

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

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IN RE: CALL TO ORDER

Chairman Tiller called the meeting to order.

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IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

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

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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.

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IN RE: CONSENT AGENDA

1. Approval of Minutes
  - a. June 8, 2015 Business Meeting minutes
  - b. June 24, 2015 Work Session Meeting minutes
2. Miscellaneous
  - a. Acceptance of Clear Stone Drive into the Secondary System of State Highways – Resolution R-19-15
  - b. Emergency Procurement – Robert W. Hayes Co. Inc. – HVAC equipment - \$2,681.43
  - c. Sole Source Procurement – Aqua-Aerobic Systems, Inc. – maintenance services - \$22,530.00
  - d. Approval of Winter Wheat Lane as a new street name
3. Refunds
  - a. \$351.75 to Ryan Homes – Canceled BP#19677-2014
  - b. \$45.75 to Virginia Propane Inc. – Canceled BP#19765-2015
  - c. \$441.99 to Shiflett’s Carpet & Upholstery Inc. – Canceled BP#19816-2015
  - d. \$5,407.67 to Donald L. and Nancy C. Kagey – Erroneous tax assessment
4. FY15 Supplemental Appropriations
  - a. Program income received for FY15 from CDBG Plum Point Grant Participants (June 2015), \$618.00
  - b. Donations for the Animal Shelter, \$927.00
  - c. Sponsorship Revenue to Parks & Recreation: NKYA-Baseball Account, \$2,032.00
  - d. Gifts & Donations to New Kent Fire Rescue, TRUIST, \$42.00
  - e. Utility Funds (Fund 98) to cover additional expenses for Debt Trustee Administration Fees, \$2,650.00

- f. Funds related to the Sheriff's Office Security Detail from New Elam Baptist Church on 5/30/15, (\$255.17), from New Kent Chamber of Commerce for Wine Festival Security and Traffic on 5/9/15, (\$1,500.00) from Chickahominy Recreational Park Inc. MDW 2015 Event, (\$330.66), from The Rotary Club of New Kent – Security Detail for Car Show on 4/11/15, (\$1,198.64), \$3,284.47
- g. Funds from School Operating Contingency Funds to School Textbook Fund, \$100,000.00
- h. 2015 Historical BMP Data Cleanup Grant-15, \$25,000.00
- i. Clerk of the Circuit Court State Technology Trust Fund Funds received in excess of budget, \$5,933.28
- j. Unemployment Compensation Funds, \$1,745.00
- k. DMV Animal Friendly License Plate Sale, (\$520.47) and Spay/Neuter Income Tax Donations, (\$31.35) to the Sheriff's Dog & Cat Sterilization Fund line item, \$551.82

\$42,783.57	Total
\$(13,388.57)	Total In/Out – General Fund (1)
\$(25,000.00)	Total In/Out – Grant Fund (6)
\$(100,000.00)	Total In/Out – Sch Oper Fund (205)
\$100,000.00	Total In/Out – Sch Textbook Fund (206)
\$(1,745.00)	From General Fund – Fund Balance (1)
\$(2,650.00)	From Utilities Fund – Fund Bal (98)

- 5. FY16 Supplemental Appropriations
  - a. Multidisciplinary Team (MDT) Professional Development Scholarship Program Funds from the Federal Office for Victims of Crime for Domestic Violence and Sexual Assault Training, \$4,000.00

\$4,000.00	Total
\$(4,000.00)	Total In/Out – General Fund (1)

- 6. FY16 Carry Forward Appropriations
  - a. Fire-Rescue VML Insurance Recovery Funds Received After Unit 947 was totaled, \$27,583.60.00
  - b. Victim Witness Travel Funds (Convention & Education), \$2,000.00
  - c. Data Networking Infrastructure Funds to Replace Switching Equipment Installed in 2006, \$74,497.30

\$104,080.90	Total
\$(29,583.60)	From Gen Fund Fund Balance
\$(74,497.30)	From Fund 7 Fund Balance

- 7. Interdepartmental Budget Transfers
  - a. County Administrator: From Public Safety Radio Sys-800 MHz to Fed Engineering-On Call Tech Support, (\$100,000)
  - b. County Administrator: From Reserved for Contingency to Richmond Regional Planning Commission, (\$965)
  - c. Administration: From Historic School Campus Renovation to LRG Construction, (\$3,532)
  - d. IT: From Data Center Improvements to MIS Upgrades, (\$85,000)

e. County Administrator: From Reserved for Contingency to Postage (Equalization Board), (\$6.20)

8. Treasurer's Report: Cash as of May 2015, \$31,673,076.77

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.

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IN RE: SMALL BUSINESS CLOSE UP

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

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IN RE: RECOGNITION OF JENNIFER MURRAY, PRESIDENT OF LASERTOMA

Mr. Tiller read and presented a copy of Resolution R-20-15, previously adopted by the Board of Supervisors on June 24, 2015, to Jennifer Murray recognizing her service as a member of Bottom of the Bridge LaSertoma and Shore to Shore LaSertoma, her service as President of LaSertoma International since August 2014 and various other civic accomplishments. Ms. Murray spoke about the mission of LaSertoma (Leaders in Service to Mankind) on both the local and international level. She noted that helping the community was the focus of this organization and reported that scholarships and the annual Christmas Mother program were among the many local activities sponsored by LaSertoma. She closed her remarks by thanking the Board for this honor.

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IN RE: RECOGNITION OF SHERIFF F.W. "WAKIE" HOWARD, JR. BY THIRD DISTRICT SENATOR THOMAS K. NORMENT

County Administrator Rodney Hathaway announced this item had been pulled from the agenda and would be rescheduled for a future meeting.

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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 primary route mowing had been completed for a second time and specialty mowing for a third time this year. Litter pick up, pothole repairs and pipe and ditch cleaning had also been a focus. Mr. Baker also reported beavers continued to be an issue and fifteen beaver dams posing a danger to roadways had recently been removed. Weather permitting, pothole repairs and pipe and ditch cleaning would continue over the next thirty days.

Mr. Baker reported the Route 249/Route 612 roundabout project contractor had been declared in default and VDOT had been in touch with the contractor's surety to determine how to complete the project. He also reported work was planned on I-64 bridges over the next several months and would impact both east and west bound lanes. Various lane closures would be necessary and most of the work would be occurring under the bridges. Mr. Baker also reported surface treatment had been completed on Route 607, 619, 628 and 647. I-64 ramp pavement restoration work from MM 205.6 to 209 was scheduled to begin on July 12<sup>th</sup> and the I-64 eastbound paving project had restarted on June 14<sup>th</sup>.

Mr. Davis reported he had witnessed a number of vehicles passing in unsafe zones and asked when the striping work would be done on Route 273 (Farmers Drive). Mr. Baker indicated he had also been asking that question and had not been given any answer. Mr. Davis pointed out "No Thru Truck Traffic" had been posted for Farmers Drive for a number of years and asked if this could also be extended to include large campers and motor homes. He reported there had been an increase in the number of these vehicles using Farmers Drive and felt they were just as dangerous as the big trucks. Mr. Baker indicated he wasn't sure but would check. Mr. Davis also reported there were a number of areas along Good Hope Road where trees were hanging into the roadway and asked Mr. Baker to see what could be done to make the road safer. He closed his remarks by thanking Mr. Baker and VDOT staff for the good job they had been doing.

Mr. Burrell reported a pothole in the southbound lane of Route 33 in Eltham. He noted the hole appeared to be relatively small but in fact was a deep depression. Mr. Burrell also noted he had previously reported the ditch located across the street from the former VDOT headquarters at Stage Road and Route 33 was filled with soil and causing water to run onto the roadway. He indicated this situation appeared to be getting worse and suggested a clogged pipe under Route 33 may be adding to the problem.

Mr. Evelyn indicated it was his understanding the speed limit had been raised back up to 55 MPH through the Route 249/Route 612 roundabout construction zone. He noted he understood Mr. Baker was just the messenger and he also understood VDOT was frustrated with the contractor. He pointed out there had been no activity on this project for several months and indicated he believed VDOT had known the contractor had pulled out of the project but had not followed through and notified the County. He voiced his frustration over the lack of communication between VDOT and the County and noted he would like to be able to keep constituents better informed. He suggested County citizens would appreciate a more open line of communication. He reported he had also received a call suggesting the traffic cones in the construction zone were blocking vision and asked if they could be removed. Mr. Evelyn noted he had previously spoken with Mr. Baker regarding a ditch problem along property owned by Mr. Wayne Samuels on Henpeck Road but there had been no funds available to correct that problem at that time. He pointed out Mr. Samuels was in the audience and asked Mr. Baker to please get the property address and look into what could be done. He thanked Mr. Baker and VDOT staff for the brush clearing recently completed along Talleyville Road.

Mr. Stiers pointed out the New Kent Transportation Safety Commission would be meeting in a few days and asked Mr. Baker if he would be attending. Mr. Baker indicated he would be present. In the interest of saving time, Mr. Stiers suggested he would hold his comments until the Commission meeting.

Mr. Tiller reported he had two areas of concern to report one of which was shrubbery overgrowth along the Samuels' property on Henpeck which was previously mentioned by Mr. Evelyn. He indicated he had noticed the shrubbery had been trimmed when he had

recently passed by the property. He also reported he had received a call regarding a fallen tree which had been cut from the road but remained on the shoulder on Pinehurst Drive in the Five Lakes subdivision.

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IN RE: CITIZENS COMMENT PERIOD

Chairman Tiller opened the Citizens Comment Period.

Mr. Paul Willard, a Providence Forge resident, spoke in support of the proposed Bottoms Bridge Overlay. Mr. Willard indicated he had lived in many places across the United States and had seen both good and bad development and suggested the question before the County was "what type of development do we want in New Kent County?" He noted businesses were coming to New Kent County because they believed they would be profitable. He suggested the citizens wanted these businesses in the County, the services they would be able to provide, the tax revenue they would generate and the jobs they would create. Mr. Willard pointed out the County was currently using tax payer money to encourage businesses to do better development than required by County Code. He suggested that New Kent should make better development a requirement and suggested the County needed and wanted this quality type of development not only in Bottoms Bridge area but also throughout the entire County. He noted the importance of being forward thinking and encouraged the Board to vote for the Bottoms Bridge Overlay and to use taxpayer money to encourage existing businesses to improve their appearance.

Mr. Wayne Samuels, a Quinton resident, addressed the Board regarding the road frontage at 4315 Henpeck Road. He thanked Mr. Tiller and VDOT for the response to the overgrowth on the banks in front of his property. He indicated VDOT had cut the shrubbery and smaller brush from the property but a more serious issue was the trees that were hanging from the banks into the VDOT right-of-way making it very difficult to exit the road. He noted he had a special needs child who was being transported to school by a bus provided by New Kent County Public Schools transportation. He indicated the transportation department had expressed concerns regarding these trees on a number of occasions. He asked that VDOT come back and revisit these concerns. He pointed out VDOT's right-of-way was fifteen feet from the center line of the roadway and, although these trees were growing beyond the fifteen feet, they were hanging into the right-of-way. He noted this area was a hazard not only for himself but also for the school bus exiting his property and indicated he would appreciate anything that could be done to improve the safety.

Mr. Jonathan Edmonds, a Lanexa resident, spoke against County Code Section 46-52 which prohibited water skiing on Chickahominy Lake. Mr. Edmonds suggested there were no state laws, Game and Inland Fisheries or Newport News Waterworks regulations which restricted access to the Lake. He indicated it was legal for him to drive his ski boat anywhere on the Lake but if he were skiing, he could be charged with a Class 4 misdemeanor. He pointed out Chickahominy Lake served as the New Kent/Charles City County line and suggested because the Code did not state it applied to certain areas of the Lake or only to individuals launching from the New Kent side, it also restricted the residents of Charles City from skiing on the Lake. Mr. Edmonds noted this was not a private lake with a property owners association with the authority to govern activities on the Lake. Mr. Edmonds asked why New Kent County thought it was okay to take away the freedom of the general public and what had the County gained by making skiing illegal. He suggested there was no logical reason to continue this prohibition and asked the Board to begin the process of ending this ordinance.

Mr. Daniel Moore, a Quinton resident, also spoke against County Code Section 46-52 prohibiting water skiing in the upper section of the Chickahominy River, a body of water which he suggested contained over 1,000 skiable acres with more than two miles of water up river from Walker's Dam being skiable. He questioned the County's authority to restrict the right to water ski and suggested the language in 46-52 was discriminating and dated. He suggested the general public opinion was "the ordinance is unusual and is not within New Kent County's authority to impose a restriction on a legal activity on a public body of water." He noted ski boats, just as all other boats, were taxable assets in the Commonwealth and asked why were boaters who preferred to water ski being discriminated against in New Kent County. Mr. Moore suggested if the ban were logical on the Lake, it should be applied to other sections of river as well. He suggested there would be no incentive for the County to impose similar restrictions on other sections of river because the County would have nothing to gain. In closing, Mr. Moore noted all County residents were paying taxes, not just those owning land adjacent to public bodies of water in the County. He suggested "despite the feelings of certain people, it is not anyone's place to restrict water skiing." He thanked the Board of listening to his comments and those of Mr. Edmonds and asked why the County should restrict water skiing in the upper Chickahominy.

Mr. Burrell suggested the Board may want to look into this and see if the fact the Chickahominy Lake is a part of the Newport News water supply had anything to do with the restrictions.

Mr. Davis noted Mr. Edmonds and Mr. Moore had been in touch with him and he had suggested they put their grievance out in the public by speaking to the Board. He suggested the Board should look into this and noted this ordinance had been enacted in 1979, long before any of them had begun serving as Supervisors. He also noted they had not been aware of the ordinance until it had been brought to their attention. He thanked Mr. Edmonds and Mr. Moore for speaking and suggested the County Attorney would be asked to look into the facts.

Mr. Stiers asked why it made a difference if you were fishing or skiing if having a gas motor on the Lake was already allowed. Mr. Burrell asked for clarification as to the use of gas motors on the Lake. It was noted gas motors were allowed on the Lake but water skiing was not permitted. Mr. Stiers indicated he didn't see much difference in allowing skiing if gas motors were already allowed on the Lake. Mr. Burrell noted, as Mr. Davis had earlier, the Board had not been aware of this ordinance and he suggested they needed to find out why it had been put in place. Mr. Moore approached the dais and presented papers to Mr. Burrell which he suggested would answer this question.

Mr. Tiller thanked those who had spoken for their comments. There being no other individuals wishing to address the Board, the Citizens Comment Period was closed.

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IN RE: NEW KENT PARKS AND RECREATION PRESENTATION

New Kent Parks and Recreation staff including Director of Parks and Recreation Kim Turner, Park Operations Supervisor Jason Baldwin and Recreation Programmer Robyn Smith, presented an overview of the department. Ms. Turner announced this was National Parks and Recreation Month and this year was the fifteenth anniversary of having a Parks and Recreation program in New Kent County. Ms. Turner introduced Ms. Smith and noted she was the newest member of the Parks and Recreation staff. Ms. Smith shared her excitement about her new position and thanked the Board for the opportunity to serve the citizens of New Kent County by providing them with quality recreational activities.

Ms. Turner noted the Board had been provided with copies of her presentation and, in the interest of time, she would be moving through the presentation quickly. The presentation included a brief history of Parks and Recreation in New Kent County as well as information on current staffing and a summary of the results of the 2015 Annual Survey. Approximately 200 households had responded to the survey with 81% or higher of responders indicating satisfaction levels were either good or very good. Ms. Turner noted youth programs continued to grow and growth had also been seen in senior adult participation. She reported 84 percent of responders had noted a good or very good satisfaction level with the affordability of the programs offered. Ms. Turner pointed out making money was not an objective of Parks and Recreation and fees were set at levels designed to cover actual costs. She also reported on the Before and After School and Summer Camp programs and noted 98% of Before and After School participant responders and 100% of Summer Camp participant responders had given the programs good or very good ratings. Ms. Turner noted responses regarding parks and facilities indicated most people were happy with the County parks and facilities. She pointed out areas which had been cited as in need of improvement and indicated these suggestions had been built into the department's operational plan.

Ms. Turner indicated her department was working on the HVAC for the Historic School gym and suggested an RFP would be out in a few months. She noted development at Pine Fork Park would be phased and the County was currently waiting for an answer regarding grant funding for this development. Once complete, development plans for this park would be presented to the Planning Commission and the Board of Supervisors for approval. Ms. Turner also reported the Department had received a 99% satisfaction rating on its customer service and was constantly looking for ways to improve its programs and facilities. She closed her presentation with a summary of future plans for the department including a departmental organization review, a review of statewide trends and a commitment to technology, strategic positioning and collaboration. Other areas of focus would include a review of the department's mission, vision and purpose, the development of a strategic plan for 2015-2020, the creation of departmental standards, additional review and development of park and facility master plans and production of the Parks and Recreation Annual Report.

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IN RE:           BOTTOMS BRIDGE OVERLAY DISTRICT – ORDINANCE O-07-15

Before the Board for consideration was Ordinance O-07-15 requesting that the Bottoms Bridge Corridor Overlay regulations be added to Article XXVIII of the New Kent County Code.

Community Development Director Matthew Smolnik provided some history on the proposed Bottoms Bridge Corridor Overlay regulations. He noted this ordinance had been in the works for several months and the Board of Supervisors had held a public hearing at the June regular meeting. Mr. Tiller had also held several public meetings since that time to gather additional comments from the public and, as a result, an amendment was being proposed to Section 98-1069(b)(2) to allow roof signs in some cases. Mr. Smolnik reviewed the details of the amendment and noted copies of the amended document had been provided. Mr. Smolnik indicated he had been in contact with County Attorney Jeff Gore and had confirmed that because the revised language was less restrictive than the original language presented at the public hearing, it would not be necessary to conduct another public hearing. Mr. Smolnik recommended the Board approve Ordinance O-07-15 as presented and make it effective immediately so the Planning Department could go forward with processing site plans under these new guidelines.

Mr. Evelyn noted the provisions in Section 98-1069(a)(4) indicated large work area doors or open bays could not open toward or face the public right of way. He asked what would

happen if a business such as Car Pool wanted to locate in New Kent. Mr. Smolnik noted there was a process in place in Section 98-1071 to allow for exceptions and applications for such exceptions would be reviewed by the Planning Commission who would then forward recommendations to the Board for consideration. He suggested in a world of transparency, it was best that requests for exceptions be handled in a public forum. Mr. Smolnik noted it was difficult to write an ordinance for every business and parcel in the County and this ordinance had been written to create avenues for exceptions for certain businesses.

Mr. Evelyn asked if Mr. Smolnik would describe for the public the area to be included in the Bottoms Bridge Overlay District. Mr. Smolnik cited Section 98-1067 which described the district boundaries as "all lands within five-hundred feet on each side of the following arterial rights-of-way: State Route 249 (New Kent Highway) from State Route 613 (Dispatch Road) to State Route 60 (Pocahontas Trail) and State Route 60 from State Route 1232 (Magnolia Woods Lane) to the Henrico County boundary line.

Mr. Davis noted the biggest concern he was hearing was there would be some movement to impose these regulations on other parts of the County. He indicated he felt this was a good ordinance for the area in which it was to be imposed but he was hearing constituents were concerned about this possibly going countywide. Mr. Davis asked Mr. Smolnik what other overlay districts were in place in the County. Several other overlay districts were noted including the Route 33 Overlay District from the Route 249/Route 30 intersection to I-64 and the Route 155 Overlay District from I-64 to Minitree Branch. County Administrator Rodney Hathaway noted there was also an overlay district in place in Plum Point. Mr. Davis pointed out the Plum Point Overlay District was different because it was residential. He asked if the Route 33 and Route 155 overlays had ever come into play. It was noted the Route 33 overlay had not come into play and much of the property in the Route 155 overlay was part of a Planned Unit Development (PUD) which was subject to its own design criteria. Mr. Davis again noted the biggest concern he was hearing was these regulations would eventually be applied to the entire County and only big box stores would be able to afford to open a business. He again noted that he liked the area the proposed overlay district would encompass and asked if there would be any additional public hearing time.

Mr. Tiller indicated there would be no additional public hearing time on this topic. He noted that several community meetings had been held to gather more information from residents and businesses and he had found that most were in support of the proposed overlay district and, although a few had asked why not apply this to the entire County, most did not want the entire County to be included.

Mr. Evelyn noted he too was concerned about these regulations being applied to the entire County. He indicated he felt he could support the overlay in the Bottoms Bridge area because the feedback he had received from constituents had been positive. He suggested Mr. Tiller had gone out of his way to meet with residents in the area and the feedback had been positive. Mr. Evelyn noted his support for this type of development at the Bottoms Bridge end of the County and stated he did not want the Planning Department to come back in six months asking to have this extended to the entire County.

Mr. Burrell noted he was pleased to see that previously expressed concerns regarding roof signs had been taken into consideration.

Mr. Stiers agreed with Mr. Davis and Mr. Evelyn and indicated the constituents in District Four didn't mind some guidelines but did not want a bunch of restrictions. He indicated he had attended the community meetings in Mr. Tiller's district and 95% of the constituents, business owners and developers were supportive of the proposed overlay. He suggested



that if constituents in the overlay area were in support, he was on board but noted this was not something he wanted to see throughout the County. Mr. Stiers noted he had a question regarding Section 98-1069(a)(1) and nationally recognized or trademarked colors or logos. He pointed out McDonalds was known for its bright red and yellow colors and asked if a hypothetical business was to open in the area and want to use bright red and yellow as their colors, would they be denied because they were not a national firm and if so, would it be legal. County Attorney Bill Hefty noted he thought it would be legal and the intent was that businesses with nationally recognized colors or logos would be approved. Mr. Davis asked what would happen if it was regionally and not nationally recognized. Mr. Hefty pointed out the proposed ordinance referenced "nationally recognized" and because this would not be nationally recognized, it would not be approved. Mr. Stiers noted this did not seem fair to him. Mr. Hefty suggested this would be one of those areas that could be handled as an exception. Mr. Smolnik noted the exception process would not cost the developer any more money and the process could run concurrently with the site plan with the five members of the Board being the ultimate decision makers. Mr. Evelyn noted he was pleased to see decisions such as this would come back to the Board.

Mr. Burrell moved to adopt Ordinance O-07-15, with recommended amendments to Section 98-1069(b)(2) regarding roof signs, in order to address, protect, and promote public convenience, necessity, general welfare, and good zoning practices in the County and the health, safety, and general welfare of the citizens of the County. The members were polled:

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

The motion carried.

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IN RE: NEW KENT COUNTY PUBLIC SCHOOLS – TENNIS COURTS ENGINEERING

New Kent County Public Schools Superintendent Dr. David Myers thanked the Board for the opportunity to share an update regarding the proposed tennis court project. He noted he had come before the Board several times in regard to this topic and cost concerns had been expressed on several occasions. He reported a request for bids for architectural and engineering services had been issued and the lowest bid of \$23,900 had been submitted by SilverCore which was much lower than the original \$64,000 estimate. He indicated it would take approximately thirty days for the engineering work to be completed at which time a more accurate cost of site work could be obtained. He noted the School Board had a good estimate of the cost of the tennis courts and the only unknown at this point was the cost of the site work. He indicated it was the School Board's hope to have the courts completed prior to the winter. Dr. Myers requested the Board appropriate \$23,900 in school set aside funds for architectural and engineering services.

Mr. Evelyn moved to authorize the expenditure of \$23,900 in Capital Funds for engineering services to be provided by SilverCore in preparation for tennis courts to be built at New Kent High School. Mr. Tiller asked the Supervisors if there were any comments.

Mr. Stiers indicated he wished to comment and asked if it was correct that if the Board was going to spend \$24,000 then they were going to build tennis courts. Mr. Stiers asked if these funds would come from the original \$300,000 estimate for the project. Dr. Myers noted he did not have a final price on the project because site work costs were still

unknown. He noted this was a project all parties had agreed to pursue and the focus was now on getting it built for the best price and in the best location. Mr. Evelyn indicated the Board would only support the project if the price was reasonable. Mr. Stiers noted he was not in favor of spending \$24,000 and then possibly deciding not to build the courts. Dr. Myers noted again that it was difficult to determine the project cost without knowing the site work cost. He pointed out parking and lighting would already be available and there would be no additional road cost at the selected location.

Mr. Evelyn asked Dr. Myers to explain the location of the courts for the public's information. Dr. Myers indicated the courts would be built in front of the high school to the east side of the property. He noted he would come back to the Supervisors once site work and storm water management information was available. He also noted a decision would need to be made as to whether it would be better to have the tennis court vendor do the site work and then build the courts or to have this work done by separate contractors. He stressed that they would be looking for the best cost.

There being no other comments or questions, 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 called for a recess at 7:25 p.m. The Board reconvened at 7:35 p.m.

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IN RE: PUBLIC HEARING – PARENT CHILD DEVELOPMENT CORPORATION LEASE

Before the Board for consideration was a Lease Agreement between New Kent County and Parent Child Development Corporation (PCDC) – Head Start for the purpose of operating the New Kent Head Start Program in facilities located at the Historic School.

County Administrator Rodney Hathaway noted PCDC had been running the New Kent Head Start Program for a number of years and wished to continue leasing space at the Historic School. The proposed lease included use of a 630 square foot classroom and access to common areas including restrooms and the open atrium near the gymnasium. This would be the third year the New Kent Head Start Program would utilize these facilities. Mr. Hathaway noted this was a one year lease and the County was required by Code to conduct a public hearing.

Mr. Stiers asked if there were any changes to the lease from the previous year. Mr. Hathaway indicated there was one change which was in regard to insurance. The lease now required the tenant to provide proof of personal injury insurance. PCDC had always carried personal injury insurance although it had not been formally included as a requirement in the lease. All other provisions of the lease remained the same.

Mr. Evelyn asked how the rental of this space was impacting Parks and Recreation. Director of Parks and Recreation Kim Turner indicated there was no real impact to Parks and Recreation. She did note there were occasional parking issues which were more a facilities issue than a Parks and Recreation issue.

Mr. Tiller opened the public hearing. There being no individuals wishing to speak, Mr. Tiller closed the public hearing.

Mr. Davis moved to approve the proposed lease between New Kent County and Parent Child Development Corporation for the purpose of leasing space at the New Kent County Historic School to operate the New Kent Head Start program. 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.

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IN RE: PUBLIC HEARING – RAPPAHANNOCK COMMUNITY COLLEGE DEED OF LEASE

Before the Board for consideration was a proposed lease between New Kent County and Rappahannock Community College (RCC) for 6,230 square feet of classroom and office space located in the New Kent Historic School building for the purpose of operating a satellite community college campus.

County Administrator Rodney Hathaway expressed excitement over the possibility of having RCC open a satellite campus in the County. He provided the Board with a brief overview of the lease terms and noted, if approved, this would be a five-year lease for the Historic School space which was most recently renovated and the lease would include two five-year renewal options. He pointed out the annual lease rate would be \$65,415 which would equate to \$10.50 per square foot which was consistent with the lease market in the County. Mr. Hathaway noted two RCC representatives were present and indicated he would ask them to introduce themselves and share additional information on their plans for the facility. He also pointed out RCC would like to begin classes for the fall semester in August and courses had been advertised in local papers. He further noted there had been an agreement to make a minor amendment to language in Section 16 – Option, Termination, Renewal and Holdover which would require a revision to the recommended motion before the Board. The Board had been provided with copies of the amended motion.

Mr. Evelyn indicated he wished to clarify the nature of the amendment of which Mr. Hathaway had spoken. He noted the amendment was to remove the six-month notice of termination clause. County Attorney Bill Hefty pointed out, as the lease had been originally written, it allowed either party to terminate the lease at any time for convenience by providing a minimum of six months' written notice. With this clause removed, the lease would be a five-year lease which could only be terminated for cause. Mr. Evelyn suggested this was a sign of RCC's long-term commitment to establishing a campus in New Kent.

RCC Vice President of Finance and Administration Mr. Kim McManus introduced himself and RCC Vice President of Instruction and Student Services Dr. Donna Alexander. Mr. McManus indicated RCC was very excited about coming to New Kent and was looking forward to a long-term relationship with the County. He indicated Dr. Alexander would speak in regard to the programs to be offered and he would be happy to answer any questions the Board may have in regard to the lease.

Dr. Alexander reported RCC had met with some of the constituents and had a very good relationship with Dr. David Myers and New Kent County Public Schools. Planned initial

course offerings included transfer courses, nursing, emergency medical services and heating and air conditioning. Dr. Alexander indicated RCC would welcome other course suggestions from the Board as well.

Mr. Burrell expressed his excitement over this proposal and asked if course offerings would be day or evening. Dr. Alexander indicated both day and evening courses would be offered. Mr. Davis also noted he was excited and suggested perhaps an open house could be held a few weeks before the official opening to stir up additional interest in the community. Dr. Alexander indicated RCC was planning to host such an event. Mr. Davis indicated he had some future curriculum ideas which he would share with Dr. Alexander at a later time. Mr. Stiers agreed with Mr. Davis and noted he too was excited to have RCC in the County. He pointed out County citizens would have another option to expensive college education and suggested the County would welcome RCC with open arms. Mr. Evelyn also expressed his excitement and noted he was pleased to see that a facility which had always been intended to be a school was now going to be used as a school again. Dr. Alexander suggested the County had done a beautiful job of renovating the building and also noted Mr. Hathaway had been wonderful with helping them to get to this point.

Mr. Tiller opened the public hearing. There being no individuals wishing to speak, Mr. Tiller closed the public hearing.

Mr. Davis indicated he would abstain from voting on any motion in regard to the RCC lease. (Mr. Davis has a relative serving on the RCC Board of Directors.)

Mr. Burrell moved to approve the proposed lease between New Kent County and Rappahannock Community College for the purpose of operating a community college facility at the New Kent Historic School building and to approve the deletion of the provision allowing either party to terminate the lease at any time for convenience by providing a minimum of six months' notice. The members were polled:

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

The motion carried.

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IN RE: PUBLIC HEARING – NEW KENT AVIATION LEASE RENEWAL

Before the Board for consideration was a lease between New Kent County and New Kent Aviation, LLC for the purpose of operating a business providing a variety of aviation services in facilities located at the New Kent County Airport.

Airport Manager Duane B. Goss noted New Kent Aviation was requesting the Board approve the renewal of their lease for the County Maintenance Hangar and Maintenance Office located at the New Kent County Airport. He pointed out this was a two-year lease renewal with the option to renew annually for an additional three years. He asked the Board to consider approving the renewal of this lease. The proposed area to be leased included 5,400 square feet of maintenance hangar space and 166 square feet of office space.

Mr. Burrell indicated he had heard Mr. Goss was doing a great job at the airport. He pointed out the citizens of New Kent County were paying only a fraction of the total cost to operate

the airport and the federal government was covering the remainder. He also pointed out there were limits to the airport's ability to provide services because of the length of the runway. He added that most users and hangar renters were not New Kent residents and noted he would like to see the federal government relieve New Kent County of its financial responsibility to the airport and turn the property over to the County. He suggested the airport appeared to be more of a hobby airport and was not serving the citizens of New Kent. He indicated he was not going to vote against the lease but would like the Board to take a serious look at what could be done because it was costing the citizens. Mr. Goss indicated he understood Mr. Burrell's concern for the tax payers in the County.

Mr. Davis noted the lease contained an escalator clause on the monthly base rent and asked Mr. Goss how often in the past year had this clause come into play. Mr. Goss indicated this clause had not come into play in the past. He noted that for the past five years the goal of the County and New Kent Aviation had been to get the business to a level where they would be contributing to the County at fair market value for the space utilized. He suggested New Kent Aviation had the potential to expand their business in 2016 by taking on outside aircraft maintenance. Maintenance work had only involved flight school aircraft in the past but this expansion would allow them to increase their revenue and ultimately increase revenue to the County. Mr. Davis suggested the New Kent County Airport would not only be a filling station but also a service station. Mr. Goss agreed and indicated that was the goal.

Mr. Tiller opened the public hearing. There being no individuals wishing to speak, Mr. Tiller closed the public hearing.

Mr. Evelyn moved to approve the proposed lease between New Kent County and New Kent Aviation, LLC for the purpose of operating a business providing a variety of aviation services in the specified facilities located at the New Kent County Airport. 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.

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IN RE: PUBLIC HEARING – ORDINANCE O-12-15 REZONING TAX MAP PARCEL 31-2F – SHARON TRAYLOR (APPLICATION ZM-01-15)

Before the Board for consideration was Ordinance O-12-15 requesting the rezoning of Tax Map Parcel 31-12F belonging to Sharon Traylor from A-1, Agriculture to R-1, Single Family Residential.

Planning Manager Kelli Le Duc reported Mrs. Sharon Traylor had requested the rezoning of approximately 2.75 acres of land from A-1, Agriculture to R-1, Single Family Residential. The subject property was located at 5400 Pocahontas Trail near the intersection of Route 60 and Route 106. She noted the purpose of Mrs. Traylor's request was to allow her property to be subdivided in order for her son to obtain a lot and build a house. Ms. Le Duc noted the minimum acreage required for a family subdivision in A-1 zoning was six acres which meant this would not be an option. She also noted the Board had been provided with copies of a Proffer Statement from Mrs. Traylor indicating that Tax Map Parcel 31-12F could not be subdivided into more than two lots for a maximum of two single-family homes. Ms. Le Duc noted the County's Future Land Use Map designated the subject property as "Rural

Lands” and pointed out the area around this intersection was home to a number of businesses as well as a recently approved R-1 subdivision known as Baylor Grove. The subject property was directly south of and adjacent to Baylor Grove. Ms. Le Duc noted the new lot to be created for Mrs. Traylor’s son would be near the rear of the parcel, would not be visible from Route 60 and would not change the rural nature of the area. Staff recommended the approval of Application ZM-01-15 and the associated Proffer Statement. The Planning Commission had considered this application on June 15<sup>th</sup> and had voted to forward this request to the Board with a favorable recommendation. Ms. Le Duc pointed out Mrs. Traylor was in the audience and wished to also address the Board.

Mrs. Traylor addressed the Board indicating she had gone to the zoning committee which had no problems with what she was requesting. She stated she had one son and she wanted him to live next to her on some of her extra land. She emphasized the fact that she only wanted her house and a house for her son on the property and the property would not be subdivided any other way. She indicated she saw no impact to the County and offered to address any questions.

Mr. Davis asked Mrs. Traylor if the option of a mother-in-law suite or guesthouse had been considered. Mrs. Traylor indicated she had considered this option. County Administrator Rodney Hathaway indicated the problem with the guesthouse option was the size requirement. Current ordinance would not allow a guesthouse to be larger than 25% of the primary structure located on the property. Mr. Hathaway indicated he was not sure of the size of the primary structure in this particular case but this size limitation could cause some challenges. As an example, Mr. Davis cited a hypothetical parcel with a primary structure 2,000 square feet in size and noted a guesthouse on this parcel could be no larger than 500 square feet. He suggested this was about the size of what could be built above a garage and noted he believed this had been the original intent of the ordinance.

Mr. Tiller asked if there were any additional questions for Mrs. Traylor. Mr. Evelyn indicated he had no questions for Mrs. Traylor but did have several questions for staff. He indicated he had asked Mr. Kenneth Vaughan in the Planning Department to pull up the topography map on this parcel and display it on the meeting monitors. Mr. Evelyn asked Ms. Le Duc for clarification as to how the Traylor property was adjacent to Baylor Grove. He pointed out the cul de sac located at the end of Baylor Grove Court provided access to four lots and a larger unnumbered parcel of land located behind those lots and adjacent to the Traylor property did not appear to have access through Baylor Grove. Ms. Le Duc indicated she was not sure if the larger parcel was a part of Baylor Grove and would have to pull the subdivision plat to be sure. She pointed out the Traylor property was adjacent to land which was zoned R-1 and noted the entire area was designated as “Rural Lands” in the Comprehensive Plan. She agreed with Mr. Evelyn that there appeared to be no access to the unnumbered parcel and suggested there may be an easement in place which would be depicted on the subdivision plat.

Mr. Burrell asked Mrs. Traylor if access to her property was from Baylor Grove or from Route 60. Mrs. Traylor indicated her access was from Route 60.

Mr. Davis asked for the setback requirements for A-1 land. Ms. Le Duc indicated the setback was 75 feet from the front which was where Mrs. Traylor’s home was located. Mr. Davis asked if a 75 foot setback was required on all four sides. Mr. Hathaway indicated the 75 foot setback was only for the front, side setbacks were 25 feet and the rear setback was 50 feet.

Mr. Evelyn drew attention to the topography map provided by Mr. Vaughan. Mr. Burrell, questioning the suitability of the property, pointed out the lines on the map suggested the property contained some steep slopes. Ms. Le Duc noted Mrs. Traylor had been working with surveyors and it had been determined the building site for a second home would need to be to the rear of the property and most likely accessed by a shared driveway. There was some discussion regarding a possible RPA (Resource Protection Area) on the property. Ms. Le Duc asked if Mr. Evelyn's questions had been answered and he indicated he would still like to know the owner of the large unnumbered parcel. Community Development Director Matthew Smolnik noted the County GIS maps did not show an RPA on the property and any work would need to be delineated should there be any features found on the property. Discussion regarding access to the large unnumbered parcel continued. Mr. Evelyn noted staff had said the property was adjacent to Baylor Grove and he did not believe the map provided indicated that to be true. Discussion continued regarding the R-1 zoning of the properties in the area and Ms. Le Duc again indicated the Traylor property was adjacent to property zoned R-1. Mr. Evelyn pointed out the documents provided stated, "the subject property is directly adjacent to Baylor Grove." Mr. Smolnik pointed out the north-west corner of Mrs. Traylor's lot touched the south-east corner of a Baylor Grove lot. In response, Mr. Evelyn pointed out there was no stub road providing access to the lot through Baylor Grove. Ms. Le Duc noted it was not the intention of the Traylor's to use the Baylor Grove roads for access. Mr. Smolnik noted the access point would be from Route 60 and there was no intention to use any access points through Baylor Grove. He noted as Ms. Le Duc had previously stated, the property was directly adjacent to R-1 which was what Mrs. Traylor was requesting. Mr. Smolnik offered to pull the subdivision plat to provide additional information. The Board agreed that he should do so.

Mr. Tiller opened the public hearing on Ordinance O-12-15.

Mr. Eddie Wood, a Providence Forge resident, addressed the Board in opposition of Mrs. Traylor's rezoning application. Mr. Wood indicated his property was located directly across the street from the Traylor property and he had several questions about the rezoning application. Mr. Wood noted he did not understand how someone who had complained and appeared before the Board in opposition to his request for rezoning to have a body shop and salvage yard located next to his home "would want to bring more of their family into this terrible situation by putting another house across the street". Mr. Wood also questioned that if the property were subdivided would Mrs. Traylor's son actually get the lot or would she sell it to another individual. He expressed concerns that an access road to the second lot could result in runoff problems at his daughter's home across the street. Mr. Wood was also concerned that the Traylor's had taken two parcels of land and had combined them to be able to get a tax break and now they wanted to divide the property so that it could be used as residential. He pointed out that although the Traylor's had said they wanted to divide the property just one time, no one knew how many times they would divide it. He suggested he did not have much confidence in what the people he lived across the street from had to say. He noted that he, his son who ran the body shop across the street and his daughter who lived across the street were totally opposed to the rezoning. He also noted he had talked with several other people (he specifically cited E. P. Binns) who owned property in the area who were also opposed to the rezoning. He asked the Board if they were going to allow a piece of agricultural property to be rezoned to R-1 just because the property was adjacent to R-1 property. He suggested that if this were the case, he could go out and buy properties all over the County which were A-1 and adjacent to residential property and have it rezoned and then subdivided. He suggested this was not a standard practice he thought the Board wanted to have in the County and suggested it should be stopped.

Mr. E. P. Binns, a Providence Forge resident, also addressed the Board in opposition to Mrs. Traylor's rezoning application. Mr. Binns indicated he was the owner of 5.7 acres on the west side of the Traylor property. He suggested there was a 25 to 30 percent (degree) slope up the hill to get to level ground. He noted his main objection to Mrs. Traylor's plan was that in his opinion it was a poor location for a house. He suggested the gravel had been mined at the site of Mrs. Traylor's house and there was a bank dropping off 25 to 30 feet from the top of the hill down to the level of Mrs. Traylor's home. He suggested that a driveway from her home up to her son's home would be very steep. He indicated he had no other comments other than he objected to Mrs. Traylor's plan because he felt it was a poor site for a house.

Mrs. Traylor indicated she wished to address the Board again. She pointed out she had lived in the County for 35 years and had never come before the Board to ask for anything. She noted this rezoning was very important to her and agreed that some of the land was not ideal for everything. She reported that surveyors had been on the property to determine the best location for a driveway and had determined there may be a better way than connecting to her driveway. She indicated she had never had any bad words with any of her neighbors nor did she intend to have any. She stressed the fact that she only wanted one house on the other property for her son. She noted the surveyors had determined there was a reasonable amount of good land. She agreed there were some steep grades which were now covered with vegetation and noted her plans included cutting down no more trees than would be necessary. She noted the trouble her neighbor had with her husband, who was now deceased, was with her husband. She asked the Board to please not penalize her for her husband's outspokenness. She suggested that her neighbor had been very hostile to her husband and her husband had been hostile back and the disagreement between them had not included her or her son. She noted she was 71 and asked the Board who wouldn't want their son or daughter to live next to them. She noted she had property and she would like to subdivide it one time and she had sworn that was all she was going to do.

Mr. Smolnik had returned to the meeting with additional information on Baylor Grove. He noted Ms. Le Duc's statement that "the subject property is directly adjacent to Baylor Grove" was correct. He pointed out the large unnumbered parcel in question earlier was Parcel 31-19B, which contained open space for Baylor Grove, was zoned R-1 and was a part of the Baylor Grove subdivision.

Mr. Evelyn cited the 5.7 acres owned by Mr. Binns which was zoned A-1 and asked if Mr. Binns approached the Board for a rezoning to R-1 how many lots would he be able to get and what would be the basis for approval. He noted he understood Mrs. Traylor's situation but from a whole-county standpoint wanted to know how many lots he could get. Mr. Smolnik noted the minimum lot size would be 20,000 square feet and deductions would be necessary for right-of-ways. Mr. Burrell also noted if the property were not served by public utilities, health department well and septic restrictions would reduce the number of lots. Mr. Smolnik also pointed out soil conditions on the property would be a factor; if only two perk sites were found, there could be only two lots regardless of the total acreage. He added the number of lots was not strictly based on acreage and again pointed out there were other factors which would dictate the number of lots. Mr. Evelyn noted he understood this but was concerned about the precedent.

There being no other individuals wishing to speak, Mr. Tiller closed the public hearing.



Mr. Burrell noted he had an additional question for the County Attorney and asked if the proffers offered by Mrs. Traylor would go with the land regardless of ownership. County Attorney Bill Hefty indicated the proffers would go with the land.

Mr. Davis indicated he sympathized with Mrs. Traylor and her situation but noted he felt the Planning Commission and staff had let the Board down in this regard and suggested he could go out and easily find 100 parcels to which this would apply. He indicated he did not think the Board should be setting a precedent of rezoning land to accommodate something that would not fit anywhere else. He suggested to approve this application would be setting a bad precedent.

Mr. Stiers indicated his agreement with Mr. Davis and noted if the Board approved this for one person, they could not pick and choose whose request they would approve the next time. He noted he did not think the Board should go down this path.

Mr. Davis moved to not adopt Ordinance O-12-15. Mr. Tiller asked if there were any additional comments from the Board. Mr. Burrell indicated he sympathized with Mrs. Traylor and pointed out the Board needed to look at what approval of this request would mean for the County. He noted Mrs. Traylor had a compelling case but he felt he had to agree with his fellow Board members that approval could change the way the County operated. 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.

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IN RE: PUBLIC HEARING – RESOLUTION R-21-15/APPLICATION AFD-001-15 –  
CHRISTOPHER SCHULTZ ADDITION TO COOKS MILL AFD

Before the Board for consideration was Resolution R-21-15 approving Agricultural and Forestal District (AFD) Application AFD-001-15 filed by Christopher S. Schultz to add 51 acres to the Cooks Mill AFD.

Environmental Planning Manager Matt Venable reported the subject property, Tax Map Parcel 25-32, contained approximately 51 acres with 41 acres devoted to timber, 7 acres devoted to marsh/wetlands and 2.5 acres devoted to pasture. He advised the request appeared to comply with the requirements of State and County codes regulating AFDs, and also promoted land use patterns consistent with the Comprehensive Plan. He indicated staff had found that adding the subject property into the AFD program would conserve and protect commercially-viable agricultural and forestal lands and therefore offered a favorable recommendation. He reported the AFD Committee considered this request at its May 19, 2015 meeting and voted unanimously with a favorable recommendation to the Planning Commission and Board of Supervisors. He indicated the Planning Commission considered the request at its June 15, 2015 meeting and voted to forward a favorable recommendation to the Board of Supervisors.

Chairman Tiller opened the public hearing. There being no one signed up to speak, the public hearing was closed.

Mr. Evelyn moved to approve Resolution R-21-15, AFD-001-15 filed by Christopher S. Schultz to add 51 acres to the Cooks Mill AFD. 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.

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IN RE: PUBLIC HEARING – RESOLUTION R-22-15/APPLICATION AFD-002-15 –  
ALLEN SCHULTZ ADDITION TO COOKS MILL AFD

Before the Board for consideration was Resolution R-22-15 approving Agricultural and Forestal District (AFD) Application AFD-002-15 filed by Allen Duane Schultz to add 96.5 acres to the Cooks Mill AFD.

Environmental Planning Manager Matt Venable reported the subject property, Tax Map Parcel 25-33, contained approximately 96.5 acres with 82.5 acres devoted to timber, 10 acres devoted to marsh/wetlands and 4 acres devoted to pasture. He advised the request appeared to comply with the requirements of State and County codes regulating AFDs, and also promoted land use patterns consistent with the Comprehensive Plan. He indicated staff had found that adding the subject property into the AFD program would conserve and protect commercially-viable agricultural and forestal lands and therefore offered a favorable recommendation. He reported the AFD Committee considered this request at its May 19, 2015 meeting and voted unanimously with a favorable recommendation to the Planning Commission and Board of Supervisors. He indicated the Planning Commission considered the request at its June 15, 2015 meeting and voted to forward a favorable recommendation to the Board of Supervisors.

Chairman Tiller opened the public hearing. There being no one signed up to speak, the public hearing was closed.

Mr. Evelyn moved to approve Resolution R-22-15, AFD-002-15 filed by Allen Duane Schultz to add 96.5 acres to the Cooks Mill AFD. 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.

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IN RE: PUBLIC HEARING – RESOLUTION R-23-15/APPLICATION AFD-003-15 –  
SALAVEJUS ADDITION TO MILL CREEK AFD

Before the Board for consideration was Resolution R-23-15 approving Agricultural and Forestal District (AFD) Application AFD-003-15 filed by Timothy and Rebecca Salavejus to add 21 acres to the Mill Creek AFD.

Environmental Planning Manager Matt Venable reported that the subject property, Tax Map Parcel 37-18 contained approximately 11 acres and Tax Map Parcel 37-18A contained approximately 10 acres with 9 acres of the 11 acre parcel and 10 acres of the 10 acre parcel devoted to pasture. Mr. Venable noted pasture land was some of the hardest land to prove its use and document that it was being adequately farmed for livestock purposes. Mr. Venable indicated Mr. and Mrs. Salavejus had provided pictures which indicated hay was being harvested. Mr. Davis asked if he could see the referenced pictures which had not been included in the meeting materials. Copies of the pictures were provided. Mr. Venable noted John Allison with the Virginia Cooperative Extension Office had visited the property on two occasions to confirm its use as pasture. The use as pasture could not be confirmed on the first visit but was confirmed on the second visit.

Mr. Venable advised the request appeared to comply with the requirements of State and County codes regulating AFDs, and also promoted land use patterns consistent with the Comprehensive Plan. He indicated staff had found that adding the subject property into the AFD program would conserve and protect commercially-viable agricultural and forestal lands and therefore offered a favorable recommendation. He reported the AFD Committee considered this request at its May 19, 2015 meeting and voted to forward an unfavorable recommendation to the Planning Commission and Board of Supervisors based on insufficient documentation regarding the pastures. He reported that on June 3, 2015, staff had received sufficient documentation regarding the pastures which indicated the harvesting of hay to feed livestock consisting of goats and cows. He indicated the Planning Commission considered the request at its June 15, 2015 meeting and voted to forward a favorable recommendation to the Board of Supervisors.

Chairman Tiller opened the public hearing. There being no one signed up to speak, the public hearing was closed.

Mr. Davis asked County Attorney Bill Hefty if it was within the Board's purview to request that the property owner provide a W2 and noted he traveled by this property every week and had never seen anyone cutting hay on the property. Mr. Hefty indicated there was nothing in the statutes that would allow the Board to ask for a W2. Mr. Davis then asked if additional documentation, other than a picture, could be requested. He suggested if the owners could document hay was being sold for feeding animals they would be eligible. He then asked Mr. Venable for the timeframe in which a decision on this request would need to be made. Mr. Venable indicated a decision was needed by August 31<sup>st</sup>. Mr. Davis suggested the Board continue this item until additional documentation of some form of agricultural activity could be provided.

Mr. Davis moved to defer action on Resolution R-23-15, AFD-003-15 filed by Timothy and Rebecca Salavejus to add 22 acres to the Mill Creek AFD until such time as definitive evidence of the property being used as pasture is provided. 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.

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IN RE: PUBLIC HEARING – RESOLUTION R-24-15/APPLICATION AFD-004-15 –  
TALLEY ADDITION TO SCHIMINOE CREEK AFD

Before the Board for consideration was Resolution R-24-15 approving Agricultural and Forestal District (AFD) Application AFD-004-15 filed by James and Regina Talley to add 48 acres to the Schiminoe Creek AFD.

Environmental Planning Manager Matt Venable reported the subject property, Tax Map Parcel 36-16A, contained approximately 48 acres with 29 acres devoted to timber and 18 acres devoted to marsh/wetlands. He advised the request appeared to comply with the requirements of State and County codes regulating AFDs, and also promoted land use patterns consistent with the Comprehensive Plan. He indicated staff had found that adding the subject property into the AFD program would conserve and protect commercially-viable agricultural and forestal lands and therefore offered a favorable recommendation. He reported the AFD Committee considered this request at its May 19, 2015 meeting and voted unanimously with a favorable recommendation to the Planning Commission and Board of Supervisors. He indicated the Planning Commission considered the request at its June 15, 2015 meeting and voted to forward a favorable recommendation to the Board of Supervisors.

Chairman Tiller opened the public hearing. There being no one signed up to speak, the public hearing was closed.

Mr. Burrell moved to approve Resolution R-24-15, AFD-004-15 filed by James and Regina Talley to add 48 acres to the Schiminoe Creek AFD. 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.

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IN RE: PUBLIC HEARING – RESOLUTION R-25-15/APPLICATION AFD-005-15 –  
CULPEPPER ADDITION TO WAHRANI SWAMP AFD

Before the Board for consideration was Resolution R-25-15 approving Agricultural and Forestal District (AFD) Application AFD-005-15 filed by Kevin Culpepper, Jr. to add 33 acres to the Wahrani Swamp AFD.

Environmental Planning Manager Matt Venable reported the subject property, Tax Map Parcel 36-4-7 contained approximately 17 acres with 12 acres devoted to timber and 4 acres devoted to pasture and Tax Map Parcel 37-4-11 contained approximately 26 acres with 16 acres devoted to timber, 5 acres devoted to marsh/wetlands and 4 acres devoted to pasture. Mr. Venable pointed out that Mr. Culpepper had recently purchased one of the two properties and when he had first come to the Planning Department, the two properties did not have common ownership. He noted that since that time, common ownership had been established. He pointed out adequate documentation for the eight acres designated as pasture had not been provided and he recommended this acreage be deducted from the request. He advised that in all other regards, the request appeared to comply with the requirements of State and County codes regulating AFDs, and also promoted land use patterns consistent with the Comprehensive Plan. He indicated staff had found adding the subject property into the AFD program would conserve and protect commercially-viable agricultural and forestal lands and therefore offered a favorable recommendation. He

reported the AFD Committee considered this request at its May 19, 2015 meeting and voted unanimously with an unfavorable recommendation to the Planning Commission and Board of Supervisors for the pasture and a favorable recommendation to the Planning Commission and Board of Supervisors for the timber and marsh/wetlands acreage. He indicated the Planning Commission considered the request at its June 15, 2015 meeting and voted to forward a favorable recommendation to the Board of Supervisors for the timber and marsh/wetlands acreage.

Mr. Evelyn noted that in years past the Board had been provided with maps to assist with making decisions in regard to AFD parcels and he pointed out no maps had been included in the materials provided. Mr. Venable indicated he had thought the materials provided to the Planning Commission, which included maps, would have also been provided to the Board of Supervisors. He apologized for this oversight.

Chairman Tiller opened the public hearing. There being no one signed up to speak, the public hearing was closed.

Mr. Evelyn moved to approve Resolution R-25-15, AFD-005-15 filed by Kevin L. Culpepper, Jr. to add 34 acres to the Wahrani Swamp AFD. 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.

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IN RE: PUBLIC HEARING – RESOLUTION R-26-15/APPLICATION AFD-006-15 –  
SALAVEJUS ADDITION TO WAHRANI SWAMP AFD

Before the Board for consideration was Resolution R-26-15 approving Agricultural and Forestal District (AFD) Application AFD-006-15 filed by Timothy and Rebecca Salavejus to add approximately 27 acres to the Wahrani Swamp AFD.

Environmental Planning Manager Matt Venable reported the subject property, Tax Map Parcel 37-18B, contained approximately 27 acres with all acreage devoted to timber. He advised the request appeared to comply with the requirements of State and County codes regulating AFDs, and also promoted land use patterns consistent with the Comprehensive Plan. He indicated staff had found that adding the subject property into the AFD program would conserve and protect commercially-viable forestal lands and therefore offered a favorable recommendation. He reported the AFD Committee considered this request at its May 19, 2015 meeting and voted unanimously with a favorable recommendation to the Planning Commission and Board of Supervisors. He indicated the Planning Commission considered the request at its June 15, 2015 meeting and voted to forward a favorable recommendation to the Board of Supervisors.

Chairman Tiller opened the public hearing. There being no one signed up to speak, the public hearing was closed.

Mr. Davis moved to approve Resolution R-26-15, AFD-006-15 filed by Timothy and Rebecca Salavejus to add 27 acres to the Wahrani Swamp AFD. 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.

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IN RE: PUBLIC HEARING – RESOLUTION R-27-15/APPLICATION AFD-010-15 –  
HARWOOD ADDITION TO WAHRANI SWAMP AFD

Before the Board for consideration was Resolution R-27-15 approving Agricultural and Forestal District (AFD) Application AFD-010-15 filed by Susan O. Harwood to add approximately 84 acres to the Wahrani Swamp AFD.

Environmental Planning Manager Matt Venable reported the subject property, Tax Map Parcel 36-37, contained approximately 84 acres with 74 acres devoted to timber and 10 acres devoted to marsh/wetlands.

Mr. Venable reported that notices had run in two local newspapers indicating that AFD Applications were due March 1, 2015. The AFD Advisory Committee had met on May 19, 2015 and this application had not been received at that time. On June 8, 2015 the Notice to Adjacent Property Owners of Wahrani Swamp was mailed which included portions of Code 15.2-4307 describing the ability of additional qualifying lands to join the application and be added to an already created district. The Planning Commission met on June 15, 2015 and, as with the AFD Advisory Committee, this application had not been received at that time. On June 16, 2015, the property owner submitted application AFD-010-15 to the Environmental Division for consideration by the Board of Supervisors. Mr. Venable suggested the notices to adjoining property owners often caused those owners to seek having their properties added to the district as well and the Code included a provision to allow applications to continue to be received in advance of the governing body's public hearing. He noted he felt this was a loophole in the Code which allowed for the receipt of applications after AFD Advisory Committee and Planning Commission review dates and stated it was staff's opinion this application should go back through the review process required for all other applicants. He indicated that due to the untimely arrival of the application, the Board of Supervisors could elect to approve, deny or defer action and send the application back to the AFD Advisory Committee and the Planning Commission for review and recommendation. Mr. Venable noted Ms. Harwood was present and wished to address the Board.

Mr. Stiers asked if everything else seemed okay with the application other than it had not been received on time. Mr. Venable indicated everything was in order and pointed out the property in question was located on the Route 33 corridor and was currently being marketed as though it had been subdivided into several smaller parcels but in fact, had not been subdivided. He also reported the property had previously been in the AFD program but had been taken out when there had been some interest in developing the Route 33 corridor. Some discussion ensued as to the current zoning status of the property with some believing the property was zoned A-1 Agriculture and others believing the zoning to be EO Economic Opportunity.

Chairman Tiller opened the public hearing.

Ms. Susan O. Harwood, a Wytheville resident, addressed the Board and confirmed the subject property had never been subdivided. She reported there had been a survey conducted in 2012 because the acreage had been incorrect for many years and she pointed out the property had always been timberland. Ms. Harwood indicated she had come to the Board several years ago when there had been a decision to develop Route 33. She indicated she had not been in favor of developing Route 33 but had felt that if it would be good for the County, it would be okay with her. She stated she had no interest in developing the property and would like to leave it as agricultural property. She noted she had other timberland in the County in the AFD program and had submitted her renewal application three times the previous year. She indicated the first application had been lost, she then hand delivered a second application which was also lost and then mailed a third application which was processed. She indicated she had noted her desire to have this parcel put back into the AFD program the previous fall and had been told she would be notified when it was time to apply this year. She stated she had waited and when no notice arrived, she drove down and submitted her application. She pointed out the property had always been agriculture and would always be agriculture as long as she was the owner. She closed her comments by stating she hoped the Board would allow this parcel to be put back into the AFD program.

As previously stated by Mr. Venable, Mr. Evelyn noted the property was actively being marketed as separate parcels and asked Ms. Harwood what she planned to do if someone wanted to buy one of the parcels. Ms. Harwood indicated if the property were put back into the AFD program, a potential buyer would have to purchase the entire parcel.

There being no other individuals wishing to address the Board, the public hearing was closed.

Mr. Venable noted he had confirmed the property was zoned EO Economic Opportunity and had been rezoned during the development of the last Comprehensive Plan. Mr. Davis noted the property had been posted for sale for a number of years and asked Ms. Harwood how long it had been. Ms. Harwood did not give a total number of years but noted it had first been posted for sale as the entire parcel and in recent years had been marketed as EO.

Mr. Davis moved to deny approval of Resolution R-27-15, AFD-010-15 filed by Susan O. Harwood to add 84 acres to the Wahrani Swamp AFD, the reason being the application had not been received on time. He suggested Ms. Harwood reapply next year.

Mr. Stiers pointed out Ms. Harwood had explained that she had tried to get the application in on time and had in fact made more than one attempt. He suggested he would prefer a motion allowing Ms. Harwood to remove the signs and put the property back into A-1. Mr. Davis indicated the property could be in the AFD program without being zoned A-1.

Mr. Hathaway suggested it was not appropriate to say Ms. Harwood did not get the application in on time because the Code gave property owners thirty days after sending the public notice to adjacent property owners to submit an application. He indicated he believed Ms. Harwood was within that thirty days. He suggested the AFD program was in place to preserve agriculturally significant land and the real question would be was this property agriculturally significant and did the County wish to preserve or develop it.

Mr. Burrell pointed out the Board was not compelled to give approval for all AFD requests. He noted the purpose of the AFD program was to maintain the rural flavor of the County. He suggested the Route 33 corridor was a prime corridor for economic and industrial development and did not think it wise to remove this property from that potential use. He

again noted the purpose of the AFD was to maintain the rural significance of the area and he felt that most members of the Board and staff would want this area to be developed. He asked County Attorney Bill Hefty if his comments had been accurate.

Mr. Hefty indicate Mr. Burrell was correct and pointed out the Code allowed for the filing of applications beyond the County deadline. He pointed out the Code required notice be sent to adjoining property owners which would include the following statement, "any owner of additional qualifying land may join the application within thirty days from the date of the notice or, with the consent of the local governing board, at any time before the public hearing the local governing body must hold on the application." He indicated because of this provision, Ms. Harwood's application had not been late. Mr. Davis asked if this Code reference was addressing the Planning Commission public hearing or the Board of Supervisors public hearing. Mr. Hefty indicated because the Board of Supervisors is the governing body, this reference was to the Board of Supervisors public hearing. Mr. Hefty noted State Law took the Planning Commission and the Advisory Committee out of the loop and while this may not make much sense, it was legal. He pointed out if Ms. Harwood filed her application on time, the question before the Board was whether they wanted to approve the application or not and he stressed the fact that the Board did not have to approve every application. He noted the purpose of the AFD was to preserve rural land and the Board could make a determination based on that issue. Mr. Davis asked if he should change his motion to deny the application for no reason. Mr. Hefty suggested he should change the motion to deny the application on the basis approval would not preserve the rural nature of the community. Mr. Davis asked the Deputy Clerk Wanda Watkins to read his motion for the record. After the reading, the motion was revised as follows:

Mr. Davis moved to deny approval of Resolution R-27-15, AFD-010-15 filed by Susan O. Harwood to add 84 acres to the Wahrani Swamp AFD. The members were polled:

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

The motion carried.

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IN RE: PUBLIC HEARING – RESOLUTION R-28-15/APPLICATION AFD-007-15 –  
RECREATION OF HIGGINS SWAMP AFD

Before the Board for consideration was Resolution R-28-15 approving Agricultural and Forestal District (AFD) Application AFD-007-15 to recreate the Higgins Swamp AFD for a period of ten years.

Environmental Planning Manager Matt Venable explained this District was located in the western portion of the County in the Quinton area along and near Henpeck Road and South Quaker Road and it contained 11 parcels totaling approximately 688 acres. He indicated there were two parcels requiring some amendment or some discussion with the Board. He confirmed all parcels had submitted the required agricultural or forestal reports or plans, depending on the use.

Parcels were identified as Tax Map Parcels 8-29 (GPIN #M05-2217-1491); 8-31 (GPIN #M04-3065-0290); 19-8 (GPIN #L04-3760-4015); 19-31 (GPIN #L06-1033-0822); 19-31F (GPIN #K06-3406-4497); 19-32A (GPIN #L05-3251-1931); 19-34 (GPIN #K05-3874-



4864); 19-33 (GPIN #L05-1794-1501); 20-7C (GPIN #L07-3082-4822); 20-27 (GPIN #K07-1191-3652); and 20-28 (GPIN #K07-1304-4837).

Mr. Venable advised the District appeared to comply with the requirements of State and County codes regulating AFDs excluding parcels (or portions thereof) 8-31 and 19-31F. He advised the request promoted land use patterns consistent with the Comprehensive Plan. He advised staff had found that renewing the Higgins Swamp AFD would conserve and protect commercially-viable agricultural and forestal lands, and therefore offered a favorable recommendation on the application, excluding parcels or portions of 8-31 and 19-31F. He reported the AFD Committee considered the application at its May 19, 2015 meeting and voted unanimously with a favorable recommendation to the Planning Commission and Board of Supervisors excluding parcels or portions of 8-31 and 19-31F. He indicated the Planning Commission considered the request at its June 15, 2015 meeting and voted to forward a favorable recommendation to the Board of Supervisors excluding parcels or portions of 8-31 and 19-31F.

In regard to the two parcels requiring discussion, Mr. Venable advised it had been determined 30.6 acres of parcel 8-31 owned by Ellyson and containing approximately 113 acres no longer met the criteria necessary to be considered devoted to agriculture. As a result, only 80 acres of this parcel were being recommended for renewal. It had also been determined that parcel 19-31F which had previously been considered forestal acres did not meet the minimum requirement of 20 acres and was not recommended for renewal.

Chairman Tiller opened the public hearing. There being no one signed up to speak, the public hearing was closed.

Mr. Davis moved to approve Resolution R-28-15, AFD-007-15, to recreate the Higgins Swamp Agricultural and Forestal District with the exception of 30.6 acres of nonqualified agriculture in tax map parcel 8-31 and 6.3 acres of nonqualified timber in tax map parcel 19-31F. 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.

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IN RE: PUBLIC HEARING – RESOLUTION R-29-15/APPLICATION AFD-008-15 –  
RECREATION OF PELHAM SWAMP AFD

Before the Board for consideration was Resolution R-29-15 approving Agricultural and Forestal District (AFD) Application AFD-008-15 to recreate the Pelham Swamp AFD for a period of ten years.

Environmental Planning Manager Matt Venable explained this District was located in the middle portion of the County along North Courthouse Road, Olivet Church Road and the intersection area of New Kent Highway (Route 249) and I-64 and it contained 23 parcels totaling approximately 1,985. He confirmed all parcels had submitted the required agricultural or forestal reports or plans, depending on the use.

Parcels were identified as Tax Map Parcels 22-38 (GPIN #L14-3532-0948); 22-65A (GPIN #K15-2406-2888); 22-65B (GPIN #K15-1408-3912); 22-65D (GPIN #J16-0515-2279); 22-65E (GPIN #K15-1474-2998); 22-65F (GPIN #K15-2673-4468); 22-66 (GPIN #J15-2588-2049); 22-66A (GPIN #J15-3471-1130); 22-78 (GPIN #K15-0068-2339); 23-5 (GPIN #L16-3181-4430); 23-6 (GPIN #L17-0517-4423); 23-30 (GPIN #J17-2223-3547); 23-36 (GPIN #K17-1864-1590); 23-40E (GPIN #K18-0195-3859); 23-40F (GPIN #K18-0562-3615); 23-41 (GPIN #K17-2967-3190); 23-41G (GPIN #K17-3859-4183); 23-69 (GPIN #J16-3523-3426); 23-69A (GPIN #K17-0352-0034); 23-69B (GPIN #J15-1992-2268); 23-70 (GPIN #J16-3640-0954); 23-70A (GPIN #I16-2813-4936) and 23-70B (GPIN #J17-0708-2320).

Mr. Venable advised the District appeared to comply with the requirements of State and County codes regulating AFDs. He advised the request promoted land use patterns consistent with the Comprehensive Plan. He advised staff had found that renewing the Pelham Swamp AFD would conserve and protect commercially-viable agricultural and forestal lands, and therefore offered a favorable recommendation on the application. He reported the AFD Committee considered the application at its May 19, 2015 meeting and voted unanimously with a favorable recommendation to the Planning Commission and Board of Supervisors. He indicated the Planning Commission considered the request at its June 15, 2015 meeting and voted to forward a favorable recommendation to the Board of Supervisors. Mr. Venable also pointed out that previous concerns regarding properties in this District belonging to Harrison had been addressed at the Planning Commission meeting.

Chairman Tiller opened the public hearing. There being no one signed up to speak, the public hearing was closed.

Mr. Stiers moved to approve Resolution R-29-15, AFD-008-15, to recreate the Pelham Swamp Agricultural and Forestal District. 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.

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IN RE: PUBLIC HEARING – RESOLUTION R-30-15/APPLICATION AFD-009-15 –  
RECREATION OF PUTNEY CREEK AFD

Before the Board for consideration was Resolution R-30-15 approving Agricultural and Forestal District (AFD) Application AFD-009-15 to recreate the Putney Creek AFD for a period of ten years.

Environmental Planning Manager Matt Venable explained this District was located in the northern portion of the County with its core along Old Church Road between Steel Trap Road and the Hanover County line and contained 24 parcels totaling approximately 2,918 acres. He confirmed all parcels had submitted the required agricultural or forestal reports or plans, depending on the use.

Parcels were identified as Tax Map Parcels 2-1A (GPIN #R09-3335-1894); 2-1B (GPIN #R09-3675-4283); 2-2 (GPIN #R09-1755-3697); 2-4 (GPIN #Q09-3256-2673); 2-4A (GPIN #Q10-0107-1525); 2-4B (GPIN #Q09-3557-1078); 2-4C (GPIN #Q09-2957-0409);

2-4D (GPIN #Q09-2254-0072); 2-4E (GPIN #Q09-2728-3841); 2-5 (GPIN #P09-3769-3875); 2-5A (GPIN #P09-1893-4748); 2-31 (GPIN #P08-3590-0945); 2-37 (GPIN #P08-3407-2537); 2-46 (GPIN #P07-3187-2793); 2-46A (GPIN #P07-2704-3425); 2-46B (GPIN #P07-3234-1463); 2-49 (GPIN #P07-0344-1209); 2-49C (GPIN #P06-3567-1534); 2-50C (GPIN #P07-0149-3563); 3-2 (GPIN #R10-3107-3160); 3-3 (GPIN #R11-1134-0882); 3-11A (GPIN #Q10-3902-3141); 3-13 (GPIN #Q10-1295-0619); 3-21 (GPIN #P10-3515-2837); and 9-70 (GPIN #O08-3332-3691).

Mr. Venable advised the District appeared to comply with the requirements of State and County codes regulating AFDs excluding parcel 2-4D or a portion thereof. He advised the request promoted land use patterns consistent with the Comprehensive Plan. He advised staff had found that renewing the Putney Creek AFD would conserve and protect commercially-viable agricultural and forestal lands, and therefore offered a favorable recommendation on the application. He reported the AFD Committee considered the application at its May 19, 2015 meeting and voted unanimously with a favorable recommendation to the Planning Commission and Board of Supervisors with the exception of parcel 2-4D. He indicated the Planning Commission considered the request at its June 15, 2015 meeting and voted to forward a favorable recommendation to the Board of Supervisors with the exception of parcel 2-4D.

Mr. Venable pointed out questions had been raised regarding the qualification of parcel 2-4D which belonged to Wallace. This parcel had been included in the AFD for some time although it did not appear to meet the minimum 20 acre requirement for timber. Deputy Commissioner Shannon McLaughlin was present to provide additional background information on this parcel. She noted, as previously discussed at a work session, the Commissioner's Office used the one acre measure of a home site as an assessment standard to determine market value and was not used as a use standard. She indicated in the case of the Wallace property which totaled 20.5 acres, the home site was actually less than one half acre (.37). With one acre subtracted for the home site, only 19.5 acres were left which would leave the parcel one half acre short of being eligible for inclusion in the AFD program.

Chairman Tiller opened the public hearing. There being no one signed up to speak, the public hearing was closed.

Mr. Davis moved to approve Resolution R-30-15, AFD-009-15 to recreate the Putney Creek Agricultural and Forestal District. 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.

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IN RE: ELECTED OFFICIALS' REPORTS

Mr. Davis announced New Kent County Fire-Rescue would host an apparatus "push-in" housing ceremony at Station 3 at noon on Tuesday, July 7th to dedicate New Kent's newest apparatus, Squad Truck 503. He encouraged all to attend.

There were no other elected officials' reports.

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IN RE: STAFF REPORTS

There were none.

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IN RE: OTHER BUSINESS

Mr. Davis announced the next session of New Kent University would begin on September 3rd and information could be found on the County website. He pointed out this was a very good program and encouraged anyone interested in learning more about the County to enroll.

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IN RE: APPOINTMENTS

Mr. Burrell moved to appoint Sharon Jordan as District Three's representative to the Social Services Advisory Board to serve a term beginning on July 1, 2015 and ending June 30, 2019. Mr. Burrell noted Ms. Jordan was actually a District Four resident and indicated he had conferred with Mr. Stiers who was in agreement with the appointment. 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.

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IN RE: MEETING SCHEDULE

Chairman Tiller announced the next regularly scheduled meeting of the Board of Supervisors would be held at 6:00 p.m. on Monday, August 10, 2015, and the next work session would be at 9:00 a.m. on Wednesday, July 29, 2015. Both meetings would be held in the Boardroom of the County Administration Building. County Administrator Rodney Hathaway noted July 29<sup>th</sup> was also the date of the next public hearing in regard to the HCA standalone emergency room. He indicated he was not sure where this item would be on the agenda but noted it would be important for the Board Chair and staff representatives to be present. After some discussion, the Supervisors agreed to move the next work session to 9:00 a.m. on Tuesday, July 28, 2015, in the Boardroom of the County Administration Building.

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IN RE: ADJOURNMENT

Mr. Burrell moved to adjourn the meeting. 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.

The meeting was adjourned at 9:31 p.m.