

**MINUTES
KING WILLIAM COUNTY BOARD OF SUPERVISORS
REGULAR MEETING OF NOVEMBER 29, 2021**

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 29th 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. 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

Chairman Moskalski noted the addition of a second point of discussion for Agenda Item 12 – Closed Meeting, adding Section 2.2-3711 (A)(8) to consult with legal counsel on a specific legal matter involving legal obligations regarding tax exemptions requiring the provision of legal advice by counsel. Supervisor Garber moved for the adoption of the agenda for this meeting with the change mentioned above; motion was 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

Agenda Item 6. PUBLIC COMMENT

No one registered to speak via Zoom by noon on the day of this Public Comment period.

Bob Ehrhart of the 5th District provided a handout of his comments to the Board. Mr. Ehrhart said Vice Chair Moren made two promises to voters and citizens which remain unfulfilled, broadband for all citizens and lower taxes. The Chairman asked Mr. Ehrhart to keep his comments free of editorialization.

There being no further speakers, the Chairman closed the Public Comment period.

Agenda Item 7. CONSENT AGENDA

Consent Agenda items included:

- a. Approval of Minutes:
 - i. Draft Minutes of the October 19, 2021 Special Called Meeting
 - ii. Draft Minutes of the October 25, 2021 Regular Meeting
 - iii. Draft Minutes of the November 8, 2021 Work Session
- b. Approval of Payment of Bills – October and 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

Vice Chair Moren moved for approval of the Consent Agenda; 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

Agenda Item 8. OLD BUSINESS

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

As discussed at the November 9, 2021 Board of Supervisors Work Session, Mr. Hudgins presented the required Resolutions for the County to participate 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 (21-87), and to approve 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 (21-88).

Supervisor Hodges noted the County would not get as much as we'd like but it's more than we've gotten in the past. Mr. Hudgins said the funds would help with providing treatment and abatement efforts.

Supervisor Hodges made a motion to approve Resolution 21-87 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. 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 21-87

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.

Supervisor Garber made a motion to approve Resolution 21-88 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. 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 21-88

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.

**8.b. Commissioner of the Revenue Office Update – Karena L. Funkhouser,
Commissioner of the Revenue**

Commissioner Funkhouser said the Commissioner of the Revenue office continues to experience serious problems with the Edmunds software product.

The County currently uses Vision software to manage real estate records; and Edmunds software for financial management, payroll, real estate and personal property tax billing, business license processing, meals tax, permitting etc.

In September, Travis Wolfe (Systems Engineer) had been working with Edmunds for over a month to create a file from Vision in the proper format to update information in Edmunds pertaining to real estate transfers, increased assessed values for new construction, and the creation of new parcels. Two weeks ago, Mr. Wolfe was finally able to update Edmunds. Unfortunately, the export contained an unacceptable number of errors. Seven of the 93 new construction accounts in Edmunds failed to update the new owners. Twenty-two accounts failed to show the correct value for improvements. Other problems include new parcels that were created in Vision transferred to Edmunds coded as inactive, which means they would not be billed, and new parcels not being created in Edmunds at all.

Commissioner Funkhouser said she has read the Edmunds contract signed by Bobbie Tassinari on March 3, 2020 which states Edmunds will convert the initial existing data into their software. However, there is no mention of the continual data transfer necessary between Vision and Edmunds or any guarantee that the data transfer will be accurate. As real estate taxes support 46% of the County's budget, accurate real estate information is extremely important. An accurate method to transfer data from Vision to Edmunds must be developed.

The Personal Property software in Edmunds is also not working as intended. Edmunds is still unable to process DMV monthly downloads correctly. All downloads are pulled over with an "active" status regardless of if they are moving in/out. This will cause double work if it is not fixed by the new year. Currently, move outs must be manually deleted. This is between 60-100 vehicles a month. This has been an issue since September. Suzanne Hayden, Deputy Commissioner, emailed Edmunds about this on 10/7/2021 and 11/1/2021. She supplied a copy of our DMV file to Edmunds on 11/3/2021. This issue is still not resolved, and they have not received any further information. The annual download will be done in January and will contain many more vehicles than the monthly downloads. Information regarding vehicles that need to be supplemented must now be manually entered which allows room for error and takes a lot more time. Personal Property taxes support 17% of the County's budget and revenue will be lost if these issues are not corrected.

Commissioner Funkhouser asked the Board to direct Mr. Wolfe to make fixing these two issues his number one priority. When the personal property books needed to be completed by the end of August, Mr. Wolfe was calling and emailing Edmunds several times a day.

Other problems exist. The creation of roll back tax assessments in Edmunds is very cumbersome. The calculation for the tax and interest must be calculated manually and then entered in Edmunds. It took June Bergeron (Deputy Commissioner) an entire day to issue six roll-back tax assessments.

Edmunds was provided a copy of the business license spreadsheet that was kept up to date through the Edmunds transition. All business accounts transferred to Edmunds as active even though 1,839 accounts were inactive. After two months, Edmunds was unable to fix this problem and Ms. Hayden had to manually change 1,839 records. Data pertaining to the business name, mailing and property addresses location, and account notes were not transferred correctly. This resulted in another 1,100 accounts that Ms. Hayden had to update manually.

Edmunds does not provide business license renewal online. Approximately 300 business licenses were renewed online last year, and this number increases each year. This will be an inconvenience to the business owners and require more work for the Commissioner of Revenue office.

The March 3, 2020 contract states Edmunds is responsible for any software modifications or upgrades during the one-year warranty. Commissioner Funkhouser asked the Board to instruct the County Attorney to review the contract to determine if Edmunds delivered what was promised and to ascertain if the on-year warranty period has expired. The Commissioner of the Revenue office requires both modifications and upgrades and, if they must be purchased, that process must be started. Commissioner Funkhouser said the Board authorized two new positions for her office but instead of spending time developing an assessment office, they are auditing business licenses and assessing all construction, not just new dwellings, and are barely staying afloat doing all the data entry that was previously done automatically.

Commissioner Funkhouser asked that the Board meet in Closed Session 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, to discuss the award of a public contract to Edmunds and the terms or scope thereof which involved the expenditure of public funds.

Supervisor Garber asked Mr. Hudgins if the one-year time frame has ended. Mr. Hudgins said he didn't know.

Supervisor Garber said he'd like to see the contract and noted the Board had not seen it before. Commissioner Funkhouser said Resolution 17-08 was passed by the Board on February 27, 2017 approving Edmunds. Chairman Moskalski said that Resolution (17-08R) required the maintenance of a centralized system of accounting and did not specifically mention the program. The Edmunds decision and contract were an administrative decision by the County Administrator and other staff at that time. Supervisor Garber noted that 2017 was before the date of the contract Commissioner Funkhouser mentioned and was under a different Board.

Supervisor Greenwood said citizens ask him why there have been so many problems in going back to the old data after the cancelling of the last assessment. Values are now different than they were in the old system and addresses are incorrect. In some cases, people have gotten bills for properties they have not owned in over ten years.

Chairman Moskalski said the Board would meet in Closed Session to discuss the Edmunds software contract more in-depth.

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

Ms. Bancroft said additional funds were needed to cover the cost of the temporary employee hired by the Treasurer's Office to complete bank reconciliations.

Supervisor Garber asked how long the person had been working in the office. Ms. Bancroft said he has been there since the end of July and has been a great help.

Supervisor Hodges said people have been coming to the West Point Town Hall looking for the Treasurer's Office and asking if they can see their personal property tax bills and pay them now. Ms. Bancroft said yes, Treasurer's Office staff can look up how much a person owes and they can pay now if they desire, although the due date has been moved to January 15th. She said the personal property tax bills would go out in the mail tomorrow (11/30).

Chairman Moskalski noted Resolution 21-89 was to fund the remainder of the temp employee and also to fund a full-time person.

Supervisor Garber asked if the temp was currently filling the requested full-time position. Ms. Bancroft said no, the full-time position was to be for a Chief Deputy Treasurer, however, she'd like to fill this position as a Deputy Treasurer and then train an existing staff member to take over as Chief Deputy. Supervisor Garber asked if the Deputy position would be eliminated once the Chief Deputy position was filled. Ms. Bancroft said no.

Supervisor Garber asked what type of training the Chief Deputy would require. Ms. Bancroft said the Chief Deputy would need training in bankruptcy, collections, reconciliations, and other areas.

Vice Chair Moren asked who would provide the training. Ms. Bancroft said the Treasurer's Association offers training classes.

Vice Chair Moren asked how much longer the temporary employee would be needed. Ms. Bancroft said another week or so.

Chairman Moskalski asked if the Chief Deputy Treasurer position was included in the budget. Mr. Hudgins said no, because the Treasurer had initially said she didn't need that position. Chairman Moskalski asked if they plan was to use unassigned funds to cover these expenses. Mr. Hudgins said yes. Chairman Moskalski said a budget amendment was not necessary if unassigned funds were used.

Supervisor Hodges asked if there was currently a vacant position in the Treasurer's Office. Ms. Bancroft said only the part-time position because the previous person left in search of full-time employment. Chairman Moskalski said the Treasurer needed another position and a half, plus the funds for the temporary employee.

Supervisor Green made a motion to approve Resolution 21-89 appropriating funding for additional temporary employee wages and the hiring of a full-time staff member. 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 21-89
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.

Ms. Bancroft provided a Treasurer's Office update. She said they've had an influx of people coming to pay their real estate taxes with lines out the door. She said they were kind of drowning to keep up.

Chairman Moskalski asked if they were experiencing the same issues with the Edmunds software as previously reported. Ms. Bancroft said they are still waiting on resolution from Edmunds with incorrect data. Mr. Wolfe found the information which came from Bright and they were able to verify the inconsistencies that occurred during data migration. She said Edmunds said the issue is still "in development" which is not acceptable. She said Mr. Wolfe has been trying to help.

Vice Chair Moren asked if they had adequate forensic data to trace back where the errors started. Ms. Bancroft said they have to hunt and peck to find it. They can't look back at Bright because it's no longer online. She said it would be simpler if they could access the old data.

Ms. Bancroft said citizens can no longer prepay their Personal Property Tax online through Edmunds. She said they have not been able to get any collections information into Edmunds either.

Supervisor Hodges asked when was the last time people could prepay online. Ms. Bancroft said prior to June 30, 2021 before they transferred to using Edmunds. She said Edmunds also assigned users a new PIN but didn't give it to the users. So people are calling the Treasurer's office to get their PIN.

Supervisor Greenwood said a citizen had sent her payment to the collections address on her bill and was later charged a late fee because it was no longer the correct address. Her payment came back to her undeliverable.

Ms. Bancroft said she wants people to be able to request their PIN online through the system.

Agenda Item 9. ADMINISTRATIVE MATTERS FROM COUNTY ADMINISTRATOR

9.a. Board Information

The following information was provided to the Board without comment:

- 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

[The October Sheriff's Office Activity Report which was published in the Country Courier was also given to the Board (Attachment A). This report will be included in the Board Information section in the future when available.]

Agenda Item 10. PUBLIC HEARING

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

Ms. Graham said 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 site is currently a vacant parcel and 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. Ms. Graham showed the Board maps, plats, and photos pertaining to the property under consideration and said the Planning Commission voted 4-

1 to approve the request at their November 9, 2021 meeting. She said the current zoning ordinance requires a minimum lot size of 3 acres and 200 ft. frontage and the applicant meets those requirements. She said the Planning Commission's concern was that the applicant keep the property to only one entrance and he has agreed to that.

Supervisor Hodges asked if the entrance road would be the same one currently existing. Ms. Graham said yes. The current road is partially on Mr. Adams' property.

Supervisor Garber asked if the road is part of a 50 ft. easement. Ms. Graham said no, the entrance to the road is on Mr. Adams' property and people currently use it to get to the properties next to and across from it.

Supervisor Garber said he has spoken to Mr. Adams. Supervisor Garber is concerned that, if this is approved, hundreds of other properties in the County will follow. He noted this is a for-profit application.

Ms. Graham said she doesn't like spot zoning but most of the properties surrounding this one are already zoned R-R.

Supervisor Garber said those properties were zoned R-R in the past when it was in compliance with the zoning ordinance in effect at that time. He said the County had just finished revising the zoning ordinance and this goes against the minimum of 5 acres.

Supervisor Greenwood said the Planning Commission approved this application 4-1. The request is only to split one parcel into two and many of the surrounded lots are smaller. He said of course this is a for-profit request as the application process alone costs the applicant approximately \$2,500. He noted Mr. Adams is not trying to extend the easement area. He is using an existing easement on his property which the neighbors have been using illegally. Mr. Adams is not asking them to stop using it. He has done all he needs to do.

Vice Chair Moren said the lots to the west were built in the 1970s and 1980s and in the last year, there have been 4-5 additional lots in that location. He said two homes is a lot on that small property.

Supervisor Garber said a 50 ft. easement was showing on the record book and asked where it is. Ms. Graham pointed it out on the map. Supervisor Garber said he has a problem creating an easement on a right of way lot and he's not in favor of this rezoning application.

Supervisor Moren said he's been told there is a lot of traffic on that road going back to the airport to deliver supplies. Ms. Graham said it's probably people going back to Mr. Crabbe's airstrip and that the traffic is seasonal, mainly during crop spraying time.

Supervisor Greenwood said the traffic on that road has nothing to do with this case since Mr. Adams is legally using his own road.

Supervisor Garber asked if the road could be made a prescriptive. Andrew McRoberts, County Attorney, said that is a long legal process and he'd need more information to know if it was a possibility in this case.

Supervisor Hodges said the area is loaded with smaller residences already.

Chairman Moskalski said in trying to match uses, the property is sandwiched between R-R lots and he doesn't see a compelling reason not to approve the rezoning. He said the lots abutting it are smaller.

Supervisor Garber asked if all rezoning applications in the future would be looked at in this same way. Supervisor Hodges said each case would be considered individually as is this one.

Chairman Moskalski said it would not be out of place with the surrounding lots.

Chairman Moskalski opened the Public Hearing Period.

Donald Wagner of District 5 said he is on the Planning Commission and voted against this application because he feels there is overpopulation in that area already. He pointed out that the proposed rezoning is acceptable as far as the Zoning Ordinance and Code were concerned. He said the road currently being used was an easement granted to a family member of the previous owners in 1995. The easement itself is from the 1980s and is on the Davenport and Adams properties and the road does not actually follow the easement. Relocating the road would require removing several large trees which could be a case of adverse possession. The previous owner allowed others to use the road. Mr. Wagner reiterated that the proposed rezoning is allowable under the current ordinance but he has a problem with it.

There being no further speakers, the Chairman closed the Public Comment Period.

Supervisor Garber asked what the zoning was on the smaller lots with houses. Ms. Graham said some are R-R and some are A-C. She pointed out the areas on the map.

Supervisor Greenwood said trees can be cut down and although former owners allowed people to use the road, it wasn't legal.

Supervisor Moren asked for more descriptive language in the Rezoning Request to insure use of the access road in the future. Mr. McRoberts said you can't add that language unless it was done as a proffer and the Board had the option of tabling this Resolution and requesting a proffer.

Chairman Moskalski asked Mr. Steve Adams if he'd like to speak. Mr. Adams said he's not asking for anything unreasonable. He understands people are currently using the road and it does not affect him to allow it to continue.

Supervisor Hodges made a motion to approve Ordinance 11-21 and Rezoning Request Z-02-21 as presented. Supervisor Greenwood seconded the motion. The Chairman called for any discussion. The members were polled:

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

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 11. BOARD OF SUPERVISORS' COMMENTS

Vice Chair Moren said the VATI grant notice regarding the All Points Broadband project would be coming soon. It is expected in late December. Challenges were due 12/3 and none have been reported or are expected.

Supervisor Garber congratulated King William High School on winning the Region 2 title. He also congratulated King & Queen High School's team on their accomplishments. He thanked people for participating in the meeting and said his decision on the rezoning application was not personal to Mr. Adams.

Supervisor Hodges congratulated the West Point High School football team on their accomplishments. He said folks speaking at the meetings should leave the adjectives out of their comments.

Supervisor Greenwood said a lot of people came to the meeting which is good. He thanked them for attending. He said this meeting was a perfect example of the Board working together on an issue they didn't all agree on. He thanked everyone for sharing their opinions.

Chairman Moskalski noted his uncle, Tommy Kozlowski, passed away. Mr. Kozlowski was a regular at Board meetings and was inducted into the West Point Hall of Fame for football and track & field. He thanked everyone for attending and thanked the Board for the vigorous but respectful debate. He said he is hopeful to hear more about the Broadband project soon.

Agenda Item 12. CLOSED MEETING

12.a. Motion to Convene Closed Meeting

Chairman Moskalski made a motion to convene in Closed Meeting in accordance with Section 2.2-3711 (A)(1) of the Code of Virginia to consider a personnel matter involving the appointment of individuals to the Middle Peninsula Northern Neck Community Services Board; in accordance with Section 2.2-3711 (A)(8) of the Code of Virginia to consult with legal counsel on a specific legal matter involving legal obligations regarding tax exemptions requiring the provision of legal advice by counsel; and 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, to discuss the award of a public contract to Edmunds and the terms or scope thereof which involved the expenditure of public funds. Supervisor Hodges 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

12.b. 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 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

12.c. 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 Garber. 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

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 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 29th day of November, 2021.

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

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

Agenda Item 13. APPOINTMENTS

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

Supervisor Greenwood made a motion to approve Resolution 21-90 reappointing Matthew Kite to the Middle Peninsula Northern Neck Community Services Board for a three-year term ending December 31, 2024. 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

Agenda Item 16. 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, 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

COPY TESTE:

Travis J. Moskalski, Chairman
Board of Supervisors

Christine H. Branch
Deputy Clerk to the Board of Supervisors

ATTACHMENT A
KING WILLIAM COUNTY SHERIFF'S OFFICE ACTIVITY REPORT
October 1, 2021 – October 31, 2021



King William Sheriff's Office
351 Courthouse Lane, Suite 160
King William, VA 23086
J. S. Walton, Sheriff

King William Sheriff's Office Activity
October 1, 2021 – October 31, 2021

Calls for Service	1045
Incident Reports	68
Traffic Summons	49
Warrants Served	86
Civil Papers Served	382

13B-Simple Assault	2
18.2-152.3-COMPUTER FRAUD: EMBEZZLE OR LARCENY >=\$1000	1
18.2-186.3-IDENTITY THEFT:OBTAIN INFO FROM 5-49 PEOPLE	3
18.2-266-DWI: 1ST OFFENSE	1
18.2-266.1-DWI: PERSON <21Y DRIVING W/ BAC .02% TO <.08%	1
18.2-308-CONCEALED WEAPON: CARRY	1
18.2-370-INDECENT LIBERTIES: W/CHILD <15Y	1
18.2-370.1-INDECENT LIBERTIES: W/CHILD BY PARENT/ETC	1
18.2-56.1-FIREARM: RECKLESS HANDLING	1
18.2-57.2-ASSAULT & BATTERY - FAMILY MEMBER	3
18.2-92-B&E: OCCUPIED HOUSE TO COMMIT CERTAIN MISD.	1
18.2-95-GRAND LARCENY: AUTO THEFT	1
18.2-96-PETIT LARCENY: <\$1000 NOT FROM A PERSON	1
23F-Theft From Motor Vehicle	1
23H-All Other Larceny	5
26A-False Pretenses/Swindle/Confidence Game	3
26C-Impersonation	1
290-Destruction/Damage/Vandalism of Property	1
3.2-6552-CIVIL; DOGS/LIVESTOCK	1
35A-Drug/Narcotic Violations	1
46.2-817-FAIL TO STOP FOR POLICE: ATT TO ESCAPE/ELUDE	1
90F-Family Offenses, Nonviolent	7
90Z-All Other Offenses	1
ANIMBD-ANIMAL BITE DOG/CANINE	1
JUVI-JUVENILE ISSUE	3
MVAHR-MOTOR VEHICLE ACCIDENT HIT AND RUN	1
WARR-WARRANT SERVICE	17
** TOTAL **	68