

THE REGULAR WORK SESSION OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 27th DAY OF FEBRUARY IN THE YEAR TWO THOUSAND THIRTEEN IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 9:00 A.M.

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IN RE: CALL TO ORDER

Chairman Davis called the meeting to order.

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IN RE: ROLL CALL

Thomas W. Evelyn	Present
C. Thomas Tiller, Jr.	Present
James H. Burrell	Present
Ron Stiers	Present
W. R. Davis, Jr.	Present

All members were present.

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IN RE: GRASS CARP INTRODUCTION FOR HYDRILLA CONTROL IN THE DIASCUND RESERVOIR

Andrew Birch and Ron Harris from Newport News Waterworks (NNWW) were present to provide an update on its plan to introduce triploid (sterile) grass carp into the Diascund Reservoir to help control the growth of hydrilla.

It was reported that NNWW had received a permit to release grass carp into the Diascund to control hydrilla, an invasive weed affecting 30% of the lake, which was not impacting water quality but was negatively affecting landowners and fishermen. Mr. Birch explained that using grass carp was more economical and more environmentally-friendly than using chemical control or mechanical harvesting. He indicated that the fish were imported into Virginia through an approved supplier in Arkansas, after being tested by the Fish and Wildlife Service. He advised that although the recommendation from the Department of Game and Inland Fisheries (DGIF) was to release two to three fish per acre, they did not want to completely eliminate the hydrilla and therefore planned to release only one fish per acre. He indicated that the three proposed release sites were the upper basin of the Beaverdam Creek arm (private side where the hydrilla problem was the worst), the main pier next to the water plant, and their access on North Waterside Drive. He advised that there was little likelihood of the carp escaping over the dam because the water level had been reduced in order to do some dam repairs.

There were concerns expressed by Board members regarding the possibility of fertile fish being released. Mr. Birch called that a "slim possibility" and added that the low water level at the spillway was additional protection. Mr. Harris remarked that they had to rely on the State biologists' expertise, and if the State was comfortable with the process that had been used for twenty years, then they were not going to question it.

There was discussion regarding the possibility of lowering water levels in the wintertime to help control the hydrilla. Mr. Birch explained that temperatures had to be cold enough for a couple of winters in a row for that to have any effect.

There were remarks from Board members about how their concerns or comments would not have any effect on the project. County Attorney Michele Gowdy confirmed that approval

from the Board was not needed but the State did allow localities to comment on these permits, and this was an opportunity for the Board to learn about the process.

There was discussion about the success rate of this process in other bodies of water, as well as harvesting operations being done in other localities. NNWW staff advised that they planned to introduce carp into the Lee Hall Reservoir, but not in the Chickahominy, explaining that it had only water ownership in the latter.

Board members asked about the carp themselves. It was explained that hydrilla was the grass carp's favorite food, although they would eat other aquatic plants if they had to, but they did not eat other fish. It was reported that grass carp could live up to ten years and grow to 20 pounds, that the fish being stocked would be ten to twelve inches in size, and that the carp would re-distribute themselves throughout the lake.

It was confirmed that this process was being funded by NNWW and not the taxpayers, and that DGIF would be monitoring the fish after the release.

Chairman Davis asked that the Board be kept advised of the results of the program.

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IN RE:           HERITAGE LIBRARY SPACE

Heritage Library Board members Susan (Brucker) Turnage (New Kent District 4 representative) and Bill Leary (New Kent District 5 representative), as well as Library Director Barbara Winters, were present to update the Board on space needs for the Library.

Ms. Turnage advised that they wanted to follow up on a "letter of interest" previously sent to the Board regarding a "partnership for new space" for the Library so that the funds they were spending on rent could once again be used for services. She reviewed that the funding for the Heritage Library to operate in New Kent came through the Library of Virginia and the State allocation was based on what was allocated by the County. She reported that County funding for FY2013 was \$189,466, or \$10.07 per capita, compared to the overall State average of \$30.66 per capita and their actual expenditures of \$14.24 per capita. It was confirmed that County funding included \$20,000 towards their rent, with the Library picking up the remaining rent costs of \$25,140, with donations averaging \$14,000 per year. She advised that the Library was open 40 hours per week in New Kent (closed on Thursdays and Sundays) and 18 hours a week in Charles City. She indicated that since they moved to their current space in 2008, they had spent \$211,679.69 on rent, which had taken away funds from staffing and programs. She noted that 8,000 New Kent citizens had library cards.

She advised that the Library's existing community services were integrative to County services, and computer access was an important service they provided since most job applications were now required to be submitted online and many residents did not have that capability from home.

Board members asked how the funds would be used if the Library did not have to use them to pay rent. Ms. Winters advised that the Library had 400 programs before it moved into its current space, and now had only 200, and had also cut back on staffing and hours of operation. She also reported that they had lost opportunities for grant funds because of their limited staff to operate, and commented that it was hard for a non-profit to be in commercial space.

There was discussion regarding the Library's operation in Charles City County. Ms. Turnage advised that fundraising and design for a new building was underway, and in the meantime they were using space in the Charles City County Courthouse at no charge.

Chairman Davis commented that there were plans for a Library in part of the Historic School Building and he recommended that a committee be formed to plan out the use of that building.

It was noted that there were some County funds set aside as well. Board members asked about funding from the Library. It was reported that the Library Board was prepared to re-activate their campaign committee to begin fundraising once there was a definite plan in place.

It was confirmed that the Heritage Library remained a regional library, even though it operated branches in both New Kent and Charles City.

There was consensus among the Board members to work with the Library on the space issue. There was discussion regarding composition of the Committee and County Administrator Rodney Hathaway suggested representatives from County staff, the Library Board, Parks & Recreation, Board of Supervisors, the Building Official, and the Library Foundation.

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IN RE: GARAGE EXPANSION AT THE SHERIFF'S OFFICE

Chief Deputy J. Joseph McLaughlin, Jr. and Sheriff F. W. Howard, Jr. updated the Board on the proposed garage expansion project for the Sheriff's Office.

Chief Deputy McLaughlin reported that the Sheriff's Office had previously asked the Board to consider an expansion of one of their garages to store a new mobile command unit. He reported that his office had received an unsolicited Public Private Education Act (PPEA) proposal from Harlan Construction, and no competing bids had been received although several contractors met with him about the project. He indicated that the Sheriff's Office still felt that the expansion was very important and necessary to maintain the equipment and make it more accessible to those who used it.

Mr. Hathaway advised that the bid from Harlan was around \$79,000 but he felt there was still some room to negotiate. He confirmed that the project had been properly advertised and the next step was to receive direction from the Board as to whether to negotiate with Harlan on the price.

Mr. Burrell asked if the County had saved enough on the equipment itself to pay for the garage expansion. Chief Deputy McLaughlin advised that there were available funds in the Capital Improvement Plan (CIP) from the purchase of the unit that were close to the amount of the bid. Sheriff Howard advised that there were no available funds in his operating budget to help pay for the project.

Mr. Burrell commented that the equipment needed protection and then made a motion to enter into negotiations with Harlan Construction for an addition to the garage at the Sheriff's Annex. The members were polled:

Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
James H. Burrell	Aye



indicated that there were some long-standing concerns about the County's existing Bright system and there were funds in the proposed CIP for next year for the purchase of a new software package. He explained that the Needs Assessment would not only assist in defining the County's needs and best options, but would also look to see if there were any modifications that could be done to the existing system so that it would better fit the County's needs.

He reviewed the proposed Scope of Services, noting that there was only funding in this year's CIP to implement Task #1. He explained that the contractor would work with the affected departments in order to determine the way each used the existing system, and then create a map that would give the County something with which to compare various packages available.

Board members questioned whether three days "on site" as proposed in the Scope of Services was enough for the contractor to get the work done and expressed concerns that there would be additional costs if more days were needed. Mr. Hathaway explained those aspects were still being negotiated, noting that Task #1 was proposed to cost \$44,890 and there would be some funds remaining in the \$50,000 budgeted to help cover any additional costs.

Staff was asked if there were packages used by other localities that would be suitable. Ms. Altemus explained that she had checked with other localities and remarks were "all over the place" with no locality reporting that theirs "was the greatest".

Board members commented that since there was a "great need" for these types of software package, they were surprised that there was not something "out there" that met those needs. Mr. Stanger agreed, but noted that the problem was that each state and each locality had unique needs. For example, New Kent would need a system that was customized to handle the Bottoms Bridge Service District, the Farms of New Kent Community Development Authority, and its utility billing, and that Virginia had personal property taxes that other states did not have. He added that New Kent had a similar study conducted in 1999 or 2000 but never received the report and the contractor had refunded all of the money. He indicated that he did feel that Task #2 (Needs Assessment Action Plan) was important and was also needed.

Board members continued to express concerns about potential change orders and New Kent's bad luck with similar contracts in the past. Mr. Evelyn commented that he did not have any problem allocating additional funds for Task #2 as long as the contract was "right for me".

Staff advised that it would continue to negotiate and bring back a revised contract for the Board's review. It was confirmed that ambulance billing was not included in this software.

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IN RE: EMPLOYEE WELLNESS PROGRAM

Mr. Hathaway provided an update on the Employee Wellness Program.

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IN RE: CLOSED SESSION

Mr. Evelyn moved to go into Closed Session pursuant to Section 2.2-3711A.7 of the Code of Virginia for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and

consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel involving utilities and health insurance. The members were polled:

C. Thomas Tiller, Jr.	Aye
James H. Burrell	Aye
Ron Stiers	Aye
Thomas W. Evelyn	Aye
W. R. Davis, Jr.	Aye

The motion carried. Chairman Davis confirmed that the Board would not take any action after the closed session. The Board went into closed session.

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

James H. Burrell	Aye
Ron Stiers	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
W. R. Davis, Jr.	Aye

The motion carried.

Mr. Evelyn 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:

Ron Stiers	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
James H. Burrell	Aye
W. R. Davis, Jr.	Aye

The motion carried.

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IN RE: MEETING SCHEDULE

The Chairman announced that the next regularly scheduled meeting of the Board of Supervisors would be held at 6:00 p.m. on March 11, 2013, in the Boardroom of the County Administration Building.

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IN RE: ADJOURNMENT

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

Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
James H. Burrell	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye

The motion carried.

The meeting was adjourned at 10:30 a.m.