

THE REGULAR WORK SESSION OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 27th DAY OF MARCH IN THE YEAR TWO THOUSAND THIRTEEN IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 8:30 A.M. THIS MEETING BEGAN WITH A JOINT MEETING WITH THE NEW KENT COUNTY SCHOOL BOARD.

IN RE: CALL TO ORDER

Chairman Davis called the meeting to order.

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.

IN RE: JOINT MEETING WITH SCHOOL BOARD

School Board Chair Leigh Quick called the School Board meeting to order. Other School Board members present were Brett Marshall, Sarah Barber, Dean Simmons and Gail Hardinge.

IN RE: SCHOOL SYSTEM FY14 BUDGET

Dr. Robert F. Richardson, School Superintendent, and Ralph Westbay, Director of Finance and Budget, were present to review the FY14 Budget recently adopted by the School Board.

Dr. Richardson reported that their adopted budget had a funding gap of \$1.3 million. He reviewed that there had been consistent reductions in the School budget over the past three years, and they were "still feeling the effects" of those reductions that had resulted in the elimination of a total of 42 staff positions. He remarked that those reductions were largely the result of decreases in State funding and would have been far more damaging had the Board of Supervisors "not made efforts to try to soften their effects". He indicated that the School Division had "confronted those reductions in the face of increases in student enrollment", noting that they had 60 more students than expected for the current year and 110 new students had been predicted for next year. He advised that they could not continue to reduce expenditures with student enrollment increasing, and that was one of the factors in the School Board's FY14 budget. He reported that the School Board had cut three of the new positions requested by the Schools. He advised that their FY14 budget eliminated the four furlough days, and also took into account the loss of American Recovery and Reinvestment Act (ARRA) funding, potential additional loss resulting from sequestration, the 110-student increase, a seven-year plan to adjust the teachers' salary scale, and additional teaching positions to maintain appropriate teacher/student ratios and meet new graduation requirements. He indicated that the budget did include a 2% increase in salaries approved by the State, and he reminded that their budget was weighted by personnel, with 82% for salary and benefits. He spoke about the importance of New Kent Schools' remaining competitive in the market, especially in view of the number of long-time teachers who were retiring. He explained that the expected \$600,000 increase in State funding was a result of the 110 projected new students, and reported that there

would have been a reduction in funding if there had been level enrollment. He advised that unfunded and/or underfunded State and federal mandates continued to drive their budget and the increase in local funding requests. He commented that they recognized that the County was facing many of the same issues and they appreciated the consistent efforts to work with them and he remarked that they "would not be where we are today if you hadn't backed us".

Dr. Richardson and Mr. Westbay alternated in reviewing parts of the budget. Baseline adjustments and other factors identified included the loss of funds from Education for Jobs program (one-time ARRA stimulus funds); the elimination of funds from unsustainable miscellaneous revenue fees/transfers used as a stop gap measure only for FY13; funding to eliminate the furlough days enacted in FY13; funding for a new Kindergarten teacher; an unchanged composite index; and no increase in the per-pupil SOQ funding, all resulting in the need for \$1.3 million in additional local funds to balance their adopted budget.

It was reported that federal funds were anticipated to be lost under potential sequestration; State sales tax was expected to increase; the State's share of the 2% salary increase totaled \$127,100, with the locality having to fund the remainder of \$252,000; and State categorical and lottery funding was expected to be effectively flat.

One of the factors influencing expenditures was identified as \$535,030 for the additional teachers needed to maintain class size for effective instruction. Those positions were identified as one and a half high school math teachers, two elementary special education teachers, one kindergarten teacher, one elementary health & physical education teacher, one elementary reading specialist (for K-3 readiness), and one high school career and technical education teacher (new State unfunded mandate). Also requested was funding for stipends for additional class periods at the high school to meet instructional needs without having to hire more staff (for teachers who would now be teaching during their planning periods). Other factors were funding to restore two instructional technology resource teachers, and funding for one database specialist, one computer technician, as well as two teachers and two paraprofessionals that used to be federally-funded and but were now a local responsibility.

Other items included were funding for a preventative maintenance schedule to address aging infrastructure at New Kent Elementary School and New Kent Middle School; new textbooks; increases in transportation costs; and building security measures and camera maintenance costs.

It was explained that the adopted budget included \$65,505 for the first year of a seven-year plan to address teacher salary scale deficiencies, and \$35,000 for the first year of a two-year plan to correct the administrative assistant pay scale.

It was pointed out that New Kent ranked the 20th lowest of 132 school divisions in the State in per-pupil expenditures in FY11 at \$8,555 as compared to the State average of \$10,205. Recent adverse pay impacts to teachers and support staff were identified as 2% lost on four furlough days; a 2% loss resulting from the FICA tax restoration; and 1% lost by shifting Virginia Retirement System (VRS) contributions to employees.

It was explained that the increase in student enrollment had a direct impact on operating costs for additional teachers, paraprofessionals and transportation costs, and it was emphasized that the elementary schools were projected to exceed their 700-student capacity by the fall of 2015.

Dr. Richardson remarked that despite budget reductions, New Kent Schools continued to “excel in a remarkable way” and were a “good bargain for the taxpayers”. He reviewed the various honors, rankings, championships, partnerships, compliances, and accreditations.

Also reviewed were changes in compensation from FY13 to FY14, as well as changes in other expenditures, revenue comparisons by source, expenditure comparisons by category, and fund balance summary comparisons.

Mr. Davis asked about any projected “carryover” funds. It was explained that none were projected as they were anticipating some unexpected expenses before the end of the year, and the final revenue numbers from the State had yet to be determined.

Mr. Evelyn asked about inconsistencies in the budget handout relating to the funding amount requested for new teachers. After a review, Mr. Westbay explained that he neglected to change one page in the handout after the School Board had eliminated three requested positions, but that the total budget figures were correct.

There was discussion regarding the enrollment projections.

Mr. Burrell requested information regarding how New Kent compared with other localities in the percentage of local funding, which Dr. Richardson advised he would obtain and provide.

Mr. Stiers asked about the status of his request that the School Board complete a feasibility study for a student transportation company to determine what kind of taxpayer savings could be realized by outsourcing. He reported that he had received nothing but positive comments from superintendents he had called at school systems around the country that had contracted with one of these companies. He remarked that completing the feasibility study would cost nothing and would not commit the County to anything. Dr. Richardson advised that he had talked with a representative from the company recommended by Mr. Stiers and was waiting for more information, but he would be more than happy to complete the feasibility study.

There was discussion regarding the outsourcing of custodial services that had been done previously. Dr. Richardson reported that program was in its fifth year and, despite a few startup adjustments, there had been some savings, they had been able to keep the cost at a flat rate, and were satisfied with the service.

Mr. Stiers inquired about the amount budgeted for elevator maintenance. Dr. Richardson reminded that there was an elevator at both the high school and middle school but agreed to again look at the amount that had been budgeted.

There was discussion regarding the number of physical education (PE) teachers at the elementary schools. Dr. Richardson explained that there was currently one PE teacher at each elementary, and a third teacher was split between the two, and the new position requested would provide two teachers at each.

There was discussion regarding the cost of textbooks versus the cost of online books. Dr. Richardson reported that a switch to online textbooks did not appear to save money and could demand more staff for technical support.

Mr. Burrell asked that the Schools look to see if they could work with surrounding School Divisions to do regional purchasing in order to save money. Dr. Richardson advised that he

was not aware of any divisions that were doing that but he would be happy to look into the possibility.

Mr. Davis reported that New Kent would soon be hiring a procurement officer and asked County Administrator Rodney Hathaway if there would be any opportunity to share those services with the Schools. Mr. Hathaway advised that there would be and he would be discussing that possibility with the Schools. Dr. Richardson indicated that they would be happy to work cooperatively on any "blended services" that were identified. Dr. Hardinge reminded that in the past there had been discussions on combining grounds maintenance and health insurance, and suggested that those areas should be looked at periodically to see if there could be some cost savings.

There was discussion regarding the School's move to a self-insurance program last year. It was reported that the coverage was comparable and premiums had not increased, and Dr. Richardson remarked that it had been a "very smart move" on their part. There was discussion regarding how the Affordable Health Care Act would affect health care and part-time workers.

Mr. Hathaway advised that he would be presenting a recommended County budget to the Board at its April 8 business meeting. It was agreed that the Board and School Board would meet again at the Board's April 24 work session to continue to review the School's budget requests.

IN RE: HISTORIC SCHOOL

County Attorney Michele Gowdy asked both Boards to consider approving the execution of a proposed deed to correct boundary line issues between the Historic School and New Kent Elementary School. She confirmed that she had worked with the School Board's attorney on the deed. She explained that this step should be taken, even if the County moved forward to renovate the Historic School buildings as classrooms, because the existing discrepancies could cloud the title to the properties in the event financing was needed.

There were comments as to whether this needed to be done at this time. Ms. Gowdy explained that this step was needed in order to fix the problems with the prior deed, and she pointed out that a new survey had been prepared that would be recorded with the deed.

Parks & Recreation Director Kim Turner asked the Boards to keep in mind the current uses of the property and potential liability issues.

Mr. Burrell moved to adopt Resolution R-07-13 conveying property from the Board of Supervisors to the School Board, as presented. 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 School Board adopted a similar resolution on the motion of Gail Hardinge, which was seconded by Brett Marshall.

The School Board meeting was adjourned at 10:21 a.m.

IN RE: EXCAVATING/TRENCHING PROGRAM

Fire Chief Richard Opett reviewed a request for adoption of a proposed Excavating / Trenching Program as part of the County's Safety Manual.

Chief Opett explained that this was the newest part of the County's Safety Policies and confirmed that it would apply to County water and sewer lines and was based on Occupational Safety and Health Administration (OSHA) standards.

Mr. Evelyn moved to adopt the New Kent County Excavating/Trenching Program, as written. 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.

IN RE: MUTUAL/AUTOMATIC AID

Before the Board for consideration was Resolution R-06-13 delegating to the County Administrator the power to enter into updated mutual and/or automatic aid agreements with neighboring localities.

Chief Opett reported that he had met with the chiefs of each of those localities, and that the aid would be both automatic and mutual and most frequently expected in the Bottoms Bridge area (with Henrico County) and in some District One areas (with Hanover County).

There was discussion regarding Charles City County. Chief Opett advised that there were ongoing discussions with that locality, but it appeared that it would be "more us going in there during the daytime". He confirmed that Henrico County had recently limited its services to Charles City because the frequency of those calls was tying up their units and depleting services in Henrico.

Mr. Stiers moved to adopt Resolution R-06-13, as presented. 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.

IN RE: SALE OF DECOMMISSIONED FIRE-RESCUE APPARATUS

Chief Opett explained that, with the delivery of two new ambulances to be placed in service on April 1, he would like the Board's permission to sell certain pieces of apparatus that had been identified as surplus. Those units were identified as Ambulance 8, Ambulance 5,

Ambulance 12, Tanker 1 and Bus 3. He advised that it was his plan to follow State Code, advertise the sale in both newspapers and in Fire Magazine, and sell the units to the highest bidder(s). He projected revenue from the sale of between \$20,000 and \$25,000.

There was discussion regarding the tanker truck. He explained that the truck had been donated by the Forestry Department and was not built nor safe for fire department use because the tank wasn't baffled to keep the water from shifting.

He indicated that all three ambulances needed repairs and were not candidates for chassis-replacements.

It was reported that \$250,000 was in the FY14 Capital Improvements Plan for Fire-Rescue apparatus. The Chief advised that he was working on a full apparatus evaluation for the Board to review.

There was discussion regarding the advertising and bid process. Board members asked that the bids be brought back to the Board for review.

Mr. Burrell moved to approve the sale of decommissioned Fire-Rescue apparatus, as requested. The members were polled:

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

The motion carried.

IN RE: FIRE-RESCUE GRANTS

Chief Opett requested permission to write and apply for various grants.

The first was a grant from the Forestry Department to outfit volunteers and part-time staff with lightweight wild land gear. He explained that he intended to apply separately for Station One's 7 volunteers, Station Two's 16 volunteers, and the 17 part-time staff, and that he had State Fire Protection Funds budgeted that would cover the County's match. He indicated that full-time staff already had lightweight gear, and this would prepare them for the anticipated busy fire season.

Mr. Stiers moved to approve the request to apply for a Department of Forestry grant for lightweight wild land gear, in an amount not to exceed \$7,200. 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 next grant was for a Burn Building that would be used jointly with surrounding localities. He explained that there was no such facility nearby and the County owned

property near the "shooting house" off of Route 618 that would accommodate it. He indicated that he was looking at a \$400,000 grant, and he felt that an application for a regional facility to fill the existing gap could result in 100% funding; however, any local match that might be required would not be due until FY15. He described the proposed facility as a Type-A steel building, and reported that the grant would cover up to \$30,000 for engineering, but he wasn't sure if it would cover any site work.

He indicated that he had had initial conversations with the other localities and would draw up a memorandum of understanding for execution. He explained that New Kent would manage the site and other localities would pay either a subscription or user fee.

Board members expressed concerns about whether the 618 site was appropriate for such a facility, and there were suggestions of other sites, both in New Kent and West Point. There was also concern that there was no written commitment from the other localities. Chief Opett indicated that he would move forward to obtain letters of support and it was noted that the County was not obligated to accept the grant if it were to be awarded.

There was discussion regarding burning of existing buildings.

Mr. Burrell moved to approve the request to apply for a Burn Building grant as well as provide a letter of support. 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.

The next was the Assistance to Firefighters grant for either a pumper (the County's 5% cost share would be \$20,000) or ladder truck (cost share of \$35,000). Chief Opett remarked that "every department needed a ladder truck" because it could be used to aerially stream water on fires and for rescue. He indicated that a ladder truck would be stored at Station One, but would be moved to any station that might be established at Bottoms Bridge.

Mr. Evelyn moved to approve the request to apply for an Assistance to Firefighters grant as long as it did not exceed a 5% County match. 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.

The next grant discussed was a two-year Staffing for Adequate Fire and Emergency Response (SAFER) grant that had a 20% cost share for both years. Mr. Hathaway explained that the County was in the last year of its current SAFER grant that had partially funded six firefighters, and the County would have to pick up the full cost of those positions going forward. Chief Opett reported that ten new firefighters would be enough to staff all of

the stations full time, but that four new positions would enable him to staff Lanexa Station full time, where there had been an increase in calls.

It was reported that the cost for one firefighter position was between \$56,000 and \$58,000.

There was discussion regarding the SAFER grant and it was reported that the County could apply for any number of firefighters in its application. Board members agreed that the issue was not whether the positions were needed but how to pay for them.

Mr. Hathaway explained that funding for only two new positions would be in his recommended FY14 budget, with the hopes that funding would pay the County's match for a SAFER grant for six positions.

Mr. Tiller moved to apply for the SAFER grant for six fire firefighters.

Mr. Evelyn suggested that the Board wait until it had seen a breakdown from the Chief on staffing and information on what was being paid to part-time staff. Chief Opett advised that he had that information and could present it to the Board at its next work session.

Mr. Tiller withdrew his motion and there was consensus to table the request until the April work session.

The last grant discussed was a \$150,000 Wireless grant (no local match) through the Virginia Department of Emergency Management (VDEM) that would be used towards a new Computer Aided Dispatch (CAD) system. The Chief explained that the County's current system would not adapt to the new 800 MHz system coming on line. He indicated that New Kent was the "missing link between Virginia Beach and Northern Virginia" and was "the number one priority on the list". He explained that the new system would be used by the Sheriff's Office, School System, and Fire/Rescue.

There was discussion regarding the wireless system developed in King and Queen County with ARRA funds.

Mr. Burrell moved to approve the request to apply for a VDEM wireless grant for \$150,000 for a new CAD system. The members were polled:

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

The motion carried.

IN RE: FIRE-RESCUE DEPARTMENT UPDATE

Chief Opett provided the Board with an update on the County's Fire-Rescue Department.

He reported that over the past two months, he had met with all staff and the fire chiefs in neighboring localities, and completed evaluations of operations, guidelines, facilities, apparatus, and dispatch and had otherwise familiarized himself with the County. He advised that he had reviewed the current Standard Operating Procedures (SOPs) and spoke about an accountability system for firefighter safety and upgrades to the communications /

radio system. Areas he identified as priorities were volunteer staffing, middle management issues, apparatus, and Insurance Services Office (ISO) ratings.

He addressed upcoming training opportunities, accountability, response time improvements, and changing the way calls were dispatched. He also reported that he was reinstating the volunteer chiefs as "chiefs", who would serve as commanding officers in the evenings. He also advised that he was proposing a change in the uniforms that would make for easier identification.

Mr. Stiers reported that he had received "good comments" about the Chief and his leadership as well as improving morale, and he was very pleased.

IN RE: CLOSED SESSION

Mr. Evelyn moved to go into Closed Session pursuant to Section 2.2-3711A.1 of the Code of Virginia for discussion about prospective candidates for employment; pursuant to Section 2.2-3711A.7 of the Code of Virginia for consultation with legal counsel pertaining to actual or probable litigation where such consultation in open meeting would adversely affect the negotiating or litigating posture of the Board; and pursuant to Section 2.2-3711A.29 of the Code of Virginia for discussion about the award of a public contract involving the expenditure of public funds where discussion in open session would adversely affect the bargaining position or negotiating strategy of the Board. 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 Board went into closed session.

Mr. Evelyn moved to return to open session. 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.

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:

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

The motion carried.

IN RE: ADJOURNMENT

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

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

The motion carried.

The meeting was adjourned at 1:05 p.m.