

King and Queen County
Board of Supervisors Meeting

Monday, April 8, 2013
7:00 P.M.

King and Queen County Courts and Administration Building
General District Courtroom

“Minutes of the Meeting”

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES

Chairman Morris called the meeting to order. Mr. Simpkins provided the invocation followed by the Pledge of Allegiance to the Flag of the United States

APPROVAL AND SIGNING OF THE FEBRUARY 25 AND MARCH 11, 2013 MINUTES OF THE BOARD

Mr. Simpkins noted that on page 8 of the minutes, that it has him voting and also being absent. Mr. Milby’s name should be in place of his name where voting, as he was not present, which was correct.

A motion was made by Mr. Bailey and seconded by Ms. Alsop to approve the February 25 and March 11, 2013 minutes, as corrected.

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS, S. C. ALSOP

NAYS: NONE

NOT PRESENT: J. M. MILBY, JR.

APPROVAL AND SIGNING OF THE APRIL 2013 WARRANTS AND APPROPRIATIONS

Mr. Simpkins questioned one of the warrants relating to the Daily Press and whom it actually went to. Ms. Ammons would check into it and correct.

A motion was made by Ms. Alsop and seconded by Mr. Bailey to approve the April 2013 Warrants and Appropriations, with corrections, as subject to audit.

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS, S. C. ALSOP

NAYS: NONE

NOT PRESENT: J. M. MILBY, JR.

CONSTITUTIONAL OFFICERS QUARTERLY AND DEPARTMENT HEADS REPORTS

Chairman Morris noted that the Treasurer would not be in attendance at the meeting as she is having some health issues, however, the Board does have her report.

Commissioner of the Revenue Helen Longest provided an overview of activities for the past quarter, highlighting the following:

- Advised that April 1 was the deadline for application for Real Estate Tax Relief. A total of 82 applications were taken.
- Advised that her staff was extremely busy making preparations for processing Personal Property. This includes monthly data entry of DMV reports, filing forms as they come in.
- Advised that their office was not able to provide the County citizens with the service of processing State Income Taxes, as she does not have the staff to complete the process in a timely manner that the State requires, therefore they are forwarding all State Tax forms to the Department of Taxation.
- Advised that they have completed the 2012 Real Estate Transfers and will begin reviewing building permits. Assessments will start in late June.
- Reported that they are trying to keep up with the Business License Applications, as they are steadily coming in. Currently there are 10 to put into process, 14 in process, 4 on hold for taxes due and 40 on hold in the system as they reported not in business and they need to follow up by checking 2012 taxes. 266 have not responded. To date a total of 809 applications have been sent out/taken. Of the 809, 190 were deleted for closed/not active businesses. January 117 were processed, with 46 of those being exempt. February 154 were processed, with 59 being exempt and for the month of March, 24 were processed with 1 being exempt.

Commonwealths' Attorney Charles Adkins had the following report:

- Advised that his Secretary's son passed away on March 15th and thanked the offices for pitching in to help during this difficult time. Luckily his daughter came in and helped out.

- Advised that they are basically at the end of their drug cases that he advised about previously, thanking Investigator Cecil for his help.
- Advised that the multi-jurisdictional grand jury got started March 14th, and will meeting on a monthly basis. Two members from King and Queen will be jurors representing the County for a year, and after that they can either remain or new ones can be picked. They have not had any cases. Cases are held on the 2nd Thursday of each month.
- Advised that tomorrow a trial will be held that should last several hours relating to break-ins on Rt. 360 and down the county.

Sheriff Charboneau had the following comments:

- Provided a report to the Board members, listing a run down on various statics for the time period of January 1 to March 31, 2013.
- Animal Control and Traffic Report will be e-mailed to the Board
- Advised that 2 people have retired during the past quarter, and are presently interviewing for those positions.
- The Animal Control employee left for a higher paying job and Deputy Moore is filling that slot at the present time.

Clerk of the Circuit Court Debbie Longest provided the following report:

- Advised that the 1st quarter of 2013 continues to be busy for the Circuit Court Clerks Office, recording 288 documents compared to 298 in 2012
- Handled 60 handgun applications during the 1st quarter of 2013, verses 22 in 2012
- Advised that they are continuing their project to index and backscan documents
- Advised that since September Ms. Porter has scanned 15 books and now can be viewed on computer terminals and printed if necessary.
- Commented on the outdoor grant project at the Circuit Court building, that some days it was quite challenging to get into the office, but they managed quite well and was anxious to see the completed work and hopes everyone will come back and see the completed work.

Superintendent of Schools, Charles Clare provided the following report:

- Advised that the ADM is calculated as of March 31st and was in the process of completing the SRC report which is used for this calculation to be submitted to the Virginia Department of Education.
- Enrollment as of March 29, 2013 is as follows: King and Queen Elementary 244, Lawson Marriott Elementary 219, Central High School 242 equaling : Total Students 705.
- Pre-School total is 38
- Reported that at King and Queen Elementary they have 16 HVAC units that are 23 years of age, while the life expectancy is 15 years. Over the past several months, many of the units have continuously failed. There is a request on the agenda for a transfer of funds from the Capital Improvement School Construction funds to replace the HVAC units at King and Queen Elementary School. With the request, their intent would be to replace 8

units at a cost of around \$21,000 which reflects a cost savings for multi-purchase. They have done a study and found that 5 of the units would be compatible for use at Lawson should new construction occur in a few years for King and Queen Elementary

Social Services Director Betty Dougherty provided a report on the following:

- Provided a handout to the Board relating to the information that she will be providing.
- In March, the Energyshare statics, they assisted 4 families for a total of \$1,295.47
- For March 2013 Crisis, they assisted 3 families for a total of \$676.65. Mrs. Dougherty further advised that Crisis ended on March 15, and the Cooling beings on June 15
- Reminded everyone that April is Child Abuse Prevention month
- Advised that there will be a presentation on developing affordable housing in rural communities on Thursday, May 16 from 10 a.m. – noon at Saluda Baptist Church in Saluda on Affordable Housing. This is being sponsored by the Middlesex Partners in Progress and everyone is invited.
- The King and Queen County Resource Council is moving forward with one of their committees Prisoner Re-Entry Council, providing a brief over-view. The Resource Councils involve King and Queen, King William, Essex and Richmond Counties where they have joint together to create a Prisoner Re-Entry Council to serve our 4 counties. The first meeting was held on March 26 at Essex Department of Social Services, with the next meeting to be held on April 22. Ms. Dougherty shared an example of a membership roster, which includes a slot for a Board of Supervisors Member. Ms. Dougherty asked that if any member was interested in serving on the council to please let her know.
- Reported that as a result of collaboration between the King and Queen Resource Council and the Middlesex Resource Council, Middlesex Partners in Progress, Middlesex has invited children and families in King and Queen to participate in their annual event called Wish-A-Fish. This invitation is of no cost to the County or the families that participate. The program provides a day of fun, fishing, learning about river-country resources and a chance to enjoy activities. The Resource council has asked that the Social Services Department serve as a referral agency. No date has been set, but is usually held in August.

Extension Agent Laura Maxey provided the following report:

- Advised that they are having interviews on April 22 for a 4-H Position which will be shared with King William as well.
- Advised that she has recently been given the honor of becoming the Unit Coordinator where she will be doing the reports, budgets, etc., giving Keith Balderson a break.
- Advised that they do have a Secretary who is in the King and Queen Office on Tuesday and Thursdays and on Friday mornings
- Provided an outline of some of the events that they have done in the past year

- In 2013 they held a Lower Peninsula Ag Conference with over 65 attendees. Ag specialists are brought in for this meeting. In the upper part of the county they had approximately 120 participants for that event.
- Noted that over 370 children have been taught about the importance of Nutrition through their Nutritional Program
- Asked if there are any programs that the Board would like for the 4-H Agent to get involved with to please let her know.
- Advised that the Middle Peninsula Field Day would be held on August 8
- Provided numerous other events that have been held throughout the past year

International Training Rich Weaver provided the following report:

- Per agreement after the meeting with the Board on February 11, 2013 he was providing a report of their activities from that time through today pertaining to their training at their facility on the other side of the airport.
- Advised that there are 55 possible training days of any type, potentially available during the dates above. 47 of those dates were potential for firearms. They conducted some type of onsite training, driver training, fire restraints , security operations and some combination thereof on 36 of those 55 total days.
- All training was conducted within allowable hours at approved site locations on the facility.
- Driver training was conducted on one Saturday and one Sunday
- Firearms training was not held on any Saturday and none on any Sunday
- No Firearms training was conducted at night during this particular period
- No Firearms training or tactical sound infusion was conducted on Easter or the Saturday before, per agreement
- No off road training was conducted on site, but outside the county.
- Of the 47 allowable days where they could use simulated IUD's and tactical sound infusion, they did so on 12 of those days, averaging 7 per day.
- Estimates and Proposals are being obtained to install sound fencing around range 3
- Use of sirens was conducted twice for use by Police Training

Mr. Simpkins questioned if there had been any complaints.

Mr. Swartzwelder advised that there have been a couple of complaints, but ITI has confirmed that they were in compliance per agreement.

PUBLIC COMMENT PERIOD

Chairman Morris called the public comment period, asking that comments be limited to 2 minutes and please make sure that it has nothing to do with any public hearings that would be held later in the evening.

After hearing no comments, the public comment period was closed:

PUBLIC HEARING ON THE OVER-ALL PROPOSED FY14 BUDGET TO INCLUDE THE SCHOOLS AND THE PROPOSED TAX RATES FOR 2012

County Administrator Thomas Swartzwelder advised that this would be public hearing on the over-all county Budget for FY14, including the School Budget, and on the proposed Tax Rates for 2012, which remain the same, except for a 2 cent tax increase to the Real Estate Tax Rate.

The Budget Synopsis and Tax Rates were properly advertised in the local newspapers.

Mr. Swartzwelder further advised the Board, that the budget and tax rates cannot be adopted until at least 7 days after public hearing, which the Board normally waits 14 days for additional feedback.

Chairman Morris opened the public hearing.

Anne Marie Voight, Stevensville District, expressed that she was disappointed to see the advertisement in the paper raising taxes again this year. Last year we had the reassessment and the taxes were raised and questioned if the Board could give the reasons for the increase.

Mrs. Morris advised that one of the major ticket items is paid EMT's, Emergency Services. We are down to almost "O" volunteers and it is county wide.

Ms. Also commented the Board does not normally answer questions, but that she did not want someone to call 911 and get no response, and that is unfortunate, but what has happened is that our daytime crews have jobs and have to work. Before we hired the 1st EMT, she could not tell someone whether they would get service or not. This is very concerning to her and everyone. It is a service that the State says that you do not have to do. Now we can tell someone that someone will be coming. The money is going to be well spent.

Mr. Simpkins expressed that this is not just one expenditure for this year, but we are going to have to sustain it each year. We will be taking a small sum out of savings this year, and in the past the Board has put off tax increases, until they really had to and had a tax increase of 18 cents. Citizens are saying that they rather have 2 cents every year rather than a big jump.

Ms. Voight, questioned with the money that is proposed, is the County able to give the county employees an increase this year, as the Schools asked proposed an increase for their employees.

Mr. Swartzwelder advised that there is a 2% increase for all employees except Constitutional Officers and the County Administrator.

Mr. Swartzwelder expressed that there are a lot of articles pertaining to our neighboring counties and the difficulties they are experiencing relating to rescue services.

After hearing no further comments, the public hearing was closed.

Mr. Swartzwelder advised that the Board has already set to come back at their workshop for adoption, being April 22, 2013.

PUBLIC HEARING: PROPOSED ZONING TEXT AMENDMENTS

County Administrator Thomas Swartzwelder provided background information, advising that that this process has been a year long endeavor by the Planning Commission to revise the Zoning Ordinance. This Board has met and discussed these changes multiple times and sent back to the Planning Commission. As required, advertisement has been made of the Planning Commission recommendations in the March 20th and 27th, 2013 papers of the Tidewater Review and Rappahannock Times, and the March 20th Courier paper.

The floor was open for public comment.

Mike and Mary Dagg, Shacklefords, expressed concern about how the changing of the Zoning Ordinance are going to affect the General Business area, as far as what is being taken from it or added to it. As a Realtor she receives calls pertaining to Flea Markets, Mobile Home Parks, among other things questioning where they can be placed. She has been told that Flea markets were being put in light industrial areas, and if that is the case, it would not be advantageous, as it would be mixing with heavy industrial vehicles.

Mr. Dagg questioned what would happen to a non-conforming, grandfather business and what affect the zoning changes would have on that.

After hearing no further comments, the public hearing was closed.

Mr. Swartzwelder advised that for clarity purposes that the Board make motions per each amendment.

- (1) Zoning Text Amendment ZA10-03-Article 3, Establishing of Zoning District and Official Zoning District Map- amending the current existing ordinance to allow for new zoning classifications for commercial/business and industrial/light industrial districts.**

A motion was made by Mr. Simpkins and seconded by Ms. Alsop to accept the recommendations of the Planning Commission with the exception of the following:

Article 3

- The Board of Supervisors made changes to Article 3.

- The Board accepts the Planning Commission’s recommendation with the exception of the following and that worksheet be incorporated in the minutes:
 1. Section 3-68D, Purpose of the Residential General District, to exclude the following sentence:
(The district is intended to be established only in locations where public water and sewage are available.)
 2. Section 3-69A, Purposes of the Airport Safety Overlay District, to remove “West Point Municipal Airport” and include “Middle Peninsula Regional Airport”

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS, S. C. ALSOP

NAYS: NONE

NOT PRESENT: J. M. MILBY, JR.

(2) Zoning Text Amendment ZA10-04-Article 4, Permitted Uses – amending the current existing ordinance and permitted use table in its entirety to allow for more uses and conditions.

A motion was made by Mr. Simpkins and seconded by Ms. Alsop to accept the recommendations of the Planning Commission with the following changes, and incorporating the work sheet supplied in the Boards packet.

Article 4

- The Board of Supervisors made changes to Article 4.
- The Board accepts the Planning Commission’s recommendation as submitted with the exception of the following within Table 4.1:
 1. Under the Residential Classification -
 - Apartment, 6 or less dwelling units, permitted by right in the RG district.
 - Apartment, 7 or more dwelling units, permitted by Conditional Use Permit in the RG district.
 - Condominium, 6 or less dwelling units, permitted by right in the RG district.
 - Condominium, 7 or more dwelling units, permitted by Conditional Use Permit in the RG district.
 - Duplex, 6 or less dwelling units (No more than 3 duplexes), permitted by right in the RG district.
 - Duplex, 7 or more dwelling units (More than 3 duplexes), permitted by Conditional Use Permit in the RG district.

2. Under the Business-Commercial Service Classification-
 - Administrative Office for Apartment Complex, 8 or less dwelling units, permitted by right in the RG district.
 - Administrative Office for Apartment Complex, 9 or more dwelling units, permitted by Conditional Use Permit in the RG district.
3. All uses under the Business-Commercial Service Classification are approved with the following comment added for each use, provided that outside storage or displays are permitted: *(No storage or display of any kind may be within the front 75' measured from the edge of the road or within 50' to a residential use lot with an approved fence or vegetative buffer and 15' to a commercial use lot)*
4. Under the Medical, Health, Welfare Care/Facilities Classification
 - Community Shelters for the victims of domestic violence, exceeding 8 persons, permitted by Conditional Use Permit in the GB1 and GB2 districts.
 - Community Shelters for the victims of domestic violence, 8 persons or less, permitted by right in the A, RS, RR and RG districts.
 - Event Facility, permitted by Conditional Use Permit in the A district and by right in the GB2 district.
5. Under the Public, Semipublic, Institutional, Recreation Classification
 - Event Facility, permitted by Conditional Use Permit in the A district and by right in the GB district.

AYES: D. H. MORRIS, R. F. BAILEY, JR. J. L. SIMPKINS, S. C. ALSOP

NAYS: NONE

NOT PRESENT: J. M. MILBY, JR.

Chairman Morris advised that citizens should attend Planning Commission meetings, where items can be discussed and questions can be answered from them, suggesting if there is anything unclear, to contact the Zoning Administrator for clarification. By trying to answer questions at this public hearing it is out of order in doing so.

(3) Zoning Text Amendment ZA10-05-Article 5, Site Development Regulations – amending the current existing ordinance in its entirety to allow for the proposed newly created zoning districts, as well as amending acreage & setback requirements for residential, commercial/business and industrial zoning districts and relocating the sign regulations/requirements

Ms. Alsop expressed that she has no problem with Rt. 721 being treated like Rt. 360, 33 and 14, but we need to remember that VDOT refers to Rt. 721 as a secondary highway.

As long as Rt. 721 gets the same treatment as Rt. 360, 33 and 14, she does not have any problem. Rt. 721 does not get the same maintenance as Rt. 360, 33 and 14.

A motion was made by Mr. Simpkins and seconded by Mr. Bailey to accept the recommendations of the Planning Commission with the following exceptions and that the worksheet be incorporated in the minutes:

Article 5

- The Board of Supervisors made changes to Article 5.

- The Board accepts the Planning Commission’s recommendation with the exception of the following:
 1. Section 3-101A-5, Agriculture District, to include “two lot subdivisions”.
(On private roads and right-of-ways which are not approved by VDOT, one or two lot subdivisions may be established provided each lot have a minimum area of three (3) acres and a road frontage and/or lot width of not less than two hundred (200) feet.)
 2. Section 3-101D-4, General Residential District, to exclude the following:
(Two-Family dwellings shall have a minimum lot area of sixty thousand (60,000) square feet and a road frontage of not less than two hundred (200) feet.)

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS,

NAYS: S. C. ALSOP

NOT PRESENT: J. M. MILBY, JR.

(4) Zoning Text Amendment ZA10-06-Article 6, Modifications to Yard and Bulk Regulations - amending the current existing ordinance regarding setbacks for waterfront accessory structures.

A motion was made by Ms. Alsop and seconded by Mr. Bailey to accept the recommendation of the Planning Commission as presented.

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS, S. C. ALSOP

NAYS: NONE

NOT PRESENT: J. M. MILBY, JR.

(5) Zoning Text Amendment ZA10-07 – Article 14, Site Plan Requirements – amending the current existing ordinance to allow for the proposed newly created zoning districts/classifications, site plan requirements and deleting bonding information from Article 14, Section 3-318.

A motion was made by Ms. Alsop and seconded by Mr. Simpkins to accept the recommendation of the Planning Commission with the following exceptions and that a copy of the worksheet be incorporated in the minutes.

Article 14

- The Board of Supervisors made changes to Article 14.

- The Board accepts the Planning Commission’s recommendation with the exception of the following:
 1. Section 3-314C-1, Level Three Site Plan Review Procedures, excluding the last sentence of section 3-314C-1.
(Conditional Uses having a floor area of less than five-thousand (5,000) square feet; fewer than five (5) dwelling units; or less than five (5) acres of development area shall not require the submission of a general development plan.)

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS, S. C. ALSOP

NAYS: NONE

NOT PRESENT: J. M. MILBY, JR.

(6) Zoning Text Amendment ZA10-08-Article 15, Off Street Parking Requirements – amending the current existing ordinance to allow for parking requirements for the proposed newly created uses as well as amending the current parking requirements; as well as deleting the option to permit a reduction in the number of parking spaces by means of a special exception by the Board of Zoning Appeals.

A motion was made by Mr. Simpkins seconded by Ms. Alsop to accept the recommendation of the Planning Commission with the exception of the following:

Article 15

- The Board of Supervisors made changes to Article 15.

- The Board accepts the Planning Commission’s recommendation with the exception of the following:
 1. Section 3-342, Minimum Off-Street Parking Requirements Table, Industrial & Manufacturing Establishments, to include parking requirements for shift change and future expansion.
(A reserve parking area shall be required to be included on the site plan and shall contain a number of parking spaces equal or greater to 25% of the minimum parking spaces required herein to accommodate shift change and expansion.)

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS, S. C. ALSOP
 NAYS: NONE
 NOT PRESENT: J. M. MILBY, JR.

(7) Zoning Text Amendment ZA10-09-Article 16, Signs – amending the current existing ordinance to include sign requirements for adult establishments.

A motion was made by Ms. Alsop and seconded by Mr. Simpkins to accept the recommendation of the Planning Commission.

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS, S. C. ALSOP
 NAYS: NONE
 NOT PRESENT: J. M. MILBY, JR.

(8) Zoning Text Amendment ZA10-10- Article 20, Appeals – amending the current existing ordinance to remove the section which currently permits a reduction in the number of parking spaces by means of a special exception by the Board of Zoning Appeals.

A motion was made by Ms. Alsop and seconded by Mr. Bailey to accept the recommendation of the Planning Commission.

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS, S. C. ALSOP
 NAYS: NONE
 NOT PRESENT: J. M. MILBY, JR.

(9) Zoning Text Amendment ZA10-11-Article 23, Intensive Livestock, Dairy, Poultry Facilities – amending the current existing ordinance for such use whether there is a building/structure or not and existing acreage requirements

A motion was made by Mr. Simpkins and seconded by Mr. Bailey to accept the recommendation of the Planning Commission.

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS, S. C. ALSOP

NAYS: NONE

NOT PRESENT: J. M. MILBY, JR.

(10) Zoning Text Amendment ZA10-12-Subdivision Ordinance, Chapter 4 – amending the current existing ordinance reducing the number of “by right” divisions of a parent tract from 2 to 1, revised section on bonding and periodic reduction thereof, and requiring “dry hydrants” in subdivisions.

A motion was made by Mr. Bailey and seconded by Mr. Simpkins to accept the recommendation of the Planning Commission with exception to changes discussed with worksheet to be included within the minutes.

Chapter 4

- The Board of Supervisors made changes to Chapter 4.
- The Board accepts the Planning Commission’s recommendation as submitted with the exception of the following:
 1. Article 2, Section 4-3A(2), reverting back to present ordinance (*a minor subdivision is the division or redivision of a parcel of land to create at least three and no more than 7 additional lots...*)
 2. Article 2, Section 4-3A(4), reverting back to “one or two lot subdivisions” as in the present ordinance (*One or Two Lot Subdivision is the division or re-division of a parcel of land to create no more than two additional lots or parcels... in addition to the original parcel or parent tract*)
 3. Article 4, Section 4-7A(8), reverting back to “multiple one or two lot division” as in the present ordinance (Multiple one or two lot divisions from the same parent tract or a series of such subdivision from abutting parent tracts for the purpose of circumventing this section shall not be permitted and will be treated as a minor or major subdivision.)
 4. Article 4, Section 4-7B(3.1), Shared Entrance Requirements, requiring the shared entrance width to have a minimum width of 20 feet and not 30 feet as suggested by the Planning Commission. Also, include the following sentence, (*No*

certificate of occupancy will be issued until such entrance is constructed according to the approved plan.)

5. Article 7, Section 4-31, Fire Protection, including “shall be” instead of “may be” in the following sentence, (The installation of adequate fire protection facilities shall be required in major subdivisions at locations approved by the Zoning Administrator.)

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS, S. C. ALSOP

NAYS: NONE

NOT PRESENT: J. M. MILBY, JR.

- (11) Zoning Text Amendment ZA10-13-Definitions, Chapter 6 – amending the current existing Chapter in its entirety to allow for newly created definitions for the proposed new uses, as well as amending current definitions. (including the definition of “Aquaculture”).**

A motion was made by Mr. Simpkins and seconded by Ms. Alsop to accept the recommendation of the Planning Commission as submitted.

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS, S. C. ALSOP

NAYS: NONE

NOT PRESENT: J. M. MILBY, JR.

- (12) Zoning Text Amendment ZA10-14 – Article 1, General Framework of the Zoning Ordinance – amending the current existing ordinance to correct reference to an amended State Code of Virginia section for Family Day Homes.**

A motion was made by Ms. Alsop and seconded by Mr. Simpkins to accept the recommendation of the Planning Commission.

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS, S. C. ALSOP

NAYS: NONE

NOT PRESENT: J. M. MILBY, JR.

- (13) Zoning Text Amendment ZA10-15-Article 8.1, Amateur Radio Antennas – amending the current existing ordinance to allow for approvals by approved conditional use permit and not as a special exception.**

A motion was made by Mr. Bailey and seconded by Mr. Simpkins to accept the recommendation of the Planning Commission.

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS, S. C. ALSOP

NAYS: NONE

NOT PRESENT: J. M. MILBY, JR.

**KING AND QUEEN COUNTY SCHOOLS
REQUEST FOR CAPITAL IMPROVEMENT FUNDING – TRANSFER OF
FUNDS AND TRANSFER OF SHERIFFS VEHICLE TO SCHOOLS**

(a) Request for Capital Improvement Funding – Transfer of Funds from Capital Improvement Plan

A motion was made by Mr. Simpkins and seconded by Mr. Bailey to approve the transfer of funds in the amount of \$22,000 from Capital Projects to the Schools Account for the purchase of 8 units. It was decided that the County would handle the purchase/bill up to the \$22,000.00.

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS, S. C. ALSOP

NAYS: NONE

NOT PRESENT: J. M. MILBY, JR.

(b) Transfer of Sheriffs Vehicles to Schools

County Administrator Thomas Swartzwelder advised that the Sheriff has retired five of the old Crown Victoria vehicles and that the schools have expressed interest in at least 3 of the vehicles, if not all five vehicles.

A motion was made a motion by Mr. Simpkins and seconded by Mr. Bailey to transfer the vehicles to the Schools.

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS, S. C. ALSOP

NAYS: NONE

NOT PRESENT: J. M. MILBY, JR.

APPOINTMENTS/REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

Planning Commission –

Buena Vista District – tabled

Newtown District – A letter of resignation has been received from Ms. Joy Harvey due to health issues. An appointment will need to be made to serve her unexpired term. – tabled

BUDGET AMENDMENTS/SUPPLEMENTS COMMISSIONER OF THE REVENUE AND TREASURER REQUESTS

Chairman Morris advised that the Commissioner of Revenue has asked that her request be placed again on the Boards Agenda. As the Board would recall, this was on the March 11, 2013 agenda and the Board took no action. Mrs. Longest has also put an additional request for the copier lease, education, part-time help, and a new request for a budget supplement in the amount of \$920.00 to cover cost incurred by her office to have the business license applications printed and mailed.

Mrs. Longest was present to provide some extra explanation on her request. Mrs. Longest advised that her copier lease expired in March 2012 and apparently it was agreed to not renew her lease, but she would have to share a copier with another office. The copier was not picked up until March of this year and she had continued to pay the monthly charges, with the budget being cut considerable for that category, so therefore she over spent and \$978 is needed to cover it.

For education, the Board expressed the importance that her staff take classes to be certified and she was assured that it was going to be funded. At the time that she submitted her budget, she did not know how many classes would be offered in a year and did not know what to really budget, overspending that category by \$571.00. Mrs. Longest is requesting \$1,000.00 supplement to cover this plus any other educational meeting classes that may become available by the end of the year. Mrs. Longest reported that Mrs. Balderson has completed the required number of classes with excellent test scores and now needs to attend quite a few meetings to receive necessary points to complete her certification. Mrs. Robinson still needs two more classes and many more meetings to complete her certification. Funds are available in her over-all budget, but she does not want to transfer to cover these overages, because she expects to use all that she has in her budget.

For Part-time help, when her office was given the responsibility of handling business licenses, she did not know the impact this would have on their workload. The process has been very time consuming and has caused their other responsibilities and duties to fall behind schedule. When the license was proposed it was stated that the administration fee of \$25.00 could provide support for her office. To date the total of \$4,600.00 has been collected in Adm. Fees. Mrs. Longest further stated that she has determined that she needs part-time help for 2 days a week in April and May to get them back on schedule, therefore she is requesting \$2,900.00 for part-time help.

For the Business License Expense in the amount of \$902.93 for printing and mailing of the business license applications, this was not included in her budget and is requesting reimbursement for this.

Chairman Morris questioned that she has already transferred \$900.00 to cover the business license application back in February and asked why it was being asked for again. Mrs. Longest responded that she did not have that in her budget and had to take it from something else to pay it.

Mr. Simpkins questioned that the Board has a figure of \$1462.00 for the copier lease and she mention \$978.00 and which one was correct. Mrs. Longest responded that \$978.00 is actually what is overspent.

Ms. Alsop recommended that each item be voted on separately.

EDUCATION – COMMISSIONER OF THE REVENUE

A motion was made by Ms. Alsop and seconded by Mr. Simpkins to approve the request for education expenses to cover the rest of this year in the amount of \$1,000.00

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS, S. C. ALSOP

NAYS: NONE

NOT PRESENT: J. M. MILBY, JR.

COPIER LEASE – COMMISSIONER OF THE REVENUE

Mr. Simpkins commented that there seems to have been some confusion concerning the copier lease from the beginning, but he knows that from all the years that he has been on the Board that Mrs. Longest runs a tight budget and does not have a lot of excess in her

budget. She expects to spend what she has, she asks for what she needs and spends that amount. We could have put some money in with the intention that the copier be taken out at the end of last year, but it was not done as it has been used for an additional year and does not see that the Board has much choice but to pay it.

Mrs. Balderson commented that the \$1,400 was to cover the lease through June.

A motion was made by Mr. Simpkins to approve the budget amendment in the amount of \$978.00. to cover the copier lease. The motion was seconded by Ms. Alsop.

AYES: J. L. SIMPKINS, S. C. ALSOP

NAYS: R. F. BAILEY, JR., D. H. MORRIS

NOT PRESENT: J. M. MILBY, JR.

MOTION DIED

PART-TIME HELP – COMMISSIONER OF THE REVENUE

Ms. Alsop commented that she knows that the Board talked about the Adm. fee, but does not know who they said would be able to use the fee.

County Administrator Thomas Swartzwelder commented that he did not believe that the Board really clarified who would use it. There was some discussion that if it was needed by the Commissioners' Office that it would be evaluated at the time, so her request is within line of the Boards discussion, but the Adm. fee is sort of a multi-fee that could be used by their office, treasurer and zoning.

Ms. Alsop expressed that she thought the Adm fee was going to be used for the mailings and things like that.

Mr. Simpkins expressed that he never really thought of how it would be used. Mr. Simpkins further expressed that whenever there is anything new there is always growing pains and always takes longer because you are doing it for the first time of which you have to establish a policy and a process, and he can understand her need for extra help. Two extra work loads have been put on her office, one being the Tax Relief for the Elderly and now the Business License and they still have the same amount of personnel in there. It is extremely important that all functions done in that office are done accurately, and it is hard to do that if you have to rush and you are constantly behind. Mrs. Longest did state that she will only use it, if needed. So if she uses part-time help for a month, then that is all she will use.

A motion was made by Mr. Simpkins and seconded by Ms. Alsop to approve a request in the amount of \$2,500.00.

AYES: J. L. SIMPKINS, S. C. ALSOP

NAYS: D. H. MORRIS

ABSTAIN: R. F. BAILEY, JR.

NOT PRESENT: J. M. MILBY, JR.

Motion died.

Explanation of why motion died:

Pursuant to Article VII (Local Government), Section 7 of the Virginia Constitution, a vote to appropriate money exceeding \$500.00 requires and “Affirmative vote of a majority of all members elected to the government body”.

At the meeting Mr. Bailey abstained, Mrs. Morris voted no and Ms. Alsop and Mr. Simpkins voted yes. Mr. Milby was absent. As such, only two “Affirmative Votes” were cast. Since we have a 5 member Board, three “Affirmative votes” are required to appropriate funds exceeding \$500.00.

COMMISSIONER – SUPPLEMENT IN AMOUNT OF \$920.00

Chairman Morris advised that the Commissioner is asking for a budget supplement in the amount of \$920.00, which has already been moved around within her budget.

Mr. Simpkins questioned if this would be a recurring every year. Mrs. Longest commented that it should be in her budget for the coming year.

Mrs. Morris commented that she thought that their office came up with their own form. Mrs. Longest responded that they created the form and had it printed.

Ms. Balderson responded that the Bright system does not have the form itself in their system.

Mr. Swartzwelder commented that there could be a possible savings by sending the forms out with the Personal Property forms.

After further discussion, a motion was made by Ms. Alsop and seconded by Mr. Bailey to approve the request in the amount of \$920.00 to cover the incurred cost to have the business license applications printed and mailed.

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS, S. C. ALSOP

NAYS: NONE

NOT PRESENT: J. M. MILBY, JR.

TREASURERS REQUEST FOR BUDGET SUPPLEMENT IN THE AMOUNT OF \$1,250.00

This amount will cover the remaining months that need to be paid (February – June) for the monthly lease on the multifunction copier located in her office. The monthly lease fee is \$247.21.

Treasurer Longest spent all of her money, because of not getting ½ from the Commissioner.

A motion was made by Mr. Simpkins and seconded by Mr. Bailey to approve the request in the amount of \$1,250.00.

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS, S. C. ALSOP

NAYS: NONE

NOT PRESENT: J. M. MILBY, JR.

DISCUSSION OF HIRING FREEZE POLICY

Chairman Morris advised that at the March 18, 2013 budget workshop, the Board requested that a hiring freeze policy be placed on the agenda. The purpose of the policy would be to have a department head or constitutional officer come before the Board of Supervisors prior to filling any position vacancy within their office.

County Administrator Thomas Swartzwelder advised that the idea is to freeze all positions as they are and their salary rate. If a position becomes vacant, the Constitutional Officer or himself would have to come back to the Board and request that the position be allowed to hire and fund. In the past, as positions became empty, they were just automatically filled. We have had an issue in the past, before his time here, where employees were hired at a rate to fill a vacancy and did not have the 12 or 13 years accrued in increases, and was brought in at that salary range. As a result of this it has caused salaries being out of order. For example, you may have had someone in the office for 20 years and accrued 10 COLA's during that time, and a new person is hired

and they start off with that salary. This follows as the Board has done with Constitutional Officers salaries, as they do not get the prior Constitutional Officers salary, but what the Compensation Board has set. By having this policy it would require Constitutional Officers and himself to come to the Board to discuss that position, as well as setting the starting salary. It does not mean the positions are eliminated, but that new hires fall in the proper place on the salary scale.

The policy is not saying you cannot replace someone, it is saying that you cannot hire someone at the same rate of pay that the former employee was receiving.

Ms. Alsop expressed that she did not like calling it a “freeze”, when that is not the case. Maybe it could be called a Position Alignment Policy.

After further discussion, a motion was made by Mr. Bailey and seconded by Mr. Simpkins to accept the Hiring Freeze Policy.

Mr. Swartzwelder comment for clarification, that this would not apply to advertisement already made for vacant positions.

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS, S. C. ALSOP

NAYS: NONE

NOT PRESENT: J. M. MILBY, JR.

COUNTY ADMINISTRATOR'S COMMENTS

County Administrator Thomas Swartzwelder provided the following updates;

- Advised that the new 911 system has been installed in a training format in the hearing room next door. Last week there was training given to the Sheriffs Department Employees (dispatchers) on the new system. Cut over to the new system is scheduled for next week.
- Advised that the work around the Circuit Court Building is slowly coming to completion. Two dead Oak trees were taken down and were replaced with two Fringe trees. Pavement has been completed on the Circuit Court side and all that is needed now is to finish the gravel around the back and complete stamped crossovers.
- Advised that our new Emergency Medical Staff (EMT) David Lankford's first week was last week. He responded to a total of 6 calls, 3 of them he was

turned around because full crews marked up. Mr. Lankford does not markup until after the second page. The other 3 calls, were responding to an overturned truck on Newtown Road, being the only responded initially and was able to stabilize the patient until Mattaponi Rescue could get there 40 minutes later. He responded to a call with Lower King and Queen and another motor vehicle accident on Rt. 360.

- Expressed his appreciation on how the Sheriffs' Office handled the incident last week in securing the building.

BOARD OF SUPERVISORS'S COMMENTS

Ms. Alsop had the following comments:

- Expressed her apologies for not being able to attend the past meetings due to being sick for a while, but she is glad that things moved on.
- Advised that the MPPDC was invited to RCC where they are doing wonderful things, but it is not the time for them to come and ask for a large amount of money to go towards their Capital campaign.
- Wanted to talk to Mr. Clare about the programs that are offered by RCC. RCC is using a lot of media type things to teach classes. It is time for King and Queen to say we want things such as this for our community as well. If they can do it for other places, they can do it for us. Ms. Alsop further expressed that she found it interesting that other Schools are getting it, and we are not.
- Thanked everyone for coming out to the meeting. Drive home safely.

Mr. Simpkins had the following comments:

- Thanked everyone for coming out.
- Expressed that he was glad to get the budget behind them. It is going to be a challenge, asking those to do more with less. We try to keep the budget amendments to a minimum.
- Expressed that there is a lot of traffic going in and out of the Library. A lot of times you see people sitting at the computers and utilizing the facility. A lot of work went into renovating the School, and he thanks Mr. Walker for all he has done. The building is really being used.
- Watch out for the farm equipment on the road.

Mr. Bailey had the following comments:

- Thanked everyone for coming out to the meeting and participating .
- Thanked citizens present for bearing with the Board on all of the Zoning Amendments, with most dealing with wording.
- Thanked everyone for comments and reports as they are very helpful. Every meeting provides him with more knowledge then he did have.

Mrs. Morris had the following comments:

- Expressed how glad that she was to have Ms. Alsop back, that it seems the Board is complete, other than Mr. Milby is not present tonight.
- Thanked the Sheriff's department for what they did in handling the incident at the Courthouse.
- Expressed her appreciation for all the reports that were given and for being a part of the process.

A motion was made by Mr. Bailey and seconded by Ms. Alsop to adjourn the meeting.

AYES: D. H. MORRIS, R. F. BAILEY, JR., J. L. SIMPKINS, S. C. ALSOP

NAYS: NONE

NOT PRESENT: J. M. MILBY, JR.

IT IS ORDERED THAT THE BOARD ADJOURN:

Doris H. Morris, Chairman

K. Diane Gaber, CMC – Deputy Clerk

