

A SPECIAL MEETING – RETREAT - OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 10TH DAY OF FEBRUARY IN THE YEAR TWO THOUSAND SEVEN OF OUR LORD AT THE NEW KENT CONFERENCE CENTER (VIRGINIA DEPARTMENT OF FORESTRY CENTER) IN PROVIDENCE FORGE, VIRGINIA, AT 8 A.M.

IN RE: ROLL CALL

Mark E. Hill	Present
David M. Sparks	Present
James H. Burrell	Present
Stran L. Trout	Present
W. R. Davis, Jr.	Present

The Chairman called the meeting to order and reviewed the agenda. It was noted that Mr. Burrell would have to leave early in order to attend a funeral.

IN RE: RECORDS RETENTION AND FREEDOM OF INFORMATION ACT

Deputy Clerk Connie Nalls distributed Records Retention and Disposition Schedules from the Library of Virginia which outlined the requirements for records retention as it related to documents, correspondence and e-mail received or sent by board members and chairpersons. It was suggested that the Board consider using County-issued laptops and County e-mail addresses to conduct business in order to facilitate proper records retention. Staff was requested to determine and provide cost estimates.

IN RE: DECISION MAKING BY THE BOARD

County Attorney Jeff Summers explained the difference between ministerial and legislative actions as well decision standards and the importance of building the record. He also reviewed the use of evidence, logic, fact finding and debate in the decision-making process.

IN RE: 2007 MEETING SCHEDULE

The Board discussed the need for regularly scheduled meetings with senior staff and there was consensus that semi-annual meetings in February and August would be preferable to quarterly meetings.

There was discussion pertaining to how the public was often unaware of the debate and discussion held during work sessions because those sessions were not routinely videotaped for broadcast.

It was the consensus of the Board not to have a third monthly meeting and to begin the regularly scheduled work sessions at 4 p.m. effective with the March 28 work session.

IN RE: BUDGET PROCESS

There was discussion regarding the upcoming budget process. Board members inquired as to why revenue was not increasing at the same rate as growth in the County; voiced concerns regarding investment of County's funds; and asked what staff was doing to reduce spending.

There was also discussion regarding incomplete property assessments; the use of contract services versus creating new positions; and the necessity for BlackBerry and cell phones for some County staff.

Mr. Budesky indicated that he would obtain and provide further information to the Board regarding those issues.

IN RE: MEETING PROCEDURE

Chairman Trout distributed information for the Board's consideration pertaining to public hearing procedures; postponing consideration in certain circumstances to allow time to consider and investigate information offered during public hearing; timely delivery of agenda information; and dealing with issues regarding staff.

IN RE: COMMITTEES, COMMISSIONS AND BOARDS

The Board discussed several issues regarding committees, commissions and boards.

There was consensus that the role of a Board representative to a committee, commission or board was that of a liaison and that the Board representative should vote only on issues that would not be brought before the Board at a later date. There was also consensus that each body should have a charter and it was suggested that Mr. Summers have his summer legal interns work on the chartering process.

IN RE: UPDATE ON THE HIGH SCHOOL CONSTRUCTION PROJECT

Mr. Hill encouraged the Board to adhere to the plans and design for the high school project and not to cut items in order to save money. It was reported that the School Board planned to award the high school construction contract to W. M. Jordan Construction at the upcoming budget meeting with the Board of Supervisors.

IN RE: CLOSED SESSION

Mr. Davis moved to go into Closed Session for consultation with legal counsel pursuant to Section 2.2-3711A.7 of the Code of Virginia involving actual or probable litigation. The members were polled:

Mark E. Hill	Aye
D. M. Sparks	Aye
James H. Burrell	Aye
W. R. Davis, Jr.	Aye
Stran L. Trout	Aye

The motion carried. The Board went into closed session.

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

David M. Sparks	Aye
James H. Burrell	Aye
W. R. Davis, Jr.	Aye
Mark E. Hill	Aye
Stran L. Trout	Aye

The motion carried.

Mr. Sparks 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
W. R. Davis, Jr.	Aye
Mark E. Hill	Aye
David M. Sparks	Aye
Stran L. Trout	Aye

The motion carried.

Mr. Burrell departed at 11:30 a.m.

IN RE: 2007 GOALS

Mr. Budesky announced plans for a citizens' academy (New Kent University) and a newsletter. Suggestions from the Board included establishing satellite college courses and technical training opportunities in New Kent.

IN RE: LEGISLATIVE UPDATE

Chairman Trout provided an update on legislative items.

It was reported that there was a firearms bill under consideration that would standardize firearm usage across the State, which VACo was opposing because it would take authority away from the locality.

It was noted that a House bill on historic horseracing had been defeated but that a Senate version was still under consideration and would provide revenue to New Kent as well as to the OTB localities should it pass.

Mr. Budesky requested guidelines from the Board which would assist him in timely conveying the Board's support or opposition to pending legislation.

IN RE: OTHER ITEMS

Mr. Davis suggested that it would be advisable for the Wetlands Board to be involved in tidal flooding issues on South Waterside Drive as well as other activities in the County that affected wetlands. Mr. Budesky advised that he would ask Environmental Planning Manager Chris Landgraf to look into those issues.

IN RE: ADJOURNMENT

There being no further business, Mr. Sparks moved to adjourn the meeting. The members were polled:

W. R. Davis, Jr.	Aye
Mark E. Hill	Aye
David M. Sparks	Aye
James H. Burrell	Absent
Stran L. Trout	Aye

The motion carried.

The meeting was adjourned at 12:47 p.m.