

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 10th DAY OF FEBRUARY IN THE YEAR TWO THOUSAND FOURTEEN IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 6:00 P.M.

IN RE: CALL TO ORDER

Chairman Evelyn called the meeting to order.

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Tiller gave the invocation and led the Pledge of Allegiance.

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: CONSENT AGENDA

The Consent Agenda was presented as follows:

1. Approval of Minutes
 - a. January 13, 2014 business meeting
 - b. January 23, 2014 emergency meeting
2. Miscellaneous
 - ~~a. Grounds maintenance contract renewal with Green's Lawn Service, Inc.~~
 - b. Cooperative procurement Agreement for GIS Services with Worldview Solutions under a contract with the City of Charlottesville
 - c. Agreement with Colonial Group Home Commission for court-ordered residential services for juveniles
3. Refunds
 - a. \$7,252.50 to Basic Construction Company, LLC for erroneous assessment
4. Supplemental Appropriations
 - a. Program income received for FY14 from CDBG Plum Point grant participants, \$901.84
 - b. Public Education donations to Fire-Rescue, \$800.00
 - c. Donations for the Animal Shelter, \$1,007.63
 - d. Extension Program sponsorship revenue, \$585.00
 - e. Insurance recovery funds for the Sheriff's Office, \$3,299.67
 - f. Recovered miscellaneous revenue – Sheriff, \$4,080.36
 - g. P&R sponsorship facility improvement revenue – New Kent Wrestling Club, \$300.00
 - h. Federal Asset Forfeiture Funds – Commonwealth Attorney, \$5,412.72

- i. Insurance recovery funds for the Water/Sewer (Utilities) Department, \$1,899.08
- j. School Textbook Fund balance, \$104,452.74

\$ 122,739.04	Total
\$ (18,286.30)	Total In/Out
\$ (104,452.74)	From Fund 206 fund balance

- 5. Interdepartmental Budget Transfers
 - a. *School Board Office*: \$57,367 from salary line items to Professional Services – Fiscal Services
 - b. *School Board Office*: \$111,000 from Part-time Bus Routes, Summer, to Bus Driver, Car Driver and Bus Aide Salaries
 - c. *Fire/EMS*: \$20,036 from Replace Engine 1 and Vehicle/Power Equipment, Repair/Maint to Vehicle Replacement
 - d. *School Board Office*: \$3,500 from Other Professional-Tech Instr Support to Misc Services-Improv of Inst Reg Ed
 - e. *School Board Office*: \$201,874 from Contingency to Health Ins line items, Repair Services, and Textbook Adoption NKMS

- 6. Treasurer's Report: Cash as of December, 2013: \$43,586,093.62

Mr. Stiers asked that the contract with Green's Lawn Service be removed the Consent Agenda so that the Board could discuss whether County staff could perform those services as a cost-saving measure. Other Board members agreed to direct staff to look at that possibility.

Mr. Tiller moved to approve the Consent Agenda, with the removal of Item 2a, and that it be made a part of the record. The members were polled:

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

The motion carried.

IN RE: RESIDENCY ADMINISTRATOR REPORT

Mike Cade, Residency Administrator with the Virginia Department of Transportation (VDOT), reported on maintenance activities and construction projects on New Kent roads from the past month as well as those planned for the next thirty days.

He advised that the bridge work on Route 618 at the Charles City County line had been completed and the bridge had been reopened. He spoke about the impending snow storm expected for the area and advised that VDOT was "prepped and ready".

Mr. Davis spoke about road clearing after recent snow events and commended VDOT for the work they did, acknowledging that there was little that could be done to clear some of the roads in light of the low temperatures. Mr. Cade explained how salt was not effective below 18 degrees and how higher temperatures and sunshine were needed to break up the snow pack in order that it could be pushed off of the roads. He reported that it had cost VDOT

more than \$200,000 to clear and treat the roads in New Kent in the last event, but added that they had spent more than that on salt for the interstate.

The discussion then turned to trash and litter along the roadways and there were questions about fines and litter enforcement.

Mr. Cade also addressed the varied predictions for the upcoming snow event and suggested that it appeared that New Kent could receive anywhere from four to eight inches.

Mr. Stiers advised that he was pleased with the response to some of his recent requests to VDOT and spoke about how he felt that VDOT had done the best it could in recent events and how this area had fared much better than others like Atlanta.

Mr. Burrell asked if VDOT spread sand on the back roads. Mr. Cade advised that they did put sand, mixed with a little salt, on the hills, sharp curves and intersections. He confirmed that the use of salt on those roads contributed to development of potholes and deterioration of the pavement.

Mr. Tiller asked about a problem on South Woodland Circle and Mr. Cade agreed to look into getting that addressed. He also explained the work that would need to be done to replace a failed drainage pipe in Five Lakes Forest.

Mr. Evelyn advised that he had fielded a lot of telephone calls during the last snowstorm from parents who were ready for their children to be back in school, but he knew that VDOT had done its best on clearing the roads. He also advised that he had asked Mr. Baker to look at the entrance to Deer Lake when he had a chance.

IN RE: CITIZENS COMMENT PERIOD

Chairman Evelyn opened the Citizens Comment Period. There being no one signed up to speak, the Citizens Comment Period was closed.

IN RE: ELECTED OFFICIALS' REPORTS

Mr. Davis congratulated 10-year old former New Kent resident Taylor Richardson for her success in the recent Broadway production of Annie, as well as on her current role in a movie being filmed in New York.

Mr. Stiers advised that he had attended a recent School Board meeting regarding the possibility of the school bus drivers losing some of their benefits, and that there was an upcoming meeting with an independent bus company to weigh the benefits of outsourcing student transportation.

Mr. Tiller advised that the Metropolitan Planning Organization would be voting at its March meeting on whether to expand its coverage to include the rural areas of New Kent and two other counties, which would provide an opportunity for all areas in New Kent to receive funding for road projects. There was discussion regarding whether or not the governing bodies of those localities should be consulted before the vote. Mr. Hathaway confirmed that no such input had been requested of the localities and suggested that a letter could be prepared to convey the Board's wishes in that regard. It was agreed that the Board would discuss this further at its February work session.

Mr. Evelyn advised that he and Mr. Tiller had attended a meeting of the Historic School Renovation Subcommittee and that group was waiting to see what the Board decided after its February 19 public hearing on the PPEA proposal received from Marengo Management.

He also spoke about a bill that had been passed by both the State Senate and House of Delegates that would permit hunting on Sundays. He predicted that this would be a controversial issue for New Kent citizens. Board members expressed their disappointment that none of the governing bodies had been consulted and that localities did not have authority in the matter.

IN RE: STAFF REPORTS

There were none.

IN RE: DISTRICT APPOINTMENTS

Mr. Stiers moved to appoint John Phelps as District Four's representative to the Airport Advisory Commission, to complete a term ending December 31, 2016.

The members were polled:

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

The motion carried.

IN RE: NON-DISTRICT APPOINTMENTS

There were none.

IN RE: MEETING SCHEDULE

The Chairman announced that the next meeting of the Board of Supervisors would be held at 6:00 p.m. on March 10, 2014, and the next work session at 9:00 a.m. on February 26, 2014, both in the Boardroom of the County Administration Building. He added that there would also be a special meeting on February 19, 2014 at 7 p.m. for a public hearing on the PPEA project for the Historic School.

IN RE: CLOSED SESSION

Mr. Davis moved to go into Closed Session pursuant to Section 2.2-3711A.1 of the Code of Virginia for discussion regarding the assignment, performance, discipline or resignation of County employees in various departments including but not limited to IT, DSS and New Kent Fire-Rescue, and pursuant to 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 public body and consultation with legal counsel employed by the Board regarding specific legal matters requiring the provision of legal advice by such counsel involving General Services, Patriot's Landing and environmental issues. The members were polled:

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

The motion carried. The Board went into closed session.

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

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

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

The motion carried.

IN RE: ROUTE 618 PROPERTY ENVIRONMENTAL ISSUES

Before the Board for consideration was a proposal from an engineering company to conduct some environmental testing on land near the Route 618 property owned by New Kent.

Mr. Stiers moved to authorize the County Administrator to enter into a contract with Draper Aden for services outlined in their proposal dated February 7, 2014, in an amount not to exceed \$5,800.00. The members were polled:

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

The motion carried.

IN RE: AGRICULTURAL AND FORESTAL DISTRICT (AFD) PROGRAM

Mr. Evelyn complained about information recently sent out to members of the AFD districts that were up for renewal in 2014. He spoke about confusion and inconsistencies, and was concerned that participants would be required to pay another fee.

There was discussion regarding the forms that were mailed and whether the process accurately reflected the intent of the Board in previous meetings and what had been shared with the AFD Advisory Board. After discussion and in light of a March 1 application deadline, it was agreed that staff would immediately review the process and forms and then report back to the Board at its next meeting.

IN RE: ADJOURNMENT

Mr. Burrell 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	Aye

The motion carried.

The meeting was adjourned at 7:29 p.m.