

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 10th DAY OF APRIL 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. Burrell 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. February 26, 2014 work session
 - b. March 10, 2014 business meeting
 - c. March 26, 2014 work session
2. Miscellaneous
 - a. Resolution R-09-14 accepting easements for the Route 249 waterline project
 - b. Resolution R-13-14 recognizing May 2014 as National Cooperative Extension Centennial Celebration Month
 - c. Lease with New Kent Chamber of Commerce
 - d. Second Amendment to Contract Agreement with Equipment & Machinery Services for emergency generator maintenance and repairs
 - e. Third Amendment to Contract Agreement with Arrowhead Environmental Services for sewer pump station cleaning and other environmental services
 - f. Third Amendment to Contract Agreement with George S. Coyne Chemical Co., Inc. for polyphosphate for corrosion control at wastewater treatment plant
 - g. Third Amendment to Contract Agreement with Dominion Chemical Company for sodium hypochlorite for disinfection at all water and sewer systems
 - h. Third Amendment to Contract Agreement with Univar USA, Inc. for alum for wastewater treatment
 - i. Third Amendment to Contract Agreement with Suffolk Sales and Service Corporation for glycerine for wastewater treatment
 - j. Grant Agreement for fueling system upgrade at New Kent Airport
 - k. Lease Agreement with New Kent Aviation LLC
 - l. Deed from Loreighn C. Stewart for property located in Lanexa
 - m. Deed of Release of restrictive easement on property located in Windsor Shades
 - n. First Amendment to the Contract with Done Right Heating and AC for preventive maintenance services
 - o. Deed of Trust from Kentland Investments LLC

3. Refunds
 - a. \$405.57 to Ryan Homes for cancelled permit

4. Supplemental Appropriations
 - a. Program income received for FY14 from CDBG Plum Point grant participants, \$247.32
 - b. Public Education donations to Fire-Rescue, \$45.25
 - c. Gifts and donations to Parks & Recreation, \$1,300.00
 - d. Public Education donations to Parks and Recreation, \$4,987.00
 - e. Donations for the Animal Shelter, \$218.00
 - f. Insurance recovery funds for Fire & Emergency Management, \$6,899.00
 - g. Insurance recovery funds for the Sheriff's Office, \$3,416.53
 - h. Recovered miscellaneous revenue – Fire & Emergency Management – CPR class provided to citizen, \$25.00
 - i. Miscellaneous revenue – Sheriff's Office 2-12-14 Security (\$193.77) & New Kent Winery 10-1 (\$748.07) Emmaus Baptist Church attic event (\$82.71), \$1,405.21
 - j. Expenditure refund for the Social Services Department – client was not eligible for auxiliary grant while in nursing home, \$1,264.00
 - k. Asset forfeiture funds – Sheriff – camera combo kit, \$6,855.00
 - l. Extension program sponsorship revenue, \$200.00
 - m. Additional state and federal funds for the New Kent Department of Social Services, \$1,549.60
 - n. Circuit Court Technology Trust Fund funds, \$34,239.28

\$ 62,651.19	Total
\$ (55,796.19)	Total In/Out
\$ (309.84)	From General Fund fund balance
\$ (6,855.00)	From Fund 210 fund balance

5. Interdepartmental Budget Transfers
 - a. *General Services*: \$18,487.00 from Route 618 Improvements to Tractor Acquisition
 - b. *General Services*: \$3,236.51 from CIP Fire Station 1 to complete work and cover shortage in CIP Fire Station 3
 - c. *School Board Office*: \$75,628.00 from salary and benefits for Activities Director from Teacher-Reg Ed Sec to Curricular Secondary
 - d. *School Board Office*: \$122,471.00 from Technology Classroom Instruction to Technology Instructional Support
 - e. *Board of Supervisors*: \$1,500.00 from Reserved for Contingency to Professional Services
 - f. *Commissioner of Revenue*: \$6,242.00 from Reserved for Contingency to Furniture & Fixtures
 - g. *School Board Office*: \$8,390.00 from School Buses to VMF Equipment and to reverse prior transfer from Appropriation of Funds from Prior Year
 - h. *Fire & Emergency Management*: \$13,189 from Reserved for Contingency to Machinery Equip. – All Fire Depts.

6. Treasurer's Report: Cash as of February 2014: \$38,844,993.57

Mr. Burrell asked about the lease with the New Kent Chamber of Commerce. Mr. Hathaway explained that the Chamber was now occupying a smaller space at the Visitors Center and its monthly rent had dropped from \$300 to \$100. He confirmed that the County did have proof of insurance.

Mr. Evelyn recognized the presence of Virginia Cooperative Extension Unit Director Cynthia Rowles and spoke about how proud he was to sponsor the resolution recognizing May as

National Cooperative Extension Centennial Celebration Month, and how much the local Cooperative Extension office did for New Kent County.

Mr. Tiller moved to approve the Consent Agenda as presented 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

Marshall Winn, Interim Residency Administrator with the Virginia Department of Transportation (VDOT), reported on maintenance activities and construction projects in New Kent during the past month as well as those planned for the next thirty days.

He advised that in addition to responding to two snow events in the past month, crews had been performing pavement repairs, working on non-hard surface roads, removing dead trees, day-lighting roadway signs, clearing ditches, and preparing for the mowing season. He indicated that because of a delay in the award of a contract, the first cycle of mowing would be performed by State forces rather than a contractor, and that inmate crews would continue to perform litter pick up. He indicated that work on potholes would continue, as well as tree trimming and replacing route numbers on secondary routes.

He stated that there was a Surface Treatment project scheduled to begin shortly on Route 60 and he would provide additional information regarding the locations and dates.

He reported that a speed study along Route 30 in Barhamsville was underway as well as a review of 2012 crash data along Route 33 in the area near the Eltham 7-Eleven store.

Mr. Davis commented about the growth in Barhamsville and how he hoped that the study would reflect a need to lower the speed limit. He also spoke about the study area in Eltham, pointing out that the traffic had increased threefold in that location since the 7-Eleven store opened.

Mr. Stiers provided Mr. Winn with a list of concerns identified by the New Kent Transportation Safety Commission (TSC), with the first item being the intersection of Kentland Trail and North Courthouse Road, the scene of a recent accident with three fatalities. He reminded that in July of 2013, after a traffic light had been requested for that intersection and denied because studies reportedly did not warrant such a light, he had expressed his hope that it would not take a traffic fatality to get safety improvements in that area. Mr. Winn indicated that he had looked into the issue and found that the last study was completed in September 2013, after which time some extra signage was installed. Mr. Stiers advised that he was not aware of any new signs and remarked that "something has got to be done".

Other items on the list for VDOT action from the TSC were adding pavement markings for traffic exiting the interstate at North Courthouse Road; a request to add 2/10th marking signs along interstate to assist motorists in determining their locations when calling for

emergency assistance; restoring the flashing lights that had been removed or disconnected at the intersection of New Kent Highway and Eltham Road; installing some right turn only lanes on Route 249 at both the intersection of Egypt Road and at the Citizens and Farmers Bank, as well as on Route 60 at the Bojangles Restaurant.

Regarding the disconnection of the flashing lights at the intersection of New Kent Highway and Eltham Road, Mr. Winn advised that it was his information that there had been a study done in the Richmond District that had identified 53 locations where such lights were to be removed. Mr. Stiers advised that according to the Sheriff, since the safety measures had been installed at that intersection of New Kent Highway, there had not been any fatalities.

Mr. Davis added that it was his understanding that it was proposed that the rumble strips at that location would not be replaced once the area was repaved. He noted that those strips worked well as notice to the many tractor trailer drivers along that highway, and he asked that they not be discontinued. Mr. Evelyn agreed that was a dangerous intersection, and he hoped that VDOT would look at using some of the funds it was saving from other projects to enhance safety improvements.

Mr. Winn advised that he was thinking about whether rumble strips would be of use on Kentland Trail. Mr. Burrell talked about the number of accidents and how a lower speed limit might help.

Mr. Winn indicated that he would take all of these concerns to VDOT's traffic engineering staff for consideration.

Mr. Burrell spoke about a problem in recent years where litter pickup had not been completed before mowing was started.

Mr. Tiller noted a patch of bad pavement along Route 60 at the Henrico County line and Mr. Evelyn reported a pothole on Hopewell Road at the Hanover line.

Mr. Evelyn commented on the "tough" winter and thanked VDOT for its snow removal efforts. Mr. Winn admitted that it had been an unusual winter and advised that VDOT had "changed tactics" after the first storm and had thereafter dedicated equipment to clearing roads in the subdivisions.

There was discussion regarding the vacant Residency Administrator position. Mr. Winn advised that he was one of five candidates who had been interviewed and he was unsure as to when a decision would be made.

He did confirm that pavement patching along I-64 through New Kent was scheduled to begin shortly.

IN RE: CITIZENS COMMENT PERIOD

Chairman Evelyn opened the Citizens Comment Period.

Brian Byers took issue with the resolution adopted by the Board at its previous meeting regarding Sunday hunting. He spoke about how Sunday hunting in Virginia had been an issue for more than 20 years and how in 2011 the Virginia Department of Game and Inland Fisheries (DGIF) had passed a resolution to repeal the prohibition on Sunday hunting and there were groups who had been pushing for General Assembly action for many years. He

talked about how hunting was a tool for deer population management, and asked the Board to rescind its resolution opposing Sunday hunting until it had more information.

Chuck Barkley also spoke in opposition to the resolution. He admitted that he had just learned about it and was not as prepared as he wanted to be, but from a cursory review of the minutes from the meeting, he noted that the decision had not been based on any facts. He spoke about how the resolution had been "hastily passed", had not been on the agenda, and there had been no opportunity for public input or comment.

Matt Wayman agreed with the comments made by the previous speakers and opposed the resolution adopted at the last meeting. He stated that as a landowner, he felt it was his right to hunt on his own property and that decision "should not be determined at a county level". He spoke about how people had to work and go to school and being able to hunt on Sundays would "provide another opportunity to get into the woods".

Darrell Campbell also disagreed with the resolution that opposed Sunday hunting. He spoke about the lack of transparency and lack of notice to the public that it would be considered, and how the Board had "pushed this through" in the last ten minutes of its meeting. He disagreed with the reasons given by the Board that the General Assembly had acted with no input when there had been a fight to end the ban on Sunday hunting for more than 20 years. He disagreed with the assertion that the DGIF would have to hire more staff because of Sunday hunting and presented a letter from that agency that set forth that new hires were due to resignations and retirements and not Sunday hunting. Regarding a comment that Sunday hunting would only be allowed on private land, he noted that 90% of the land hunted on in Virginia was private property. Regarding the complaint that Sunday hunting would increase trespassing incidents, he advised that there were sheriffs and game wardens to enforce laws "already on the books". He dismissed the prediction that Sunday hunting might shorten the hunting season like it had in Georgia, pointing out that the hunting season in that State, where Sunday hunting had been allowed for quite some time, ran from October to January. He asked the Board to reconsider its position and protect property owners' right to decide for themselves.

Ronald Ross commented that he was disappointed with the Board's opposition to Sunday hunting and although he felt that everyone should attend church, he also believed that he should be able to hunt on his own property on Sunday afternoons, just like he could fish or race. He explained that Sunday hunting would allow him more opportunity to spend with his son, and he questioned why the Board "wants to take that right away from me". He stated that it was a personal property issue and he didn't "like my right to my property being infringed upon". Although he understood that the resolution adopted by the Board did not carry any legal requirement, he felt it was the "first step to going to Richmond in 2015" to oppose hunting on Sundays. He asked the Board to reconsider its decision.

Tyrone Johnson spoke about a former request made by him to tighten the County's firearms laws and rezone his neighborhood to restrict hunting. He recounted that his home had been struck by gun fire from four hunters on an adjacent five-acre parcel. He took issue with statements made by the County Attorney that because Virginia was a Dillon Rule state, New Kent could not restrict hunting. He explained that he had communicated with Senator Tommy Norment, the Attorney General, and the Director of the Department of Game and Inland Fisheries, and cited State Code Sections that permitted regulations, and he could not understand why New Kent maintained that it did not have that authority.

There being no one else signed up to speak, the Citizens Comment Period was closed, and speakers were thanked for their comments.

Mr. Davis explained that the reason he had supported the resolution opposing Sunday hunting was because none of the governing bodies in the eastern part of the State had been asked by state legislators whether they supported repeal of the ban. He commented that if the General Assembly wanted hunting on Sundays, it needed to tighten the trespass laws since deputies and game wardens "can't do a thing" and property owners were required to swear out warrants themselves. He admitted that he would likely hunt on Sundays himself, but it was the "way that it was handled" that prompted the Board's action, even though the resolution that was adopted "means nothing".

Mr. Evelyn noted that he felt the issue should be up to the locality, with input from the citizens. He indicated that it was his understanding that 27 – 28 localities had passed a similar resolution and the issue might come up again at next year's General Assembly session.

Mr. Davis agreed, stating that a lot would depend on how the upcoming hunting season went.

Mr. Burrell asked for a response to Mr. Johnson's comments. County Attorney Michelle Gowdy advised that the Code Sections cited by Mr. Johnson pertained to the powers of cities and towns which differed from the powers of counties. She explained a county could designate where hunting was prohibited only after a finding by its governing body that an area was heavily populated, and that a five-acre lot may not be found to meet that definition. Regarding the two localities that passed ordinances restricting hunting, there was a study from DGIF that found that those counties had no legal authority and that the ordinances were not enforceable.

IN RE: RAPPAHANNOCK COMMUNITY COLLEGE (RCC)

RCC Vice President of Finance & Administrative Services Kim McManus and Vice President of Instruction and Student Development Donna Alexander provided an update to the Board. They spoke about how they had enjoyed having New Kent's representative Pam Nixon, who they described as helpful and insightful, on their Board and that they were sorry that the end of her term was approaching and that she was not eligible for reappointment.

Dr. Alexander reported that she would be moving to New Kent soon and stated that it was a pleasure to work with the New Kent school system and its staff. She spoke about the Bridging Communities Regional Career and Technical Center and reminded that all of those programs were dual enrollment with RCC. She admitted that beyond the 150 students enrolled at the technical center, in order to be New Kent's community college, RCC needed to "bring college here" and spoke about how they were exploring ways to do that, including providing evening courses and EMS classes in the County.

Dr. McManus spoke about how educating citizens lessened dependence on social programs, allowing localities to use their resources in other areas, and addressed other economic impacts. He reported that 205 New Kent residents attended RCC, which was 15% of all of those students who went on to higher education. He remarked that the dual enrollment provided to the 150 students who attended the technical center was a "great deal" for students and their parents, and that 69 New Kent residents had received work force certifications. He indicated that financial aid totaling \$25,000 had been awarded to RCC students from New Kent, that \$141,000 was paid to New Kent residents who worked at RCC, and it was estimated that RCC returned \$377,000 annually to New Kent. He thanked the Board for its continuing support and annual contribution of \$4,500 but reminded that

last year RCC had brought a capital funding request of \$71,000 over a ten-year period for work needed on its campus. He remarked that RCC had been a great value to the County over the years and they hoped that the Board could find funds in its budget to help them out.

Mr. Davis thanked RCC for its work with the technical school and suggested that, if it were expanded, classes on Fire-Rescue and EMS would be welcomed as those services were needed in all of the partner communities.

IN RE: BAY TRANSIT

Transit Director Ken Pollock and Regional Supervisor Faye Patterson were present to update the Board.

Mr. Pollock thanked the Board for its eight and a half years of support. He explained that Bay Transit provided safe and reliable "demand response" public transportation services in New Kent and Charles City. He indicated that although their goal was to schedule as many people in the same area or that had the same destination or pickup times in order to improve efficiencies, they were not always efficient but were effective. He confirmed that they offered rides into Williamsburg and Richmond twice a week.

He spoke about how their funding came from a combination of fares, state and federal grants, and local funding. He explained that fare revenues were deducted from operation costs, and that deficiency was submitted for state and federal grant funding, with 50% being covered by Federal grants, 16% by State grants, and 34% by local funding.

He reported that 4,093 rides were given to New Kent residents in 2013, with 51% being to and from work for people who had no other means of transportation; 26% to seniors attending senior activities and programs; and 16% for medical and health related services. He described the various destinations in neighboring localities, where riders could then access local transportations systems in those communities.

He described a new federally-funded program, New Freedom, which provided services to people with disabilities who needed transportation outside of the region or outside of Bay Transit's normal operating hours. He indicated that most of those rides were for medical services and that 18 such rides were provided to New Kent residents to date in 2014, and they used private vendors for those services, at no additional cost to the County.

He spoke about the impact that Bay Transit had on New Kent residents, admitting that not everyone needed the service, but those who did, really needed it. He shared some letters received from some of their customers, describing the positive impacts that this service had on their lives.

Mr. Davis remarked that the service began as a way to help dialysis patients and Mr. Pollock agreed that was a large part of their service.

Mr. Stiers asked about the relationship between Bay Transit and Cornerstone. Mr. Pollock explained that Cornerstone was a medical taxi vendor that they used under the New Freedom program.

Board members thanked Mr. Pollock for the update and expressed their appreciation for Bay Transit's service to the residents.

IN RE: REVENUE BOND FOR ROUTE 249 WATERLINE PROJECT

Before the Board for consideration was Resolution R-12-14 authorizing the issuance and sale of a water and sewer revenue bond for the Route 249 waterline project. Present were Bond Counsel Dan Siegel, Financial Advisor Ted Cole, and Assistant Director of Public Utilities Mike Lang.

Mr. Siegel explained that this was a public hearing on a proposed low interest loan of up to \$1.5 million to fund the interconnection of water systems, based on a loan commitment from the Virginia Resources Authority, at a 1% below AA market rate. He indicated that the exact rate would not be known until the loan was ready to close, and bond payments would be due on this 20-year loan six months after the project was completed. He confirmed that the public hearing had been properly advertised. He indicated that Mr. Lang was present to answer questions on the project and Mr. Cole to address questions about how the proposed financing had been integrated into the public utilities' rate system.

Mr. Lang reported that staff had estimated an annual costs savings of between \$80,000 and \$86,000 a year in reduced operating and maintenance costs, which would provide a 20-year return on the investment. He explained that the waterline would run from Watkins Elementary School west on Route 249 to the intersection with Route 612, and then south to connect to the water system at Quinton Estates and north to connect to the systems at Kentwood and Greenwood. He explained that there would be reduced maintenance and operating costs because of the reduction in the number of wells and generators, and the fact that they would no longer be using the underground storage tanks but instead using the more-reliable elevated tank at the Farms of New Kent. He explained that the loan had been granted based on the increased reliability and cost savings, but admitted that there would also be an increased fire protection benefit.

He advised that the project was scheduled to be advertised the following week, the contract awarded in June, and construction beginning within six weeks thereafter. He confirmed that the project would be coordinated with VDOT and the roundabout project that was scheduled for the same intersection and that they were doing everything they could to get the utility work completed before the roundabout construction began.

Chairman Evelyn opened the Public Hearing. There being no one signed up to speak, the Public Hearing was closed.

Mr. Davis moved to adopt Resolution R-12-14 as presented. 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.

The Board took a short break and then resumed its meeting.

IN RE: FY15 DRAFT BUDGET

County Administrator Rodney Hathaway formally presented the FY15 draft budget. He thanked all staff members, including the Budget Team, for their participation and cooperation. He cautioned that the proposed budget continued to be a “work in progress” and advised that some things had changed since it had been distributed.

He reviewed the methodology involved in developing the proposal, which included a directive to departments to maintain spending at FY14 levels. He expressed appreciation for the work everyone did on their requests, where they not only met current levels but reduced requests by almost \$70,000 overall. Other guiding factors were to utilize existing cash reserves for capital projects; work with the School Board to maintain educational excellence and respond to the need for additional classrooms and infrastructure; maintain public safety and social services during a period of increasing demand for services and infrastructure due to population growth; and set aside funds for future debt service.

He explained that the proposed budget of \$65,241,279 was based on the equalized real estate tax rate of \$0.84, and was a \$4.9 million increase over the FY14 budget.

The \$4.9 million increase consisted of General Fund increases in transfer to schools, personnel actions and increases, and the decrease in department budgets; Capital Fund increases for additional allocations for Fund Balance and funding for a ladder truck; Debt Service funds for a FY17 debt service set aside, an increase in existing debt service, elimination of some airport debt, and a two-cent set aside from the real estate tax; Airport Fund for taxiway rehab project that would be 98% grant funded; and School Fund increases in county, state and federal funding.

Proposed personnel actions were identified as the reinstatement of the Community Development Director position that had been vacant for two years; a new IT position; a new firefighter position; upgrades for 10 communications officers (to help with recruitment and retention); a new Deputy position in the office of the Commissioner of Revenue associated with a proposed expansion of services; funding for the part-time project manager for the Historic School renovation project; the reclassification of the Human Resources Director position and re-establishing the Director position in General Services; upgrades for the custodial staff; market adjustments for the Fire Department; and position upgrades for Building Inspectors and administrative staff at the Sheriff’s Office, all related to certifications.

General Fund revenues were projected to increase by \$1,045,239, to reflect expected increases in real estate taxes (excluding additional revenues resulted from updated assessment totals), personal property, sales tax, meals tax, local recordation taxes, and a decline in off track betting (OTB) revenues. Mr. Hathaway reported that it was his information that negotiations had been terminated between Colonial Downs and the Horsemen’s Association and it appeared that there would be no thoroughbred racing season in 2014.

He pointed out that the proposal did not include any salary increases; reflected a lower-than-normal increase in health insurance rates but an increase in the amount of health care premiums paid by employees; a decline in VRS rates but an increase in group term life insurance rates; and that staff was still awaiting the rates for LODA and workers compensation.

He advised that after funding the proposed FY15 CIP projects, there would be \$2.3 million remaining in the CIP fund, excluding a \$1 million reserve. Those items proposed for funding in FY15 included debt for the Historic School renovation project, the taxiway rehab project, school items, a ladder truck (contingent on receipt of grant), financial software system, and a new fire truck. He explained that the County was 15 – 18 years behind in replacing its Fire-Rescue apparatus and it was proposed to set up a regular purchase schedule of one apparatus per year. Also included were vehicle replacements (the majority being Sheriff's Office vehicles) and continuing to maintain a five-year computer replacement cycle.

He reported that the Schools were projected to receive additional state and federal funding and his budget proposal included \$570,000 in additional local funding, bringing total School Board revenues to \$28,511,069; however, he warned that those figures would continue to change as result of ongoing State budget negotiations.

He noted that the proposed budget called for a 6% increase in water and sewer rates, no increase in connection or availability fees, and an increase in the Bottoms Bridge Service District *ad valorem* tax rate from 10 cents to 15 cents per \$100 value.

He indicated that the County was still awaiting education funding figures from both state and federal levels. Other challenges were identified as the operating costs for a new elementary school for FY16; additional debt service in FY17; constraints because the County was close to its debt limits as outlined in its existing financial policies; and the public utility bond coverage compliance which had necessitated the need to increase the Bottoms Bridge Service District *ad valorem*. He reported that the *ad valorem* tax rate increase should "carry us" to FY19, at which time there would be no further connections from Patriot's Landing and the utility system would need more users in order to remain self-sustaining. He spoke about capital and operating funding for a new radio system; renovation of the aging New Kent Elementary School; new fire stations and new fire apparatus; and a new animal shelter. He advised that Charles City was not interested in a joint animal shelter as it had recently made some investments in its existing facility.

He reviewed FY15 budget calendar dates.

He identified several options for the Board to consider. The first dealt with the projected \$402,200 loss of revenue from horseracing, which could be accommodated with additional real estate tax revenues, the elimination of the Community Development Director position and new firefighter position, and a partial reduction of the amount for the debt service transfer.

He indicated that the Board could adjust the budget to accommodate the purchase of the new public safety radio system and the loss of OTB revenues by the same steps as the first option along with increasing the real estate tax rate by four cents and eliminating the upgrade for the communications officers.

Another option to fund the radio system and allow for the loss of OTB revenue would be a four-cent increase in the real estate tax rate, a reduction in local school funding, elimination of the Community Development director position, and a partial reduction in the amount for debt service transfer.

Mr. Stiers advised that it was his information that rental from recently-repaired hangars would reduce the amount of funding needed for the Airport. Mr. Hathaway advised that the increased hangar rental was included and he did not think that it would be a "complete wash" for FY15.

Board members thanked staff for their hard work on the budget and commented on budget situations in other localities.

IN RE: ELECTED OFFICIALS' REPORTS

Mr. Davis encouraged residents to get out and enjoy the spring weather and participate in the many events that were taking place in the County.

Mr. Stiers reported that he had met with a businessman who recently purchased property on Olivet Church Road and asked if he would be willing to donate some acreage for a shooting range. He advised that the landowner was willing to enter into a multi-year lease at \$1 per year, as long as there was no liability on him.

Mr. Davis indicated that he had spoken to the property owner as well and felt there were probably a lot of people interested in a shooting range. However, he suggested that there were many things to consider and explore, and suggested contacting other localities that had a similar facility. Ms. Gowdy advised that Parks and Recreation staff had been asked to gather information from other localities.

Mr. Burrell asked that staff find out how much it would cost to construct.

Mr. Evelyn asked that staff evaluate the proposal and bring information back to the Board.

Mr. Burrell reported that he and Mr. Tiller had attended a recent meeting of the Metropolitan Planning Organization, and there still had been no decision made as to who could vote. He indicated that a motion had been made to determine representation based on population within the MPO and there were some "interesting things to look at". He advised that a recent study reflected that 41% of new residential construction was multi-family units and that there was a trend towards walkable communities with less people getting their drivers licenses, and that New Kent might want to consider those trends in its planning.

Mr. Tiller reported on a recent community meeting held in Patriot's Landing and thanked Mr. Hathaway and Mr. Dame for their attendance and assistance in helping to explain the proposed increase in the *ad valorem* tax.

Mr. Evelyn announced the details of an upcoming District One constituents meeting.

IN RE: STAFF REPORTS

There were none.

IN RE: 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 May 12, 2014, and the next work session at 9:00 a.m. on April 30, 2014, both in the Boardroom of the County Administration Building. He also reminded that the Board would hold a special budget work session on April 23, 2014 at 9:00 a.m. in the Boardroom.

IN RE: CLOSED SESSION

Mr. Davis moved to go into Closed Session 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 and briefing 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 the Historic School, the Airport, DSS, and outside counsel, and pursuant to 2.2-3711A.29 of the Code of Virginia for discussion of the terms or scope of such contract where discussion in open session would adversely affect the bargaining position or negotiating strategy of the Board involving the Historic School PPEA. 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 Chairman advised that there was a possibility that some action would be taken after the Closed Session, and thanked everyone for attending.

The Board went into closed session.

Mr. Davis 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. 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:

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: CONTINUATION OF THE MEETING

Mr. Stiers moved to continue the meeting until April 23, 2014 at 9:00 a.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	Aye

The motion carried.

The meeting was suspended at 9:26 p.m.