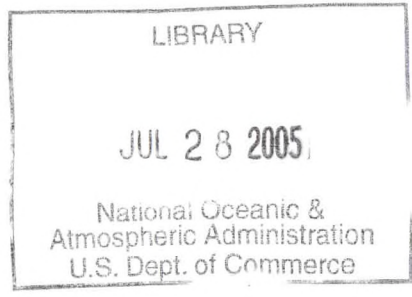


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1996



King William County
Septic Tank Pump-Out Program
Critique and Recommendations
January 1996

TD 778. S47 1996



This project was funded, in part, by the Virginia Department of Environmental Quality's Coastal Resources Management Program through Grant #NA47OZ0287-01 of the National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Management, under the Coastal Zone Management Act of 1972, as amended.

The King William County Septic Tank Pump-Out Program

Critique and Recommendations

I. **Purpose of This Report.** The purpose of this report is to describe the policy and program implementation history in our County of one of the more controversial regulations of the Chesapeake Bay Preservation Act, the mandatory five year septic tank pump-out provision. The report will give an overview of how well the Act's regulations are being enforced. The final purpose of the report is to make policy recommendations on how the regulations could be amended to efficiently and effectively implement this program.

II. **History.** When the Chesapeake Bay Act and the initial regulations were being adopted in the late 1980's, local governments pointed out several concerns with this provision of the Bay Act.

Many local governments felt that the cost of pumping would increase once the regulations began to be enforced. As the demand for a service rises, the supply of that service becomes more valuable, therefore the price for that service will rise.

Local governments believed that the Virginia Department of Health is the appropriate agency to administer the septic tank program because they initially approved them, they know (or should know) where they are located and they know where there are problems of failure.

Localities pointed out that placing this provision in a Zoning Ordinance with the awkward enforcement powers within such an ordinance is a poor enforcement tool. To bring citizens to court for not pumping their septic tanks is not a high priority crime for courts. Also the sheer volume and the cost of the prosecution would be tremendous. Local judges often view zoning violation cases as being trivial in comparison to the major felonies they are faced with. Because of this view, some The program also has a high administrative cost particularly for rural localities. Because of these reasons, it was felt (in private) very few localities, if any could or would voluntarily attempt to enforce such an ordinance.

The problem of the poor person that could not afford to pump-out their tank was also brought to CBLAD's attention. At the time, we were told by CBLAD staff that the County could set up funds to pay for their pumping. New taxing powers would have to be given by the General Assembly or revenue would have to be taken from general funds to pump the indigent's septic tanks. This was a very unsatisfactory answer; mandating a new cost onto local government.

Local governments also voiced their opinion that an inspection provision should be permitted to alleviate the needless pumping of tanks. The regulation that the CBLAB passed calls only for pumping and not inspection. It also gave (gives!) the local government no

option or leeway in the number of years or as to how it is to be interpreted and administered. The elderly lady living alone in a house with a septic system designed for a family of six in all likelihood does not need to have her system pumped every five years. However, the regulation requires the five years.

III. The Local Ordinance. In accordance with the prescribed regulations adopted by the Chesapeake Bay Local Assistance Board and given to us by their department (CBLAD), King William County adopted with minor alterations into its Zoning Ordinance what was given to us as the prescribed "Model Ordinance" by CBLAD. The County used the criteria from the regulations and determined that a county-wide Resource Management Area was the most equitable way to implement all of the Bay Act's provisions. A provision of the ordinance required that septic tanks be pumped out every five (5) years was adopted (and was the most hotly contested item during the adoption debate in King William County) as required by the Bay regulations. After its adoption in 1991, the ordinance was found to be in full compliance with the CBLAD regulations.

IV. Implementation and the Grant. As the end of the five years approached, the County was informed by members of the CBLAD staff that in the near future, CBLAD would probably be reviewing the compliance of local government with the Bay Act, in particular the septic tank pump-out provision. We were also concerned about having an ordinance that is not being enforced and potential issues of non-feasance by the Zoning Administrator, if such a program was not being enforced.

The County applied for and was awarded grants from CBLAD and the Department of Environmental Quality for an Environmental Information Officer to set up a database program by updating earlier information provided by the Middle Peninsula Planning District Commission and contact the County's citizens in regards to the program. This project began in October of 1994.

The County then hired the Environmental Information Officer. He then proceeded to set up the system and database. This was a very labor-intensive process. There were many errors inherent in the database. The Health Department did not and does not have accurate information as to who had septic tanks. Valuation of structures on properties was used to determine whether properties had septic tanks. In addition, the pumping firms were contacted and a certification list was prepared and included with all of the citizen contact letters.

By April of 1995, the first series of letters were mailed. The project for our relatively small county is expensive and time-consuming for our three person full-time staff. The program generated initially over 3,000 five page letters and envelopes and subsequent postage, and approximately 1,700 one page follow-up letters, envelopes and postage. One of the things that we wished to determine is whether this program could be performed as an "add-on" type of duty to existing staff (after the grant was over and

the young man that was working as the Environmental Information Officer had gone). This was definitely not the case. A person was needed that could answer the telephone and deal with the general public at the front desk, make the numerous computer inputs and make the corrections from the tax records (which could not interface).

Although there were some initial mild protest telephone calls and contacts, in general the program was relatively uneventful. In June, the final group of the first series of letters were sent.

King William County does not have a public sewage disposal plant. In July, one of the pumping firms contacted us and informed us that Hanover County was contemplating an ordinance that would prevent "outside waste" from being placed in their sewage treatment system. The firms were charging between \$125-\$175 for a normal pump-out (which was well above the average that CBLAD had noted in their report on the pump-out program). If the pumpers in the upper part of the County (near Hanover County) could not utilize the Hanover County system, a longer drive with higher fees (estimated to rise between \$25-\$100) would result. This area of the County represents a significant portion of the population. It was very fortunate for the County's citizens that Hanover County rejected the proposal.

V. The Protest. Throughout the remainder of the summer and fall, the program moved forward without significant incident. A second letter reminding those that had not pumped their tanks of the program was mailed. The compliance rate was up to fifty-nine (59) percent by mid-October.

At the October 23rd Board of Supervisors meeting, a group of citizens numbering between 100-150 protested the mandatory pump-out requirement. The leaders of the group, one of which was a prominent developer made a distinction over whether it was a state law or a County ordinance from a CBLAD regulation. They claimed that the County did not have to adopt and enforce regulations. They implied that the County Administrator and the Planning Staff had misled the Board. Most importantly they made the designation of a County-wide Resource Management Area an issue.

As a result, the Board of Supervisors asked the County Administrator and Planning Staff to put together the information on the overall Bay Act and specifically the designation of the Chesapeake Bay Preservation Area and the Resource Management. This made the overall Bay Act an issue again.

The timing of the meeting and its seemingly sudden unexpected nature (no evidence of great concern was shown more than five (5) days prior to the meeting) may have had some political motivation. A very close Board of Supervisors election for the only contested seat occurred only two weeks later after the meeting. The rival candidate spoke at the meeting against the County's policies.

Following the "protest", the County Planning Staff sent a series of questions that the Board wished to have answered to CBLAD. The Middle Peninsula Planning District Commission prepared a map showing the Resource Management Area features. This map confirmed our County-wide decision. We are very grateful to Ms. Margie Reynolds of CBLAD and Mr. James Uzel of the MPPDC for their prompt and professional provision of information. Without their assistance, several questions could not have been put to rest.

The most beneficial occurrence was completely unsolicited and not as a result of any public entity. A former reporter for a local newspaper and concerned citizen wrote a letter in favor of the ordinance. In the letter he gave the rationale behind the law and pointed out the potential agendas of some of the protagonists. This appears to have the effect of calming the situation. Telephone calls of support began to trickle in following the letter. At the November Board of Supervisors meeting, neither any of the "leaders" of the protest nor disgruntled citizens appeared at the meeting. The County Staff presented in a very cursory fashion, the maps and other information about the Bay Act, RPA, RMA, etc., and requested that the Board set a more indepth work session if changes were envisioned. The Board felt that the County's Bay ordinances were correct as they were and that they could not be changed without dire legal ramifications with CBLAD. With this inaction, the issue is dead at least for now.

VI. Unanswered Issues. However, the protest brought to light several problems. It perpetuated some of the misinformation in the community. For example, it was stated that if a septic tank is installed correctly that they should remain undisturbed and should never be pumped.

It also brought out the problem of enforcement. A governing body is extremely reluctant due to moral, financial or political considerations to file lawsuits against numerous households (approximately 1,000 in King William County) on this issue. It is difficult enough to file charges on locally initiated ordinances. It is doubly so if it to enforce an ordinance that stems from a State regulation where the positive result is not visibly and readily discernible.

In the course of the meeting, the Board was asked the hard question as to what would be done if the home-owners refused to pump their tanks. A firm answer could not be given that would put teeth into the ordinance. This lack of enforcement clout is deadly to any law. After the protest meeting, the number of people pumping their tanks dwindled down to a trickle and has virtually stopped. It had become generally believed that the County would do nothing so why bother.

A final point to be made is that at the local level there is not the continuous environmental lobby that there is at the State or Federal levels. However, there is an constant builder/developer lobby. Couple this with any activity that costs citizens money and

you have a ready-made boisterous lobby that can and will cow even the best of Boards (of which King William County has one of the best.).

VII. Recommendations: The following are recommendations that CBLAB should consider if effective enforcement of a septic tank program is to continue. They are written in a priority order although one or more may apply if deemed appropriate by CBLAB.

1. Give this task to its proper agency, the Virginia Department of Health. Local governments do not approve septic tanks, the Health Department does. They should have records of where problems have occurred so that those areas could be targeted first. Penalties based on continued occupancy of "unpumped dwellings" could put teeth into enforcement. It also would not place an entire county's Bay ordinance at risk everytime an irate citizen did not want to pump their tank. It would take this provision out of local government's zoning ordinances and place it in a more effective enforcement vehicle. Most importantly it would take this very expensive State mandate and allow it to be funded with State funds. If Virginia believes that this is a worthwhile endeavor, it should fund it directly.

Note: The following recommendations all assume that local governments will have the burden of operating this program.

2. Determine the cost of implementation of such programs and annually fund the continued implementation of the program by local governments. The cost of implementation even at the relatively small scale for King William County is extremely expensive. It was at least \$60,000 and this does not take into account the "non-grant funded" activities of other offices or non-project employees that would photocopy documents, explain the program to citizens when the Information Officer or Planning Secretary was not available. Even maintenance of the system after the start-up will be labor-intensive. If full enforcement is envisioned with the requisite legal actions, then costs should continue to be extremely high with potential adverse results from local judges.

3. Permit local governments to allow inspections of septic tanks in lieu of pumping. There are instances in which pumping is not necessary and actually may harm septic systems. Inspections by certified pumpers or the Virginia Department of Health would be in permissible.

4. Permit local governments to grant longer periods than five years for instances where there has been continuous single occupancy or sporadic occupancy. It is possible that a septic system designed for a large family that is now occupied by only one person does not need pumping. Also if a home is only for vacation use or had been abandoned and

recently reoccupied, a longer period is in order and should be left to local flexibility. The present regulation leaves no flexibility in its administration.

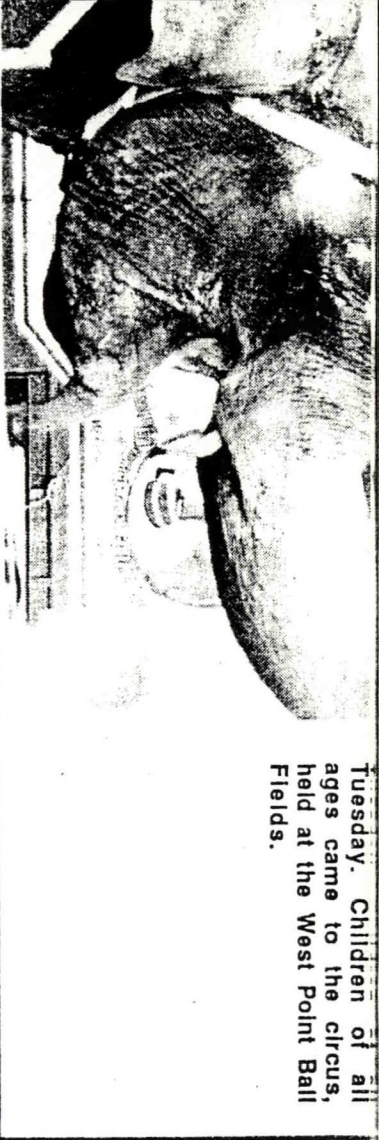
5. Permit local governments to impose a surcharge on each septic tank that is pumped. These funds could then be placed in a fund to assist the indigent in having theirs pumped. It is not likely that a person that is receiving public assistance would place a high priority on pumping their septic tank.

6. Grant the Bay localities the power to levy civil penalties or to impose liens on properties where violations of the pump-out program occur. The use of civil penalty "tickets" similar to those for parking may ease the administrative burden slightly. The posting of liens might in some cases lead to compliance. Although these approaches could be relatively simple, they tend to trivialize the urgency of the need for the home-owners to fulfill their duties.

7. Have the Virginia Department of Health to require all newly installed or replaced septic tanks to have inspection ports to facilitate and lessen the cost of inspection of tanks. These are inexpensive (under \$100). This could permit local programs with the manpower to inspect them at minimal or no charge to the public or lower the inspection fee for private pumpers.

8. Promote cooperative agreements between public sewage treatment centers (particularly the urban ones) operated by local governments or public service authorities and rural localities to insure that rural localities that do not have such facilities are not discriminated against in the collection and treatment because they are out of county wastes. These could consist of funding or other incentives stressing the uniformity and regional nature of the program. A grant program for regional sewage treatment centers or an expansion of larger existing treatment centers for future needs should be reviewed.

VIII. Final Comments. The septic tank pump-out project was one of the most fascinating and frustrating projects that we have ever undertaken. We discovered that a +/- 62 percent compliance rate is considered good by practically everyone (this low a rate of compliance in any other area of zoning would be unacceptable). We learned how everyone is an environmental until it became time to pay for it. Most importantly we learned that it takes a brave and learned constituency to keep even a minimal program from being overwhelmed by ignorance and self-interest.



Tuesday. Children of all ages came to the circus, held at the West Point Ball Fields.

men make hunting safe

John Hunter Williams of Richmond has been charged with involuntary manslaughter in the hunting death of Kenneth Stone of St. Stephens March. For more details on the arrest, see page 12.

● Do not stalk spring turkeys. Never think you are alone in the woods. You may end up stalking a fellow hunter, or end up being stalked yourself.

● Although blaze orange is not required for spring turkey hunting, it is recommended that hunters use a two inch band of blaze orange wrapped around the tree above where the hunter is situated.

- Avoid using a gobbler call.
- If using decoys, carry them in and out in a blaze orange bag. That's also a good way to carry a turkey out.
- Be careful when using decoys. How you place them could put you in the field of fire of another hunter.

● Sit with your back to a tree wide enough to cover you from behind, so your arms are not visible.

● When using camouflage over your face, make sure it's a type that doesn't hinder your vision. Camouflage paint is a good alternative.

● If you see another hunter approaching you, alert him of your presence by voice, not by waving or moving.

The 1995 spring gobbler hunting season opened statewide on April 15. Shooting hours are from one-half hour before sunrise until 12 noon each day. A 1994-95 state hunting license is required, along with a big game license. The bag limit is one bearded bird per day, no more than two per season.

It is unlawful to use or have in possession any shot larger than number 2 fine shot when hunting with a shotgun. It is also unlawful to use dogs during spring season or to use electronic calls. The season runs through May 20

The safety of others in the field is more important than the quest for quarry. Once you pull the trigger you can't change the bullet's destination.

Septic pumping required in KW

New rule protects water

KING WILLIAM — King William County will begin a septic tank pump-out program to help preserve and protect the Chesapeake Bay by reducing non-point source pollution from failing and improperly maintained septic systems.

The program, which will be implemented in environmentally sensitive Chesapeake Bay Preservation Areas, will require pump-out of on-site septic systems once every five years.

The requirement makes environmental sense for both the septic tank owner and the county. Routine septic tank pump-out prevents solids from accumulating in septic tanks, clogging drainfields and resulting in a serious health threat as raw sewage collects over the drain-

field or backs up into the home or business.

Indeed, the health threat is twofold, as septic system overflows are washed into the Bay, instead of being filtered through the soil and cleaned by the naturally occurring bacteria.

The overflow then causes excess bacteria levels and over enrichment of the Bay. The result is closed shellfish beds in many parts of the Bay.

Closer to home, if you have a leaking or failing septic system, you could be drinking what you are flushing.

Septic system failures are the most frequently reported sources of groundwater contamination, according to the U.S. Environmental Protection Agency.

● See SEPTIC, page 3

Dangerous curves will be straightened

Primary roads in West Point, King William and King and Queen are scheduled for improvements as part of the Commonwealth Transportation Board's six-year improvement plan.

In King & Queen, work will be done to improve sight lines at two locations on Rte. 14 in the county. The improvements will bring visibility from 0.3 miles to 0.8 miles at Heartquake Creek and from 0.2 to 0.6 miles at Rte. 631.

The work in King & Queen is scheduled to be completed by the end of the year 1996-97. The state has

will be done to upgrade the signal and improve the turning radius at the Rte. 33 intersection.

Also at the intersection of Rte. 30 and 33, a right turn lane will be built from Rte. 33 on to Rte. 30. The lane is scheduled to be completed in 1996-96. The lane will cost the state \$380,000, and most of the work will be done in the next two years.

Work is already underway to construct a left turn lane in West Point at the intersection of Rte. 30 and 33. The work will help cut down traffic delays heading

hunters, such as the legal round for a chosen hunting season. An example of this is the law prohibiting possession and use of ammunition larger than number two shot when shotgun hunting during spring turkey season. Never support a loaded firearm in a vehi-

Taking a hunter safety course through the Department of Game and Inland Fisheries. For more information on hunter safety instruction contact Major Herb Foster, assistant chief enforcement division of the Department of Game and Inland Fisheries at 367-1000.

Other key points of hunter safety concerning spring gobbler season are covered in the Department of Education Course:

...se conference on aging,
...member of the National
...of Counties Rural
...and Agriculture Committee
...chairman of the Virginia
...of Counties Rural
...and Agriculture Committee.

...is a member of the
...Baptist Church in Sparta,

at on board

...University and is a
...adjunct faculty member at
...the Criminal Justice gradu-
...e program.

...ntly, Jordan is a legislative
...analyst with the House of
...s Appropriations Commit-
...h year he leads two New
...ool classes on a tour of the
...Capital, the Governor's
...and the General Assembly

...has 22 years of state gov-
...experience, including stints
...Department of Criminal Jus-
...ices and the Virginia State

ogram

...ase on the readings. Each
...nt was also required to at-
...critique a planning com-
...meeting outside his home
...n.

...nal phase of the program
...o-d workshop featuring
...n a individual exercises
...rship styles, communica-
...niques, conflict manage-
...mechanics, decision-
...nd the role of visioning in
...unity planning process.

...ject of relevance to the
...neatly written, submitted

...church school and on the board of
...Christian education.

...Additionally, he is captain of the
...Upper King and Queen County
...Rescue Squad, first vice president of
...the Mattaponi Sunday School
...Convention and a member of the
...Board of Directors of the Mattaponi
...Baptist Association of Virginia.

...Aslop is a member of the
...Phoenix Society, the Association
...of Former Intelligence Officers, the
...American Institute for Design,
...Mended Hearts Inc., the NAACP,
...the National Microfilm Association
...and the Virginia Association of
...Volunteer Rescue Squads.

...Also received his formal educa-
...tion in the King and Queen and
...Caroline County public schools.

...He attended the University of
...Colorado and graduated from the
...Washington School of Engineering
...and Design. He also attended the
...graduate school of the U.S.
...Department of Agriculture
...Cryptologic School for
...Government.

...If re-elected, Alsop said he is
...committed to the continued support
...of education and industry for the
...county.

...Alsop is married to the former
...Lue Myrtle Johnson of Newtown.
...They have three daughters, Pamela
...Alsop Green of Ruther Glen, An-
...gela Alsop-Thompson of Upper
...Marlboro, Md. and Sherrin Alsop
...of Newtown.

...that is unfair.
...“I believe that the great majority
...of our citizens want to pay their fair
...share of our county's tax bill,” she
...said. “We need to work with our
...neighbors to help them get back on

...needed to run our schools and
...county comes from the citizens,”
...she said. “I plan to make speedy de-
...posits into interest bearing accounts
...to assure that we can earn as much
...as possible on each dollar.”

Septic

● Continued from page 1
...ing to the U.S. Environmental Pro-
...tection Agency.

...In the Middle Peninsula Region,
...the vast majority of the drinking
...water supply comes from ground-
...water resources. The majority of the
...groundwater supply is being tapped
...by private wells on individual home
...sites.

...In addition to the environmental
...benefits associated with a well-
...maintained septic-system, the Vir-
...ginia State Health Department
...points out that septic tank owners
...can ensure the longevity and pro-
...ductivity of their septic tank sys-
...tems by fulfilling the periodic sep-
...tic tank pump-out requirement.

...When properly designed, in-
...stalled and maintained, septic sys-
...tems can provide cost-effective
...wastewater treatment for up to 50
...years. Best of all, there are no
...monthly bills for treatment.

...However, once a septic tank has

...failed, it can be very costly to repair
...or replace. The average replacement
...cost for a new septic system ranges
...from \$2,500 to \$3,500.

...Thus, the \$90 to \$150 fee for
...septic tank pump-out should be
...viewed by septic tank owners as in-
...surance for their investment and
...prevention against the costly in-
...convenience and health threat of
...system failure, county officials say.

...Notification of the septic tank
...pump-out requirements will be
...mailed April 26 to affected septic
...tank owners. Enclosed with the let-
...ter will be a form for the home-
...owner to complete to verify pump-
...out, a list of certified septic haulers
...available to service their septic sys-
...tems and a brochure with more in-
...formation about the care and main-
...tenance of the septic system.

...Questions or comments regard-
...ing the pump-out program should
...be directed to John Walls at 769-
...4933. For more information about
...septic tank care and maintenance,
...contact the State Health Department
...at 786-1750.

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ATTENTION

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**IF YOU DISAGREE WITH
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**THEN VOICE YOUR OPINION
AT THE COUNTY SUPERVISORS MEETING**

WHEN: 7:00 PM, MONDAY OCT. 23, 1995

WHERE: KING WILLIAM COURT HOUSE

\$ "IT WILL BENEFIT YOU TO ATTEND." \$

KW to begin enforcement of 5-year septic tank pump-out law

King William County will begin implementation of a septic tank pump-out program. The purpose is to preserve and protect the Chesapeake Bay by reducing non-point source pollution to the estuary system due to failing and improperly maintained septic systems.

The program, which will be implemented in designated environmentally-sensitive Chesapeake Bay Preservation Areas, will require pump-out of on-site septic systems once every five years. The requirement makes environmental sense for both the septic tank owner and the county. Routine septic tank pump-out prevents solids from accumulating in septic tanks, clogging drainfields and resulting in a

serious health threat as raw sewage collects over the drainfield or backs up into the home or business.

Indeed, the health threat is two-fold as septic system overflows are washed into the bay instead of being filtered through the soil and cleansed by the naturally occurring bacteria. The overflow then causes excess bacteria levels and over-enrichment of the bay. The result is closed shellfish beds in many waterways. Closer to home, if you have a leaking or failing septic system, you could be drinking what you are flushing.

Septic system failures are the most frequently reported sources of ground water contamination according to the Environmental Protection Agency. In the

Middle Peninsula Region, the vast majority of the drinking water supply comes from groundwater resources. The majority of the groundwater supply is being tapped by private wells on individual home sites. The need to ensure properly maintained on-site septic systems therefore becomes even more apparent as being critical to the health and well-being of King William County residents.

In addition to the environmental benefits associated with a well-maintained septic system, the Virginia State Health Department points out that septic tank owners can ensure the longevity and productivity of their septic tank systems by fulfilling the periodic septic tank pump-out requirement. When properly designed, installed and maintained, septic systems can provide cost effective wastewater management up to 50 years. Best of all, there are no monthly bills for treatment.

However, once a septic system has failed, it can be very costly to repair or replace. The average replacement cost ranges from \$2,500 to \$3,500. Thus, the \$90 to \$150 fee for septic tank pump-out should be viewed as insurance for the investment in the system and prevention against the costly inconvenience and health threat of septic tank failure.

Notification of the pump-out

requirements will begin to mailed out today (April 26) to applicable septic tank owners. Enclosed with the letter will be a form for the homeowner to complete to verify pump-out, a list of certified septic haulers available to service septic systems and a brochure with more information about the care and maintenance of the septic system.

Questions or comments regarding the pump-out program should be directed to John Walls at 769-4933. For more information about septic tank care and maintenance, call the State Health Department at 786-1750.

Shooting in Aylett

Continued from page 1

deputies with no incident.

In an unrelated matter, King William Sheriff W. Wayne Healy is seeking information on a rash of break-ins in the Acquinton/Cohoke area of King William. Last week there were several break-ins on Route 632 and one on Route 629. Healy is asking anyone to call in suspicious vehicles' license numbers.

The break-ins have been mostly during daylight hours. The King William Sheriff's office non-emergency number is 769-0999.

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Linda Rogers

Accidents?



Tickets?



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aylor-made?

KW citizens outraged



By BRIAN M. RAFFERTY
Staff Writer

KING WILLIAM — The county is forcing its citizens to obey a law which doesn't exist and to follow an ordinance that should not have been adopted in the first place.

That is the opinion of several citizens in the county when it comes to being forced to flush out their septic tanks.

"We are fed up with the manner in which this was presented," said Gene Longest, a county citizen. "We have been threatened, intimidated and lied to," he said.

The county requires that citizens pump out their septic tanks every five years, as directed by a county ordinance. The ordinance is a result of the board of supervisors listing the entire county as a resource management area protected under the Chesapeake Bay Protection Act, in 1991.

When the act was adopted by the State of Virginia, counties were given a list of criteria that could designate certain areas resource protected and resource management, according to Scott Crafton, chief engineer for the Chesapeake Bay Local Assistance Board, in Richmond.

Crafton said when the act was passed, counties had the option of designating certain areas "protected". The counties then submitted a plan to the local assistance board which officially designated the properties.

The county was not required to do list any properties under a protected or managed area, Crafton said.

In King William, the board of supervisors studied the criteria for listing properties as protected or managed, and found that nearly 70

"This is the same type of deception, subterfuge and rubber-stamping of what gets presented to the board."

-Gene Longest
KW Citizen

percent of the county qualified, according to County Administrator David Whitlow. The board decided to list the entire county as protected, though citizens say the board had no idea what it was getting itself into.

"This is the same type of deception, subterfuge and rubber-stamping of what gets presented to the board," Longest said.

He added that the supervisors seem to not know what is happening in the county and that Whitlow, who does not live in King William County, definitely does not know what effects there are from ordinances the county passes.

"What is the really disturbing part is that the board of supervisors is either brain dead or they fully know what is going on," Longest said. "Either way, we've got a major-league problem here."

Clara Cobb said she talked with her supervisor, C. Thomas Redd III, and he said he knew nothing about the ordinance. After talking with her, Redd called her back and said he remembered the ordinance and there was nothing she could do about it, Cobb said.

Molly Longest said she had spoken to Dennis Carney, the director of community development for the county, who said the local ordi-

Please see SEPTIC, Page 3

Early deadlines!

Advertising: Friday, noon

came 5,000 miles over the ocean to fight in a country you never heard of, came to fight in a war you did not start and lost thousands of your young men in this far away country. We will never forget."

Bland pointed out, "The momentous events that occurred in Luxembourg and the rest of Western Europe a half century ago

Veterans are "extraordinary," in that they are willing to give of themselves on behalf of their country. They are "trustworthy", he continued. "You can depend on them to make our country as good as it can be."

Veterans go the 'extra mile' he pointed out. "They not only take a

Point High School student Paul Hurley played taps.

The program included a release of pigeons as a symbol of peace.

It was about bravery and courage; personal sacrifices; freedom and liberty.

It was about remembering those who had the courage to die so that we may live free.

SEPTIC

Continued from Page 1

nance was a state law and that it was required that citizens have their tanks pumped.

Carney explained Tuesday that the Chesapeake Bay Act required the county to change its zoning ordinance to include the septic tank flushing for properties that are designated managed or protected.

Gene Longest said that counties throughout the state took advantage of the bay act to control growth in rural areas.

"Fortunately, some boards with common sense didn't swallow this hook, line and sinker," he said.

In the bay act itself, there is language which states that counties were not required to designate areas as protected or managed.

"Local governments may exercise judgment in determining areas," the act reads.

What the matter seems to be for most concerned citizens is that the board has not been honest, open and straightforward in most matters.

"Citizens would have been concerned (about the septic tank flushing) earlier if they had been told the details about designating the county as protected. I sure would have been there," said Lee Vessels.

"I know (the board of supervisors') agenda is not the same as ours," said Richard Linville. "It's not the \$150 (cost for pumping septic tanks) that bugs people. It is the government meddling and regulations that are stifling and strangling us," he said. "Until we raise some hell about it, we will continue to get screwed," he added.

"I am sick of being dictated to. We do not have that kind of country," Cobb said. "I've got sense enough to know when my septic tank needs to be pumped."

"Let's get the air cleared on this and let the county know that citi-

zens are extremely displeased with the way they are dealt with," Gene Longest said.

"Let them know this septic tank thing has opened the eyes of the people in this county," Cobb added.

"We pray that what has been said will get through to their brains somehow. What we are saying is, 'Mr. Supervisor, wake up. You have four years to do your best for your citizens,'" Gene Longest said.

He added that Whitlow and Carney are just the "hired help" and are in their positions to serve the board of supervisors, who, in turn, are supposed to serve the citizens.

If the citizens of King William County want change, their supervisors should listen to them and stop acting in their own interests or in the interests of the county administrator, Molly Longest said.

"The county passed an ordinance to get into the Chesapeake Bay Protection area, and it can pass another to get out of it," Gene Longest said.

Help is needed

KING WILLIAM — On November 19, 1995 at 3:00 p.m., a musical fundraiser will be held in the Hamilton-Holmes Middle School Gymnasium.

Many local singing groups will be participating including: The Custalow Brothers, The Glory Bound Express, Liberty Baptist Outreach Choir, Lin and Dawn Smith and choirs from many local churches. These choirs have come together in order to support a young King William alumnus, who is in need of our help.

Jennifer Rudolph White was recently diagnosed with life-threatening Hodgkin's disease. Due to the severity of her illness, she has been unable to work. She and her husband, Chris White, also of King

William, currently reside in Columbus, Ohio. She is undergoing intensive radiation and chemotherapy. She will also need a bone marrow transplant in the near future.

We ask that you come and support this young couple. Jennifer is the daughter of Ray and Brenda Rudolph. She is the daughter-in-law of Emmitt and Joann White. If you cannot attend, but would like to make a contribution; you can do so by sending your donation to Colosse Baptist Church, earmarked for the Jennifer White Medical Fund.

For more information please contact Robin Davis, 843-4464, or Dawn Smith, 769-4519. Thank you for your support.



Mrs. White

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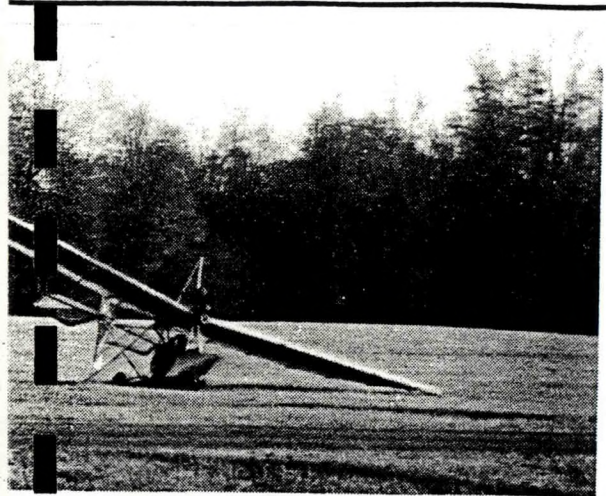
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ed flight in Aylett

urchased this hand glider from a local business and
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According to Ferrell, the owners of the road are the subdivisions original developers William T. and Mary Ann Craig who can not be found and have not paid taxes on the property in the last 15 years.

Supervisor Raymond Alsop told the group, "I understand the problem they have and would like to see us do something about it. Have the County Attorney look into it and make sure the funds are separate (from the six year plan already adopted by the board)." According to Ferrell's contact at VDOT the funds would come from a rarely used Rural Additions Program.

Supervisor Skip Rogers stated, "First we have to foreclose on the property. We don't want to have the time lapse between the county take over and turning the property over to the State."

The board voted to have the county

KW citizens outraged by septic ordinance

By Danny Clark

The King William Board of Supervisors adopted an ordinance several years ago which listed the entire county as a resource management area, protected under the Chesapeake Bay Protection Act. When the board studied the criteria for listing properties as protected or managed, they found that nearly 70 percent qualified.

Citizens packed the courthouse at the last Board of Supervisors meeting and then held the following meeting at a private home in Aylett.

According to Molly Longest, "We are not against the Chesapeake Bay Protection Act, we are upset about the way Dave Whitlow and our Board of Supervisors went about this whole thing." The residents are referring to letters sent to them requiring they have their septic tanks flushed out every 5 years.

"The manner in which they allowed this thing to be presented to the citizens was intimidating and very disturbing", stated Gene Longest. "We want the citizens to know you do not have to have your septic tank flushed unless you feel it needs it." Longest stated.

"It's not the cost of having our septic tanks flushed that bugs us," said Richard

Linville, "It's the government meddling and regulations that are stifling and strangling us and unless we are vocal, we will continue to be dictated to."

"Let the Board of Supervisors know this septic tank thing has opened the eyes of the people in this county" added Clara Cobb.

"Respect your citizens," stated Lee Vessels, "one of the 12 rules of leadership is keep your people informed."

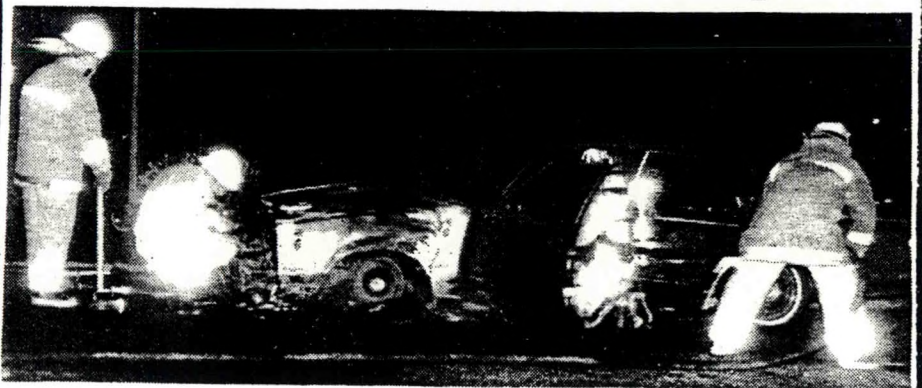
"When I asked my supervisor about this letter he said he would have to get back to me on it, he didn't know the answer to my questions," stated Ann Clements.

"The Board of Supervisors should listen to us and stop acting in their own interest or the interest of the County Administrator," Molly Longest said.

"If they did this they can undo this, we would like this to end," said Sharon Stitzel.

County Administrator Dave Whitlow stated, "We are assembling information for the Board to consider the process of redesignating areas of the Chesapeake Bay Preservation Act. We expect the board will have a work session on that shortly."

Car destroyed by fire in Manquin



Fire destroyed a car on Route 360, Saturday, November 18th. The vehicle was traveling East on 360 when his car began to smoke. The driver then pulled into the Union Bank parking lot where King William Fire Department volunteers

Dear Editor:

It has been a privilege and honor representing the people of the Fourth Senatorial District in the Senate of Virginia for the past 20 years. When I was first elected to this office I never dreamed of the many fine people I would have the opportunity to get to know and work with. It has been both challenging and rewarding to represent the many diverse interests and concerns of these ten counties and their citizens.

My family and I will be forever grateful for the friends we have made and experiences we have had. This is a very special part of the great Commonwealth of Virginia. We must never forget its past as we continue to move forward. Thank you for allowing me to be a part of that progress for the last 20 years. I look forward to continuing to work for good causes for my community and for our Commonwealth.

Sincerely,
Elmo G. Cross, Jr.

LETTER COURIER



The Country Courier welcomes letters from our readers, which will be published with the writers signature. Please include your phone number and address, although these will not be printed. The Country Courier reserves the right to edit letters and print when space is available.

Serving King William and King & Queen Counties

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Nancy Clark, General Manager
Amy Shipp, Advertising Executive

Dear Editor,

It is always interesting to see what issues raise hackles in the community at large, but the recent grandstanding of certain citizens over King William County's septic tank pump-out ordinance takes the cake. Those wielding the battle flag against good septic tank maintenance leave many of us scratching our heads.

While I would be the first to agree that the long arm of government too often reaches, unwelcome, into our lives, minds and bedrooms, septic field maintenance warrants some enforcement in the light of over development in the Chesapeake Bay region. It's a shame common sense issues need government intervention, but this is the same reason we have automobile inspections.

Though most maintain their cars, it is the percentage of those who would not (without legal prompting) who cause the problem. Such is the same with the septic tank. A \$150 pump-out every five years won't break you, and is more than worth the peace of mind that comes with knowing your neighbor's fecal coliform won't screw up your well water. And, if you can afford a mortgage, you can certainly afford to take care of your toilet waste properly.

In this particular groundswell of opposition to the Bay Act, it is also interesting to note that the person leading the cry, Gene Longest, represents development interests. To those who carve small-lot subdivisions out of every piece of available farmland, of course the Bay Act will be a hindrance. If anything, maybe the law will help staunch the selling-out of our precious bay country. Once lost, it never comes back.

There was ample opportunity to discuss the Bay Act at both county and regional levels four years ago. Where were the whiners then? The law is passed, so live with it. Also, those who bark loudest against the Bay Act should show all their cards instead of putting up a smoke screen decorated with images of God, Mom, apple pie and the American way.

But, if my septage didn't smell, maybe I'd be mad too.

William R. Perritt
Aylett, Virginia

Letters to the editor

Continued to page 6

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EDITOR'S MESSAGE

Those of us who had the opportunity of seeing our military can tell you things are different in beauty in Vietnam as well as places I've been Alaska. All places on earth have their own unique the people living there. That is what gives each country, the United States is well respected and far away places that means each with the beautiful the people that make it different. This Thanksgiving down with family and friends and enjoy a beautiful place to live and practice our beliefs and traditions will enjoy these traditions this Thanksgiving. T

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**By STEVE SICELOFF
Staff Writer**

KING WILLIAM—Despite citizen protests and confusion about what the Chesapeake Bay Protection Act means to septic tank owners, the county supervisors voted to continue the status quo last Monday, and has no plans to change the county ordinance or preservation zone.

Their agenda called for setting a date for a work session on the septic tank issue, but supervisors chose to avoid a work session altogether and insist that county residents pump out their septic tanks in accordance with the state's Bay act.

"Until we receive further direction [from the supervisors], we have no plans" to make changes in the ordinance, David Whitlow, county administrator, said.

Those residents who have not had their tanks pumped out within the last five years are required to do so now, at a cost of \$90-\$150, although Whitlow has said in the past that the law is all but unenforceable.

Diggs also indicated during the meeting that citizens will not be penalized for not pumping out their tanks.

Gene Longest, a critic of the pump out program, had no comment on the supervisors' actions.

County officials estimate 3,300 septic tanks are used in the county.

Supervisors have come into conflict with the community over the act because the entire county was deemed a preservation area in 1991, when the state act went into effect. Many have questioned the move since only about 70 percent of the county meets the criteria.

Although the mandatory pump-out garnered an abundance of

negative reaction, Whitlow said many people have begun calling to support the Bay act and the supervisors. The ratio of positive to negative calls since the board meeting was about 4-1 in favor of the Act, he said.

Negative calls to county offices

have dropped since then, as well, he said.

On other matters, Whitlow told supervisors to expect progress early next year on the reservoir project, which would flood a portion of the county for use as a reservoir for the

Please see **SEPTIC**, Page 3

Are you drinking what you flush?

**By STEVE SICELOFF
Staff Writer**

KING WILLIAM—When the county began sending notices to its citizens that it was time to get their septic tanks pumped out, the context was that the action would save the Chesapeake Bay from pollution.

However, the benefits of doing so may actually mean more to the local well water supply than to the bay.

Since the Chesapeake Bay encompasses some 64,000 square miles of watershed, on-site septic systems can't be expected to pollute the body to any great extent, Jean Watts, staff scientist with the Chesapeake Bay Foundation, said.

A tank left unpumped is far more likely to put more nitrates in the local groundwater, which is the water wells draw from.

"In high concentrations, nitrates can be very dangerous to babies and the elderly," Watts said, adding that those conditions are much more prominent in the Shenandoah Valley and Eastern Shore regions of the state because of the

agriculture in those areas.

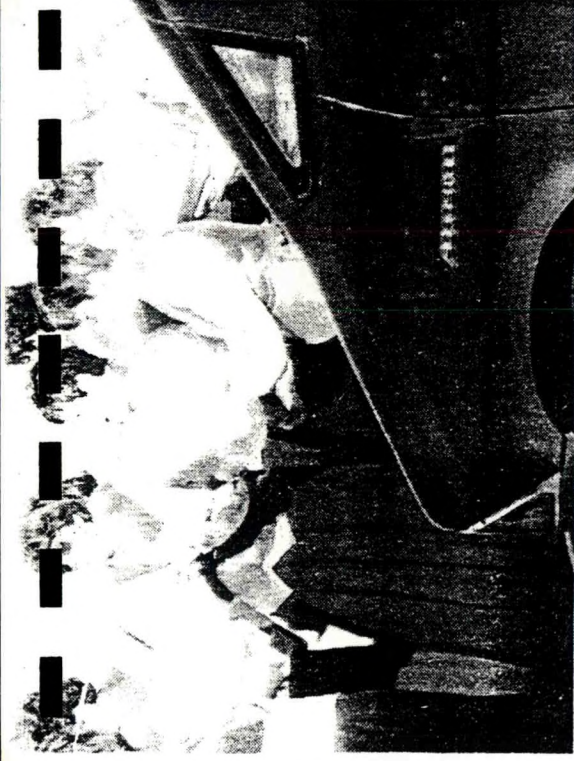
In the bay, the nitrates cause increased growth of algae, which through a chain reaction cuts down on oxygen in the water and kills fish.

And since nearly all of King William residents use wells to provide household water, not to mention those in neighboring counties, a tank left unpumped could affect a significant number of people.

King William has about 3,300 septic tanks. If it held to the state average of about 8 percent failure rate, that would mean more than 250 tanks could be polluting the groundwater.

The chief groundwater problem is in the amount of nitrates a septic tank, even when working properly, releases.

Although the system can remove most nutrients from waste water, a study by the foundation concluded that only about 20 percent of nitrates are removed before the water is returned to the soil. Some specialty systems remove about half.



-by on Main Street in West Point. Photo by Martie Kelly.

celebrates



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Page 1

ment knows how much grain the farmers have in reserve, it is able to set prices accordingly, he said.

"Without that knowledge, the traders wouldn't know how much (grain) was out there and they would pay more for it," Hall said.

Currently, the government pays \$3.20 per bushel for corn, \$6.70 for soybeans, and \$3.78 for wheat. Those prices in recent years have been \$4 for corn, \$10 for soybeans and \$6 for wheat.

By the government trying to control prices and keep food costs down, the farmers would lose out on money if not for the subsidies.

The biggest part of the problem, Hall said, is that the lawmakers do not understand the work of the farmers.

"The problem is Congress feels that anybody not within the beltway doesn't know how to do anything. They don't have faith in the citizens," he said.

"They are still talking in vagaries," Hyde said. "It's just too early to tell which way the Farm Bill will go."

Boy Scouts to build handrail

Boy Scouts from Troop 303 in King William will kick off a project Saturday to build a 300-foot-long cedar post and hand rail along the walking path in Cumberland Marsh Preserve.

The scouts will build two duck nesting boxes Saturday in the

SEPTIC

Continued from Page 1

lower Peninsula.

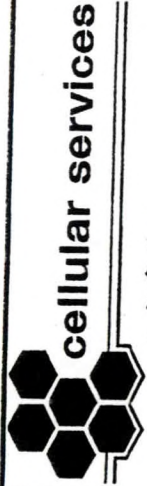
He said an environmental impact study for the reservoir would be completed sometime in the winter, followed by an Army Corps of Engineers recommendation in the spring.

"It looks more promising now than it has in a long time," Whitlow said.

The board also approved a zoning language change to allow a kitty litter plant to operate near West Point.

The supervisors authorized Whitlow to make agreements with neighboring counties on the use of one another's emergency services, should they be necessary.

The agreements would basically extend the same legal protections to out-of-county personnel as to in-county emergency workers.



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