

THE REGULAR SEMI-ANNUAL MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WITH SENIOR STAFF WAS HELD ON THE 10TH DAY OF SEPTEMBER IN THE YEAR TWO THOUSAND TEN OF OUR LORD AT FIRE STATION ONE IN PROVIDENCE FORGE, VIRGINIA, AT 12:00 NOON.

IN RE: CALL TO ORDER

Chairman Sparks called the meeting to order.

IN RE: ROLL CALL AND INVOCATION

Thomas W. Evelyn	Present
David M. Sparks	Present
James H. Burrell	Present
Stran L. Trout	Present
W. R. Davis, Jr.	Present

All members were present. Mr. Burrell gave the invocation.

IN RE: REDISTRICTING

Assistant County Administrator Bill Whitley reviewed the timetable for the 2011 redistricting process. He recommended that the Board assemble a group of individuals to work on the redistricting process, and suggested that the group include members of the Board, School Board, and Electoral Board, as well as the Voter Registrar, County Attorney, Planning Director and IT Director, together with representatives from the NAACP and/or other minority groups and both political parties. He encouraged the Board members have this group formed by November so that it would have time to meet, review the procedures, and be ready to move forward when the Census results were received in February 2011. He reminded that the redistricting plan would have to be submitted to the Department of Justice for preclearance under Section 5 of the Voting Rights Act. It was noted that the General Assembly would be conducting its redistricting at the same time.

He reviewed the challenges resulting from growth in various areas of the County and spoke about the factors involved in the process, including incumbency protection.

He indicated that staff was comfortable that the process could be handled in-house and he asked that the Board members communicate with the County Administrator as to who they would like on the committee.

Mr. Trout asked how the redistricting timetable would coordinate with the candidate filing deadline which was normally in June. General Registrar Rosanna Benchoach indicated that there was a bill in the General Assembly that would allow the State Election Board to set a delayed primary date for August, which was also the candidate filing deadline, and that it would be important to track that legislation.

IN RE: PUBLIC UTILITIES

Public Utilities Director Larry Dame reviewed the utility projects in the past five years, which included the expansion of the sewer system from Bottoms Bridge to the Parham Landing wastewater treatment plant; completion of water projects in Bottoms Bridge, Talleyville, and the Courthouse with minimum borrowing; near completion of the Parham Landing plant expansion; near completion of the reclaimed water line; 90% completion of the reclaimed

water system work at the Chickahominy plant; and the installation of Supervisor Control and Data Acquisition (SCADA) systems at all of the utility systems except the Parham plant, which would also be fitted with a SCADA system once the expansion work was completed. He reported that he felt that the County's sewer system would be able to handle New Kent's needs for at least the next 25 years.

He spoke about how water supply would be the critical issue in future years, with continuing severe restrictions expected on groundwater withdrawals. He referenced the County's draft Water Supply Plan which identified other water sources including purchasing water from adjacent localities as well as using resources within the County, all of which would be expensive. He suggested that it would be cost-effective and save time if a water line design was prepared for the Route 33 area of the interstate interchange, so that should a business be interested in that location, the design would be in place and the water system could be constructed at the same time as the business. He reminded that design work for an expanded water system for Route 106 had been completed, and should a business be interested locating in that area, then it would not take much to expand that line.

Mr. Dame also spoke about the advantages of interconnecting some of the thirteen County-owned water systems, which would decrease costs, and he indicated that the Department of Environmental Quality (DEQ) had recently taken a positive view of that process. He indicated that connecting the water systems at Farms of New Kent, Kentwood and Greenwood would provide water opportunities along Route 249 and save about \$100,000 per year in expenses, with a 10-year return on investment. He noted that connecting the systems in Colonial Downs with Minitree Glen could result in the provision of water service to businesses in Providence Forge without having to get a new permit. Another possible scenario he mentioned was combining the systems in Bottoms Bridge, Woods Edge, and Quinton Park. He added that eventually all of the County-owned systems would need to be connected into one central system and that any interconnections made now would save costs in the long run and would provide more fire protection without having to build more storage. He indicated that taking over the private water systems would not be considered until such time as all of the systems were combined into one central system.

Mr. Davis asked if there was need yet for a water/sewer authority. Mr. Dame advised that having an authority would provide some borrowing power but he questioned whether there would be any benefit at the present time in view of the current low costs of borrowing, and whether New Kent's systems were large enough yet to warrant an authority.

In re: CAPITAL IMPROVEMENT PLAN (CIP) UPDATES

County Administrator Cabell Lawton reviewed the upcoming CIP process, noting that some changes to the process included the requirements that all projects have a sponsor, address resulting operational costs, and include a search for grant funding. He distributed the current CIP to the Board members and asked for feedback on existing projects as well as projects that the Board members would like to have included or more information on.

IN RE: HISTORIC SCHOOL

Mr. Lawton reviewed that the County had accepted the unsolicited Public-Private Education Act (PPEA) proposal from Marengo Management Corporation to renovate the Historic School, and had advertised for competing proposals that had a deadline of October 8. He noted that the Historic School would be opened for inspection by interested contractors on September 15. He reviewed that the Board would be accepting community input for other uses of the property at its September business meeting and reviewing the process again at

its September work session. He reported that the County had been contacted by several groups interested in submitting competing proposals and it was important that the Board continue discussion about the use of the property area and perhaps consider revisiting the Space Allocation Agreement with the School Board.

General Services Director Jim Tacosa advised that demolition work would be starting soon and he wanted to expose all areas of the structure to reduce the chance of any contractual change orders attributed to "unanticipated conditions". He reviewed drawings from the Library and School Board, as well as his own, and explained some of the differences which included retaining load-bearing walls, location of the handicapped ramp, and the lift proposed by the Library that would conflict with the existing stairway, as well as some of the changes he would make to the School Board's plans.

He confirmed that none of the remediation work that was previously authorized by the Board was included in the PPEA proposals.

He noted that an approved sidewalk grant might be able to fund improvements to the entrances to the building. Community Development Director George Homewood confirmed that those funds might be able to be used for that purpose, and asked if the Board had any objection to the removal of the cedar trees in front of the Historic School. There were no objections expressed.

The Board agreed that it needed to have much more review and discussion on the Historic School and its proposed uses, and it was suggested that a special meeting be scheduled for that purpose. Mr. Lawton indicated that he would develop some recommendations for the Board's consideration.

IN RE: CLOSED SESSION

Mr. Burrell moved to go into Closed Session for discussion relating to business and industry development pursuant to Section 2.2-3711A.5 of the Code of Virginia involving a prospective or expansion of business or industry, and for consultation with legal counsel pursuant to Section 2.2-3711A.7 of the Code of Virginia about actual or probable litigation. The members were polled:

Thomas W. Evelyn	Aye
James H. Burrell	Aye
Stran L. Trout	Aye
W. R. Davis, Jr.	Aye
David M. Sparks	Aye

The motion carried. The Board went into closed session.

Mr. Davis was excused from the meeting and left at 1:37 p.m.

Mr. Evelyn moved to return to open session. The members were polled:

James H. Burrell	Aye
Stran L. Trout	Aye
W. R. Davis, Jr.	Absent
Thomas W. Evelyn	Aye
David M. Sparks	Aye

The motion carried.

Mr. Burrell made the following certification:

Whereas, the New Kent County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by the Board that such closed session was conducted in conformity with Virginia law;

Now there be it resolved that the Board hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open session requirements by Virginia law were discussed in closed session to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Board.

The Chairman inquired whether there was any member who believed that there was a departure from the motion. Hearing none, the members were polled on the certification:

Stran L. Trout	Aye
W. R. Davis, Jr.	Absent
Thomas W. Evelyn	Aye
James H. Burrell	Aye
David M. Sparks	Aye

The motion carried.

IN RE: ADJOURNMENT

Mr. Evelyn moved to adjourn the meeting. The members were polled:

W. R. Davis, Jr.	Absent
Thomas W. Evelyn	Aye
James H. Burrell	Aye
Stran L. Trout	Aye
David M. Sparks	Aye

The motion carried.

The meeting was adjourned at 1:50 p.m.