

THE REGULAR WORK SESSION OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 28TH DAY OF MARCH IN THE YEAR TWO THOUSAND SEVEN OF OUR LORD IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 6:00 P.M.

IN RE: ROLL CALL

Mark E. Hill	Absent (arrived at 4:12 p.m.)
David M. Sparks	Present
James H. Burrell	Present
Stran L. Trout	Present
W. R. Davis, Jr.	Present

The Chairman called the meeting to order. There was consensus among the Board members to delay any items requiring a vote until Mr. Hill arrived.

IN RE: GORPT REZONING

Before the Board for review was a rezoning application filed by Gorpt, LLC and property owner Dr. Anup Gokli to rezone approximately 6 acres in Bottoms Bridge from *R-2, General Residential* to *B-1, General Business* in order to allow for the construction of a professional medical office complex, scheduled for public hearing on April 9, 2007.

Planner Kelli Zittergruen explained that the rezoning would permit the property owners to construct a medical office complex consisting of three to four buildings with an opportunity for some medically-related retail as well. She reviewed that the subject property was about 1/3 mile from the intersection of Route 60 and Route 249 across from the existing park and ride lot, and that adjacent parcels were zoned for business. She advised that the subject property was located within the Bottoms Bridge Service District and would be required to connect to public water and sewer. She indicated that the proposed zoning classification appeared to be consistent with the Comprehensive Plan in that the subject property was designated as commercial in the Future Land Use Map. She referred to the proffers, which included prohibited uses. She reported that staff had discussed the application with the County's Economic Development Consultant who was of the opinion that the location and design would bring additional business to the County. She indicated that staff and the Planning Commission were recommending approval of the application when it came before the Board for public hearing on April 9.

Malachi Mills, P.E., representing the applicants, reviewed the proposed plans for the site. He advised that his clients intended to construct medical office space but wanted to leave open the opportunity to have some medically-related retail, such as a pharmacy. He advised that plans included for up to 26,000 square feet of medical office space, in three to four buildings (one would be a two-story), and that it was his clients' intent to submit a site plan as soon as the zoning was in place. He indicated that approximately 125 parking spaces were planned, near a ratio of 5 spaces per 1,000 square feet of space. He advised that the two-story building and two one-story buildings were proposed for medical office space, and the one possible outbuilding was proposed for retail space. He indicated that his clients anticipated construction being complete on the two-story building by Fall 2008 followed by one or both of the single story buildings, with build-out being dependent on market demand. He indicated that there was significant interest from prospective tenants.

Mr. Sparks commented that he supported the application and felt that medical service providers at that location would pull patients from eastern Henrico and would provide

expanded in-county medical services to New Kent County residents that were not currently available.

Chairman Trout confirmed that a public hearing would be held on the application on April 9, 2007.

IN RE: PUBLIC UTILITIES – CONTRACT AWARDS

Before the Board for consideration were requests for awards of contracts on public utility projects.

Project Engineer, Roger Hart of R. Stuart Royer, was present to answer questions.

The Board was reminded that the utility project had several components and that the Phase II force main project had been split into Parts A and B. It was reported that for Part A of the project, the low bid had been submitted by Godsey & Sons in the amount of \$3,397,908.50, which was approximately \$1.6 million below budget. It was further reported that for Part B, the low bid was submitted by Walter C. Via Enterprises for \$4,144,170.50, under budget by \$329,829.50. County Administrator John Budesky noted that bidders had also been invited to submit an alternate bid for boring under the interstate to provide water service to Route 106 south of the interstate, and that Via Enterprise had submitted the low bid of \$202,500.

It was reported that Godsey's alternate bid on the boring was \$245,000.

Mr. Budesky advised that staff was requesting that contracts be awarded to the low bidder on each project.

Mr. Davis moved to award a contract for the Phase II force main A project to Godsey & Sons in the amount of \$3,397,908.50. 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.

Mr. Davis moved to award a contract for the Phase II force main B project to Walter C. Via Enterprises in the amount of \$4,144,170.50. 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. Davis moved to award a contract for the waterline bore under I-64 to Walter C. Via Enterprises as an alternate bid item, in the amount of \$202,500.00. The members were polled:

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

The motion carried.

There was discussion regarding the favorable results on the bids. Mr. Hart commented that he felt that the bids were lower than budget because of a "tighter market", noting that there had been a large number of bidders, that it was a "clean job", that there had been significant competition from out of state, and that companies were looking for work to keep their employees busy.

It was noted that these projects were being funded from the Utility Fund and not from tax dollars, although Mr. Budesky indicated that the savings on the projects could reduce future borrowings for other projects.

IN RE: OPERATIONAL MEDICAL DIRECTOR

Fire Chief Tommy Hicks and EMS Coordinator Lisa Atkins were present to review the role and requirements of an Operational Medical Director (OMD). Also present was Michael D. Berg, Regulation and Compliance Manager, Office of Emergency Medical Services, Virginia Department of Health.

Ms. Atkins reported that New Kent's OMD, Dean Williams, M.D., wanted to be in attendance but was on duty in his role as Director of the Emergency Department at Richmond Community Hospital. She indicated that Dr. Williams was very interested and excited about the progress being made in New Kent.

Mr. Berg distributed information regarding the role of an OMD. He commented that during the last 20 years, there had been many changes brought about by technology, the practice of medicine, expectations, and world events resulting in additional responsibilities for EMS service providers. He advised that in 2003, the Virginia General Assembly adopted regulations that required that all licensed EMS agencies operate under the authority and oversight of a physician. He pointed out that all licensed EMS agencies were required to have the permission of local government in order to operate (unless formed before 1968) and that local governments were responsible to make a determination as to who would answer 911 requests for service. He advised that prior to 2003, only ALS providers were required to have OMD oversight.

Mr. Berg explained that oversight could be either "on the scene", by voice, or under off-line protocols. He advised that the OMD also performed medical audits, reviewed call sheets, reviewed education and training, and maintained records on the credentials of those serving under his or her authority. He indicated that EMS providers could only practice to the level of the license of its OMD.

Mr. Berg reported that an OMD could recommend corrective measures where needed, and that the OMD would have knowledge of deficiencies through direct observations, quality assurance, call sheet review and feedback from customers.

He advised that an OMD must have a current unrestricted license, and must be certified in emergency medicine or actively pursuing certification by a national group recognized by the State Office of Emergency Medical Service. He indicated that there were 150 – 200 OMDs in Virginia and 718 licensed EMS agencies.

Mr. Berg indicated that OMDs could have as much direct contact with their agencies as they'd like, and although OMDs could designate others to act on their behalf, the ultimate responsibility rested with the OMD.

Mr. Berg indicated that it was not unusual for the Board of Supervisors to be unfamiliar with the role of the OMD, commenting that it was now a specialty of medicine. He admitted that being an OMD was very time consuming and he indicated that hospitals often encouraged its doctors to become involved, and that some OMD positions were filled by retired physicians. He stated that many doctors felt the responsibility to give back to their communities. Mr. Berg encouraged the Board to foster a relationship with its OMD, Dean Williams.

Lisa Atkins advised that it was Dr. William's intent to become more active in New Kent. She advised that once the level of service had been raised, New Kent's EMS agencies could begin performing some of the more advanced procedures being used by some of its mutual aid agencies. She indicated that Dr. Williams was "on the cutting edge" of those procedures and was planning to become more familiar with New Kent's operations and client base.

It was agreed that staff would schedule a time when Dr. Williams could meet with the Board.

IN RE: EMERGENCY SERVICES ORDINANCE

Fire Chief Tommy Hicks, Providence Forge Volunteer Rescue Squad (PFVRS) Captain Kathy Minter and PFVRS Captain Emeritus/First Lieutenant Butch Carter were present to brief the Board on the proposed changes to the Emergency Services ordinance.

Chief Hicks reported that staff had worked through the ordinance with all of the volunteer fire companies and he pointed out that the Board had recently received copies of letters of support from all three companies.

There was a discussion regarding burning. Chief Hicks advised that residents would be able to burn all year round but would be required to comply with the State Forestry regulations regarding distances from structures and wood-lines. He emphasized that those were distances required by the State and that the County had no option but to conform to and enforce to State law. He advised that his department typically worked with residents to move their burnings closer to ditch-lines and would continue to do so.

There was also discussion regarding unsupervised commercial burning.

Captain Minter reported that as a result of several meetings between representatives from PFVRS and County staff, it had been mutually agreed that PFVRS would operate as an "other agency" and would be applying for a permit as required. She commented that everyone had worked well together, listened to one another, compromised, and developed a good set of guidelines.

Captain Minter noted that there remained one point of disagreement – dealing with sixteen and seventeen year old crew members. She indicated that the proposed ordinance would prohibit anyone younger than 18 from participating in calls. She advised that several 16

and 17 year olds enrolled in classes, took the State exam, and went on to become BLS certified, but were not able to become ALS certified until they reached the age of 18. She explained how many of their Rescue Squad members started young and they feared that if young members were not allowed to participate, they might lose their sense of commitment or leave to volunteer in other jurisdictions. She indicated that she understood that Chief Hicks planned to start a youth program that would perform community outreach, but that she did not feel that the Rescue Squad could retain its younger members if they were not permitted to go out on calls. She explained that the Attendant in Charge (AIC), who must be at least 18 years old, made the decisions on patient care and that others riding in the ambulance were there to help and that was where they assigned minors and that was where their younger members received their experience.

Chief Hicks confirmed that members must be 18 in order to be a part of a functional crew and that he intended to create programs for those under 18 to be educated and involved in other ways. He alluded to problems with insurance coverage.

Captain Minter indicated that the Rescue Squad's insurance carrier was only interested in whether or not they were certified, and not their age.

Chief Hicks spoke about cognitive defects in minors and that he had talked with many concerned parents who preferred the approach of a "junior squad" where their children would be in a more supervised service.

Captain Minter maintained that minors should be permitted to ride in the back of the ambulance and assist the AIC, as long as they had been BLS certified, had passed the State exam, and had passed New Kent's precepting. She spoke about how these young members helped with taking blood pressures and pulses and helped with equipment.

Mr. Berg advised that EMS had been deemed to be a "hazardous" occupation and that was why an AIC had to be at least 18 years old, and that minors were not to be put in any harm's way.

It was not clear as to whether or not the issue had ever been discussed with the OMD. Mr. Carter commented that the Dr. Williams had been the OMD for PFVRS for many years and had never had voiced concerns regarding minors on their ambulances.

There was discussion among the Board regarding the role of minors on emergency service calls. There was agreement that language could be added to the proposed ordinance providing that minors could ride on the ambulance if they were BLS certified and working with an AIC.

County Attorney Jeff Summers advised the Board that what had been provided to them in their meeting books were the substantive changes and only a portion of the ordinance that would ultimately come to them at the public hearing. He explained that Sections 30 and 34 from the current Code were being merged into Section 30, and that Section 34 would be eliminated.

There was discussion regarding fireworks and resulting misdemeanor charges. Chief Hicks reported the ordinance would adopt the State Fire Prevention Code which regulated what fireworks could be sold and/or discharged in the State. He indicated that he would continue to work with the vendors, but confirmed that the sale or discharge of certain fireworks would be a class I misdemeanor.

IN RE: COST RECOVERY PROGRAM

Fire Chief Tommy Hicks reviewed the Cost Recovery portion of the proposed changes to Section 30 of the Code. He indicated that staff had attempted to address the concerns that had been raised and to develop a positive and strong program that would include a subscription fee and scholarship program.

Board members expressed concerns regarding educating the public on the changes and options. Chief Hicks indicated that once the ordinance was adopted, staff would move forward and launch a marketing campaign. He advised that the subscription program would be available to all residents and not just to those without insurance.

Chief Hicks introduced Gary Mathews, Vice President of Diversified Ambulance Billing, Inc. (DAB) and indicated that he would like to use DAB for the County's billing should the ordinance be adopted. It was reported that DAB was an ambulance billing and revenue collection service for municipalities and public safety departments, having 51 client organizations (of varying sizes) in Virginia, as well as clients in Florida, Wisconsin, Indiana and Colorado. Mr. Mathews advised that they had been in business since 1996 and were headquartered in Virginia Beach.

Mr. Mathews explained that DAB provided "A-Z services", that there were different levels of collection, and that his client localities ranged from "compassionate to tough" in their collection efforts, but most had a more compassionate billing philosophy. Mr. Mathews advised that billing would first be sent to the vehicle liability insurance carrier; if there was no such coverage, the bill would then be sent to the patient's health insurance or to the patient. He advised that if his company was unable to collect the account, it would be returned to the County for further action.

It was reported that no matter how many agencies or units responded to a scene, an injured person transported to a hospital would receive only one ambulance bill, and the amount of that bill would depend on the level of service as well as the mileage from the origin to the hospital. Chief Hicks advised that a locality could also charge non-residents an evaluation fee for patient assessment in instances where there was no transport.

Mr. Murphy advised that Virginia was "behind the times" on cost recovery compared to other states and that out-of-state residents would expect an ambulance bill because that was what they were used to.

Chief Hicks advised that the projected revenue was computed on a 30% non-recovery, based upon information received from other localities.

Mr. Trout expressed his concern that injured persons would decline transport to the hospital if they didn't have insurance or the money to pay the bill, or that an unconscious victim would not have the opportunity to make a choice.

There was discussion regarding how this would impact mutual aid. Chief Hicks advised that he was working on a new agreement on reciprocation of resources that would address that.

It was noted that the proposed fees were a part of proposed budget. There was a discussion on what insurance companies generally accepted for payment. Mr. Murphy explained that there were differing levels for different regions, pointing out that Medicaid paid the least, based on the number of miles transported.

There was a discussion on how recovered funds would be deposited. Mr. Murphy indicated that the funds could be sent directly to the County and tracked by County staff, or his company could collect the funds, and that their fees would be based on a percentage of the amount collected. Mr. Budesky advised that after research and considering the limited capabilities of the Financial Services Department, staff was recommending that the ambulance billing company collect the payments.

Chief Hicks advised that he had interviewed five different ambulance billing companies and would be recommending DAB to the Board.

Board members commented that the contract would need to be put out for bid. County Attorney Jeff Summers advised that it would need to be put out for bid unless there was some sole source justification.

IN RE: VERIZON EASEMENT

Before the Board for consideration was a request to grant a telecommunications easement to provide service to the Sheriff's Annex.

County Attorney Jeff Summers explained that this easement was needed in order to provide telephone service to the new building.

Mr. Davis moved to approve execution of the proposed Deed of Easement with Verizon Virginia, Inc. dated January 4, 2007.

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

The motion carried.

IN RE: TAX RELIEF PROGRAM

County Administrator John Budesky advised that Commissioner of the Revenue Laura Ecimovic had recently reviewed the tax exemption program and recognized that there were some areas that could be improved to increase the opportunity for citizens, age 65 and older or permanently disabled, to qualify for exemption. He advised that staff had done some research and worked with the Commissioner's staff and felt that New Kent could comfortably raise the individual income limit from \$20,000 to \$25,000, raise the combined income limit from \$30,000 to \$35,000, and increase the net worth land exemption from five to ten acres. He pointed out that there were a lot of County residents who were "land rich and cash poor". Mr. Summers advised that the ten acres had to be land upon which the home was sitting.

It was reported that the deadline to apply could be extended until July 1 for 2007, but that the permanent deadline would be moved to June 1.

Staff reported that the changes would require a public hearing and recommended one to be held at the April 23 work session.

There was consensus to advertise the changes for public hearing on April 23.

IN RE: BUSINESS INCENTIVES

Before the Board for consideration was Resolution R-17-07 initiating a business development incentives policy.

Economic Development Consultant Mark Kilduff advised that the proposed resolution paralleled the information discussed at previous work sessions as far as philosophical guidelines and general procedures. He advised that it had been reviewed by the Economic Development Authority (EDA) who was very comfortable with it and was particularly interested in assisting small businesses.

Mr. Budesky advised that the resolution would provide a broad base for an incentives policy and would be used to develop a process.

Mr. Kilduff reviewed the section wherein the EDA would establish and administer a sub fund to be used to help small businesses grow and prosper.

He advised that proposed guidelines would be developed for the approval and application process which would be brought back to the Board for final approval. He advised that some grants could be approved administratively but that the larger ones would come to the Board for approval.

He emphasized that all incentives would be open to negotiation and there would be no "by right" incentives.

Mr. Hill moved to adopt Resolution R-17-07 as presented. The members were polled:

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

The motion carried.

IN RE: CONSTRUCTION STANDARDS FOR RESIDENTIAL DRIVEWAYS

Before the Board for consideration was Resolution R-15-07 to initiate amendments to Chapter 91 of the New Kent County Code related to the construction of residential driveways.

Community Development Director George Homewood explained that by adopting the Resolution, the Board would be sponsoring the amendments and sending them to the Planning Commission.

Mr. Hill moved to adopt Resolution R-15-07 as presented. 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.

IN RE: RECOGNITION OF PAUL GILLEY

Mr. Gilley was not present and it was suggested that this presentation be rescheduled for a future meeting.

IN RE: FY08 BUDGET PROPOSAL

County Administrator John Budesky explained how the proposed budget had been developed. He commended the Budget Team, consisting of Financial Services Director Mary Altemus; Assistant Financial Services Director Amy Stonebraker; IT Director Jonathan Stanger, and Fire Chief Tommy Hicks. He recognized the efforts of the departments and staff that had "identified the County's true needs" and had submitted budgets that the Budget Team could work with. He also recognized Commissioner of the Revenue Laura Ecimovic and Treasurer Herb Jones and thanked them for their contributions.

He reviewed the timetable for the budget process, which included one or more work sessions, a public hearing on May 14 and adoption on May 29.

Mr. Budesky reviewed the steps that were taken in order to maintain fiscal responsibility which included alignment with the Board's goals and consistency with department goals and objectives; reduced or flat funding from the previous year; full justification for increases and funding of special projects; reduction of requests for those not presenting valid justification; analysis and categorization of discretionary items; and consideration of contractual services versus in-house services.

Budget challenges were identified as a full-year funding of LEOS coverage; 8.7% increase in health insurance premiums; an increase of over \$1 million in general fund operational requests; a 34.2% increase in debt service; an 8.6% increase in local school funds requests; requests for 15 new full-time and 6 new part-time positions as well as requests for 10 position upgrades; and a 44.8% increase in the local share of CSA and Human Services.

Mr. Budesky reviewed revenues, advising that 51% was from the General Fund and 28% from Schools. General property taxes were projected to increase by 10.1%, up to 75% of local revenues. He advised that meals tax revenue was projected to total \$435,000, with 50% being dedicated to schools, and 25% each to economic development and parks & recreation. He reviewed the revenue from Fines & Forfeitures, pointing out that revenue from the proposed new civil action fee for certain convictions had been included. He also reviewed projected revenue from Charges for Services, which included the proposed cost recovery for ambulance and rescue transport services of \$312,000. He explained that the revenue for the new civil action fee and the ambulance transport fee was equivalent to three cents on the real estate tax rate and that if the Board chose not to adopt those new fees, then it would have to either increase the tax rate or make cuts in the already tight budget.

He explained the decrease in revenue from permit fees and licenses, advising that those figures had been adjusted because current year's revenue was below projections.

He reviewed the Utility Funds, reminding that these were enterprise funds and paid for by the users and not with general fund dollars. He advised that staff was not recommending an increase in the Bottoms Bridge Service District *ad valorem* for the coming year, but had recommended an 8% increase in the rates and fees (in line with the Proforma), pointing out that the Public Utilities Department would be moving to a seven-day operation in January 2008. Information was provided showing how New Kent's rates and fees compared to other localities. He reviewed two new utility fees – a domestic meter installation fee and a GIS as-built fee.

Mr. Budesky reviewed budget highlights as they related to Key Performance Areas. He indicated that improvements were needed in the fire and rescue area and explained that the cost for ambulance transport would be billed to the insurance companies of the users and the revenue would allow an increase in staffing levels and improve service to the community.

He advised that an upgrade for a full-time Director of Economic Development had been added, as well as four part-time Information Specialists to staff the new Visitors' Center (part time staff to be paid for by the Economic Development Authority). He indicated that an Incentive Fund has also been proposed, which would be funded with Meals Tax revenue and EDA contributions, which would be used for incentives such as utility extensions, education grants, site development or acquisition and other similar inducements to influence business location decisions.

Mr. Budesky advised that several projects were not included in the proposed budget, including a proposed proffer study and some recycling programs.

He reviewed expenditures, advising that the General Fund represented 17%, capital projects 12%, Schools 44% and School Debt Service 8%. Mr. Budesky indicated that from what he had seen, 20 – 25% was the average for General Fund expenditures in some of the other localities.

Mr. Burrell commented on the local share of the costs for running the Airport. Mr. Budesky indicated that projections of airport revenues were not included but that staff would provide that information to the Board in the near future.

Mr. Budesky reviewed the Capital Improvement Projects (CIP) and advised that some had been pushed back into later years because of funding. There was some discussion regarding the savings to be realized by adding a compactor to the Route 618 main refuse site.

He advised that although included in the CIP plan was the renovation of the Old Courthouse into a History Center, the County would have to make sure that it had met its staff space needs before it would consider a museum in that building.

Mr. Budesky reviewed the requested and recommended new staff positions. He advised that the cost to add staff to the office of the Commissioner of Revenue effective December 1, 2007, would be less than what the County would pay for a full time assessor. Upgraded positions were also reviewed, which included staff in the office of the Commissioner of Revenue, Registrar staff, Recreation Programs Manager, Economic Development Director and Airport Director.

He reviewed the cost of the proposed Cost of Living Allowance (COLA) increase and merit increases, which were projected to have a total impact of \$288,847.

He reviewed the recommended \$602,232 (6.8%) increase in school funding, pointing out that the Schools had requested \$771,140 (8.6%)

Proposed new fees and fee increases were reviewed. Mr. Hill expressed his concern regarding the increase in commercial fees. Mr. Budesky advised that staff would address those concerns and provide justification at the upcoming work session.

It was pointed out that there was no recommendation to increase any of the tax rates for the upcoming fiscal year but to maintain current tax rates "across the board".

He reviewed Agency Requests and advised that some were increased, some were flat-funded and some were reduced. He advised that the County was "not even close" on the State formula for the Heritage Library and that with the possibility that Charles City and New Kent would have separate facilities, New Kent's local share was recommended to be increased by 20.5%.

Mr. Budesky asked the Board members to communicate their specific areas of concern or those items upon which they might need additional information so that staff could address those areas at the upcoming work sessions.

Mr. Budesky again thanked the Budget Team and the Department of Financial Services for their efforts in the budget process, and emphasized that everyone had worked hard to avoid a tax increase. He advised that the Board had an opportunity to make changes in the proposed budget, but that staff would recommend that the savings from any cuts be put into debt service rather than reduce the tax rate.

Mr. Budesky reminded that he would be out of the office until April 23 and again encouraged the Board members that if they found they needed information that was not in their Budget Books or if they had any concerns in other areas, to communicate those concerns and requests so that staff could address them.

Mr. Burrell commended Mr. Budesky and the Budget Team for its presentation, commenting that it was the best presentation he'd seen over the years. Other Board members concurred.

Mr. Budesky advised that the presentation would be posted on the website and that paper copies would be available in the Finance and Administration offices.

Mr. Hill inquired about whether the ambulance transport subscription fee would be available to businesses. Chief Hicks indicated he would check into that but he was not aware of a commercial subscription fee in other jurisdictions.

There was a discussion on the projected fire rescue cost recovery revenue. Chief Hicks estimated there were 6,700 – 6,800 residences, and that the revenue had been conservatively computed at a 70% collection rate.

There was discussion regarding LEOS coverage. Mr. Budesky advised that there would be no State funding for those benefits.

The Board members thanked the Budget Team for its work on the proposed budget.

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 April 9, 2007, at 6:00 p.m. in the Boardroom of the County Administration Building, New Kent, Virginia. He also reminded about a kick off rally in recognition of April being Alcohol, Drugs, Tobacco and HIV/AIDS Awareness month.

IN RE: CLOSED SESSION

Mr. Sparks moved to go into Closed Session to discuss a personnel matter pursuant to Section 2.2-3711A.1 of the Code of Virginia involving a performance evaluation of an employee. The members were polled:

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

The motion carried. The Board went into closed session.

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

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

Mark E. Hill	Aye
David M. Sparks	Aye
James H. Burrell	Aye

W. R. Davis, Jr.	Aye
Stran L. Trout	Aye

The motion carried.

IN RE: ADJOURNMENT

Mr. Hill moved to adjourn the meeting. 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.

The meeting was adjourned at 9:12 p.m.