

**APPROVED MINUTES
KING WILLIAM COUNTY BOARD OF SUPERVISORS
REGULAR MEETING OF NOVEMBER 27, 2023**

A regular meeting of the Board of Supervisors of King William County, Virginia, was held on the 27th day of November 2023 beginning at 7:00 p.m. in the Board Meeting Room of the County Administration Building and via Zoom.

AGENDA ITEM 1. CALL TO ORDER

Chairman Hodges called the meeting to order.

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

Supervisor Moskalski made a motion to approve electronic participation by Supervisor Greenwood who was on vacation. Vice Chair Garber seconded. The Chairman called for any discussion. The members were polled.

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

AGENDA ITEM 3. ROLL CALL

The members of the Board of Supervisors were polled:

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

AGENDA ITEM 4. MOMENT OF SILENCE

The Chairman called for a moment of silence.

AGENDA ITEM 5. PLEDGE OF ALLEGIANCE

The Chairman led the pledge of allegiance.

AGENDA ITEM 6. REVIEW AND ADOPTION OF MEETING AGENDA

Chairman Hodges asked that item 8.a. - Presentation – Broadband Update be removed from the agenda. Vice Chair Garber made a motion to approve the amended agenda. Supervisor Moskalski seconded. The Chairman called for any discussion. The members were polled:

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

AGENDA ITEM 7. CONSENT AGENDA

Consent Agenda items were:

- a. Approval of Minutes:
 - i. October 2, 2023 Work Session Draft Minutes
 - ii. October 23, 2023 Regular Meeting Draft Minutes
- b. Resolution - 23-84 - Capital Fund Roll Forward for Mangohick
- c. Resolution - 23-85 - PSAP Grant Allocation

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

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

RESOLUTION 23-84 AMENDMENT TO THE KING WILLIAM COUNTY FISCAL YEAR 2024 BUDGET CAPITAL IMPROVEMENT PLAN - MANGOICK FIRE DEPARTMENT

WHEREAS the King William County Board of Supervisors wishes to amend its Fiscal Year (FY) 2024 Capital Improvement Plan to appropriate funds for use in the Mangohick Fire Department Line in the amount of \$60,000 from FY2023 and FY2022 Capital Fund Balance; and

WHEREAS the balance of the Mangohick Fire Department Line committed Capital Fund from FY22 and FY23 of \$30,000 was not utilized in either fiscal year and is available to roll forward for appropriation for improvements to their parking lot;

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of the County of King William does hereby authorize and appropriate the following amendments to the 2023-2024 Budget, such line items increased as follows, which monies shall be expended for purposes as authorized and approved by the Board of Supervisors:

FUND/ORGANIZATION

Expense

Mangohick Fire Department CIP Line	\$ 60,000
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Revenue

Use of FY2022 and FY2023 Capital Fund Balance for Mangohick Fire Department	\$ 60,000
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DONE this 27th day of November, 2023.

RESOLUTION 23-85
AMENDMENT TO THE KING WILLIAM COUNTY FISCAL YEAR 2024 BUDGET
FY2024 PSAP STAFFING RECOGNITION GRANT

WHEREAS the King William County Board of Supervisors wishes to amend its Fiscal Year (FY) 2024 Budget to reflect additional revenue and expenses; and

WHEREAS King William County has been awarded the FY24 PSAP Staffing Recognition Grant from Virginia 9-1-1 Services Board for \$35,000 which will increase anticipated revenues for FY2024; and

WHEREAS the Sheriff's Office Budget will increase by \$35,000 for staffing bonuses to abide by the terms of the Grant Agreement;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of King William does hereby authorize and appropriate the following amendments to the 2023-2024 Budget, such line items increased as follows, which monies shall be expended for purposes as authorized and approved by the Board of Supervisors:

FUND/ORGANIZATION

Expense

PSAP Grant Bonus	100-031400-1101	\$ 35,000
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Revenue

PSAP Grant	100-024040-0031	\$ 35,000
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DONE this 27th day of November, 2023.

AGENDA ITEM 8. PRESENTATIONS

8.a. Broadband Update - Tom Innes, Senior Vice President

AGENDA ITEM 9. CITIZENS COMMENT PERIOD

Chairman Hodges opened the Citizens Comment period.

There being no speakers, Chairman Hodges closed the Citizens Comment period.

AGENDA ITEM 10. PUBLIC HEARINGS

10.a. Ordinance 10-23 - Amend King William County Code Chapter 70, Taxation, Article II, Real Property Tax, Division 3, Elderly and Disabled Persons, Section 70-103, Policies - Maxwell C. Hlavin, County Attorney

Attorney Hlavin read the revised ordinance and asked if there were any questions.

Chairman Hodges opened the Public Hearing period.

There being no speakers, Chairman Hodges closed the Public Hearing period.

Vice Chair Garber made a motion to adopt Ordinance 10-23. Supervisor Moskalski seconded. The Chairman called for any discussion. The members were polled:

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

ORDINANCE 10-23

AMEND KING WILLIAM COUNTY CODE CHAPTER 70, TAXATION, ARTICLE II, REAL PROPERTY TAX, DIVISION 3, ELDERLY AND DISABLED PERSONS, SECTION 70-103, POLICIES

WHEREAS Section 58.1-3210 et seq. of the Code of Virginia, 1950, as amended, enables the Board of Supervisors of King William County, Virginia (the “Board”) to exempt or defer taxes on property of certain elderly individuals and individuals with disabilities; and

WHEREAS, after holding a duly advertised public hearing on November 27, 2023, the Board finds that it is in the best interest of King William County and furthers the general welfare of its residents to increase the combined income ranges within which certain elderly individuals and individuals with disabilities qualify for relief from taxes on property.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the Board of Supervisors of King William County, Virginia, does amend King William County Code Chapter 70, Taxation, Article II, Real Property, Division 3, Elderly and Disabled Persons, Section 70-103, Policies as presented herein:

Sec. 70-103. Policies.

- (a) Exemption granted. Real estate and mobile homes or any portion thereof, owned by and occupied as the sole dwelling of a head of household not less than 65 years of age or who is determined to be permanently and totally disabled shall be exempted in part from real estate taxes in the amounts set forth elsewhere in this division.
- (b) Qualifications.
 - (1) Such exemption may be granted for any tax year following the date that anyone occupying such dwelling and owning title or partial title thereto reaches the age of 65 years or who is determined to be permanently and totally disabled and in addition:
 - a. The total combined income during the immediately preceding calendar year from all sources of the owners of the dwelling ~~does not exceed \$50,000.00.~~ **falls within the ranges identified in (c)(1) below.**
 - b. The net combined financial worth, including equitable interests, as of December 31 of the immediately preceding calendar year, of the owner, and of the spouse of any owner, excluding the value of the dwelling and the land, not exceeding five acres upon which it is situated, is less than ~~\$100~~**25**,000.00.

- c. The tax exemption herein permitted may be granted for any year following the date the person occupying such dwelling and owning title or partial title thereto reaches the age of 65 years or is determined to be permanently and totally disabled.

(c) Scale of exemptions.

- (1) Any person qualifying for such exemption shall be exempt in the amounts from taxation of real estate based on income as follows:

Total Combined Income	Percentage Exemption of Tax
Less than \$30,000.00 35,000.00	100
\$30,000.00 35,000.00 to \$40,000.00 45,000.00	75
\$40,001.00 45,000.00 to \$50,000.00 55,000.00	50

Net combined financial worth	Less than \$100 25,000.00 plus residence and 5.0 acres of land
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- (2) In no case shall the total annual exemption exceed \$1,000.00.

AND BE IT FURTHER ORDAINED that this ordinance shall become effective on the 1st of January, 2024.

DONE this the 27th day of November, 2023.

AGENDA ITEM 11. NEW BUSINESS

11.a. Regional Animal Shelter Agreement Discussion - Steve Hudgins, Deputy County Administrator

Mr. Hudgins summarized the new agreement and highlighted the proposed changes.

Vice Chair Garber asked if the construction of a 'sick room' was still on the table. There was discussion around the funding and who would incur the debt. Previously the cost was estimated to be around \$200K. Supervisor Moskalski said the sick room was a VDACS regulation, not a state code.

Attorney Hlavin confirmed that if something such as a sick room was required in the future, it would have to be equally funded by both counties.

Supervisor Moren said that we need to keep in mind the expanded use of the facility with anticipated growth of the county.

11.b. Smart Scale Information - Sherry Graham, Director of Planning

Ms. Graham reviewed the three scoping applications for the submitted projects and asked if there were any questions. She said Board approval is needed before the applications can be submitted this Friday.

There was discussion around lowering the speed limit in some areas to help eliminate some of the problems. Ms. Graham said Smart Scale projects are for construction only, not lowering speed limits.

Vice Chair Garber made a motion to approve submitting the three Smart Scale projects to VDOT. Supervisor Moskalski seconded the motion. The Chairman called for any discussion. The members were polled:

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

11.C. Resolution 23-80 - Adopting the 2024 Emergency Operations Plan (EOP) for King William County - Stacy Reaves, Fire Chief

Stacy reviewed the changes to the Emergency Operations Plan and asked for any discussion.

Supervisor Moren asked if the changes in the plan would affect the new BOS and should this be put off until the following year. Mr. Reaves said the changes would have no impact on the new Board.

Supervisor Moskalski made a motion to adopt the 2024 Emergency Operations Plan. Supervisor Moren seconded the motion. The Chairman called for any discussion. The members were polled:

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

**RESOLUTION 23-80
ADOPTING THE 2024 EMERGENCY OPERATIONS PLAN (EOP)
FOR KING WILLIAM COUNTY**

WHEREAS the Board of Supervisors of King William County, Virginia recognizes the need to prepare for, respond to, and recover from natural and manmade disasters; and

WHEREAS King William County has a responsibility to provide for the safety and well-being of its citizens and visitors; and

WHEREAS King William County has established and appointed a Director and Assistant Manager of Emergency Management; and

WHEREAS King William County last adopted the full Emergency Operations Plan (EOP) on December 14, 2020, and approved updates to the EOP on April 10, 2023;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of King William County, Virginia, approves and officially adopts the 2024 Emergency Operations Plan as presented; and

BE IT FURTHER RESOLVED AND ORDERED that the Director of Emergency Management, or his/her designee, is tasked and authorized to maintain and revise, as necessary, this document during the next four (4) year period or until such time it be ordered to come before this Board.

DONE this 27th day of November, 2023.

11.d. Discussion of Wetlands Board - Percy C. Ashcraft, County Administrator

Mr. Ashcraft discussed the pros and cons of continuing with the Wetlands Board. Staff are recommending eliminating the Board and working more closely with the state (DEQ).

Supervisor Moskalski said that King and Queen had eliminated their Wetlands Board and were having more success working directly with the state.

Supervisor Moren asked who the liaison between the county and the state would be. Mr. Ashcraft said it would probably be the Zoning Department.

Supervisor Moskalski suggested that, since this was a policy decision, it be tabled until the new Board is in place.

Mr. Ashcraft said the decision would have to wait until January 2024 since it would require a public hearing to change the ordinance.

11.e. Wetlands Ordinance Proposed Changes - Sherry Graham, Director of Planning

Mr. Ashcraft said this did not need to be discussed as the consensus was to wait until January 2024 for the new Board to decide.

AGENDA ITEM 12. ADMINISTRATIVE MATTERS FROM COUNTY ADMINISTRATOR

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

Mr. Ashcraft presented the Administrator's report and added that the Local Composite Index for school funding had increased to .3416.

Supervisor Greenwood said the new Board will need to watch and address the matter if it continues to go up.

12.b. Board Information

Monthly reports provided for informational purposes.

AGENDA ITEM 13. BOARD OF SUPERVISOR' COMMENTS

Supervisor Moren had no comments to share tonight.

Vice Chair Garber thanked everyone for coming out tonight. He congratulated the new Board members and wished them luck.

Supervisor Moskalski thanked everyone for coming out tonight. He congratulated the new Board, said the job was very rewarding, and offered his assistance. He said it requires a lot of thorough deep reading and asking questions. He said it has been a pleasure working on the Board for the past 12 years and he is now looking forward to spending more time with his family.

Supervisor Greenwood wished all the new Board members the best of luck and thanked everyone for coming out tonight. He offered his assistance if needed.

Chairman Hodges thanked everyone for attending the meeting tonight and announced his retirement from law enforcement effective December 31, 2023, after 53 years of service.

AGENDA ITEM 14. CLOSED MEETING

14.a. Motion to Convene Closed Meeting

Supervisor Moskalski made a Motion to Convene Closed Meeting in accordance with Section 2.2-3711(A)(3) of the Code of Virginia for discussion or consideration of the acquisition of real property for a public purpose, and the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board; and Section 2.2-3711(A)(7) of the Code of Virginia for consultation with legal counsel and briefings by staff members pertaining to probable litigation related to an asserted claim, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board; and Section 2.2-3711(A)(8) of the Code of Virginia for consultation with legal counsel retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel, including real estate taxation, the split levy, the purchase and sale of real property, and an existing contract. Mr. Greenwood seconded the motion. The members were polled:

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

14.b. Motion to Reconvene in Open Session

Supervisor Moskalski made a motion to reconvene in Open Session. Vice Chair Garber seconded the motion. The members were polled:

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

14.c. Certification of Closed Meeting

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

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

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 27th day of November, 2023, hereby certifies that, to the best of each member's knowledge:

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

DONE this the 27th day of November, 2023.

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

No action necessary.

AGENDA ITEM 15. ADJOURN OR RECESS

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

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

COPY TESTE:

William L. Hodges, Chairman
Board of Supervisors

Christine H. Branch (Reviewed by video)
Clerk to the Board of Supervisors