

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 11<sup>th</sup> DAY OF MAY IN THE YEAR TWO THOUSAND FIFTEEN IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 6:00 P.M.

---

IN RE: CALL TO ORDER

Chairman Tiller called the meeting to order.

---

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Davis 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

1. Approval of Minutes
  - a. ~~April 13, 2015 Business Meeting minutes~~
  - b. April 29, 2015 Work Session Meeting minutes
2. Miscellaneous
  - a. Authorize entering into a service contract with Power & Flow, LLC
  - b. Authorize entering into a service contract with Tencarva Municipal
  - c. Authorize entering into a service contract with the Central Virginia Waste Management Authority (CVWMA)
  - d. Authorize entering into an agreement with James River Solutions for the purchase of gasoline, diesel fuel and fuel oil
  - e. Recognition of May 2015 as Older Virginians Month in New Kent County
3. Refunds
  - a. Lauterbach Electric Co., BP# 19837-2015 (Viniterra Pavilion), \$129.54
  - b. Diane A. and Joseph N. Batkins, overpayment of AFD Application Fees, \$51.25
  - c. Barbara A. and George A. Tate, overpayment of AFD Application Fees, \$59.50
4. Supplemental Appropriations
  - a. Program income received for FY15 from CDBG Plum Point Grant Participants (April 2015), \$960.00
  - b. Donations for the Animal Shelter, \$390.00
  - c. Extension Program Sponsorship Revenue for 2015 Food Preservation Workshop from Charles City-James City-New Kent-York Farm Bureau, Inc., (\$200), for Carole's Garden from plant sales and raffle (\$279), \$479.00

- d. Gifts & Donations to New Kent Fire Rescue, J.H., Jr. and Jane Hardinge (\$50), TRUIST (\$50.23) and Franklin III and Jacquelyn Ridout (\$100), \$200.23
- e. Wind Banner Sponsorship/Scholarship Program, \$800.00
- f. Funds from VML Insurance for Damage and Expenses Supplement related to Sheriff's Vehicle #27 (\$421.88) and Payment related to Sheriff's Vehicle #286 (\$180.40 and \$95.00), \$697.28
- g. Funds from VML Insurance for Damage and Expenses related to water damage at 10600 Horseman's Road, \$7,858.61
- h. Department of Criminal Justice Services Funds for Public Safety Grant for Sheriff's Office Grant #15-Q1160L014 (\$1,674) and matching funds transferred to Fund 6 from Fund 1 (\$186), \$1,860.00
- i. Funds from Supreme Court for Postage for Juvenile and Domestic Relations Court, \$1,000.00

\$14,245.12 Total  
\$(4,526.51) Total In/Out – General Fund (1)  
\$(1,674.00) Total In/Out – Grant Fund (6)  
\$(7,858.61) Total In/Out – Utilities Fund (98)  
\$(186.00) From General Fund – Fund Balance

5. Interdepartmental Budget Transfers
- a. School Board Office: From Fuel Tank Replacement – GWES to Tennis Court Repair, \$6,315.84
  - b. Fire-Rescue: From EMS Office Supplies to Maint. Service Contracts, (\$1,500), From R&M Supplies to Maint. Service Contracts, (\$1,500), From Uniforms to Maint. Service Contracts, (\$2,000), From Ops Supplies SCBA to Maint. Service Contracts, (\$1,200), From Books & Subscriptions to Maint. Service Contracts, (\$641), \$6,841.00
  - c. Fire-Rescue: From R&M EMS to Maint. Service Contracts, (\$2,000), From R&M Small Engine to Maint. Service Contracts, (\$1,500), From Advertisement to Maint. Service Contracts, (\$2,000), From Heating to Maint. Service Contracts, (\$2,000), From Office Supplies to Maint. Service Contracts, (\$1,000), \$8,500.00
  - d. Fire-Rescue: From Lease Rental of Buildings to Electrical Service, (\$2,700), From R&M Dry Hydrant to Electrical Service, (\$193), \$2,893.00
  - e. Fire-Rescue: From OSHA Compliance Expense to FICA Medicare, (\$2,000) From Repair Personal Gear to FICA Medicare, (\$500), \$2,500.00
  - f. Fire-Rescue: From R&M Extraction Equipment to Part-Time Overtime, (\$1,000), From Books & Subscriptions to Background Investigation, (\$65), From R&M Dry Hydrant to Maintenance Service Contracts, (\$200), From Repair Portable Equipment to Maintenance Service Contracts, (\$500), \$1,765.00
  - g. Fire-Rescue: From R&M SCBA to Part-Time Salaries, (\$1,042.50), From Dry Hydrant Maintenance to Part-Time Salaries, (\$2,400), From Volunteer Insurance to Part-Time Salaries, (\$5,500), From Vehicle Power Fuel to Part-Time Salaries, (\$4,000), \$12,942.50
  - h. Fire-Rescue: From Hospital/Medical Plans to Overtime, (\$17,084), From Special Duty Colonial Downs to Overtime, (\$20,000), From Vehicle/Pwr. Equipment R&M to Overtime, (\$10,000), From Machinery & Equipment SCBA to Overtime, (\$8,600), From Turn Out Gear Replacement to Overtime, (\$12,000), \$67,684.00

- i. Community Development: From Printing and Binding (Planning) to Office Supplies (Economic Development), \$1,998.00

6. Treasurer's Report: Cash as of March 2015, \$37,219,551.77

Mr. Burrell moved to approve the Consent Agenda and that it be made a part of the record. The members were polled:

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

The motion carried.

---

IN RE: SMALL BUSINESS CLOSE UP

There was no Small Business Close Up for the month of May.

---

IN RE: SPECIAL RECOGNITIONS – NEW KENT COUNTY PUBLIC SCHOOLS' TEACHERS OF THE YEAR

Mr. Stiers noted this had been his fourth year serving on the Teacher of the Year Selection Committee and for the past two years the process had included interviews with the nominees. He indicated New Kent was blessed to have such a great staff of teachers who frequently went above and beyond, often spending time after school and their own money to assure the success of our students. He introduced Teachers of the Year representing each of the four New Kent County Schools and shared brief information on each of them. Nominees included Dezaræ Bertram representing George W. Watkins Elementary School, Jean Fox representing New Kent Elementary School, Lindsay Horne representing New Kent Middle School and Shelly Marin representing New Kent High School. He noted the nominees were all very deserving and there had been only a few points separating their final scores. He announced Lindsay Horne had been selected as the New Kent County School Division Teacher of the Year and he presented each teacher with a Certificate of Recognition from the Board.

---

IN RE: INTRODUCTION OF NEW STAFF

Sheriff F.W. "Wakie" Howard, Jr. introduced four officers who had recently been added to the Sheriff's Office roster. Among those introduced were:

- Jason Wyne with previous experience with the Hopewell and Virginia Commonwealth University Police Departments,
- Allison Adkins with a Bachelor of Science Degree in Criminal Justice from Longwood University,
- Jeffrey Parrish with previous experience with the Hanover County Sheriff's Office and
- Kimberly Gaulding with previous experience in a county sheriff's Office in Missouri.

Officer Brandon Jenkins presented Officer Adkins with a Certificate of Academic Achievement for having graduated at the top of her Basic Law Enforcement class.

Sheriff Howard read a letter of commendation from the Virginia State Police recognizing Officer Elizabeth McIntyre for her response to a medical emergency which had occurred on December 20, 2014. Sheriff Howard reported a woman had been traveling through New Kent County with her nine year old daughter when she suffered a heart attack, lost consciousness and ran into a guard rail. Eric Risner, a member of the United States Coast Guard, had witnessed the incident and stopped to offer assistance. Mr. Risner had started performing CPR when Virginia State Police Officer Stephanie McPhail arrived to provide assistance. Officer McIntyre arrived moments later with AED (Automated External Defibrillator) equipment which was used to shock the victim and bring her back to life. New Kent Fire-Rescue arrived and transported the patient to a hospital in Williamsburg from which she was flown to the Medical College of Virginia Medical Center. Thanks to the heroic actions of Officer McIntyre and others, the woman was saved. Officer McIntyre was presented a certificate recognizing her for her involvement.

In response to Board comments, Sheriff Howard reported that almost all Sheriff's Office vehicles were equipped with AED equipment and plans were in place to equip the remaining vehicles this year. He also noted many County officers had received Crisis Intervention Team training.

Sheriff Howard also reported he had met with the Superintendent of the Virginia State Police in regard to the recent increase in traffic fatalities on I64 in New Kent County. A field agent had been assigned to conduct a study of the most recent fatalities to determine if there was anything state or local police may be able to do to curb the number of accidents. Sheriff Howard noted these accidents were a "black eye on our County" and pointed out that due to limited resources, New Kent officers were not routinely patrolling the interstate and were focusing on other areas in the County. He did note however, that New Kent officers assisted the State Police as much as possible but it was a drain on the County's resources. He indicated he and the State Police Superintendent would be meeting again and he would report back to the Board.

Chief Technology Director Jonathan Stanger introduced Stephen Kuper who had recently been hired as Senior Technology Support Specialist. He noted Mr. Kuper was a New Kent High School and Virginia Commonwealth University graduate and had previous experience working with local government as well as private enterprise.

Board Chairman C. Thomas Tiller, Jr. introduced Brendan Hefty with Hefty Wiley & Gore, P.C. whose firm had been appointed to serve as County Attorney effective May 1, 2015.

---

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION –  
RESIDENCY ADMINISTRATOR'S REPORT

Chad Baker, Maintenance Superintendent with the Virginia Department of Transportation (VDOT), reported on maintenance activities and construction projects on New Kent roads from the past thirty days as well as those planned for the next thirty days.

Mr. Baker reported specialty mowing had been completed and contractors would soon be starting on primary roads. He also reported the final paving work on the Route 638 (Cosby Mill Road) project would be completed next month and work on the Route 249/Route 612 roundabout project was going smoothly. Mr. Evelyn asked Mr. Baker if he had spoken with the constituent who had expressed concerns regarding fencing located within the roundabout work zone. Mr. Baker indicated he was not aware of this issue but believed since the fence had been removed, it must have been resolved.

Mr. Baker also reported a traffic study would be conducted in Brickshire in response to concerns regarding the possible closure of an access point from Kentland Trail onto Mt. Pleasant Road. He noted the access point in question was not an approved entrance and although it had been intended for use as an emergency access only, was frequently used for nonemergency purposes. He noted it would take sixty to ninety days for the study to be conducted and the results to be evaluated. Mr. Stiers asked if any action to close the access point would be taken prior to completion of the traffic study. Mr. Baker indicated no action would be taken until the study was complete. Mr. Stiers indicated he had asked Community Development Director Matthew Smolnik to look into the matter and asked him to present his findings. Mr. Smolnik pointed out the original Kentland PUD had included two access points onto Route 155. The unapproved access point had come into play with the addition of the King property in 2004. Plans for the addition of this property had included the construction of a controlled emergency exit from St. Ledger Drive which had never been built. Mr. Smolnik noted it had been suggested there had been an agreement between the County and road contractor to not build this exit but he had not been able to find anything to document this agreement. Mr. Smolnik noted it had been suggested a Town Hall meeting should be held with Supervisor Stiers, VDOT representatives and staff members present to provide information, answer questions and receive comments from the public.

Mr. Tiller pointed out congestion at Dispatch Road and Route 249 continued to be a problem and asked if a traffic study was planned for this area. Mr. Baker indicated he would look into this. Sheriff Howard also noted his office was aware of the increased traffic flow at this intersection and special attention was being focused on this area.

Mr. Davis indicated he had met with a constituent with concerns regarding the intersection of Stage Road and Route 30. Mr. Baker indicated he was aware of and would address those concerns. Mr. Davis also asked if VDOT would be putting up signs for the summer alerting travelers to estimated travel times to certain destinations. Mr. Baker indicated that permanent signs had been put into place and were currently in operation.

Mr. Burrell noted many previously reported concerns regarding potholes and dead trees had been addressed. He indicated a number of dead trees close to the highway remained throughout the County as well as pot holes on both lanes of I64.

Mr. Evelyn noted the honeysuckle on the fence at the corner of Dispatch and Woods Edge was once again causing site problems. Mr. Baker indicated VDOT had trimmed the honeysuckle back as far as they could and had asked the property owner to consider moving the fence to improve visibility but because the fence was on private property, they could not make the owner move it. Mr. Evelyn also thanked Mr. Baker and VDOT staff for the additional signage provided during the New Kent Wine Festival and thanked Sheriff Howard and his staff for the wonderful job they had done as well.

Mr. Stiers asked if the specialty mowing Mr. Baker had mentioned earlier was the section of road from Courthouse Road to Colonial Downs. Mr. Baker indicated this was considered specialty mowing and noted because the work performed had not met expectations, the contractor would be back to complete the job. Mr. Stiers also thanked Mr. Baker, VDOT, Sheriff Howard and New Kent Sheriff's Office staff for all they had done to make traffic flow smoothly for the New Kent Wine Festival.

Mr. Tiller reported that a speed limit sign on Longview near Rock Creek Villas was obstructed by trees. He noted there had been some paving and slurry work in Five Lakes and asked if there were any plans to do more of this work. Mr. Baker indicated he would check but thought all of the work scheduled in that area had been completed.

---

IN RE: CITIZENS COMMENT PERIOD

Chairman Tiller opened the Citizens Comment Period.

Mr. Bart Leader, a New Kent County resident, provided the Board with a brief report on the recent New Kent Wine Festival and thanked the Board for their support. He reported there had been \$66,000 in ticket sales which was up approximately \$4,000 over the event's best year and total revenue was estimated to be \$85,000 or higher. He expressed his appreciation to the Sheriff's Office and Fire-Rescue for the support they provided and noted the Chamber of Commerce could not host this event without the support of County Officials. Mr. Leader also noted this was the seventh year for the Wine Festival and he expressed his appreciation to C&F Bank who had been the lead sponsor and had donated approximately \$10,000 each year.

Mr. Tiller thanked Mr. Leader for his comments. There being no other individuals wishing to address the Board, the Citizens Comment Period was closed.

---

IN RE: APPROVAL OF MINUTES – APRIL 13, 2015 BUSINESS SESSION

Before the Board for consideration was a request for approval of the minutes from the April 13, 2015 business session. These minutes were not included in the Consent Agenda because Mr. Evelyn had not been present.

Mr. Davis moved to approve the minutes from the April 13, 2015 business session. The members were polled:

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

The motion carried.

---

IN RE: ELECTED OFFICIALS' REPORTS

Mr. Davis noted the Taste of New Kent Wine Festival had been a great success and was very well attended. He also encouraged residents to take advantage of the many events and recreational opportunities available in New Kent.

Mr. Burrell echoed Mr. Davis' sentiments.

Mr. Evelyn reported that Chap Harrison, a long-time resident of New Kent County, had passed away the previous day. He indicated Mr. Harrison had been a very good friend to New Kent County over the years and had been instrumental in getting the Colonial Downs race track in New Kent County.

Mr. Stiers had no report.

Mr. Tiller provided information on an upcoming fundraiser for Daryl Robinson, a New Kent County citizen who had been diagnosed with melanoma the previous summer. He noted Mr. Robinson's wife was a teacher at George Watkins Elementary and the family had two

children attending County schools. Proceeds would be used to offset costs associated with Mr. Robinson's treatments. The fundraiser would be held on Saturday, June 6<sup>th</sup> with a one mile run starting at 8:00 a.m. and a 5K race starting at 8:30 a.m. Mr. Tiller also echoed Mr. Davis' and Mr. Burrell's sentiments regarding the Taste of New Kent Wine Festival.

---

IN RE: STAFF REPORTS

County Administrator Rodney Hathaway reminded Supervisors the May work session had been moved up a week to 9:00 a.m. on May 20<sup>th</sup>.

Mr. Evelyn drew attention to a recent Chronicle advertisement announcing he would be hosting a Town Hall Meeting at 6:30 p.m. on Thursday, May 14<sup>th</sup> at the Visitors' Center. County Administrator Rodney Hathaway, School Superintendent Dr. David Myers and District 1 School Board Representative Brett Marshall would all be available to discuss the FY16 budget as well as such other topics as citizens suggested.

Mr. Davis noted the Board would be meeting for a work session at 9:00 a.m. on May 20<sup>th</sup> and would be voting on the FY16 Budget and the other topics which would be open for public hearings later in the evening.

---

IN RE: OTHER BUSINESS

There was none.

---

IN RE: DISTRICT APPOINTMENTS

Mr. Tiller moved to appoint John Moyer as District Two's representative to the New Kent County Planning Commission to complete a four-year term ending December 31, 2018.

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

The motion carried.

---

IN RE: APPOINTMENTS NOT DELEGATED BY DISTRICT

Mr. Davis moved to appoint Daniel Rigsby as the Community Services Board representative to the Community Policy and Management Team to serve a two-year term ending December 31, 2016.

Mr. Davis moved to appoint Michael Scheitle as the Juvenile Court Service Unit representative to the Community Policy and Management Team to serve a two-year term ending December 31, 2016.

Mr. Davis moved to appoint Aida Zayas as the Department of Health representative to the Community Policy and Management Team to serve a two-year term ending December 31, 2016.

Mr. Davis moved to appoint Jon Martz as the Department of Social Services representative to the Community Policy and Management Team to serve a two-year term ending December 31, 2016.

Mr. Davis moved to appoint Dr. Dianne B. Pollard as the New Kent County School representative to the Community Policy and Management Team to serve a two-year term ending December 31, 2016.

Mr. Davis moved to appoint Sandy Brudvig as the private service provider representative to the Community Policy and Management Team to serve a two-year term ending December 31, 2016.

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

The motions carried.

Mr. Tiller called for a brief recess at 6:55 p.m. to allow time to lapse until the 7:00 p.m. public hearings. The Board was called back into session at 7:03 p.m.

Mr. Tiller noted Fire Chief Rick Opett and the Fire-Rescue staff had a busy day with an early morning fire in the Five Lakes community and he thanked Chief Opett and staff for the work they had done. He noted Chief Opett had said it had been very helpful that the water supplied by the Public Utilities Department was delivered with adequate pressure to facilitate fighting the fire. Mr. Tiller also thanked the Town of West Point and Henrico County for assisting.

---

IN RE: PUBLIC HEARING – FY2016-FY2021 SECONDARY SIX-YEAR PLAN

Before the Board for consideration was Resolution R-13-15 approving the proposed Secondary Six Year Plan (SSYP) for FY2016-FY2021 and the FY16 Construction Priority List.

County Administrator Rodney Hathaway presented information on the Secondary Six Year Plan (SSYP) for Fiscal Year 2016–2021 for improvements on roads with route numbers greater than 600. He reported he had been informed by VDOT that New Kent's allocation for FY16 would be \$88,591. He pointed out a list of projects ranked by priority had been provided which included a widening/drainage/ditch repair project on Dispatch Road, a "Rural Rustic" road paving project on a portion of Stage Road and a reconstruction project on a portion of Henpeck Road. Mr. Hathaway noted this priority ranking was being recommended by staff and pointed out these were the same projects as recommended the previous year with the Stage Road and Henpeck Road projects having been reversed. The Stage Road project was recommended to be moved up because it carried a lower cost and could be accomplished in the next few years while the Henpeck Road project was estimated to cost three million dollars and would require some time to accumulate sufficient funds.

Mr. Davis asked if the "Rural Rustic" program required a fifty/fifty match from the locality. Mr. Hathaway indicated it did require a dollar for dollar match. Mr. Davis noted the total Stage Road project was estimated to cost \$65,000 and pointed out that half of the funding would come from the County and half from VDOT. Mr. Hathaway pointed out the \$65,000 figure was actually New Kent's portion of the \$130,000 project. Mr. Hathaway noted staff

was recommending that \$54,000 of this year's allocation go to complete the Dispatch Road project and the remainder go toward the Stage Road project. Mr. Davis expressed his support for the plan to move Stage Road up on the priority list.

Mr. Tiller asked if funds were being set aside for Henpeck Road. Mr. Hathaway noted funds were being set aside for this project and \$86,600 had been designated to date.

Mr. Tiller opened the public hearing. There being no individuals wishing to address the Board on this topic, the Public Hearing was closed.

Mr. Evelyn moved to adopt Resolution R-13-15, approving the proposed secondary Six-Year Road Plan for FY2016-FY2021 and the FY2016 Construction Priority List. The members were polled:

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

The motion carried.

---

IN RE: PUBLIC HEARING – ORDINANCE O-02-15 FLOODPLAIN MANAGEMENT  
ORDINANCE

Before the Board for consideration was Ordinance O-02-15 Floodplain Management Ordinance, Application OA-04-15 repealing Chapter 98, Article II, Section 57 of the New Kent County Code and establishing Chapter 18, Article IV in the New Kent County Code.

Building Official Clarence Jackson reported the Floodplain Management information before the Board had been presented to the Planning Commission on April 20, 2015 and the Planning Commission had given a favorable recommendation. He indicated FEMA (Federal Emergency Management Agency) had produced new floodplain maps and, as a result, it was necessary for New Kent County to adopt a new ordinance to go along with those maps. He reported he had worked closely with former County Attorney Michelle Gowdy and Charlie Banks with DCR (Department of Conservation and Recreations) and they had determined it would be easier to strike the existing ordinance and write a new ordinance. He also reported the FEMA model had been used as a guide for New Kent's proposed ordinance. He pointed out he and other staff had worked with DCR for approximately six months developing the ordinance and DCR had already given it preliminary approval. Once approved by the Board, the document would be forwarded to DCR for formal approval and then on to FEMA for approval. Mr. Jackson noted the maps would go into effect on August 3, 2015 and ordinance changes should be in place prior to that date or New Kent would be suspended from participation in the National Floodplain Insurance Program. Mr. Jackson noted this was the last part of an approximately twenty month process. He indicated, in the interest of time, he would not go over the time line unless Supervisors had questions or desired more information on what had been done along the way.

Mr. Evelyn asked if most of the changes were in the York River portion of New Kent. Mr. Jackson indicated the main changes were in the Plum Point area of the York River. Floodplain lines had changed here and there and some properties had been moved out of the floodplain while others had been moved in. Mr. Jackson pointed out 1,300 notices announcing an "Open House" meeting where FEMA, DCR and Army Corps of Engineers

representatives would be present had been sent and only twenty-two residents had attended.

Mr. Davis asked if the ordinance needed to be approved by August 3<sup>rd</sup>. Mr. Jackson noted the ordinance should be approved by August 3<sup>rd</sup> but pointed out this date was not only for New Kent Board of Supervisor approval but also DCR and FEMA approvals. Time should be allowed to address any verbiage changes FEMA may have which may require sending the ordinance back to the Board for additional consideration and approval.

Mr. Stiers noted Mr. Jackson had referenced changing the verbiage and asked about the possibility of changing the maps. Mr. Jackson indicated the maps had been finalized in January and there should be no additional changes at this time. He pointed out some shorelines in the floodplain were cliffs which had not been taken into consideration previously and noted the maps were not an exact science and the floodplain lines were approximately fifty feet in width.

Mr. Tiller opened the public hearing.

Mr. James Poole, a New Kent County resident, indicated he had been one of the twenty-two who had attended the informational meeting and noted FEMA had required property owners to supply them with a list of information in order to get any information from them. Mr. Poole noted the old ordinance had basically stated "this is a floodplain and this is what thou shalt not do in a floodplain". He suggested the proposed ordinance removed all the rules and contained almost no information regarding what could or could not be done with property in the floodplain. He suggested the proposed ordinance spent a great deal of time defining the Floodplain Administrator and his powers. He further suggested FEMA had the authority to change the rules at their level and then impose those rules on counties. Mr. Poole went on to cite specific sections of the ordinance with which he had concerns and drew attention to a portion he felt suggested a property owner would need to obtain permits to repair or replace flood damaged property. Mr. Poole asked if owners would need to pay fees associated with permits to repair damage. Mr. Jackson was called back to the podium and noted if a home was damaged or destroyed, a permit would be required to repair or rebuild and fees would be charged for those permits. He indicated if substantial damage had been sustained, the home may not be able to be rebuilt on its original location. He pointed out permits were also required to repair or replace property due to a hurricane, fire or tree damage.

Mr. Davis asked if the Board did not approve the proposed ordinance, was it true residents would not be able to get flood insurance through FEMA. Mr. Jackson confirmed this was correct and noted the lack of flood insurance may lead to problems with the property owner's ability to obtain or keep mortgages on properties in the floodplain. Mr. Davis asked if a property owner had any recourse with the County if they did not agree with their property having been designated as within the floodplain. Mr. Jackson indicated the recourse would be with FEMA and owners could submit a Map Change Amendment to have the designation of their property reevaluated. He noted FEMA had made a number of changes in the new maps and he believed they would be more accurate and reduce the number of necessary amendments.

Referencing the citizens' meeting, Mr. Jackson noted individuals had been asked to provide their location as well as their name and address so representatives could determine their exact location and that some individuals had refused to provide this basic information. Those who were willing to provide this information were given a great deal of information.

Mr. Poole was given an additional minute to wrap up his comments. He went on to cite Section 18-253.A – Use and Interpretation of the FIRMs (Flood Insurance Rate Maps) of the ordinance and suggested that in this section, FEMA was saying the maps were not accurate and a property owner would be required to prove their property was above floodplain elevation. He went on to ask if the maps were not accurate, why the Board was being forced by a federal agency to put this information into law. He suggested the federal agency could not do anything unless the Supervisors put the information into law and this was another example of a federal agency attempting to take control over a day to day local matter. He suggested the federal agency was doing this with the threat of suspending flood insurance and flood insurance was a monopoly because all coverage was through FEMA.

Mr. Tiller called time on Mr. Poole. There being no other individuals wishing to address the Board on this topic, the Public Hearing was closed.

Mr. Davis noted Mr. Poole was correct that the way the ordinance was written suggested that a property owner had to prove their innocence so far as being above a base flood elevation. He went on to note if the Board did not approve the ordinance, homes in the floodplain area could lose their mortgages. He suggested the Board consider postponing a vote and allow the new County Attorney an opportunity to review the information and report back. County Attorney Brendan Hefty indicated he would be happy to review the information but noted the materials presented were the result of a long process which had included working closely with DCR. He also suggested because the regulations were coming down to the localities from the federal level, there was very little room to stray from the federal approved language localities were expected to adopt. Mr. Davis noted the federal government wanted the localities to adopt what they had told them to adopt. Mr. Stiers indicated he agreed with Mr. Poole's suggestion that the federal government could not enforce these regulations until the County made them a part of their ordinance. Mr. Tiller noted the down side would be if the Board didn't approve it and the County was not accepted into the FEMA floodplain, then the people who live in the floodplain areas could not get flood insurance.

Mr. Tiller asked Mr. Davis if he would like to make a motion to postpone the vote. Mr. Davis indicated he would like to have the attorney take a look at the proposed ordinance to see if it could be toned down to make it more palatable to the Board members who felt the government was trying to tell them what to do. Mr. Evelyn asked Mr. Davis which portions of the ordinance he did not like. As an example, Mr. Davis cited the portion where a property owner had to prove they were not in the floodplain. He noted the federal government was sending all the information to the County and he suggested they should have what was necessary to determine if a property was in or not in the floodplain. Mr. Jackson noted the technology used to create the new maps was good technology but pointed out that not every foot of shore had been checked and there could be areas that could be removed upon closer examination.

County Administrator Rodney Hathaway suggested it was important to note the FEMA maps were not exact. He pointed out most of the data was collected through photography shot at 20,000 feet and previous flood history and, due to time and cost, it was not feasible for FEMA to conduct a ground search on every area.

Mr. Burrell moved to adopt Ordinance O-02-15, repealing Chapter 98, Article II, Section 57 "FMO, Floodplain Management Overlay District" and establishing Chapter 18, Article IV "Floodplain Districts" to the New Kent County Code of ordinances. The members were polled:

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

The motion failed for lack of a majority vote.

---

IN RE: PUBLIC HEARING – NEW KENT COUNTY BUDGET

County Administrator Rodney Hathaway noted the meeting agenda included six public hearing on various components of the budget. He indicated he would be providing a brief presentation that would include detailed information on Item 4 - New Kent County FY16 Budget and item 5 - Capital Improvement Plan for FY2016-2020 and touch briefly on Item 6 - Ordinance O-10-15 Appendix A – Fees County Fees, Item 7 – Ordinance O-11-15 Tax Levies, Item 8 – FY16 Public Utilities Budget and Item 9 – Ordinance O-09-15 Appendix A – Fees – Public Utilities Fees.

Mr. Hathaway pointed out the proposed FY16 Budget totaled \$56,916,986. He noted this was a revised budget and included an increase of \$204,601 from the proposed budget presented in March. He pointed out this budget was based on an 84 cent tax rate and proposed no tax increase for the next fiscal year. The FY16 Public Utilities Budget totaling \$4,866,527 included in the presentation was also a revised budget and had been reduced by \$316,839 due to reductions in proposed capital projects. He pointed out the \$204,601 increase in the proposed County budget had resulted from a \$300,000 transfer to School Operating from County CIP for the Technology Initiative, \$131,915 in School Operating for additional State funds, a reduction of \$244,183 as a result of eliminating the proposed one cent real estate tax rate increase, \$15,861 in additional Compensation Board funding for salaries and \$1,008 in additional County revenues for Circuit Court Judge reimbursement.

Mr. Hathaway noted this proposed budget also reflected a policy change. He pointed out the County had designated two cents of the real estate tax rate in the FY14 budget to be set aside for future school capital projects. He noted the Board had recently decided to purchase a new radio system for the County and schools. The FY16 budget proposal included using one cent (\$239,301) of the two cent set aside toward the annual debt service payment on the radio project.

Mr. Hathaway pointed out the budget included a 1.5% salary increase and no changes to health insurance rates, the employee share of health insurance cost, the VRS retirement rate and the VRS group term life insurance rate. He noted there were a number of General Assembly mandated adjustments resulting from the 2015 session. Among those mandates were the State Compensation Board salary adjustments for the Clerk of the Circuit Court, the Commonwealth's Attorney, the Commissioner of Revenue, the Sheriff and the Treasurer resulting from the County's population now exceeding 20,000; 2% salary increases for all Department of Social Services employees; 2% salary increases for all constitutional officers and the registrar and a 1.5% salary increase for school employees. Mr. Hathaway noted New Kent County Schools were proposing an additional .5% salary increase for a total increase of 2%.

Mr. Evelyn asked how much money the County would be receiving for these additional mandates. Mr. Hathaway noted New Kent would receive funding for some of these salaries and pointed out the matching rates varied and the funding received would not cover 100% of the costs.

Mr. Hathaway noted the proposed Capital Improvement Plan (CIP) for FY16 totaled \$1,951,190 and he pointed out this figure did not include Public Utility CIP funds. He reported that of this total, \$174,895 would come from proffers, \$423,830 would come from federal and state grants and \$1,352,465 would come from County funds. Big ticket items for the year included \$900,000 for schools which included \$300,000 for the one-to-one technology initiative and \$290,000 for school bus replacement. Other items included \$390,000 for vehicle replacement which included \$288,000 for the Sheriff's Office, \$257,000 for the airport of which only \$14,140 was the County's share and \$118,000 for ambulance re-chassis of which \$59,000 would be state funded. Mr. Hathaway pointed out the County was hopeful to receive the \$59,000 for this through a grant but if the grant was not received, the County would not move forward with the project. Other items include \$101,190 for computer replacements, \$85,000 for data networking upgrades and \$25,000 to Parks and Recreation for bleachers. Mr. Hathaway noted \$75,000 had been budgeted for the burn building construction but pointed out this project was currently on hold.

Mr. Hathaway noted the FY16 Public Utilities budget totaled \$4,866,527 which was a decrease of \$314,614 from the previous year. He pointed out the proposal included a 4% increase in water and sewer rates which would result in an increase of approximately \$25.80 annually or \$4.30 bi-monthly for the average residential user. He indicated arriving at this number had not been an easy decision but when the findings contained in the pro-forma of the utility system prepared by Davenport and Company were considered, this was the minimum amount needed to allow the County to meet its debt servicing requirements. He noted the County was required to set aside a certain amount in a reserve fund and in order to keep that required level, a 4% increase would be necessary. He pointed out there were no increases proposed for connection and availability fees or the Bottoms Bridge ad valorem tax rate for the next fiscal year.

Mr. Hathaway provided an overview of the proposed Public Utility CIP projects for FY16. He noted the proposed CIP budget totaled \$543,710. He pointed out the Public Utility CIP was being presented separately from the County CIP because when the Board had established County Public Utilities, they had decided it would not be supported by tax dollars and it had been setup to be self-supporting with operations and debt service funded from user and connection fees. The list of proposed CIP items included \$200,000 for a DEQ (Department of Environmental Quality) water supply feasibility study of the Pamunkey River as an alternate water source, \$180,000 for ground level storage tank maintenance, \$58,000 for diffuser maintenance at the Parham Landing plant, \$40,000 for GIS utility mapping and upgrades, \$29,710 for software upgrades, \$22,000 for vehicle replacement and \$14,000 for computer replacements.

Mr. Hathaway provided an overview of transfers to other funds totaling \$20,177,287. Transfers included \$13,254,595 to the school operating fund which was an increase of \$300,000, \$5,167,560 to debt service which was a decrease of \$135,050 resulting from recent refinancing, \$854,864 to the Human Services fund (CSA – Comprehensive Services Act) which was an increase of \$29,951 resulting from an increase in case load, \$392,481 to Social Services which was an increase of \$25,741 to partially fund a new position, a \$239,301 one cent set aside for school construction, a \$239,301 one cent set aside for public radio system debt service and \$29,184 to the airport operating budget. Mr. Hathaway pointed out this was a small portion of the airport's total operating budget and other costs were funded by federal and state dollars. He also noted a decrease of \$54,586 in the FY17 debt service reserve amount. He pointed out the County had been planning for a debt service increase in FY17 but recent refinancing had eliminated this need.

Mr. Hathaway noted the budget process was not just a one year process and pointed out that at least five years were considered and plans were put into place to address needs expected well into the future. He provided a brief overview of future budget challenges. He noted funding for education would continue to be a challenge and pointed out that because of our high median income, New Kent County did not fare well in the benchmarking process used by the state to determine per pupil funding. In addition, Mr. Hathaway noted the County was inching closer to the debt limit that had been set in the County's financial policies. Future capital needs included a new elementary school, renovation at New Kent Elementary School, additional fire stations and fire apparatus, a new dog pound facility to meet state requirements and an additional Public Utility water treatment plant.

In closing, Mr. Hathaway noted a budget calendar had been provided which documented the actions taken thus far. He pointed out the budget public hearing which would be held tonight was the next to the last step on the list. He noted State Code required that a locality wait at least seven days after the budget public hearing before taking any action. He reported a work session had been scheduled for May 20, 2015 at which the Board would have an opportunity to take action if they wished. He entertained questions from the Board and noted Mr. Ted Cole with Davenport was also present to address any questions.

Mr. Burrell noted he had discussed with other Board members and Mr. Hathaway that consideration be given to taking the total amount needed to give a 1.5% increase and instead of giving a percentage, divided the amount among all employees with each employee receiving a fixed amount. He stressed this would be a raise and not a bonus.

In regard to a new elementary school estimated to cost \$28 million to build and \$1.2 million in annual operating costs and \$1.6 million annually in principal and interest noted in Mr. Hathaway's future budget challenges, Mr. Burrell asked how much of a tax rate increase would be needed to fund a project this size. Mr. Hathaway indicated the numbers had been reviewed and the increase would be sixteen cents based on a \$35 million dollar project.

Mr. Burrell asked what the Board would need to do to give each employee the same raise and noted he did not believe his recommendation would have any impact on the bottom line figure. Mr. Hathaway indicated there would be no impact on the bottom line figure. He reported a 1.5% raise would cost the County \$109,027 and if this figure were divided among all employees eligible to receive that raise, each would receive a flat increase of \$690. Mr. Burrell indicated he thought it was a good idea to give a flat increase because it would keep the same differential between salaries. Mr. Davis asked if this proposal would apply to part-time employees. Mr. Hathaway indicated the flat \$690 raise would not apply to part-time employees. He further noted it did not include the constitutional officers or the state employees who would be receiving state mandated raises. Mr. Burrell suggested part-time employees should receive a comparable increase. Mr. Hathaway noted it would be difficult to calculate a flat increase for part-time employees because the hours fluctuated. Mr. Davis indicated he would like to see the County do something to help part-time employees working at the transfer stations. He noted these employees worked hard, often under bad conditions and were not off for many holidays. Mr. Hathaway indicated staff would need to do some number crunching and believed something could be worked out. Mr. Evelyn suggested they could possibly be given a fifty cent to one dollar raise and then asked if all part-time employees would need to receive the same raise. Mr. Hathaway indicated all part-time employees would need to be treated the same. Mr. Burrell asked if information could be made available to the Board for next Wednesday's meeting and Mr. Hathaway indicated it could.

Mr. Davis noted that Mr. Hathaway, and Finance Office staff members Mary Altemus and Larry Clark had worked hard on the budget this year. Mr. Hathaway also noted that Matt Smolnik had served as the director representative to the budget team.

Mr. Tiller asked if there would be a \$314,614 reduction in the Public Utilities budget this year, why was the County asking for a 4% increase in user fees. Mr. Hathaway noted the decrease was associated with reductions in capital improvements and the increase was necessary to meet operating costs and debt obligations. He reminded Board members they had been provided with a pro-forma at the budget retreat which had provided details.

Mr. Evelyn asked Public Utilities Director Larry Dame for clarification regarding funding for a DEQ water feasibility study. Mr. Dame indicated Public Utilities had started the feasibility study and the figure included in the FY16 Public Utilities CIP was the carryover amount needed to finish the study. He suggested he could not emphasize enough the significance of DEQ's plans to cut back on the use of ground water. He expressed concern about the impact a reduction in ground water could have on future economic development in the County. He stressed the importance of determining if drawing water from the river was feasible and, if it was not feasible, beginning the search for other alternatives.

Mr. Tiller opened the public hearing. There being no individuals wishing to address the Board on this topic, the Public Hearing was closed.

---

IN RE: PUBLIC HEARING – CAPITAL IMPROVEMENT PLAN FOR FY2016-2020

Mr. Tiller confirmed with Mr. Hathaway that all information he wished to present on the Capital Improvement Plan for FY2016-2020 had been included in his Revised Proposed Budget – Fiscal Year 2016.

Mr. Tiller opened the public hearing.

Mr. Mark Daniel, a New Kent County resident, stood up and suggested signing up to address the Board had been confusing. He indicated he wished to address the Board regarding several items including fees and the utility budget and asked if it would be appropriate to address the Board at this point or sign up for Item 6 or perhaps another public hearing. Mr. Hathaway noted Item 6 included County fees but did not include the public utility rate and pointed out the public utility budget would be reviewed under Item 8. He also pointed out he had given one presentation to eliminate the need to keep returning to address the Board. He suggested that the items Mr. Daniel wished to address could be covered under Items 6, 8 or 9. Mr. Tiller suggested that Mr. Daniel address the Board at this public hearing after others who had signed up had spoken.

Mr. Douglas Schuler, a New Kent County resident and President of the Board of Directors for the New Kent Stagehands, addressed the Board as the spokesman for the group. He thanked the Board for listening to him and indicated he wished to address the Board regarding the renovation of the Historic School theatre and noted there were approximately ten of the 28 Stagehands' members present. He reported the group had been performing around the County for approximately eleven years and operated under a formal constitution, policies and procedures. He indicated three members of the group had met with Mr. Hathaway on March 20<sup>th</sup> and had visited the Historic School to take a look at the existing stage. Mr. Schuler indicate his organization was dedicated to providing family-friendly productions in the County and a new stage would be a wonderful thing for Stagehands and for the County. He reported Stagehands produced two scripted events annually and made a number of other appearances around the County. Members of the

group also provided assistance to the County school system by serving as judges for forensics events and talent shows, lending props, costumes and set pieces as well as providing advice on sound and lighting issues. He noted Stagehands believed County residents should not have to travel outside of the County for theatre experiences and cultural dollars should be kept at home. He went on to urge the Board to consider returning this National Historic Register building to its former state and to use it for county-wide cultural events such as theatre productions, guest speakers and dance and music recitals. He indicated Stagehands would be willing to oversee the use of the facility and keep the schedule of events as well as help raise the funds necessary to ensure the integrity of the building and assure it would be maintained. He acknowledged Stagehands did not expect this to be a short-term project but rather a long-term, well thought out process that would ultimately put the space to good use. Mr. Schuler indicate he and the Stagehands understood at this point in the budget process there wasn't a chance this year but wanted to get this on the Board's radar for consideration next year. He closed his comments by indicating Stagehands realized dollars were tight but felt making this school into a theatrical facility would be a wonderful thing for the County. He indicated there were numerous grants available for the arts and suggested this as a possible source of funding.

Mr. Evelyn thanked Mr. Schuler and the Stagehands for coming out and taking the time to speak. He noted he had attended several of their productions and thought they were doing a good job.

Mr. Mark Daniel, a New Kent County resident, addressed the Board to express his concerns regarding raising the water rates. Mr. Daniel noted he and his family were lucky enough to have a well and septic tank and were not paying the fees for water and sewer. Mr. Daniel noted that several years ago the County had raised the rates by 8% and then raised it 8% again and then followed that up with another 6% increase totaling 22%. He was concerned that the Board was now proposing another 4% increase. Mr. Daniel appealed to the Board and asked them to remember there were families in the County that didn't have the option of saying yes or no and he noted this would be a tax to them. He suggested that by raising the rates year after year it appeared the County did not have a plan. He noted residents in Patriot's Landing were required to pay an additional fifteen cent tax on top of the 84 cents paid by other residents and they were paying the water and sewer rates too. He suggested what the County was doing was not working and something radical should be done. Mr. Daniel proposed that the Board not raise the rates and instead consider dropping them and consider a campaign during which connection fees would be cut in half to encourage more users. He further suggested the only way for the County to work its self out this was to get more users and the challenge was how to do that. He encouraged Supervisors to consider those people who couldn't say no.

There being no other individuals wishing to address the Board on this topic, Mr. Tiller closed the public hearing.

---

IN RE: PUBLIC HEARING – ORDINANCE O-10-15 APPENDIX A – FEES – COUNTY FEES

County Administrator Rodney Hathaway pointed out that State Code required that localities hold a public hearing with proper advertisement before taking any action to amend the County fee schedule. Highlights of the proposed changes included an increase in land disturbance permit renewal fees in an effort to capture the County's true costs, an increase in the cost of RPA (Resource Protection Area) signs, an increase in the cost of burn permits and the addition of detailed cost recovery information for emergency response to incidents. Mr. Hathaway indicated he believed the emergency response fee of \$250 for individuals

convicted of operating a vehicle or water craft under a variety of situations had been included in error because the County fee for this was already set at \$250. Mr. Hathaway noted the fees listed for private event requests were consistent with the County's actual practice but had not previously been included in the fee schedule. He pointed out a major change to the fee schedule was in the last section which addressed fireworks displays and special effect permits. Requests for these events were not frequent but the County was expending far more to provide coverage than the current fifty dollar fee would cover. He noted the proposed fees more accurately reflected actual costs.

Mr. Tiller opened the public hearing. There being no individuals wishing to address the Board on this topic, the Public Hearing was closed.

Comments on this item from Rado Banks, a New Kent County resident, were previously received by email. Copies of this email in which Mr. Banks expressed his concerns regarding charging fees for fire calls were delivered to each Supervisor.

---

IN RE: PUBLIC HEARING – ORDINANCE O-11-15 – TAX LEVIES

County Administrator Rodney Hathaway noted this was another State Code requirement that all localities must advertise and publish their annual tax rate and conduct a public hearing. He pointed out there was no proposal to increase any rates for the next fiscal year. He indicated the rates for real property and personal property that were included in the ordinance were the County's existing rates.

Mr. Stiers asked if the personal property tax rate on boats was \$3.75 which Mr. Hathaway indicated was correct. Mr. Stiers noted he would like to see the Board drop this rate back to 75 cents and indicated he believed many residents who owned boats would keep them here year round rather than pulling them down to Virginia Beach to avoid paying the tax. He added this would help the marinas. Mr. Davis suggested the Board had looked at this several years ago and had determined there were not many big boats to be impacted. He noted the Board had considered the bigger the boat the less the tax rate but ultimately they had decided it would not make much difference. Mr. Hathaway noted the County was not currently breaking out boats from tangible personal property. He suggested staff could look at this but noted a change in the tax levies at this point may trigger the need for additional advertising and an additional public hearing. Mr. Hathaway also noted the Board could always amend the budget once it was adopted. Mr. Stiers noted for the record that he had sold his boat.

Mr. Tiller asked how RVs were taxed. Mr. Hathaway noted the \$3.75 rate also applied in this case as they were also considered tangible personal property. Mr. Tiller noted it had been a shock to someone in his area when they had received their tax bill last year and realized the rate was \$3.75.

Mr. Tiller opened the public hearing. There being no individuals wishing to address the Board on this topic, the Public Hearing was closed.

---

IN RE: PUBLIC HEARING – PUBLIC UTILITIES BUDGET

County Administrator Rodney Hathaway noted information on the Public Utilities Budget had been included in his initial presentation. He noted the total proposed FY16 budget was \$4,866,527 and pointed out this figure included additional revenue derived from a 4% user fee increase.

Mr. Tiller indicated he lived in Bottoms Bridge and fortunately was only using the water service and did not have the fifteen cent ad valorem tax that some residents were paying. He indicated he had to agree with Mr. Daniel if the current process was not working, a new plan was needed. Mr. Hathaway indicated Mr. Daniel was correct that the system was funded by users and the current user level was not high enough for the system to be self-sustaining without increases each year. He indicated that previous increases in rates had been bare minimum increases necessary to cover operating costs and debt requirements. He pointed out an evaluation was conducted each year to determine what would be required to cover operating costs and debt requirements and the most recent evaluation indicated the bare minimum needed would require a four percent increase.

Mr. Tiller indicated he understood what Mr. Hathaway was saying but noted it was not the fault of the people living in the area that the system was not paying for itself. He noted this was the way the water and sewer system had been set up originally and that former County Attorney Michelle Gowdy had told him on many occasions that one Board could not tie the hands of another board but he felt this Board's hands had been tied for a long time and they somehow needed to come up with a better plan.

Mr. Davis indicated there had been a big push a number of years ago to provide water and sewer to the Bottoms Bridge area and water and sewer had been run to every interchange to encourage business. He also noted this had been done at the least possible expense to tax payers because The Farms of New Kent had paid for most of the work in order to have the services available for their development. Mr. Davis noted that someone had to pay the operating costs and unless the Board was interested in passing a levy requiring all residents to pay for water and sewer, which he didn't think would fly, user fee increases would be necessary. Mr. Tiller noted he understood what Mr. Davis was saying and this was the way the system had been set up but he stressed again it was not the fault of those living in the service district. Mr. Davis suggested if the economy had not taken such a downturn several years ago, these increases may not have been necessary.

Mr. Stiers indicated he had discussed this with Mr. Hathaway and had suggested the Board give the citizens a break for one year and have no increase. He indicated he had suggested Public Utilities had enough of a cushion now to do this and Mr. Hathaway had indicated there would be issues with Public Utilities bonds. Mr. Hathaway indicated no increase this year would result in the County being in default of its bond obligations for FY16. He also noted if there were no increase this year, a six percent increase would be necessary in FY17 in order to bring the County back into bond requirement compliance and to meet operating costs.

Mr. Davis asked Public Utilities Director Larry Dame how many new water and sewer users were being added each year. Mr. Dame indicated Public Utilities was averaging 100 to 120 new connections a year. He provided a brief overview of activity in several communities and noted some of these communities were water only while others were both water and sewer. He indicated his department was seeing a little uptick now but he didn't want to get too excited because it could just as easily go back down. He reported his department had projected 104 new connections for this year and they were currently at 105.

Mr. Tiller opened the public hearing. There being no individuals wishing to address the Board on this topic, the Public Hearing was closed.

---

IN RE: PUBLIC HEARING – ORDINANCE O-09-15 APPENDIX A – FEES – PUBLIC UTILITIES FEES

County Administrator Rodney Hathaway indicated the items noted in the "Proposed" column of the Ordinance reflected the proposed four percent increase.

Mr. Tiller called for any comments or questions from Board members. There were none.

Mr. Tiller opened the public hearing. There being no individuals wishing to address the Board on this topic, the Public Hearing was closed.

---

IN RE: CLOSED SESSION

Mr. Evelyn moved to go into Closed Session pursuant to Section 2.2-3711A.5 of the Code of Virginia for discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating in the County and Section 2.2-3711A.1 of the Code of Virginia for discussion or consideration of salaries of specific County employees. The members were polled:

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

The motion carried.

Mr. Tiller asked if he could make the announcement of future meetings prior to going into closed session. County Attorney Brendan Hefty indicated that he could.

Mr. Tiller announced the next regularly scheduled meeting of the Board of Supervisors would be held at 6:00 p.m. on Monday, June 8, 2015, and the next work session would be at 9:00 a.m. on Wednesday, May 20, 2015. Both meetings would be held in the Boardroom of the County Admin Building. Mr. Tiller also announced the Board would meet for joint public hearings with the New Kent Planning Commission at 7:00 p.m. on Monday, May 18, 2015 in the Boardroom of the County Administration Building.

The Board went into closed session.

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

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

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

The motion carried.

---

IN RE:           ADJOURNMENT/CONTINUATION

Mr. Davis moved to continue the meeting until 7:00 p.m. on May 18, 2015 when the Board would reconvene in a joint session with the New Kent Planning Commission. The members were polled:

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

The motion carried. The meeting was continued at 9:49 p.m.