

A SPECIAL WORK SESSION WAS HELD BY THE NEW KENT COUNTY BOARD OF SUPERVISORS ON THE 8TH DAY OF SEPTEMBER IN THE YEAR TWO THOUSAND TWENTY-ONE IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 4:00 P.M.

IN RE: CALL TO ORDER

Chairman Thomas W. Evelyn called the meeting to order and welcomed everyone.

IN RE: ROLL CALL

Thomas W. Evelyn	Present
C. Thomas Tiller, Jr.	Present
Patricia A. Paige	Present
Ron Stiers	Present
John N. Lockwood	Present

All members were present. Joining the meeting virtually were Congressman Rob Wittman and State Secretary of Transportation Shannon Valentine. Others joining virtually were Legislative Counsel Chris Hall in the Office of Rob Wittman and Deputy Secretaries of Transportation Nick Donohue and John Lawson.

IN RE: TRANSPORTATION DISCUSSION

Mr. Evelyn thanked Congressman Wittman and Secretary Valentine for joining this meeting and noted he understood they had a limited amount of time to spend with the Board. He turned the floor over to Congressman Wittman.

Congressman Wittman thanked the Board for the opportunity to meet and reported he was encouraged by some of what had been happening at both the federal and state level involving transportation. There had been a significant amount of discussion on how to finish the Interstate 64 project from Bottoms Bridge to Route 199 (James City County) and completing this project would significantly impact New Kent County as well as the Richmond and Hampton Roads Regions. He assured the Board that Secretary Valentine would be doing everything possible to be sure this project moved forward. He stated he understood this was a priority and the Board had his word that he would do everything he could to help. Because the project would connect the Richmond and Hampton Roads Regions, the addition of a regional cooperation and importance component could be leveraged to put the project higher up on the list for state and federal support. Congressman Wittman yielded to Chairman Evelyn and noted he would standby for questions or comments.

Ms. Paige thanked Congressman Wittman for arranging this meeting. She stated she felt everyone knew the passion and necessity for widening I-64 through the 29 miles of New Kent County as well as the importance of working together regionally. Regional cooperation had been the reason for forming the Central Virginia Transportation Authority (CVTA). She also noted I-64 was a hurricane evacuation route for the Hampton Roads region. She reported having spoken with representatives from the Hampton Roads Transportation Authority (HRTA) as well as the authority in Northern Virginia at a National Association of Counties conference. The United States Secretary of Transportation had also spoken at this event and had encouraged attendees to reach out to their local representatives. She noted there had been conversations with the Richmond Regional Transportation Planning Organization (RRTPO), CVTA and VDOT and today was an opportunity to meet with local

representatives. She added that even though the I-64 widening project was a major concern for the Board and their constituents, they were equally concerned for those traveling through the County. She thanked Congressman Wittman and Secretary Valentine for the opportunity to have a conversation and receive guidance on how to get I-64 widened before 2030. Congressman Wittman thanked Ms. Paige for her comments and noted she and the Board had been very focused and relentless on this project and that was exactly what was needed to make sure the project would be done. He added that there was a high level of desire from New Kent and the regional entities to the state and federal level to make sure this project moved forward. He yielded back to Chairman Evelyn.

Mr. Evelyn welcomed Secretary Valentine and thanked her for her involvement.

Secretary Valentine thanked Ms. Paige for her comments. She added that it was always a pleasure to be with Congressman Wittman and noted she could not think of any member of the federal delegation who had been more supportive of infrastructure investment than Congressman Wittman. She thanked him for that support and noted she and Deputy Secretaries Nick Donohue and John Lawson were happy to be able to meet with the Board. She stated the I-64 gap was a priority for the Commonwealth and while it was a \$500 to \$600 million challenge, it remained very much a priority for which they were always seeking creative ways to address. She noted the past year and a half had been an amazing time to live through while dealing with the pandemic, its financial implications and the uncertainty. She reported Governor Northam had announced on August 18th that a significant surplus remained in the general fund for FY21 but for those in transportation, the financial picture had been different. Transportation was working with a six-year or longer window and in FY20 had been down \$20 million and from FY22 to FY27 were expecting a \$1.5 billion shortfall. She reported some incredibly smart decisions had been made to allow those working on infrastructure and transportation to manage the reductions and uncertainty. She specifically noted the Omnibus bill including the Governor's Transportation bill which was passed in the 2020 General Assembly session. This legislation made a financial commitment to all modes of transportation and restructured revenue. Without this bill, the Commonwealth would have been in much more critical shape. Another major decision had been made during the 2020 General Assembly special session which passed a budget amendment granting flexibility to the Commonwealth Transportation Board to allocate existing resources so that every dollar could be put to work immediately. This had allowed all projects, contracts and workforce to be maintained and she believed that from an economic standpoint, this had been the smartest thing they could have done. She was hopeful the December forecast would be more positive and assured the Board the state would be managing the funding as responsibly as possible. She noted they had never lost sight of the priorities including the I-64 gap as they had been working through all of this.

She reported Congress had signed a COVID Relief bill in 2020 which had not only provided relief funds but had also included language for the Long Bridge Act of which Congressman Wittman had been a huge sponsor. This had allowed Virginia to move forward with constructing Long Bridge and the transformation of rail in the state. Virginia had received \$323 million in relief funding from this legislation which had to be tied to existing projects that had lost revenue or to ongoing negotiations. One such project had been the Hampton Roads Express Lane Network with a projected loss of \$93 million. This had been included as a priority for COVID relief and the General Assembly had approved it as well as a condition including the I-64 gap. She reported Hampton Roads was updating their funding model and that condition would require any excess funds to be directed to the I-64 gap project. This was one example of steps taken to direct funds to the I-64 project even while facing reductions. She also reported that while Congress was bringing forth the concept of

earmarks, they had also looked into introducing the same concept to include the I-64 gap. She turned the floor over to Mr. Lawson to walk through the earmark process.

Mr. Lawson reported they had followed the same approach when looking at potential federal earmark opportunities. He noted most of the earmarks had ended up being very small in nature; \$10 million or less. In keeping true to the priority projects, they had also brought forward the Hampton Roads Express Lane Network for a potential earmark. This had been done knowing that its \$93 million price tag was much smaller than the I-64 gap project and also knowing any federal funding received for the Express Lane Network would allow state funding to flow down to the I-64 project. Secretary Valentine noted that although this had not worked out as they hoped, it was still a priority. She also noted that in 2019 funding had been passed for I-81 through the creation of an interstate fund supporting an interstate operations and enhancement program. This program had been codified in the Omnibus bill passed in January 2020. She turned the floor over to Mr. Donohue for information on how this program was getting funding to major interstate projects including I-64.

Mr. Donohue thanked the Board for the opportunity to meet. He reported a dedicated funding program for key interstate corridors in Virginia had been established in 2019. The program was structured so that I-81, I-95 and I-64 each had dedicated funding and discretionary funding that could be used on any interstate corridor was also available. The General Assembly had required that the Commonwealth Transportation Board develop interstate corridor improvement plans for the three main interstates. These plans had been developed and the widening of I-64 from Exit 205 to Exit 234 had been included as a potential project. He noted a project being included in the plan was a requisite for eligibility for any interstate funding. The Transportation Board was currently considering potential projects and was anticipating awarding \$438 million over the next six years.

Secretary Valentine noted that none of the available funding avenues was sufficient to fund the entire I-64 gap project. She suggested the possibility of leveraging available funding to create greater opportunities and noted if the CVTA and the HRTA worked together on regional funding, this could then be packaged with state funding to apply for discretionary federal funding. While most funding would go to projects or programs that already existed, there would be opportunities for discretionary grants. This type of collaboration could create a more substantial opportunity to move the project forward. She noted the CVTA was new in the Richmond District and working with the HRTA could be very important to moving forward and the state wanted to partner with these entities to advance the project.

Congressman Wittman stated combining the focus of regional authorities on the I-64 gap would be powerful and the project already being included in the plan would make it extraordinarily competitive for funding. He noted the Hampton Roads area had been very effective in leveraging regional cooperation. He believed everyone saw how important this project was to Central Virginia and Hampton Roads and while it may not provide an immediate benefit to the counties involved, there would be significant long-term benefits. This would be a great opportunity to move the project up the priority list and to be very competitive when funding became available.

Secretary Valentine noted Mr. Donohue would need to sign off soon and asked if he wished to add anything more. Mr. Donohue stated he felt she and Congressman Wittman had covered it and noted he felt cooperation and exploring federal grants with a regional approach would be a great opportunity. Some of the grant programs would be new and they would need to learn in real time to take advantage of all opportunities. Secretary Valentine thanked Mr. Donohue for his comments and turned the floor over to Mr. Evelyn.

Mr. Evelyn thanked Secretary Valentine and her staff for the update. Noting this would be a joint effort between federal, state and local governments, he stated New Kent was ready and willing to step up and do what they could. Congressman Wittman suggested New Kent should continue to emphasize the I-64 gap project as the CVTA got underway. He also suggested they should continue to reach out to the HRTAC (Hampton Roads Technical Advisory Committee) and seek a way to formalize an initial agreement between the entities in favor of prioritizing the I-64 gap project so it would be in a good position when federal funding became available. Mr. Evelyn noted that was a very good point and noted New Kent had always been stuck between Richmond and Hampton Roads and didn't know which way to go. Congressman Wittman stated he felt Secretary Valentine's suggestion to include both was a great idea. Mr. Evelyn turned the floor over to fellow Board members.

Mr. Lockwood requested assistance from Secretary Valentine and Congressman Wittman in working with Hampton Roads. He noted there was a great deal of construction in Hampton Roads and suggested it was almost reckless to have only two lanes for I-64 through New Kent given the possibility of an emergency hurricane evacuation from the Hampton Roads area. He was hopeful that with the Secretary's and the Congressman's assistance, New Kent could get support to move the bar forward so that I-64 could more effectively be used as an evacuation route. Congressman Wittman stated he would reach out to Representative (Robert "Bobby") Scott, Representative (Elaine) Luria and Representative (Donald) McEachin requesting their support. He also suggested they could put together a letter to the CVTA and HRTAC indicating their support for regional cooperation on the project and letting them know they were standing by to help. Secretary Valentine stated that Mr. Lockwood's mention of the evacuation route was a great point which she felt gave the corridor national significance. She noted New Kent had her commitment and the commitment of her team to try to bring together a very strong collaborative partnership. Congressman Wittman stated his staff would immediately work on a letter encouraging the cooperation and noting that the hurricane evacuation route was incredibly important to the entire Commonwealth. Mr. Lockwood thanked Secretary Valentine and Congressmen Wittman for their support and noted Ms. Paige had first noted the hurricane evacuation route issue and he was in agreement with her.

Mr. Stiers expressed appreciation to Secretary Valentine and Congressman Wittman for their time. He stated it was very obvious they knew New Kent's needs and he was confident they would do what they could to help with funding to complete this much needed project. He again expressed appreciation for their time. Congressman Wittman thanked the entire Board for their leadership on this and noted this type of focus was what was needed to get projects of this magnitude done. He thanked them again for all of their efforts.

Addressing Congressman Wittman, Mr. Evelyn noted the state had approved a 90,000 pound permit for trucks traveling local roads and asked if there was any movement to have this changed. Many log trucks were now traveling Route 249 through New Kent because they could haul 90,000 pounds compared to 76,800 pounds on interstate highways. Hauling more on the interstate could result in a very pricey ticket. They were paid by weight in the logging business so it was important to get as much as they could on a truck. He asked if there was anything in the works to change the limit on federal highways. Congressman Wittman reported a bill was moving forward to increase the weight to 90,000 pounds on federally funded highways. He felt this was incredibly important and reported there was large agreement among both parties. There had been a recent hearing regarding increasing lumber costs and among reasons cited for the increase were transportation costs such as increases in fuel and driver salaries. He felt there was a heightened awareness of

the need to get logs from the forest to the mills and increasing the weight limit would help. He was fully in favor of increasing the weight limit and there was increasing support for this among members of Congress. Mr. Evelyn thanked him for this update and noted this would be big for New Kent County and the logging industry.

Ms. Paige stated her sentiments were not just with New Kent County and reported she had represented New Kent since 2016 on the RRTPO where she had the opportunity to work with Carlos Brown on the Commonwealth Transportation Board, Delegate (Delores) McQuinn and staff in the Secretary's Office. She also noted the large number of containers reported to be traveling I-64 east to the Port of Virginia. She noted it was good to see the support of Congressman Wittman and Senator (Tommy) Norment in James City County and Hampton Roads agreeing that I-64 needed to be widened. She noted that at one time New Kent could say the I-64 issue was weekend only traffic that was impacting New Kent's Route 60 and Route 249 but it had become an everyday occurrence. She reported access to many homes in the County was directly off Route 249 and many seniors as well as new drivers were trying to pull in and out of driveways onto a secondary road that had never been intended to carry the volume of traffic now seen on a daily basis. She reported the number of incidents and accidents had increased because of excess traffic coming off of I-64. She felt this should be considered in addition to the hurricane evacuation route status of I-64 when funding was distributed. She noted the additional traffic on secondary roads was also resulting in significant road damage which was using up more VDOT local funding. This was a hazard for drivers in the County and it was not unusual to hear that it had taken an hour and a half or more to travel the 29 miles of interstate through New Kent. This was no longer just a Friday issue but was now a seven days a week issue. She expressed appreciation to the Congressman and Secretary for sharing this opportunity with the Board.

Mr. Lockwood also requested that consideration be given to amending the rules for railroad crossing upgrades. He reported there had been a number of fatal accidents in New Kent County in recent months involving the same stretch of track and most of the crossings involved were private. No grant structure had been identified that would allow for improvements at crossings on private roads. He noted an amendment to the rules to include business travel or a high volume travel at private crossings would be appreciated.

Mr. Evelyn thanked Mr. Lockwood for his comments. He expressed appreciation to Secretary Valentine and Congressman Wittman for their time and encouraged them to stop by anytime they were traveling through New Kent. He also expressed appreciation for all they were doing for the Commonwealth and the United States.

Congressman Wittman thanked the Board for their time. In response to the request regarding railroad crossings, he noted he was continuing to look into this and was working with the state on opportunities. In response to Ms. Paige's comments regarding secondary roads, he noted secondary roads were equally important for rural counties and he would do everything he could to highlight not only the main roads but secondary roads as well.

Secretary Valentine noted it had been a pleasure to be with the Board. She also expressed appreciation for having been informed by County Administrator Rodney Hathaway about the issues with railroad crossings. She had not been aware of these issues until receiving Mr. Hathaway's letter and reported they were currently working with the SCC (State Corporation Commission), FRA (Federal Railroad Administration) and CSX (railroad) on this issue. Addressing Congressman Wittman, she stated that if there was anything he saw that they could do to address this issue to please let her know. To the Board, she stated she would get back to them on anything that could be done. She expressed appreciation for the

opportunity to meet and noted I-64 and the I-64 gap were priorities for her and her team. She was looking forward to working with the Board and on putting together a strong partnership to move the project forward. Congressman Wittman indicated he would have Chris Hall in his office work with Nick Donohue in the Secretary's office for the two to join together in a letter to the FRA and CSX regarding the private crossings and requesting their assistance. He noted this was a safety issue and a responsibility that needed to be addressed and they could ask for concurrence on what needed to happen. He looked forward to joining with the Secretary on this letter and hoped they would be able to get the FRA and CSX activated to address the need. Secretary Valentine suggested the SCC should also be included. Congressman Wittman concurred.

All virtual participants left the meeting at 4:49 p.m. Mr. Evelyn noted the Board's regular meeting would start at 6:00 p.m. and there were several closed session items they wished to discuss before adjourning this special meeting.

IN RE: CLOSED SESSION

Mr. Tiller moved to go into closed session pursuant to section 2.2-3711A.5 of the Code of Virginia for discussion concerning a prospective business where no previous announcement had been made of the business' interest in locating facilities in the County and pursuant to section 2.2-3711A.1 of the Code of Virginia for discussion and consideration of assignment, performance and salaries involving employees of the Commonwealth Attorney's office. Mr. Evelyn noted the Commonwealth Attorney's discussion would only occur if there was sufficient time after discussing the prospective business. The members were polled:

C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
Ron Stiers	Aye
John N. Lockwood	Aye
Thomas W. Evelyn	Aye

The motion carried.

Mr. Tiller moved to come out of closed session. The members were polled:

Patricia A. Paige	Aye
Ron Stiers	Aye
John N. Lockwood	Aye
C. Thomas Tiller, Jr.	Aye
Thomas W. Evelyn	Aye

The motion carried.

Mr. Tiller moved to certify by roll call vote that to the best of each member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Freedom of Information Act and identified in the motion to go into closed session were heard, discussed or considered in the closed session. The members were polled:

Ron Stiers	Aye
John N. Lockwood	Aye
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye

Thomas W. Evelyn Aye

The motion carried.

IN RE: ADJOURNMENT/ANNOUNCEMENT OF UPCOMING MEETINGS

Mr. Evelyn announced the Board's next regularly scheduled meeting would be held at 6:00 p.m. on Wednesday, September 8, 2021 and the next work session would be held at 9:00 a.m. on Wednesday, September 29, 2021, both in the Boardroom of the County Administration Building. The Board would also participate in a joint meeting with the Planning Commission at 6:30 p.m. on Monday, September 20, 2021 in the Boardroom of the County Administration Building.

Ms. Paige moved to adjourn. The members were polled:

John N. Lockwood	Aye
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
Ron Stiers	Aye
Thomas W. Evelyn	Aye

The motion carried. The meeting was adjourned at 5:58 p.m.