

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 11th DAY OF DECEMBER IN THE YEAR TWO THOUSAND SIX OF OUR LORD IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 6:00 P.M.

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

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

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.

IN RE: CONSENT AGENDA

County Administrator John Budesky presented the Consent Agenda as follows:

1. Approval of Minutes
 - a. Regular meeting of November 8, 2006
 - b. Special meeting of November 17, 2006
2. Miscellaneous
 - a. Abstract of Votes from the Elections held on November 7, 2006, for recording in the Order Book
 - b. Acceptance of well lot from New Kent Land & Development Company
 - c. Road name additions:
 - i. Pine Hollow Road
 - ii. Bassett Farm Road
 - iii. Stadium Drive
 - iv. High School Lane
 - v. Haley Davis Drive
3. Refunds
 - a. \$188.24 to Southworth Mechanical for plumbing permit fee for Visitors Center
 - b. 320.50 to Tomac Corporation for permit fee
4. Appropriations FY2005-2006
 - a. Funds donated by Corinth United Methodist Church, \$75.00
 - b. Funds received from the auction of salvage and surplus property on Sep 30, 2006, \$6,370.00
 - c. Funds approved at the November School Board meeting for additional State revenue based on higher student enrollment, \$157,000.00
 - d. Funds approved at the November School Board meeting for additional Federal revenue, \$111,769.00
 - e. Funds approved at the November School Board meeting for Coke contract funds, \$12,500.00
 - f. Insurance proceeds for the Jul 14 2006 incident involving a break-in at Volunteer Company #3, \$16,330.00

It was explained that the road names that were withdrawn for consideration were ones that were being used as placeholders on the new high school construction site plans and that alternate names would be offered at a later date.

Mr. Trout moved to approve the Consent Agenda as presented and that it be made a part of the record, with the following changes: deletion of two proposed road names under items 2.c.iii. Stadium Drive & iv. High School Lane; the addition of an extension of Mark Kilduff's engagement as Economic Development Consultant through April 30, 2007 and approval of a budget transfer of \$15,300 from Salaries & Wages to Contract Services, as well as approval of the reclassification of Spencer C. Cheatham from a Grade 23, Step 8 to Grade 30, Step 1 with a new salary of \$51,948 with retroactive pay back to October 1, 2006. The members were polled:

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

The motion carried.

IN RE: CITIZENS COMMENT PERIOD

Chairman Sparks opened the Citizens Comment Period.

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

IN RE: RESIDENT ADMINISTRATOR'S REPORT

John Crews, Resident Administrator with the Sandston Residency of the Virginia Department of Transportation, reported on issues raised at previous meetings.

He reported that they had been unable to locate the areas of sight distance complaints reported along Route 30 but would contact Mr. Davis to get his help in locating those areas.

He reported that their residency was working with the Williamsburg residency on the high water problem along Route 621. Mr. Davis noted a recent problem with ice in the area.

Regarding tree complaints along Terminal Road in the area of the recent project, Mr. Crews advised that VDOT had obtained slope easements from several of the property owners who had requested that the trees remain. Mr. Trout pointed out that there were some trees that had died because their roots had been cut in the project and Mr. Crews agreed to take a closer look at the area.

He reported that potholes at the high school entrance had been repaired.

He indicated that they were addressing the problem of their mowers knocking down road signs.

He reported that cleaning of ditches along Steel Trap Road remained on their schedule and should be completed within two weeks, weather permitting.

Regarding pavement complaints along Route 606, he reported that the bridge belonged to Hanover County but was the responsibility of the Sandston residency and would be repaired by its bridge crew.

He advised that cleaning of ditches along Route 655 had not yet received environmental clearance.

Regarding line of sight complaints at the entrance to Patriot's Landing, he indicated that their traffic engineer would be looking at that as well as some speed limit issues in the area.

Regarding line of sight issues in the area of Providence United Methodist Church, he advised that they would need to obtain authority from a nearby property owner to cut back the vegetation. Mr. Hill indicated that he would ask the property owner to contact Mr. Crews in order to move that process along.

Mr. Crews advised that other work performed during the month had included shoulder repairs, trees/brush cleanup, blading, ditch and pipe cleaning and sign repairs.

He reported that the Stage Road project was still on target for completion in November 2007; that the westbound rest area project was still anticipated to be completed in June 2007; and the Eltham Bridge project was still on track for completion by the Fall of 2007.

Regarding options and estimates given to the Board for the Route 627 improvements, he advised that a concerned citizen had pointed out that Option I did not take the road all the way to the end, which would increase the cost, and the citizen did not want the Board to choose that option based on the fact that it was the lowest. Mr. Crews emphasized that all of the options were preliminary and there was still additional work to be done on them.

Mr. Trout noted that Option I involved installing an alternate road along private property and roads. Mr. Crews pointed out that the estimates had not included the cost of obtaining easements and rights-of-way, which would increase the costs of the project.

Mr. Trout indicated that he would be meeting with some area residents to review new information they have that could result in a less costly solution.

Mr. Crews indicated that VDOT had not yet contacted the Army Corps of Engineers (the Corps), but would contact them before any work was done because of wetlands involvement. Board members pointed out that because much of the problem was tidal and river-related, the Corps should be able to help. Mr. Budesky advised that County staff had contacted the Corps but had not yet received a response.

Mr. Crews spoke about a complaint from a resident regarding trash along Ashland Farm Road. He advised that cleanup was scheduled in the near future and that the route would be on their schedule for routine monitoring, but they would like to solicit help with trash pickup along that route from one of the local beautification groups.

He indicated that they would be looking at Cosby Mill Road in the near future regarding complaints about potholes, curbs and guttering.

Mr. Davis spoke about two recent traffic fatalities in Eltham and asked if raised pavement markers or reflectors could be installed to help prevent inattentive drivers from crossing the center lines into oncoming traffic. There was also some discussion regarding lowering the

speed limit once the new bridge was completed. Mr. Crews indicated that he would have the engineering department review the area and see what could be recommended.

Mr. Trout suggested improvements to the intersection of Terminal and Airport Roads, indicating a three-way stop might improve the intersection.

Mr. Crews reported that they were still considering different vehicle and truck speed limit signs for Route 30.

Mr. Hill expressed his appreciation for the tree removal efforts in Ranch Acres.

Mr. Sparks thanked Mr. Crews for the tree removal work that was performed along Henpeck Road.

IN RE: INTRODUCTION OF NEW STAFF

Social Services Director Michelle Lauter introduced Teresa Thrall, Social Work Supervisor; Rachel White, Eligibility Supervisor; and Kathleen Carscadden, CSA Administrative Assistant.

Environmental Planning Manager Chris Landgraf introduced Matt Venable, Environmental Code Compliance Inspector.

The Board welcomed the new staff.

Mr. Budesky recognized Parks & Rec Manager Matt Spruill for having received the 2006 Outstanding New Professional of the Year award from the Virginia Parks and Recreation Society. He also noted that the County had received a VACo award for its *Fit 4 Life* program.

IN RE: COMMUNITY BRAND DEVELOPMENT

Mr. Budesky introduced Dave Saunders, President of Madison + Main, for a presentation on community brand development. Mr. Budesky explained that staff was recommending a joint venture with the Economic Development Authority (EDA) on ways to market the County and on development of a logo (emphasizing that it would not replace the County's official seal) and a community brand.

Mr. Saunders described the activities and accomplishments of his company, a full service advertising and web development firm specializing in branding of organizations, businesses, non-profits and government entities. He described the work that would be done in each phase of the proposed project, which included demographic research, focus groups, marketing analyses, and logo development. He shared some of the work performed by his company for the Greater Richmond Chamber of Commerce.

He reviewed some of the benefits of having a community brand, including those relating to economic development and tourism, for both internal and external uses.

He advised that the proposal would include a graphics standards manual that the County could share with vendors, and that any product produced would belong fully to the County.

Mr. Sparks suggested that the vendor submit some proposed ideas prior to the time that a contract was signed. Mr. Saunders advised that no creative work could be started until a contract was in place.

Mr. Budesky indicated that it was hoped that a new logo could be incorporated into the opening of the Visitors' Center and that a presentation would be given to the EDA at its upcoming meeting. He advised that he was not asking the Board to approve or enter into a contract with Madison + Main, but to approve a budget transfer so that funds would be available in the event that the EDA voted to move forward with the project.

Some of the Board members expressed opinions that the EDA should support this project on its own.

Mr. Trout expressed his concerns about what would happen if the County did not like any of the proposals. Mr. Saunders explained that the proposed fee covered three rounds of revisions and that additional revisions would increase the costs.

Mr. Sparks commented that the Board was spending taxpayers' money and he would like to see something more than what had been presented.

Mr. Budesky explained that the reason he proposed that the County split the cost with the EDA was because of the tourism element and that any logo that resulted would be included on County business cards, letterhead, uniforms and vehicles. He proposed that the cost be covered under vacancy savings in the Economic Development Department and that if the EDA chose not to participate, the project would not go forward.

Mr. Burrell commented that the County was building a tourism center, Mr. Kilduff was working as Economic Development Consultant, and that the County should make the investment.

Mr. Hill agreed with Mr. Burrell, referring to the need for better identification for County vehicles, and that this would be money well spent. He noted that the County would be using funds already budgeted for economic development and not new money.

Mr. Trout echoed those sentiments, stating that the County was changing and it was important to have an identity outside of the area. He noted that the Board was not being asked to approve a contract but to make funds available to pay for half of the project should the EDA decide to move forward.

Mr. Sparks and Mr. Davis asked about proposals from other firms. Mr. Budesky explained that would not be required if the EDA was the contracting party. Mr. Sparks stated that the Board had a responsibility to review proposals from other firms as well. Mr. Summers noted that the EDA and not the County would be the procuring entity; however, if the Board wanted more proposals and information, that was their prerogative.

Mr. Saunders indicated that his firm was cognizant of these issues as it had worked with other governments who shared the same concerns.

Mr. Trout noted that with the Visitors' Center scheduled to open in 3 months, there was a time consideration. Mr. Saunders indicated that logo development generally took 90 – 120 days.

Mr. Budesky suggested that the County could still obtain some additional bids and hire a different firm, but that \$12,000 would be the maximum that the County would pay towards the project. He explained that there was no opportunity to "piggyback" on an existing State

contract with Madison + Main, but the County could still get some written quotes from other companies and make it contingent upon EDA approval.

Following further discussion, Mr. Trout moved to approve a budget transfer of \$12,000 from Salaries & Wages to Contract Services to pay for one-half of the costs of a logo design, corporate identity package and community brand development, with the recommendation that the EDA obtain at least two additional proposals.

The members were polled:

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

The motion carried.

IN RE: COMMENTS FROM JOHN CRUMP, RETIRED COMMISSIONER OF THE REVENUE

John Crump expressed his thanks to the Board, staff and community for the opportunity to serve for the past eleven years and the honor to serve in government for 33 years. He stated that like most government workers, he became involved in order to serve and make a difference. He commented about the changes that were about to take place in New Kent, where he has lived all of his life, and that he would continue to be involved in the community.

IN RE: PROHIBITED USES

Before the Board for consideration was Resolution R-36-06 initiating zoning ordinance text amendments to Chapter 98 of the New Kent County Code to prohibit certain land uses.

County Attorney Jeff Summers reviewed that the Board had adopted a prohibited uses ordinance in October 2006 and had since been sued by a landfill developer. He advised that the developer had alleged a process deficiency and, although the County was disputing that allegation, in an abundance of precaution he would suggest that the Board adopt an initiating resolution. He indicated that this would require adoption of the same ordinance with a few changes and typographical amendments. He advised that such a procedure would strengthen the County's position in the litigation and would document the tasking of the Planning Commission to consider a prohibited uses ordinance.

He reviewed the proposed changes. He advised that if the Board adopted the Resolution, it would be presented at the next Planning Commission meeting and, should the Planning Commission move forward, there would be another set of public hearings and re-adoption of the ordinance.

There was discussion regarding the different motions that were voted on at the October meeting relating to this issue. Mr. Summers clarified that the Board first voted upon whether it wanted prohibited uses, and then what those uses would be. Thereafter, it had a separate vote on adoption of the ordinance. He advised that the proposed re-adoption would only be on the ordinance itself. He advised that such action would address those inconsistencies alleged in the landfill developer's lawsuit. It was also clarified that adoption

of the proposed Resolution would not affect the motion on whether or not there should be prohibited uses.

It was noted that there were some numbering errors that needed to be corrected in the Resolution.

Mr. Hill moved to adopt Resolution R-36-06 as presented, with corrections to the numbering.

Mr. Burrell clarified that his vote against the ordinance at the previous meeting was a vote against the process - not evidence that he was in favor of any of the uses - and that he still had the same objections.

The members were polled:

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

The motion carried.

IN RE: CONSERVATION EASEMENT ACCEPTANCE

Before the Board for consideration was a request that the County accept a conservation easement from the Urban League of Springfield, Inc.

Mr. Summers pointed out that although the Urban League was not asking for any payment and this did not precisely comport with New Kent's Purchase of Development Rights (PDR) program, it did achieve the goals of the program. He indicated that the PDR Advisory Committee would be holding its first meeting in January and that the donor was requesting that this be accepted prior to the end of 2006.

Mr. Davis indicated that this easement did not have to be accepted under the PDR program and that conservation easements were entirely different from purchase of development rights. Mr. Summers advised that was what the applicant had requested. It was noted by staff that conservation easements were included under the PDR program.

Community Development Director George Homewood pointed out that the PDR program was the only place in the County's Code where the County was specifically authorized to take and hold easements.

Mr. Trout commented that although this might be the only place in the Code, it was possible that the County could hold easements in some other form.

Mr. Summers advised that this form was required in order to obtain the tax benefits the donor was seeking, and without those benefits, it probably would not donate.

Mr. Summers stated that he had found only one other instance where the Board entertained a motion on a conservation easement and that particular easement was the subject of current litigation between the applicant and the State Tax Department. He advised that this was the first conservation easement that the County had been asked to accept.

Mr. Davis expressed his concern that the donor might ask for money at a future date. Mr. Summers explained that the deed was drafted to reflect that it was a donation. He advised that the applicant had reserved the right to calculate the fair market value of the easement, notwithstanding the County's assessment.

It was reported that the 15.64 acre parcel being donated was landlocked. Planning Manager Rodney Hathway advised that there was an access road belonging to an adjacent property owner, and that there were plans to sell the property, along with the conservation easement, to that adjacent property owner, and that the easement would run with the land.

Mr. Davis suggested that the County needed to create another option for conveyance of conservation easements outside of the PDR process.

Mr. Burrell moved to accept the proposed conservation easement from the Urban League of Springfield, Inc. and to authorize the County Administrator to execute the proposed Deed of Conservation Easement. The members were polled:

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

The motion carried.

IN RE: HABITAT FOR HUMANITY

Mr. Hill and Pete Johns, one of the developers of New Kent Vineyards (Farms of New Kent), reported on discussions of a possible donation of home sites to Habitat for Humanity (HFH), and whether such donation could qualify as a partial credit towards the affordable housing agreed to by the developer. Mr. Johns confirmed that they had offered land adjacent to the 100 acre park property that would be compatible for this use, and that it would save money if the lots could be cleared at the same time as the park property and share community well and septic systems. He commented that they had made a commitment to the County to provide some affordable housing units for school teachers and deputies and they intended to do that in the village area of their development. He pointed out that they were suggesting that the donated lot(s) be credited towards the total number of 40 affordable housing units on a one-to-one basis.

Mr. Davis stated that he did not think it was Habitat's intention to put all of its homes in one location and he felt that it would be some time before there was enough money for a second home.

Mr. Hill indicated that a second family had already qualified and there was sufficient interest and community support that he did not think it would take long to raise the necessary funds to get the second home started.

Mr. Summers clarified that there were two issues, the first being an arrangement between the developer and HFH and that the developer could donate whatever it wanted. He indicated that the issue for the Board was whether that donation would qualify as a partial fulfillment of the development agreement. He suggested that the Board move with some

deliberation on the issue and discuss it at a future work session and, in the interim, he would continue to review the development agreement.

IN RE: NEW KENT COURTHOUSE VILLAGE LLC REZONING APPLICATION

Before the Board for consideration was Ordinance O-17-06 involving an application filed by New Kent Courthouse Village LLC to rezone two parcels totaling approximately four acres in the Courthouse area from *R-2, General Residential* to *B-1, Business General*.

Planning Manager Rodney Hathaway reported that the applicant planned to convert the existing residence to a restaurant, small retail and office space; restore the existing smoke house; create a park area; and construct additional office space consistent with the remainder of the Village. He reported that the applicant had submitted proffers to develop the property in a manner that complied with the intent of the "Village" future land use designation as defined in the Comprehensive Plan; to place the proposed park site in a conservation easement; and in the event that the office buildings were leased to the County, the parking area would be constructed and utilized as shared parking for the government/courthouse complex.

Mr. Hathaway reported that the Planning Commission had considered the application and voted 9:0:1 to forward the application with a favorable recommendation, and that staff concurred with that recommendation.

Mr. Burrell noted that this was property that lay between the parking lot and the middle school.

Applicant John Crump distributed maps to the Board members. He reviewed his plans for locating a restaurant as well as some small retail and office space in the existing house, the restoration of the log home and smoke house, and the creation of a park area which he was willing to donate as a conservation easement. He described his willingness to work with the County and adjacent property owners to develop a roadway plan so that the parcels would appear to be adjacent and not segregated.

It was noted that the existing log home had been identified as having a unique smoke chamber (opening in the ceiling instead of a chimney), being one of the last of its kind in the United States. Mr. Crump reported that he was continuing to work with the Department of Historic Resources to find out how best to "interpret" the property.

The Chairman opened the public hearing.

Debbie Downs, on behalf of the Historic Commission, spoke in favor of the rezoning, stating that this was exactly the kind of restoration that their group had been promoting and encouraging, and that they wholeheartedly supported the project.

There being no one else signed up to speak, the Public Hearing was closed.

Mr. Davis commented that he felt that the extra work session where the Board previewed this request worked well and had clarified a lot of the issues for the Board members.

Mr. Davis to adopt Ordinance O-17-06 as presented. The members were polled:

Mark E. Hill	Aye
James H. Burrell	Aye

Stran L. Trout	Aye
W. R. Davis, Jr.	Aye
David M. Sparks	Aye

The motion carried.

IN RE: PUBLIC UTILITIES CONDITIONAL USE PERMIT

Before the Board for consideration was Resolution R-35-06 involving a conditional use permit application filed by the New Kent Department of Public Utilities for construction of public water and sewer infrastructure in the Courthouse area and expansion of sewer infrastructure from the Chickahominy wastewater treatment plant to the Parham Landing plant.

Mr. Burrell removed himself from discussion and vote, advising that the rezoning could affect the value of property that he owned.

Planning Manager Rodney Hathaway reported that at its November meeting, the Planning Commission had voted 9:0:1 to forward the application with a favorable recommendation.

Mr. Harrison provided an overview of the two projects included in the application. The first was installation of utilities to serve the courthouse area. The second was installation of Phase II utilities from the Chickahominy to the Parham Landing plant. He reported that designs were underway for both projects and they were anticipating beginning construction in a couple of months.

There was some confusion regarding the cost of the courthouse utility project. It was clarified that the cost was still estimated to be \$6.5 million, and that the \$8.125 million figure listed in previous handouts included debt service on the loan. It was reported that the funds had already been borrowed at a lesser interest rate than was projected.

There was a review of the housing units that were included in the courthouse area capacity calculations. Kris Edelman of R. Stuart Royer, engineers for the project, reported that the system had been designed to provide capacity of 250,000 gallons per day. Mr. Harrison estimated that the government complex and schools would use about 30% of the capacity. The remainder of the capacity would go to the developments planned for the area, based upon 300 gallons per day per home.

It was reported that the Proforma reflected that there would need to be 19 new connections per year in the Courthouse area in order to service the debt.

There was discussion regarding the proposed developments that were planning to share in the system. Mr. Budesky reported that Mr. Poe had decreased the total number of units in his project to 300 homes.

Board members asked how it would affect the County if a rezoning of the Poe property was not approved. Mr. Budesky explained that the balance of the system would be the County's responsibility.

Mr. Trout noted that the Board had discussed this issue on previous occasions, and that it made sense to increase the size of the system for another 200 – 300 homes now at a nominal cost, rather than have to increase it in the future at considerable expense. He emphasized that a sizeable part of the system would be serving County buildings and would

be County responsibility, but he did not feel that the Board would be obligated to approve a rezoning.

Mr. Sparks expressed his concern that the sewer system was being sized so that the Board would be forced to a build-out as soon as possible.

Mr. Summers redirected the Board to the matter at hand -- approval of the CUP for the installation of utility lines.

Mr. Davis inquired whether Mr. Poe would be required to connect to the public utility system if his rezoning was not approved. It was confirmed that all developments within the service area would be required to connect and that the majority of Mr. Poe's property lay within the service area.

It was reported that engineering was near completion on both projects, and that any delay in approval might affect the high school project.

Mr. Harrison commented that the extra capacity built into the system was not a large additional investment. He reported that less capacity would not have reduced the number of pump stations but probably their size, as well as the size of some of the lines and the water tank. He reported that two new wells were needed to pull the system together and that the existing wells would no longer be used, with the exception of the well at the high school which would remain for irrigation only.

The Chairman opened the Public Hearing.

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

Mr. Davis asked about the number of new pump stations that would be required for Phase II. Mr. Harrison reported that there would be just one pump station needed (located next to the Chickahominy plant) for the 11 mile run, mainly because of the elevation difference in the plants (Parham Landing plant reportedly between 60 – 80 feet lower than the Chickahominy plant).

Mr. Trout to adopt Resolution R-35-06 as presented. The members were polled:

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

The motion carried.

Mr. Burrell rejoined the Board.

IN RE: ELECTED OFFICIALS' REPORTS

Mr. Davis spoke about the need to be careful during the upcoming holiday, mentioning the recent vehicular fatalities.

Mr. Trout complimented Fire Chief Tommy Hicks on the recent leadership workshop where the fire departments gathered to discuss plans and goals to work together to improve fire

and rescue service in the County and he suggested that Chief Hicks give a report at a future work session.

Mr. Trout announced an upcoming VML/VACo Legislative event in February and urged Board members to register in order to keep abreast of General Assembly activities. He urged everyone to be aware of the pressure and stress caused by the upcoming holiday season and cautioned safe behavior.

Mr. Burrell urged seatbelt use and wished everyone a happy holiday. He also noted that New Kent continued to have one of the highest voter turnouts in the area.

Mr. Hill echoed the sentiments of the others, wishing everyone a safe and enjoyable holiday. He also commended the New Kent Christmas Mother program and New Kent Social Services for their efforts in helping those in need.

Mr. Sparks sent holiday wishes to his fellow Board members, staff and citizens, and announced that there would be no more Board meetings in 2006.

IN RE: STAFF REPORTS

Mr. Budesky acknowledged the efforts of the Financial Services department as they concluded the audit process. He announced that the Community Development staff had an opportunity to learn how the County was faring in meeting the requirements of the Chesapeake Bay regulation and asked Environmental Planning Manager Chris Landgraf to share those results with the Board

Mr. Landgraf reported that New Kent had been found to be not fully compliant in only one area – the one dealing with septic tank pump outs every five years. He explained that it was a difficult process in that the health department issued the permits and then it was up to the County to enforce the regulations. He advised that New Kent had until the end of March 2007 to submit a septic tank pump out plan that was acceptable to the Ches Bay Board, and that all new septic tanks were required to have either a filter or inspection port. He advised that staff would continue to work with the health department to make sure that they are doing what needed to be done at installation. He reviewed the community outreach efforts being undertaken to remind septic tank owners to have their tanks pumped out every five years and to thereafter notify the County so that it could keep its records current.

Mr. Landgraf noted that the majority of the other localities were dealing with anywhere from three to five issues and New Kent was fortunate that it had only this one area in which it was found to be non-compliant.

Mr. Davis inquired about the status of the renewal of the franchise with Cox Communications. Mr. Budesky reported that the committee met last week with Cox representative Thom Prevette. He reported that a community assessment had been completed, along with online and telephone surveys. He advised that a franchise agreement had been drafted and was now in the hands of Cox for review and return to New Kent for approval by the Board. He advised that there was nothing in the current franchise agreement dealing with increased coverage in the County but it was proposed in the new agreement. He explained that the County had received quite a few comments from the community which had been shared with Mr. Prevette. He said that although recent General Assembly legislation gave less incentive to the cable companies to negotiate, Cox seemed

interested in reaching an agreement with New Kent.

IN RE: CLEAN COUNTY COMMISSION

It was noted that the Clean County Commission had experienced some problems in obtaining quorums at their recent meetings and it had been suggested that the size of the body be reduced. Several options were discussed and considered.

Mr. Davis moved that the Clean County Commission be reorganized as of January 1, 2007, to be comprised of five district and two at-large representatives serving four year staggered terms. The members were polled:

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

The motion carried.

Board members were encouraged to contact their representatives to determine their interest in continuing to serve on this group and to make appointments at the next meeting.

IN RE: APPOINTMENTS

The Board continued to make appointments to various boards, commissions and committees.

Mr. Hill moved to appoint Debbie Downs as a District One representative to the Historic Commission to serve a four year term beginning January 1, 2007 and ending December 31, 2010.

Mr. Hill nominated Thomas Evelyn as a District One representative to the Planning Commission to serve a four year term beginning January 1, 2007 and ending December 31, 2010.

Mr. Hill moved to nominate George Tate as District One's representative to the Board of Road Viewers to serve a one year term ending December 31, 2007.

Mr. Burrell moved to appoint Charles Moss as District Three's representative to the Agricultural and Forestal District Advisory Committee to serve a four year term beginning January 1, 2007 and ending December 31, 2010.

Mr. Burrell moved to appoint Charles Moss as District Three's representative to the Parks and Recreation Advisory Commission to serve a four year term beginning January 1, 2007 and ending December 31, 2010.

Mr. Burrell moved to appoint James Moody as District Three's representative to the Board of Road Viewers to serve a one year term ending December 31, 2007.

Mr. Trout moved to appoint Jack Chalmers as a District Four representative to the Planning Commission to serve a four year term beginning January 1, 2007 and ending December 31, 2010.

Mr. Trout moved to appoint Ronald Lang as District Four's representative to the Board of Road Viewers to serve a one year term ending December 31, 2007.

The members were polled on the motions:

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

The motions carried.

There was a discussion regarding the necessity for the Board of Road Viewers. Staff was asked to look into that and report back to the Board.

Mr. Trout moved to appoint Brenda "Sam" Snyder as the Planning Commission representative to the Richmond Regional Planning District Commission to serve a one year term ending December 31, 2007.

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

The motion carried.

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 January 8, 2007, in the Boardroom of the County Administration Building, New Kent, Virginia.

Mr. Sparks commented that the Board had chosen to have an extra work session to provide an opportunity to be better informed on some of the more complex issues coming up for public hearing. He spoke about the importance of having full discussion at the public hearings and not just at the work sessions so that the public could be fully informed.

Mr. Trout agreed, stating that the discussion needed to be in the record of the public hearing.

IN RE: ADJOURNMENT

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

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

The motion carried.

The meeting was adjourned at 9:05 p.m.