SEAL) X
Linwood W. Davenport, Sr., Grantor

STATE OF Virginia

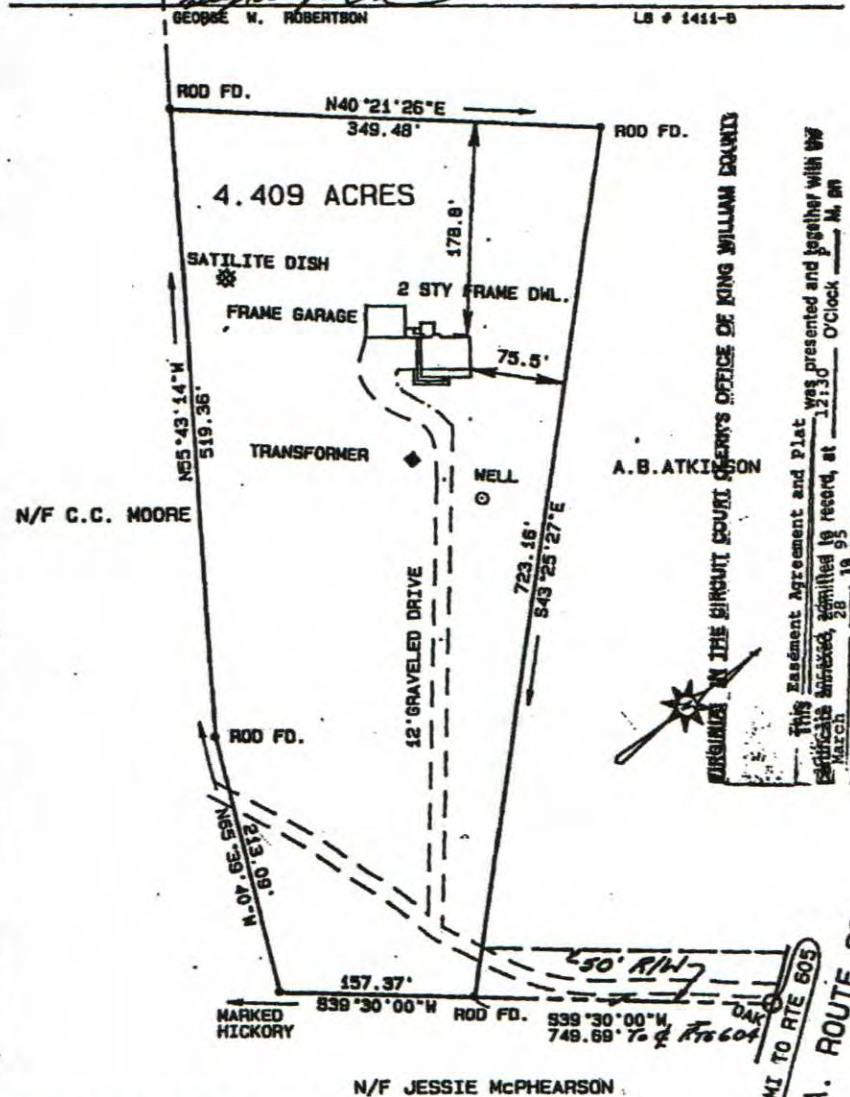
City/County of King William, to-wit:

The foregoing instrument was acknowledged before me this
17th, day of March, 1995 by Valgene A. Davenport and
Linwood W. Davenport, Sr.

My commission expires: My Commission Expires July 31, 1998

Rinda L. Walton
Notary Public

THIS IS TO CERTIFY THAT ON FEBRUARY 18, 1995 I MADE AN ACTUAL FIELD SURVEY OF THE PREMISES SHOWN HEREON, THAT ALL IMPROVEMENTS AND VISIBLE EASEMENTS ARE SHOWN HEREON, THAT THERE ARE NO ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PREMISES ONTO SUBJECT PREMISES OR FROM SUBJECT PREMISES ONTO ADJOINING PREMISES OTHER THAN SHOWN HEREON. TITLE REPORT NOT FURNISHED. ADDITIONAL EASEMENTS AND/OR RIGHTS-OF-WAY MAY EXIST.



THIS PROPERTY LIES IN HUD FLOOD ZONE X AS SHOWN ON F.I.R.M. PANEL 20 OF 85.



GEORGE W. ROBERTSON L.S. 1411-B
P.O. BOX 1630 ASHLAND, VA. 23005
804-798-6795 804-748-3609

**SURVEY OF 4.409 ACRES SITUATED
SOUTHWEST OF ROUTE # 604**

MANGO HICK DISTRICT KING WILLIAM COUNTY, VA

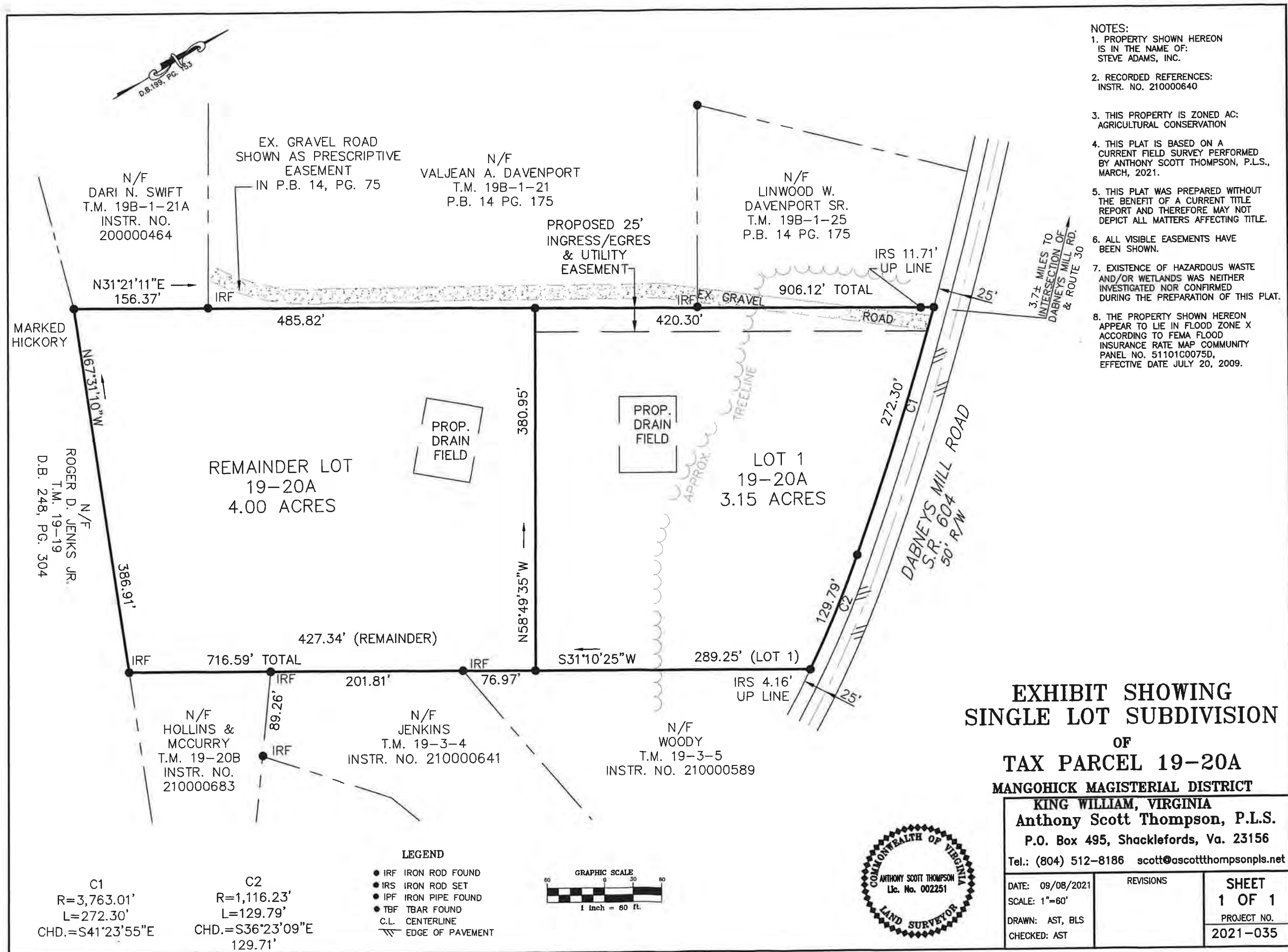
J.N.910309	FEBRUARY 20, 1995	SHEET 1 OF 1
DRAWN BY : G W R	SCALE : 1"=100'	

RECORDED IN THE CIRCUIT COURT CLERK'S OFFICE OF KING WILLIAM COUNTY
This Easement Agreement and Plat was presented and together with the certificate attached, submitted to record at 1:30 O'Clock M. on March 19, 1995

Teste: Emmett M. Upshaw, Clerk
Emmett M. Upshaw

0.7 MI TO RTE 605
VA. ROUTE 604
REV. 3/10/95

Survey



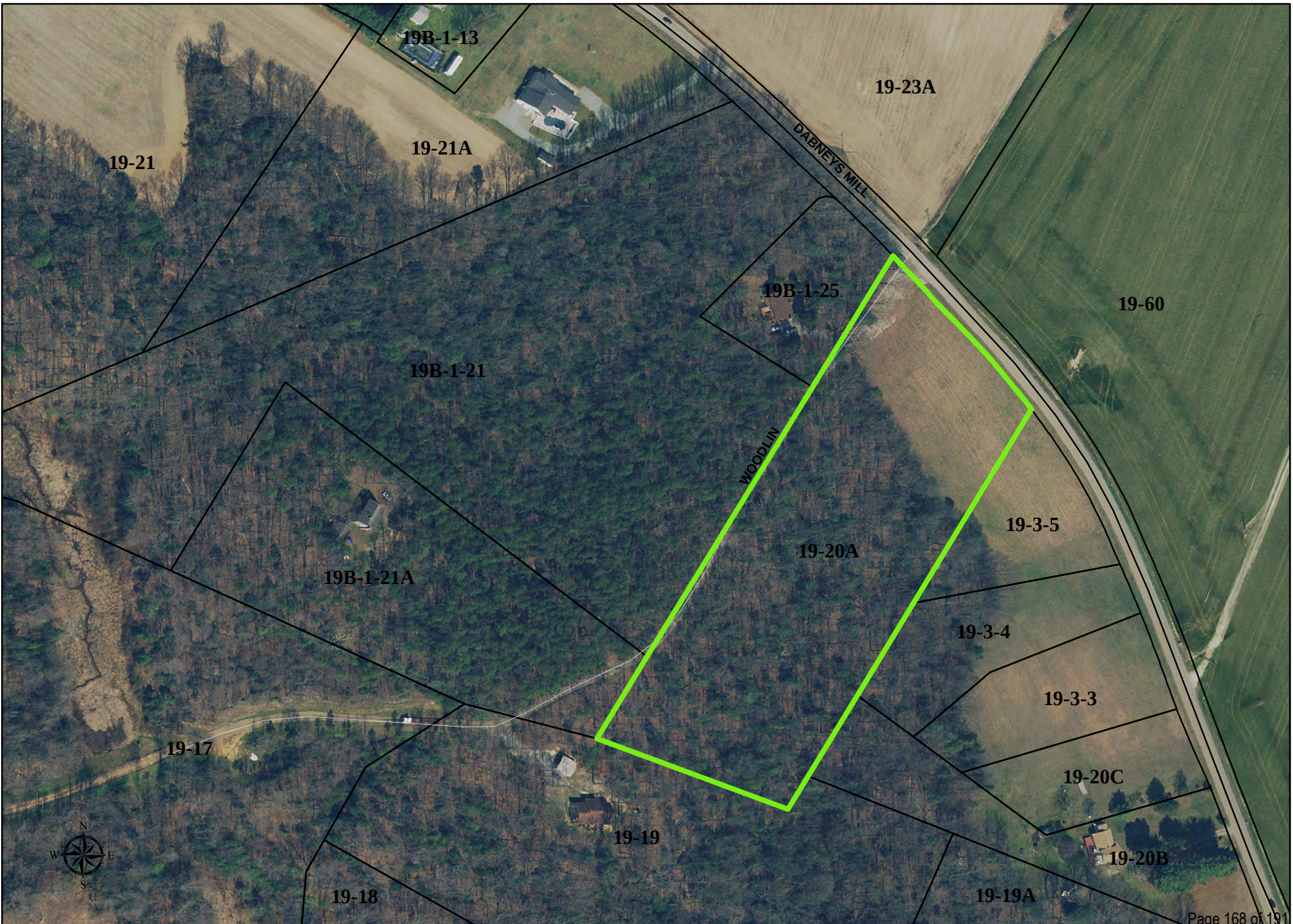
Zoning Map

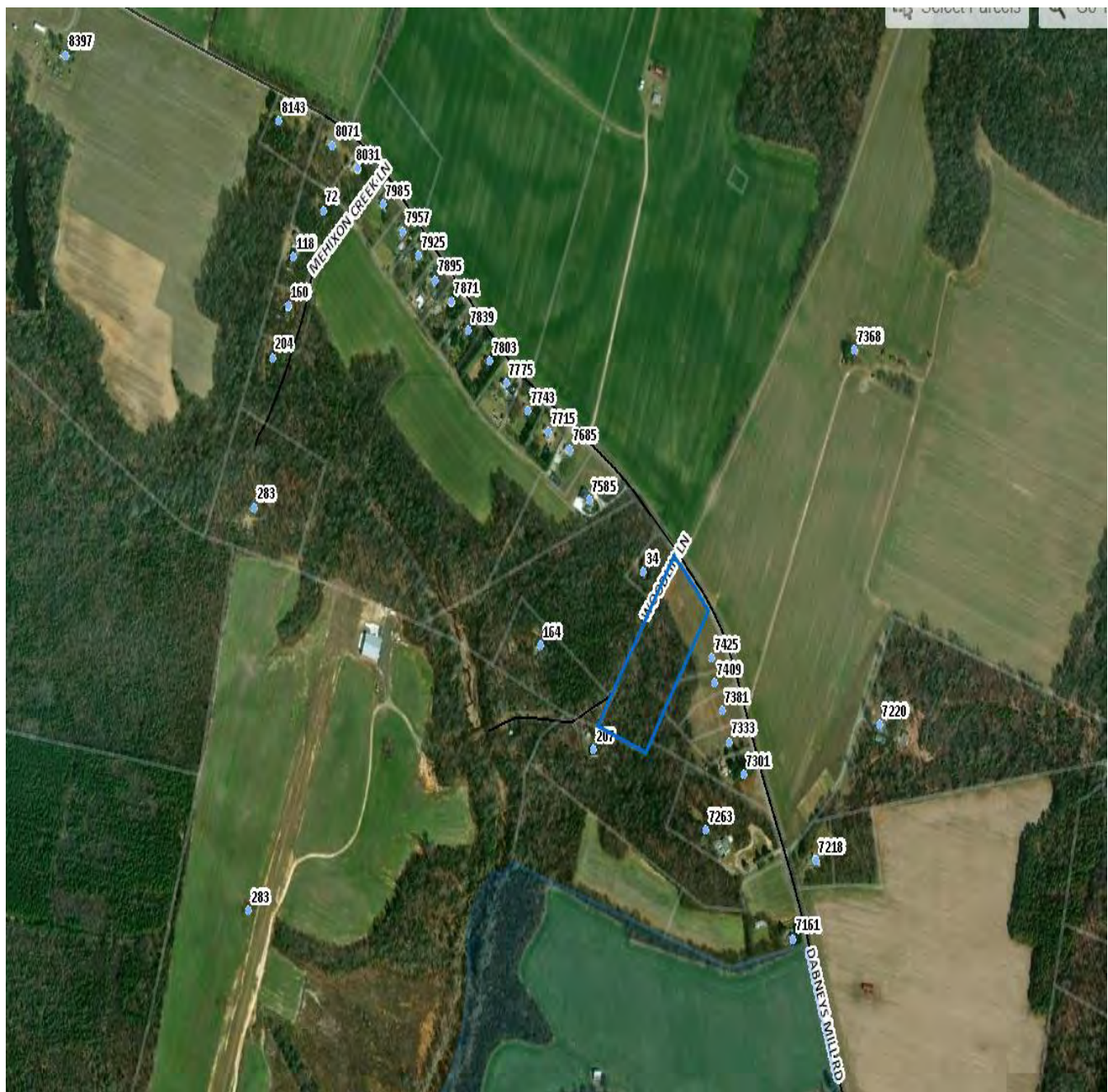
Z-02-21
OWNER/APPLICANT: STEVE ADAMS
DABNEYS MILL ROAD
TAX PARCEL 19-20A



GIS Maps

Z-02-21
OWNER/APPLICANT: STEVE ADAMS
DABNEYS MILL ROAD
TAX PARCEL 19-20A





Pictures























ORDINANCE 11-21

**AN ORDINANCE TO APPROVE REZONING REQUEST Z-02-21
TAX MAP PARCEL 19-20A – APPLICANT/OWNER – STEVE ADAMS, INC.**

WHEREAS, Steve Adams, Inc. submitted a Rezoning Application requesting that 7.15 acres of property, identified as Tax Map Number 19-20A and located on Dabney’s Mill Road be rezoned from A-C (Agricultural-Conservation) to R-R (Rural-Residential); and

WHEREAS, the applicant wishes to re-zone the property in order to subdivide the currently vacant parcel located in the Manquin District into two lots, one consisting of 4.0 acres and the other consisting of 3.15 acres; and

WHEREAS, one of the goals in the comprehensive plan is to provide a variety of safe, decent, affordable, and quality housing opportunities for all current and future citizens of the County; and

WHEREAS, the King William County Planning Commission, after study and review, conducted a duly advertised Public Hearing on October 5, 2021, and following such Public Hearing voted 4-1 to table the issue until November 9, 2021; and

WHEREAS, on November 9, 2021, the King William County Planning Commission voted 4 to 1 to recommend that the Board of Supervisors approve Rezoning Request Z-02-21; and

WHEREAS, the Board of Supervisors conducted a duly advertised Public Hearing on November 29, 2021, to consider Rezoning Request Z-02-21;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, the King William County Board of Supervisors this 29th day of November, 2021, hereby approves Rezoning Request Z-02-21.

ADOPTED this 29th day of November, 2021.

AGENDA ITEM 12.a.

Motion to Convene 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 the Middle Peninsula
Northern Neck Community Services Board

CLOSED MEETING MOTIONS

☒ **PERSONNEL** – In accordance with Section 2.2-3711 (A)(1) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to consider a personnel matter involving the (choose from below):

☒ 1. appointment of individuals to Boards and Commissions.

☐ 2. interview of a prospective candidate for employment.

(or the)

☐ 3. Employment

☐ 6. Promotion

☐ 9. Salary

☐ 4. Assignment

☐ 7. Performance

☐ 10. Discipline

☐ 5. Appointment

☐ 8. Demotion

☐ 11. Resignation

of a specific public officer / appointee / employee.

☐ **PUBLIC PROPERTY** – In accordance with Section 2.2-3711 (A)(3) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting regarding real property used for a public purpose, specifically pertaining to (choose from below):

☐ 1. the acquisition of real property for a public purpose.

☐ 2. the disposition of (name publicly held real property involved).

because discussion in an open meeting may adversely affect the bargaining position or negotiating strategy of the Board.

☐ **PROTECTION OF PRIVACY OF INDIVIDUALS** – In accordance with Section 2.2-3711 (A)(4) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting regarding a personal matter not related to public business in order to protect the privacy of individuals.

☐ **PROSPECTIVE BUSINESS OR INDUSTRY OR EXPANSIONS OF EXISTING BUSINESS OR INDUSTRY** – In accordance with Section 2.2-3711 (A)(5) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to discuss a prospective business or industry or expansion of an existing business or industry where no previous announcement has been made.

☐ **INVESTING OF PUBLIC FUNDS** – In accordance with Section 2.2-3711 (A)(6) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to 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.

☐ **LEGAL MATTERS** – In accordance with Section 2.2-3711 (A)(7) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to (choose from below):

- ☐ 1. consult with legal counsel, consultants, and/or staff on a matter of actual litigation in which the County is involved.
- ☐ 2. consult with legal counsel, consultants, and/or staff on a matter of probable litigation in which the County may become involved.

because discussion in an open meeting may adversely affect the litigation position or negotiating strategy of the Board.

☐ **LEGAL MATTERS** – In accordance with Section 2.2-3711 (A)(8) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to consult with legal counsel on a specific legal matter (identify matter in general terms at a minimum) requiring the provision of legal advice by counsel.

☐ **HAZARDOUS WASTE SITING** – In accordance with Section 2.2-3711 (A)(14) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to discuss the terms, conditions, and provisions of a hazardous waste siting agreement after a finding in open meeting that an open meeting will have an adverse effect upon the negotiating position of the Board or the establishment of the terms, conditions, and provisions of the siting agreement, or both.

☐ **TERRORIST ACTIVITY** – In accordance with Section 2.2-3711 (A)(19) of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to (choose from below):

- ☐ 1. discuss plans to protect public safety relating to terrorist activity or specific cybersecurity threats or vulnerabilities and briefings by staff members, legal counsel, law-enforcement, or emergency service officials concerning actions taken to respond to such activity or a related threat to public safety.
- ☐ 2. discuss reports or plans related to the security of any governmental facility, building, or structure, or the safety of persons using such facility, building, or structure.

☐ **PUBLIC CONTRACTS** – In accordance with Section 2.2-3711 (A)(29) of the Code of Virginia, because discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board, I move that the Board of Supervisors convene in Closed Meeting to (choose from below):

- ☐ 1. discuss the award of a public contract involving the expenditure of public funds.
- ☐ 2. interview bidders or offerors.
- ☐ 3. discuss the terms or scope of a public contract.

AGENDA ITEM 12.c.

Certification of Closed Meeting

CERTIFICATION OF CLOSED MEETING

Mr. Chairman, I move that the King William County Board of Supervisors approve Standing Resolution 1 (SR-1) in accordance with Section 2.2-3712 (D) of the Code of Virginia, 1950, as amended, certifying that the Closed Meeting was conducted in conformity with the requirements of the Virginia Freedom of Information Act.

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 29th day of November, 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 by the King William County Board of Supervisors in the Closed Meeting to which this certification resolution applies; and
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.

[ROLL CALL VOTE]

AGENDA ITEM 13.a.

Resolution 21-90

Appointment to the Middle Peninsula
Northern Neck Community Services
Board



Application to Serve on a County Board/Commission/Committee

(Please type or print clearly)

Name **Matthew Kite**

Home Address



Phone



Fax

Email **mkite.kwca@gmail.com**

County Election District of Residence

☐

First District

☐

Second District

☐

Third District

☒

Fourth District

☐

Fifth District

Employer

King William County

Phone

804-769-4211

Business Address

351 Courthouse Lane, Suite 120

Education

JD

Diploma/Degree

Gonzaga School of Law

School Attended

How long have you been a resident of King William County?

15 years

Civic Activities (include other Boards/Commissions/Committees)

Memberships in Fraternal, Business, Church, or Social Organizations (include offices held)

King William Ruritan, King William Little League Coach, VFW Post 8356

Indicate your top three Boards/Commissions/Committees choices (you must select at least one specific choice)

1st Choice

Community Services Board

2nd Choice

3rd Choice

Signature

Date Submitted

10/15/20

Return this application to:

Olivia Lawrence, Deputy Clerk to the Board

180 Horse Landing Road #4

King William, VA 23086

Fax: (804) 485-0200

Email: deputyclerk@kingwilliamcounty.us

Date Received

Copy to Board

Updated

This application will be kept on file for 2 years. Thank you for your application.



MIDDLE PENINSULA NORTHERN NECK COMMUNITY SERVICES BOARD

Discovering Possibilities . . . Changing Lives

ESSEX GLOUCESTER KING & QUEEN KING WILLIAM LANCASTER MATHEWS MIDDLESEX NORTHUMBERLAND RICHMOND WESTMORELAND

October 25, 2021

Mr. Steve Hudgins
Interim King William County Admin.
180 Horse Landing Road
King William, VA 23086

Dear Mr. Hudgins:

Mr. Matthew Kite was appointed to the Middle Peninsula Northern Neck Community Services Board to fill the vacancy created after the resignation of Ms. Melissa Kenney. Ms. Kite's unfilled term on the Board expires December 31, 2021. He is eligible to serve a first term of three years, expiring December 31, 2024.

If you should have any questions, please feel free to contact me. Please let me know when an appointment has been made.

Sincerely,

A handwritten signature in black ink that reads "Linda G. Hodges".

Linda G. Hodges, LCSW
Executive Director

LGH;gws

cc: file
Mr. Matthew Kite

MPNNCSB Administration Office
PO Box 40, Saluda, VA 23149
Ph: 804.758.5314
Admin. Fax: 804.758.3418
Human Resources Fax: 804.758.8526



Application to Serve on a County Board / Commission / Committee

(Please type or print clearly)

Your Name Jeanette Wagner

Home Address (including City, Zip) [REDACTED]

Mailing Address (if different than above) _____

Preferred Phone [REDACTED] ☐ Mobile ☒ Home

Email Address [REDACTED]

District of Residence ☐ 1st District – West Point ☐ 2nd District – Courthouse ☐ 3rd District – Aylett
☐ 4th District – Manquin ☒ 5th District – Mangohick

How long have you lived in King William County? 21 years

Employer Retired State Employee Employer Phone _____

Employer Address (including City, Zip) VCE, Mathews & Hanover; Planning Offices, Hanover & Arlington; CSB Hanover

Education (Diploma / Degree(s) / Certification(s)/Etc.) BFA, Commercial Art, 1963

Education (School(s) Attended) Richmond Professional Institute (VCU)

Civic Activities (include other Boards/Commissions/Committees) Arts Alive Board of Directors through 2016; Humane Society; Citizens for King William BOD; attended most BOS/PC meetings since 2005; PC Committees (Comp Plan/TCO)

Memberships (Fraternal, Business, Church, Social Organizations – include any offices held) St. Paul's Episcopal Church, Hanover (Altar Guild)

Please place a number indicating your top three choices for the Boards / Commissions / Committees on which you would like to serve. At least one choice is required. Descriptions and additional Regional Boards / Commissions / Committees are listed on the next page of this application.

<u>1</u> Board of Zoning Appeals	<u> </u> Planning Commission
<u> </u> Economic Development Authority	<u> </u> Recreation Commission
<u> </u> Electoral Board	<u>2</u> Social Services Board
<u> </u> Finance Board	<u> </u> Wetlands Board
<u> </u> Historic Preservation & Architectural Review Board	<u>3</u> Other <u>Community Services Board</u>
<u> </u> Local Board of Building Code Appeals	<u> </u> Other _____

Signature Jeanette Wagner Date 7/30/21

Return completed applications to deputyclerk@kingwilliamcounty.us or see next page for mailing address.
Thank you for your interest in serving King William County. All applications are kept on file for two (2) years.

RESOLUTION 21-90

APPOINTMENT/REAPPOINTMENT TO THE

MIDDLE PENINSULA NORTHERN NECK COMMUNITY SERVICES BOARD

WHEREAS, Matthew Kite's term on the Middle Peninsula Northern Neck Community Services Board (MPNNCSB) expires as of December 31, 2021; and

WHEREAS, Matthew Kite has expressed interest in reappointment to the MPNNCSB and the Executive Director of the MPNNCSB has confirmed that Mr. Kite is eligible for reappointment to this position; and

WHEREAS, others who have expressed interest in appointment to the MPNNCSB include Jeanette Wagner; and

WHEREAS, the Board of Supervisors now desires to make an appointment or reappointment to this position;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of King William County, Virginia that _____ be appointed/reappointed to the Middle Peninsula Northern Neck Community Services Board for a three-year term ending December 31, 2024.

DONE this 29th day of November, 2021.