

A REGULAR WORK SESSION WAS HELD BY THE NEW KENT COUNTY BOARD OF SUPERVISORS ON THE 30th DAY OF JANUARY IN THE YEAR TWO THOUSAND FOURTEEN IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING, NEW KENT, VIRGINIA, AT 9:00 A.M. (HAVING BEEN POSTPONED FROM JANUARY 29 BECAUSE OF A WEATHER-RELATED CLOSING OF COUNTY GOVERNMENT OFFICES).

IN RE: CALL TO ORDER

Vice Chairman Tiller called the meeting to order.

IN RE: ROLL CALL

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

It was reported that Chairman Evelyn was sick and that Vice Chairman Tiller would conduct the meeting.

IN RE: ELECTORAL BOARD UPDATE

Electoral Board Chairman Charles Moss, Sr. updated the Board on several issues relating to the Elections and Voter Registration Office.

He first spoke about problems with in-person absentee voting at their new location because of a shortage of space as well as difficulty that some voters experienced in finding the office. He reported that they had 176 in-person absentee voters for the November 2013 general election, and he predicted those problems to worsen in the future with the increasing interest in early voting by both the voters and the General Assembly. He asked that the Board take these issues into consideration and help them to find other space.

He thanked the Board for providing funds for the optical scan voting equipment for all of the precincts and advised that it made it a lot easier for the recent Attorney General Race Recount, as opposed to the DRE equipment that they previously used. He reported that they had been able to sell their used DRE equipment for \$4,000 and would be returning those funds to the County. He indicated that the optical scan equipment required little maintenance, could be moved from precinct to precinct if needed, and should last for a while.

He reported that the Recount recently held in New Kent resulted in only one "plus vote" which he attributed to the equipment not being able to read a ballot that was not properly marked. He commended the Circuit Court Clerk and her staff for their work in overseeing the Recount and thanked the Sheriff's Office for its assistance. He confirmed that the cost for the Recount was to be borne by the locality.

IN RE: LEASE WITH BRIDGING COMMUNITIES REGIONAL CAREER & TECHNICAL CENTER

This item was deferred to a future meeting at the request of Dr. Robert Richardson, Jr., School Superintendent.

IN RE: EMERGENCY SERVICES PROGRAM

Before the Board for consideration was a request from the New Kent Department of Social Services (DSS) for additional funding for its Emergency Services Program. Present to answer questions about the request was County Administrator Rodney Hathaway, Benefits Supervisor Jon Martz, and Emergency Services Worker Tracie Coles.

Mr. Martz reported that, due to a large increase in requests, DSS had spent all but \$110 of the \$9,000 budgeted for its Emergency Services Program for FY14. He explained that this program was a "last resort" for most applicants, after having exhausted all other avenues of assistance, for things like medications, to keep their electricity from being cut off, to buy food, to keep from being evicted, for transportation, or for diapers and formula. He advised that an applicant could receive no more than \$250 in a twelve-month period and had to demonstrate an ability to pay the expense in the future in order to qualify.

Ms. Coles indicated that qualification was based not on income but upon the crisis and the need of the individual. She advised that there was usually an extenuating circumstance, such as the loss of a job, and she confirmed that DSS did have to turn some people down because they had no future ability to pay this expense on their own.

It was confirmed that there had been increases in requests "across the board for every service offered", which was attributed to the state of the economy.

Mr. Davis asked about the effect of the recent cold weather on applications for heating assistance. Mr. Martz advised that they expected to see an increase in those applications in February.

Mr. Martz confirmed that DSS did refer clients out to other agencies that might be able to help them. Mr. Stiers asked that the Forge Foundation be added to the list of agencies, as well as the Interact Club at New Kent High School whose members cut and provided free firewood to those in need.

Mr. Davis moved to appropriate \$5,000 from the County's contingency fund to the Social Services Department emergency services program. The members were polled:

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

The motion carried.

Mr. Martz thanked the Board and assured them that they would be good stewards of the funds. Board members thanked him and the DSS staff for all they did.

Mr. Davis asked about the effect on DSS if the Governor expanded Medicaid in Virginia. Mr. Martz advised that it would make a "huge difference" in their office. He noted that their Medicaid applications had increased two-fold, and explained that a person would first apply for Medicaid and if they did not qualify, they were referred to the Federal Marketplace. He advised that there were about 7,000 applications "sitting at the Marketplace now" filed by people who earned between \$12,000 and \$19,000. He explained that people in that income

range made too much to qualify for Medicaid but didn't make enough to be able to afford to pay for health care insurance, and it was assumed that those people would be covered if Medicaid was expanded.

IN RE: SUBDIVISION ORDINANCE AMENDMENTS

Before the Board for consideration was Resolution R-02-14 initiating proposed amendments to the Subdivision ordinance and requesting a review and recommendation by the Planning Commission.

County Attorney Michelle Gowdy advised that staff had been meeting as a group to go through the Subdivision ordinance and identify items that needed amendment. She confirmed that these proposed amendments were what Mr. Hathaway had reviewed with the New Kent Chamber of Commerce in the fall, which had drawn no comments. She reviewed that this first "chunk" of proposed amendments clarified the different roles that Planning staff had in the process, cleaned up some of the definitions to make them more consistent, consolidated various kinds of multi-family dwellings, streamlined the subdivision process, and increased the number of lots in a family subdivision that would trigger the requirement for a road built to state standards.

Mr. Hathaway explained that the changes would simplify and streamline the subdivision process by blending some of the submittals currently required and amending the ordinance to reflect the current practice.

There were comments regarding accessory dwellings, which was not a part of the subject amendments.

Regarding the proposed amendments to the family subdivision ordinance, Assistant County Administrator Jonathan Stanger explained that the current ordinance required construction of a road built to state standards when two new lots were created and he spoke about how that was a very expensive requirement in an instance where a parent wanted to give lots to two children. He indicated that with the proposed amendments, the requirement for a road would not be triggered until a third new lot was created.

Ms. Gowdy added that access to those lots would still have to be built to support emergency response equipment.

There were concerns expressed about the effect that change would have on existing family subdivisions, as well as how to protect future owners of those lots regarding road maintenance issues.

Ms. Gowdy reminded that the resolution under consideration would only send the proposals to the Planning Commission and that the Board still had the authority to change the amendments later in the process. Following more discussion, Mr. Davis moved to direct staff to take these changes to the Planning Commission for review without the adoption of a resolution, and bring them back to the Board at a work session. The members were polled:

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

The motion carried.

IN RE: COMPENSATION FOR 2014 BOARD OF EQUALIZATION

Before the Board for consideration was Resolution R-05-14 setting compensation for the 2014 Board of Equalization.

Mr. Hathaway explained that County Code required that Board of Equalization compensation be set by resolution, and that the proposal included an hourly rate of \$15, a \$3 increase over what was paid in 2012 and 2010. He confirmed that he did not anticipate that this increase would have an impact on what had been allocated for the process nor did he anticipate an increase in the number of applications. He advised that the Deputy Clerk would be serving as staff support for 2014.

Mr. Davis moved to adopt Resolution R-05-14, as presented, setting compensation for the 2014 Board of Equalization. The members were polled:

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

The motion carried.

IN RE: BROKERAGE SERVICES FOR HEALTH INSURANCE AND OTHER EMPLOYEE
 BENEFITS

Before the Board for consideration was a request to advertise for brokerage services for health insurance and other employee benefits.

Mr. Hathaway reported that he had created a group of staff members to review employee benefits, including the County's health care coverage, to look at whether it was consistent with the requirements of the Affordable Care Act (ACA) as well as what other options were available. He advised that they had determined that joining with the School System in its self-insurance program was not cost effective at the present time. It was explained that the County's current health insurance program, Local Choice, was made up of a mixture of localities who basically subsidized each other, and it had been determined that Local Choice did comply with ACA and the recommendation at present was to remain with that program.

He explained that he believed the County needed to develop a long-term strategy and have a consultant on-call to monitor its benefits program to see if there were new products that could save money and to make sure that its health coverage remained compliant with ACA. His proposal was to advertise an RFP for brokerage services for this purpose and advised that other localities were already doing this and he felt it would save the County money in the long run. He clarified that the consultant would work on an on-call basis as needed but he did want to task them with developing a long-term plan for the County. He spoke about how every year the County received rates from its health insurance carrier and, although the rates could be challenged, it took a detailed analysis of the County's claims and the consultant would be able to do that.

There was discussion regarding the County's wellness program and whether it would affect rates.

Board members agreed that it was something that should be explored and the County could decline to move forward if it was determined not to be cost-effective. There were comments about how the County had saved money with the services of its financial consultant.

Mr. Burrell moved to authorize staff to advertise a request for proposal for brokerage services for health insurance and overall employee benefits. The members were polled:

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

The motion carried.

IN RE: REGIONAL TRANSPORTATION AUTHORITY

Mr. Tiller, who serves as New Kent's representative on the Richmond Regional Transportation Commission and the Metropolitan Planning Organization (MPO), explained that there were plans to expand the MPO so that it took in all areas of New Kent County, Powhatan County, and Goochland County; however, there were efforts by Richmond, Chesterfield County and Henrico County to rename the MPO and put those three localities "in charge of everything". He advised that he was asking the Board to adopt a resolution in opposition to these efforts, to include a bill currently in the General Assembly.

Ms. Gowdy advised that Hanover County had passed a similar resolution a few weeks earlier and Powhatan was in the process of considering one as well.

Mr. Hathaway reported that the bill had been heard and read, and was at the subcommittee level.

There was discussion whether it would help New Kent to be members of both the Richmond regional transportation commission and the one that covered the Peninsula. Ms. Gowdy advised that would be complicated since the one in Hampton Roads was now a taxing authority.

There was confusion as to whether the actual expansion of the MPO had taken place yet.

Mr. Davis moved to adopt Resolution R-06-14 to oppose any measure to create and/or rename a regional transportation authority that did not include all localities in the region having proportional representation, to include HB597. The members were polled:

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

The motion carried.

IN RE: CLOSED SESSION

Mr. Burrell moved to go into Closed Session pursuant to Section 2.2-3711A.3 of the Code of Virginia for discussion or consideration of the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County involving future public safety property. The members were polled:

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

The motion carried. The Board went into closed session.

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

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

The motion carried.

Mr. Davis 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:

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

The motion carried.

IN RE: PROPERTY FOR FUTURE LANEXA FIRE STATION

Mr. Davis moved to authorize the County Administrator to approve an amendment to the proposed contract for a future public safety building dealing with the due diligence time period. The members were polled:

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

The motion carried.

IN RE: HISTORIC SCHOOL RENOVATION PROJECT

Mr. Davis asked for an update on the project.

Ms. Gowdy reported that the deadline for competing bids had passed and none had been received. She explained that if the Board wanted to proceed with the unsolicited proposal received from Marengo Management under the Public Private Education Act (PPEA), it was required to hold a public hearing at least 30 days prior to entering into a comprehensive or interim agreement. It was confirmed that there was not enough time to advertise a public hearing for the Board's February 10 meeting but the Board could schedule a special meeting for that purpose.

Ms. Gowdy suggested that the Board consider some kind of interim agreement with Marengo to allow demolition to start on things that were not relevant to the design, which would provide time for the Historic School Renovation Subcommittee to "begin to set up what it needs" and once there was agreement on a plan, then the County could enter into a comprehensive agreement.

After discussion on possible dates for the special meeting, Mr. Davis moved to authorize staff to advertise a public hearing on the PPEA for February 13 at 7 p.m. The members were polled:

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

The motion carried.

IN RE: RECENT WEATHER EVENTS AND ROADS

The Board shared complaints and comments regarding road clearing after recent snow events.

IN RE: ADJOURNMENT

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

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

The motion carried.

The meeting was adjourned at 10:59 a.m.