

**VIRGINIA:**

At a regular meeting of the King George County Board of Supervisors, held on Tuesday, the 5<sup>th</sup> day of December 2006, at 6:30 p.m. in the King George County Courthouse, Court Room #2, 9483 Kings Highway, King George, Virginia:

**PRESENT:** C. Stephen Wolfe II, Chairman  
Cedell Brooks, Jr., Member  
Joseph W. Grzeika, Member  
James B. Howard, Member  
R. Bryan David, County Administrator  
Matthew J. Britton, County Attorney

**ABSENT:** Dale W. Sisson, Jr., Vice-Chairman

The meeting was called to order by the Chairman, Mr. Wolfe.

**Public Comment:**

The Chairman opened the floor for public comment.

Ms. Stephanie Walters, James Monroe District, presented to the Board a letter and a petition containing over 600 signatures requesting the Board send a letter to the Department of Conservation and Recreation (DCR) regarding the CSX Trail requesting that any and all references to the development of the rail bed and the rails to trails project be deleted from the Virginia Outdoor Plan and reference in that letter the actions the Board has taken to date such as deleting references to the rail bed in the County's comprehensive plan, etc.

Mr. David Jones, Winston Place, who serves as President of the Friends of the Dahlgren Railroad Heritage Trail, provided an update on progress of the trail's development, including conducting walking tours and discussions that are underway with Little Ark Baptist Church concerning the church regaining its land. Mr. Jones also stated that he has discussed with VDOT installation of "Share the Road" signs and was advised by VDOT officials that this type of request would have to be initiated by the Board of Supervisors.

There being no further public comment, the Chairman closed that portion of the meeting.

**Reports of Members of the Board:**

**Mr. Grzeika**

Mr. Grzeika reported on the recent tour of County roads with VDOT representatives on November 29, 2006 and felt it was a useful exercise and a beneficial exchange between VDOT and the County. He also reported on recent attendance at the Rappahannock River Basin Commission in late November and anticipates a representative coming before the Board at a future meeting to address several pertinent issues including water quality.

**Mr. Brooks**

Mr. Brooks referenced Ms. Walters request made during the Public Comment period asking the Board to consider sending a letter to the Department of Conservation and Recreation regarding the rails to trails project and the deletion of such references to the rail bed in the County's comprehensive plan. After some discussion, the Board directed the County Administrator to bring back a letter for review at the December 12<sup>th</sup> work session.

On a motion by Mr. Brooks, seconded by Mr. Howard, and carried unanimously, each member voting as follows: Mr. Wolfe Aye; Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors authorized the drafting of a letter to the Department of Conservation and Recreation (DCR) stating the following: For the record, on     (date)     the County adopted its comprehensive plan which contains no reference to the rail bed and related projects and that the County views the "rails to trails" project as a property rights issue between property owners and that the County is not involved in this debate."

Mr. Brooks also addressed the issue raised by Mr. Jones regarding the placement of "Share the Road" signs for the safety of bike riders. The Board directed the County Administrator to bring back additional information on the law governing the placement of such signs.

**12-01—Consent Agenda:**

On a motion by Mr. Howard, seconded by Mr. Brooks, and carried unanimously, each member voting as follows: Mr. Wolfe Aye; Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors approved the Consent Agenda, as presented, which included the following:

Authorized the issuance of warrants against the FY06-07 Debt Service Fund in the total amount of \$177,999.15.

Authorized the issuance of warrants against the FY06-07 E911 in the total amount of \$242.27.

Authorized the issuance of warrants against the FY06-07 General Fund in the total amount of \$72,734.10.

Authorized the issuance of warrants against the FY06-07 Library Fund in the total amount of \$3,081.31.

Authorized the issuance of warrants against the FY06-07 Recreation Activity Fund in the total amount of \$264.00

Verified warrants issued for services to avoid late fees or disruption of service

Refunds of Personal Property Taxes

**Report of County Attorney:**

Mr. Britton provided information regarding the time requirements for Planning Commission action on proposed zoning ordinance and subdivision ordinance amendments referred to the Commission by the Board of Supervisors and the language needed in a motion to refer such proposed amendments.

On a motion by Mr. Grzeika, seconded by Mr. Howard, and carried unanimously, each member voting as follows: Mr. Wolfe Aye; Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors referred to the King George County Planning Commission to reenact and reordain the King George County Zoning Ordinance along with the amendments for the “residential cluster provisions” as presented at the May 23, 2006 work session of the Board of Supervisors.

On a motion by Mr. Grzeika, seconded by Mr. Howard, and carried unanimously, each member voting as follows: Mr. Wolfe Aye; Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors referred to the King George County Planning Commission to reenact and reordain the King George County Subdivision Ordinance along with the amendments for the “residential cluster provisions” as presented at the May 23, 2006 work session of the Board of Supervisors.

**Timed Items:**

**12-02—Report on King George County’s 2006 Relay for Life**

Mr. Steve Heitmeyer provided a report on the May 2006 Relay for Life event in King George. The event raised \$148,904 and Mr. Heitmeyer presented a plaque to the Chairman of the Board of Supervisors in recognition of the County’s participation in this year’s event. Mr. Heitmeyer reminded the Board of upcoming dates for Relay for Life events: January 17, 2007 for the Kick-Off for the 2007 event and the Relay for Life event on May 19, 2007.

**12-03—Presentation from Ralph Bunche Alumni Association**

Mr. Ralph Ashton, President of the Ralph Bunche Alumni Association provided an update on the Association’s recent activities and asked the Board to consider meeting with the Association concerning its use of the Ralph Bunche school for meetings, reunions, etc., as well as using space there to display historical artifacts, information on former graduates and other alumni related materials.

Mr. Grzeika responded, and other Board members concurred, that the Ralph Bunche School is King George County School Board property and the Board does not have jurisdiction over the use of the building. Mr. Brooks shared that the Board for several years set aside money, approximately \$170,000+, for the Ralph Bunche School but to date, the deed is still in possession of the School Board. Mr. Wolfe encouraged the Alumni Association to appeal to the School Board to turn the property over to the county and extended the Board’s appreciation for the Association’s presentation.

Mr. Wolfe extended his appreciation to the Ralph Bunche Alumni Association for their efforts and hard work in successfully obtaining the historical designation for the Ralph Bunche School.

**12-04—Presentation by Robert H. Wilson, George Washington Regional Commission, re FAMPO Membership**

Mr. Robert Wilson, Executive Director of the George Washington Regional Commission, along with Mr. Matthew Kelly, FAMPO Chairman, and Mr. Lloyd P. Robinson, FAMPO Administrator, presented information to the Board regarding the potential inclusion of King George County as a voting member of FAMPO.

The Board inquired as to what the Code requirements are for membership. Mr. Grzeika felt that the County, based on previous data, would not qualify for quite some time. Mr. Wilson agreed to provide information to the County Administrator regarding Code requirements and other pertinent information relating to FAMPO membership

#### **12-05—Status Report on Landfill Operating Hours**

Mr. Rick Guidry, District Manager, Waste Management, Inc. provided a status report on the temporary extension of operating hours at the King George Landfill. Mr. Guidry reported that repairs to the CSX bridge over the Anacostia River have been completed and the rail service will resume on December 6<sup>th</sup>. He also anticipates some delays with the re-opening of the new track but that rail service will be resuming. Mr. Guidry did share with the Board that he projects tonnage to be between 10,000-15,000 tons less than last year because of the loss of rail service for this period of time, which equates to between \$50,000-\$75,000. Mr. Guidry asked for consideration of maintaining the temporary hours for an additional two-week period.

On a motion by Mr. Grzeika, seconded by Mr. Brooks, and carried unanimously, each member voting as follows: Mr. Wolfe Aye; Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors authorized the temporary hours for the operation of the King George County Landfill to be maintained through December 6, 2006, and then operate the landfill on a modified schedule opening at 5:30 a.m. instead of 6:00 a.m. through the 31<sup>st</sup> day of December 2006.

#### **Action Items:**

#### **12-06—School Board Request for Supplemental Appropriation of Funds**

Mr. David explained that the Dr. Brown, Superintendent of the King George County Public Schools, advises that the School Board has requested a supplemental appropriation to the FY2007 Instruction and Technology Category of its FY2007 Operating Budget in the amount of \$63,856. These funds will be used to hire additional special education staff and for special education services for a new student. Mr. David also provided a memorandum from Dr. Brown which provided supporting information to the request and stated that there is an unobligated balance of \$263,857 in the FY2007 Contingency Line. Dr. Brown was in attendance and provided detailed information regarding this request for funding which includes hiring of a paraprofessional for the Early Childhood Special Education classes at a cost of \$14,222.99 for 116 school days; the addition of a third Early Childhood Education teacher and paraprofessional at a cost of \$38,483.86 for 105 school days; and \$11,149.20 for costs related to services for a preschooler with an IEP that requires an inclusive setting.

Mr. Grzeika inquired as to the amount of carryover funds in the School Board's budget from last year and felt he was not ready to take action on this request until such time as the draft audit report has been reviewed by the Board. The County Administrator stated that the draft audit should be available prior to the December 19<sup>th</sup> Board meeting. That being the case, the Chairman recommended, and the Board concurred, placing this item on the December 19<sup>th</sup> agenda, which will give the Board time to review the audit and determine whether surplus funds are available for this request.

#### **12-07—Consideration of Special Exception Permit #60-10-E09 to operate water system in Eagle Bay Subdivision**

Mr. Green explained that the Board has received a Special Exception Permit request from SE Ventures to construct water pumping and storage and stated that staff recommends forwarding the request to the King George County Planning Commission.

On a motion by Mr. Grzeika, seconded by Mr. Howard, and carried unanimously, each member voting as follows: Mr. Wolfe Aye; Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors adopted the following resolution, forwarding Case No. 06-10-E09 to the King George County Planning Commission:

WHEREAS, Article 5, Section 5.4 of the Zoning Ordinance of King George County, Virginia sets forth the procedures for granting a Special Exception; and,

WHEREAS, the King George County Board of Supervisors has received Special Exception Request Number 06-10-E09, from SE Ventures for water pumping and storage.

NOW, THEREFORE BE IT RESOLVED, that in accordance with the Provisions of Article 5, Section 5.4 of the Zoning Ordinance of King George County, Virginia, the King George County Planning Commission is hereby requested to consider Special Exception Application Number 06-10-E09 and submit its recommendation to the Board of Supervisors within ninety (90) days.

**12-08— Approval of Warrant to the Journal Press, Inc.**

On a motion by Mr. Howard, seconded by Mr. Brooks, and carried by 3-0-1 vote, each member voting as follows: Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors authorized the issuance of warrant number 1108542 to the Journal Press, Inc., against the FY06-07 General Fund in the total amount of \$531.08. Prior to the vote, Mr. Wolfe disqualified himself on the basis of family interest.

**12-09—Authorize Expenditures from the FY06-07 Capital Improvements Fund**

On a motion by Mr. Howard, seconded by Mr. Brooks, and carried unanimously, each member voting as follows: Mr. Wolfe Aye; Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors authorized warrants against the FY06-07 Capital Improvements Fund budget in the total amount of \$576,821.42, as specified.

**Discussion Items:**

**12-10—Acquisition of Software for Computerized/Web-Based Building Inspection Scheduling and Reporting Project**

Mr. David presented information from the Director of Community Development concerning the acquisition of software to implement a computerized and web-based building inspection scheduling and reporting project. The concept of this project was presented to the Board of Supervisors at its work session on May 23<sup>rd</sup>. This request is only to fund the acquisition of the software while the hardware would be included in the Department of Community Development's proposed FY2008 Operating Budget.

On a motion by Mr. Howard, seconded by Mr. Brooks, and carried unanimously, each member voting as follows: Mr. Wolfe Aye; Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors approved an appropriation from FY2007 Contingency

Line in the amount \$12,700 for the purchase of software (BRITE System) to process building permit applications, as presented.

**12-11—Consideration of Appointment to Potomac Watershed Roundtable**

Mr. David explained that Ms. Penelope A. Gross, Chair of the Potomac Watershed Roundtable, is requesting that the Board take action to appoint or re-appoint a Board member to the Potomac Watershed Roundtable, as well as the appointment of an alternate, either a Board member or staff member.

On a motion by Mr. Brooks, seconded by Mr. Grzeika, and carried unanimously, each member voting as follows: Mr. Wolfe Aye; Mr. Brooks Aye; Mr. Grzeika Aye; and Mr. Howard Aye, the King George County Board of Supervisors reappointed Mr. James B. Howard as the Board's representative to the Potomac Watershed Roundtable and the County Administrator or his designee to serve as the alternate.

**County Administrator's Report:**

**12-12—Statutory Process to adjust Annual Compensation for Board of Supervisors**

In follow up to a request by Mr. Brooks at the Board's November 28<sup>th</sup> meeting to provide information on the statutory process to adjust the annual compensation of the Board of Supervisors, Mr. David provided a copy of pertinent sections of the Code of Virginia and a copy of the 2006 Annual Board of Supervisors Compensation Survey prepared by the Virginia Association of Counties.

**12-13—Distribution of Draft FY2008-2013 Six Year Secondary System Construction Program**

Mr. David presented the draft FY2008-2013 Six Year Secondary System Construction Program and recommended that the next step would be to schedule a work session with the Residency Administrator to review and modify the program as needed and then schedule a public hearing for a future regular meeting.

The consensus of the Board was to schedule a work session during the January 2007 organizational meeting of the Board,

**12-14—Proposed Use of King George County Shield by King George County Chamber of Commerce**

At the Board of Supervisors' meeting on November 28<sup>th</sup>, the County Administrator reported on a request from the King George County Chamber of Commerce to use the County's shield on its upcoming web site. At that time, the Board requested staff to clarify whether the Chamber was requesting to use the "shield" or the County seal. Mr. David contacted Mr. Leonhardt, President of the Chamber, and he confirmed that the request was to use the "shield," which would be used for the web site. The County Attorney advised that the County shield is already in the public domain and will bring to the December 19<sup>th</sup> meeting which localities have copyrighted or trademarked their seals and the costs associated with such trademarking.

There being no further business to come before the Board, the Chairman adjourned the meeting on a motion by Mr. Howard, seconded by Mr. Brooks, and carried unanimously.