

A REGULAR WORK SESSION WAS HELD BY THE NEW KENT COUNTY BOARD OF SUPERVISORS ON THE 28TH DAY OF JULY IN THE YEAR TWO THOUSAND FIFTEEN IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING, NEW KENT, VIRGINIA, AT 9:00 A.M.

IN RE: CALL TO ORDER

Chairman C. Thomas Tiller, Jr. called the meeting to order.

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: DISCUSSION ON ACCESS TO PROPERTIES ON RAW WATER LINE TO POTENTIAL WATER PLANT SITE

Director of Public Utilities Larry Dame, Arcadis, Inc. representative Roger Hart and Assistant Director of Public Utilities Mike Lang were present to provide an update on progress made in regard to the possible future use of surface water in the County. Mr. Dame reported the owner of property at the potential withdrawal site had given authorization to enter the property to begin environmental assessments. He noted the farmer who was renting the land had requested he be given time to harvest his current crop first which was expected to be completed in October. He reported there would be approximately ten miles of underground pipe if the route from the withdrawal site to the treatment plant was constructed along existing roadways. He noted if property owners were agreeable to having the pipeline run across their properties, this distance could be reduced by approximately four miles and would result in a significant savings to the County. Mr. Dame pointed out plans were to begin contacting owners of properties to potentially be impacted and seek permission to enter the premises and begin conducting environmental assessments. He suggested Supervisors may receive phone calls regarding these contacts. He noted a preferred route had been selected but if permission from owners could not be obtained, an alternate route would be pursued.

Mr. Davis asked what the cost would be for the underground waterline. Mr. Dame indicated the line was estimated to cost one million dollars per mile. Mr. Davis asked if the pipeline could be run across RPA (Resource Protection Area) property. Mr. Hart indicated that the pipeline could be run across RPA property and noted the pipe would be underground bored and would not disturb the surface area.

Mr. Dame noted he had recently attended a State Water Commission meeting and although New Kent was not being impacted now by plans to reduce ground water withdrawal permits, he expected the County would be impacted in the future. He stressed the importance of continuing to pursue obtaining a surface water withdrawal permit for the Pamunkey River. He suggested if the County waited until ground water became an issue, other localities may have tapped into the Pamunkey by then and there may no longer be enough water available for New Kent.

Mr. Burrell indicated he was concerned about the impact the loss of available water would have on the economic development of the County. Mr. Dame noted he shared these concerns and pointed out the Farms of New Kent and the Bottoms Bridge ground water permits would be up for renewal in 2019 and withdrawal rates could be reduced at that time. He pointed out the County Water Supply Plan included projections for the next fifty years and he would keep the Board informed on future water source developments.

Mr. Hart indicated New Kent was in a unique position with regulatory agencies assisting the County in moving forward with its application for surface water withdrawal. He suggested these agencies saw the position New Kent was in and the potential for future development to be stymied without a water source. He suggested if New Kent didn't pursue this surface water option, someone else would. Mr. Evelyn asked the cost of the surface water withdrawal permit. Mr. Hart indicated the permit would cost approximately \$250,000. Mr. Dame pointed out the permit would be good for ten years and, given the current timeframe, could possibly be issued sometime in the middle of 2017. It was noted the permit would be lost if no action was taken to pursue this water source during the ten year permit period.

Mr. Davis asked how the proposed surface water withdrawal rate compared to the effluent rate from the wastewater treatment plant. Mr. Dame indicated the permit would be for two million gallons per day and the effluent rate was currently three hundred thousand gallons per day. Mr. Tiller asked if the surface water permit for the Pamunkey was obtained, what would be the possibility of our ground water permits being reduced. Mr. Dame indicated this was an unknown. Mr. Stiers asked if there was a possibility of any grant funding for this project. Mr. Dame indicated grant funding could be explored.

Mr. Hart pointed out the DEQ (Department of Environmental Quality) offered an option which would allow a locality using surface water to switch back to ground water on an interim basis if an emergency situation such as a draught were to occur. He also noted the withdrawal point should have no impact on river navigation.

Mr. Davis asked for the installation depth of the underground pipeline and asked if a farmer would be able to farm over the pipeline area. Mr. Dame noted the pipeline would be placed 42 inches underground and farming operations could continue over the pipeline.

Mr. Dame indicated his department was receiving good information back from the agencies involved and at this point, there were no show stoppers.

IN RE: WATER SKIING ORDINANCE UPDATE – IN RE: CHICKAHOMINY LAKE (1)

County Attorney William Hefty noted he had been asked by the Board at its previous meeting to research what other localities were doing in regard to regulating water skiing. He reported he had reviewed the Code of a number of localities through the Municode system and had found no locality which prohibited skiing entirely. Several ordinances and State laws were found to impose some regulations on skiing such as no skiing within 200 feet of the shore and dusk to dawn regulations. He indicated the New Kent Ordinance was legal as adopted. He pointed out State law allowed the Board to impose regulations, had given the Board the power to enact the existing Ordinance and also gave the Board the power to change it.

Mr. Tiller asked if Chickahominy Lake was public water and not owned by Newport News. Mr. Hefty indicated the Lake was public water and adjacent property owners owned to the low water line.

Mr. Davis noted he had asked former Supervisor Ed Allen, Jr., who had been on the Board at the time this Ordinance had been passed, to come to the meeting and share some background information with the Board.

Mr. Allen joined the discussion and began sharing information regarding the adoption of this Ordinance. He noted the Ordinance had been adopted in 1979 when a number of boat ramp operators including Ed Allen, Sr. and the operators of Jeff's Landing and Dillon's Landing (now Eagle's Landing) had approached the Board with this request. He noted that two Virginia Game Wardens had also supported the Ordinance at that time. He suggested the body of water was too small to fish and ski at the same time and, with many underwater stumps and cypress knees, was too dangerous for skiing. He indicated the water level had dropped more than a foot in the past week or so making many of the stumps even more visible. He pointed out a public hearing had been held on this Ordinance in 1979 and there had been no one speaking in opposition. He suggested this Ordinance would have become a State law had Charles City County chosen to adopt it. Mr. Allen indicated he had begun circulating a petition eight days earlier which now contained 346 signatures of individuals who were opposed to lifting the skiing ban. He noted he had also spoken with the owners of Eagle's Landing and they too shared his opinions regarding skiing on Chickahominy Lake.

Mr. Burrell asked the width of the Lake at its widest point. Mr. Allen indicated Hurricane Isabel had widened the Lake but much of this expanded area was very shallow. He noted approximately 90 acres of the 110 acres of marsh he had owned on the Lake were lost during Isabel. He reported the marsh had broken loose and floated down to Walker's Dam which he believed had contributed to the failure of the dam. He noted the area where this marsh had been located was now wide open water and the Lake was now 200 to 300 yards wide at its widest point before entering shallow water. Mr. Allen reported there were approximately 100 boat launches a week from the Allen property and he believed Eagle's Landing had about the same volume. He also noted an increase in kayak use with 20 to 25 kayaks having been launched from the Allen property the previous weekend. He noted the Eagle's Landing owners had indicated they did not allow people who wanted to water ski to launch from their ramp.

Mr. Tiller asked if an individual would be able to ski if they launched from the Charles City side of the Lake. Mr. Hefty stated they would not be able to ski on the New Kent side of the Lake. Mr. Allen pointed out the boundary line between New Kent and Charles City was not in the center of the Lake. He noted the Lake was very narrow on the Charles City side with most of the water being on the New Kent side until approaching Eagle's Landing. He pointed out there was one attorney from Charles City who occasionally skied on the Lake but he was the only one.

Mr. Allen expressed his concerns that if the Lake were opened to skiing and the locks at Walker's Dam were fixed, many of the boats on the river would come up into the Lake. He suggested if this were to happen, it could ruin the livelihood of his family's business as well as that of the owners of Eagle's Landing. He pointed out the two boat landings on the Lake had been in operation for many years and if the Board were to lift the skiing ban, it would adversely affect the boat rental businesses on the Lake.

IN RE: ROCKAHOCK ROAD CONCERNS

Mr. Allen asked if he could share his concerns regarding the poor condition of Rockahock Road. He noted the Rockahock Campground and Ed Allen's Campground were full most weekends and approximately 150 to 200 campers in addition to boat traffic were traveling Rockahock Road during any given week. He indicated there had been four broken axels on

boat trailers this summer alone. Mr. Stiers noted VDOT had indicated at a recent New Kent County Transportation Safety Commission meeting that \$100,000 was available for a road paving project in New Kent County. Mr. Stiers indicated the Commission had decided unanimously to select Rockahock Road for this project. He reported the \$100,000 would repave approximately one mile of road and the project was planned to start at Rt. 60 and end approximately fifteen yards past the entrance to Rockahock. This project was slated to be completed this fall.

IN RE: WATER SKIING ORDINANCE UPDATE – IN RE: CHICKAHOMINY LAKE (2)

Discussion in regard to skiing on Chickahominy Lake continued.

Mr. Burrell indicated he had skied in numerous bodies of water and the mention of the underwater debris was a concern for him. He also noted concerns regarding the speed required to pull a skier of any size as well as the area needed to turn a boat with a skier in tow.

Mr. Davis asked when Walker's Dam had been built. Mr. Allen indicated the dam had been built in 1942 and approximately twenty-five years ago the State had claimed possession of the water. Mr. Davis then asked who paid the taxes on the Lake. Mr. Allen indicated the property owners were paying taxes on the marsh around the Lake. He also noted that when he served on the Board, Newport News had paid taxes on the water they used and the equipment. Mr. Davis suggested that other localities were taxing reservoir acreage at a higher rate than land. Mr. Hefty noted the State owned the water but the Board had the jurisdiction to enforce regulations. Mr. Allen noted the State owned the water and Newport News was selling it.

Mr. Tiller asked about scheduling a public hearing. Mr. Hathaway pointed out if the Board decided they wished to change the Ordinance, a public hearing would be necessary. If there was no desire to make a change, there would be no need for a public hearing.

Mr. Evelyn suggested each of the Supervisors should go out to the Lake to see the area for themselves. Mr. Allen indicated that on a normal Saturday approximately forty private boats would launch from the Allen property and there would be an additional ten to fifteen boat rentals. He suggested another thirty to forty boats would launch from Eagle's Landing and there could easily be 120 or more boats on the Lake on any given Saturday until the weather turned too cold for fishing. He suggested there would be no room for water skiing. Some Board members indicated they had already visited the Lake and suggested that others should take advantage of the opportunity to do the same.

IN RE: PUBLIC UTILITIES UPDATE

Director of Public Utilities Larry Dame reported that the Public Utilities Administrative Assistant Tori Rowsey had left New Kent for a position with King William County. He indicated he hoped to have this position filled soon.

Mr. Dame reported Public Utilities had significantly shortened the time between water meter readings and billing. He indicated there were approximately 2,500 meters in the County and one man was now able to read all meters in one day. He pointed out GIS information for each meter's location had been collected to facilitate this process. He indicated his department routinely reviewed meter reading and investigated any readings which seemed high. He reported that letters were sent indicating a high reading had been recorded and investigated and residents were notified if any reason had been found for the high reading.

Mr. Dame reported the water system interconnect of Kenwood Farms, Greenwood Estates and Quinton Estates had been successfully completed. He indicated wells in these communities had been abandoned and would eventually be demolished and the equipment sold as surplus.

Mr. Dame reported Public Utilities had completed a flush and inspection of the Courthouse water tank and two other tanks were scheduled to be flushed and inspected later in the week. Mr. Davis asked how these inspections impacted water users. Mr. Dame indicated the water service was temporarily switched directly to County wells and users would not notice any change in their service.

Mr. Dame also reported the Parham Landing Wastewater Treatment Plant had been on line for five years and was up for renewal. He indicated the plant was running well. He also noted there had been a recent air release on a sewer line on Kentland Trail which had been repaired. He indicated he did not think many users had noticed there had been a problem.

Mr. Dame reported that County Administrator Rodney Hathaway, Assistant Director of Public Utilities Mike Lang, Utilities Operations Supervisor Harold Jones and he had recently met with HRSD (Hampton Roads Sanitation District) representatives who had expressed an interest in sending sewage from West Point to the Parham Landing plant. HRSD had indicated the West Point plant was in need of expensive upgrades and they wished to explore other options. Mr. Dame indicated if an agreement were reached, 450,000 to 500,000 gallons per day would be sent to the plant with the potential of an increase to one million to 1.5 million gallons with heavy rains. Mr. Dame pointed out if the Supervisors and HRSD were able to come to an agreement, it would be two to three years down the road before West Point would be on line. Mr. Davis asked if an agreement were reached, what would be the possibility of other users along the line being able to tap into the system. Mr. Dame indicated HRSD had allowed other users to tap on to their lines in other localities.

Mr. Tiller asked if this connection would be of any benefit to New Kent. Mr. Dame indicated the Parham Landing plant had the capacity and the rates in West Point were currently higher than New Kent. He pointed out this would be another source of revenue for the Public Utilities budget. He also noted that if this connection with West Point were to be made, there could be a possibility Urbanna and Saluda would be added in a future phase. He noted connections such as this had been put in place by HRSD in other localities and pointed out Mathews County had been connected to Gloucester County a number of years ago. He noted although this would be a big capital investment for HRSD, they would not be running the treatment plants and would only be responsible for maintaining the pipelines.

Mr. Dame indicated if West Point were connected to the Parham Landing plant, some upgrades would be necessary and the question of how to handle the sludge would also need to be addressed. He indicated Henrico County was currently taking sludge from New Kent but he did not believe this would continue if West Point were added to the system. He reported that HRSD had asked about the possibility of putting in a sludge plant. He also reported that HRSD was interested in exploring the use of ARS (Aqua Recovery System) in which highly treated waste water would be injected back into the ground. He noted HRSD was interested in doing an ARS pilot and believed New Kent would be an ideal location. Mr. Davis asked how deep this water would be injected into the ground. Mr. Lang indicated the depth would be 800 feet or deeper. Mr. Davis asked if there was any possibility the DEQ would increase the ground water withdrawal limits on New Kent's permits if the County was putting water back into the ground and therefore reduce the County's need to find surface water alternatives. Mr. Dame indicated he did not think that was a possibility. He

suggested if West Point and the other localities were to come on line, this would be a good source of revenue possibly generating as much as two million dollars annually and it would also be a good way to update the Parham Landing plant and put the County at the forefront with new technology. Mr. Dame indicated he would keep the Board informed of any new developments.

Mr. Tiller called for a brief recess at 10:07 a.m. The meeting reconvened at 10:18 a.m.

IN RE: ADULT DAYCARE FACILITY DISCUSSION

County Administrator Rodney Hathaway introduced Samuel and Sandra Jefferson and reported they had approached the County with a proposal to partner with the County for the renovation of a building located at 14140 New Kent Highway to be utilized as an adult daycare facility. It was noted for the record this facility had been known by a number of names over the years including "The Dare Building", "Garner's", "Cecil's" and "Club 911". Mr. Hathaway indicated that Social Services Director Jon Martz, Family Services Specialist Nancy Goodman and he had met with the Jeffersons at the location for a walk through. He indicated the building appeared to be structurally sound but would need some renovation and upgrades which could run in the \$100,000 to \$200,000 range. He noted the Jeffersons were interested in a long-term lease allowing the County to renovate and operate an adult daycare facility at the location. Mr. Hathaway pointed out there was currently no adult daycare facility in the County and he believed there was a need for this service.

Mr. Jefferson thanked the Board for the opportunity to come before them and discuss this opportunity. He indicated his wife, Sandra, wished to share some history on the building with the Board.

Mrs. Jefferson indicated her parents, Cecil and Ella Garner, had begun constructing the building in 1957. She pointed out Virginia was under the law of segregation at that time and her parents had wanted to open a restaurant where the black citizens of New Kent and surrounding counties could go to enjoy a meal. She indicated the restaurant had opened in 1959 and had stayed open for thirty years. She noted the restaurant had been a social spot where individuals could shoot pool and enjoy a meal. Since the closing of the restaurant in 1989, the facility had been reopened by Danny Patterson for a few years as "Club 911" for youth but had been closed since then. Mrs. Jefferson pointed out the building had been constructed of cinder blocks and cement and a new roof had been installed approximately ten years ago.

Mr. Jefferson pointed out the building had originally been constructed with a flat roof which had been upgraded to an a-frame roof. He noted he had looked into the possibility of reopening the facility as a restaurant but had found the required upgrades necessary for a restaurant would cost fifty to sixty thousand dollars. He indicated he felt the senior citizens of the County needed a place and he and his wife were interested in working with the County to offer this space. Mr. Jefferson shared drawings depicting the floor plan of the building (approximately 2,500 square feet) and indicated an engineer had looked at the building. He suggested the building was in good shape and needed electrical and HVAC upgrades. Mr. Hathaway pointed out ADA (American's with Disabilities Act) upgrades to the building and the parking lot area would also be necessary.

Mr. Davis asked how many acres were with the property. Mrs. Jefferson indicated there were seven to eight acres. Mr. Burrell noted the doors on the facility would need to be replaced with doors that would swing out. Mr. Jefferson indicated there were three entrances to the building and the doors at all three swung in.

Mr. Davis indicated he knew there was a need for adult daycare services in the County and asked if the County had any indication of just how great the need was and how many days a week these services would be needed. Mr. Stiers indicated five days a week had been discussed. He noted this idea had come up some months ago and after speaking with the Jeffersons, he had shared the information with then County Attorney Michelle Gowdy. He noted Ms. Gowdy had suggested this may be a service that could be provided through the New Kent Parks and Recreation Department. Mr. Stiers pointed out the limited financial resources available to Parks and Recreation did not make this a feasible option. Other options involving the Department of Social Services and Senior Connections had recently been identified. Mr. Davis asked Mr. Martz if there was a need in the County. Mr. Martz indicated he believed there was a need and preliminary work supported his belief. Mr. Evelyn indicated he was familiar with the program currently available in Charles City County and asked if this would be similar. Mr. Hathaway pointed out the Charles City program was also being run through a partnership with Senior Connections so there should be some similarities. He noted if the Board was interested, staff could begin working on a plan of operation and renovation cost estimates to bring back to the Board for consideration.

The general consensus was for staff to move forward with developing a plan of operation and renovation cost estimates to be brought back to the Board for consideration.

IN RE: FIRE-RESCUE GRANT(S) UPDATE

Fire Chief Rick Opett provided the Board with an update on a variety of Fire-Rescue grants. The following were among the grants noted:

- The County had received a \$40,000 Homeland Security grant which required no local match. These funds had been used to purchase two multiuse response vehicles that were currently in service. These vehicles carried a supply of water and Class A foam which could be used to extinguish a car fire and each was also equipped with a stokes basket which could be used to transport victims from the scene to an ambulance.
- The County had received a \$12,500 Threat Assessment Grant and staff were currently in the process of writing a plan.
- The County had received a \$22,000 Hazardous Materials Preparedness Grant. This grant would focus on railroads in the County with rail traffic consisting of both Amtrak passenger trains and freight trains transporting potentially hazardous materials.
- The County had received a Dominion Power Surry Power Plant Grant.
- The County had received a \$192,000 Virginia Rescue Squad Assistance Fund 80/20 split grant with \$39,000 being New Kent's share. These funds had been used to buy a new ambulance.
- Application had been made for a SAFER (Staffing for Adequate Fire and Emergency Response) Grant. The roll out of these grants had started three weeks ago and New Kent was waiting to receive a response to its application.
- Application had been made for AFG (Assistance to Firefighters Grant) funding. New Kent's grant application was scored very high and early indications were that New

Kent would be awarded a grant. If awarded, funding was expected to be in the half million dollar range and would be used in support of the County radio project.

Chief Opett asked the Board for authorization to partner with James City County to work on a regional Baaken Oil and Passenger rail plan development program. He indicated James City County would act as the fiscal agent and there would be no fiscal impact to New Kent. Chief Opett also asked the Board for authorization to apply for a \$325,000 State Homeland Security Preparedness Grant to be used for a regional project to include connecting the new radio system to Hanover and King William Counties. The general consensus was for Chief Opett to proceed.

IN RE: FIRE-RESCUE ALS (Advanced Life Support) UPDATE

Fire Chief Rick Opett noted the ALS (Advanced Life Support) incentive had been included in this year's budget. He reported County Attorney Brendan Hefty and County Administrator Rodney Hathaway had reviewed the Standard Operating Procedure (SOP) which had been created to manage this incentive program. He pointed out the SOP included a procedure for handling the possibility of a lost certification as well as a tenure agreement to encourage employees to stay with New Kent County. Employees would be required to sign a statement indicating they had read and understood the SOP. This statement would become a part of the employee's file. Chief Opett indicated he would like this incentive program to become effective August 1st with eligible employees receiving their first pay increases on the August 15th paycheck. He noted these incentives would mean an annual increase in the four to five thousand dollar range per employee and were currently being covered by Aid to Localities funding and the Fire-Rescue training budget. He reported there were five paramedics and one intermediate currently qualified and others were expressing an interest in getting into the program.

Chief Opett also noted the opportunity to participate in an "on call" ALS program was being offered to current full-time and part-time employees who live within New Kent County. These "on call" ALS persons would be allowed to take a County vehicle home to allow for faster response times. While on call, these individuals would receive \$1.00 per hour pay and would receive additional pay if activated to respond to an emergency.

Chief Opett indicated comments received from Mr. Hefty had been incorporated into the SOP final document and the program was ready for roll out.

IN RE: EMERGENCY MEDICAL SERVICES/MANAGEMENT & CONSULTING (EMS/MC) AGREEMENT

Fire Chief Rick Opett pointed out the County currently had an agreement with Emergency Medical Services/Management & Consulting (EMS/MC) for billing ambulance services. He noted this had been a one-year agreement with four one-year extension options. He reported this company had performed very well in its first year, having collected \$492,057.46 in revenue, and had received a very good customer service rating. He indicated he believed this was a very good return on New Kent's investment and asked the Board to authorize a one-year extension of this agreement.

Mr. Davis moved to continue New Kent's agreement with Emergency Medical Services/Management & Consulting (EMS/MC) for billing ambulance services. The members were polled:

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

The motion carried.

IN RE: SURPLUS FIRE-RESCUE VEHICLES

Fire Chief Rick Opett reported that with the new squad truck now in service, it had been determined three fire-rescue vehicles could be sold as surplus. He noted these vehicles had been posted for bid for forty days. Among these vehicles were a 1996 Telesquirt with a high bid of \$18,750, a 2003 Ford Brush Truck with a high bid of \$16,000 and a 2010 Rescue Truck with a high bid of \$226,215. Chief Opett suggested the proceeds from the sale of these vehicles be used to purchase two additional ambulances for a total of three new ambulances including the one previously mentioned in the Grant Update. He noted additional funding would be needed and recommended a reallocation of funds currently in the CIP (Capital Improvement Plan) earmarked for the burn building project. He stressed this would result in no additional costs to tax payers. He noted if these additional ambulances were purchased, five older ambulances could be sold as surplus.

County Administrator Rodney Hathaway noted the Board would see these items on a future Consent Agenda.

IN RE: DISCUSSION CONCERNING RECENT NEW KENT DROWNING

Mr. Davis noted his concerns surrounding the drowning death of a child in the County on Sunday. He asked Chief Opett how long the child had been in the water before a call was received for assistance and why had it taken so long for the call to be made. Chief Opett suggested the child may have been in the water six to eight hours prior to an emergency call being placed. He indicated he did not know why it had taken so long for the call to come in and noted getting information had been frustrating. He reported the information received suggested the child may have gone in the water as early as nine or ten that morning and the emergency call was not received until five that afternoon. It had been suggested the mother had jumped into the water with her cell phone and keys and had lost everything and was not able to call for help.

Mr. Davis noted there were many residents in New Kent who did not speak English and suggested the County needed to find a way to get the message to these residents to call for emergency assistance when needed and, if these residents were undocumented, for them to understand there was no need to fear deportation because New Kent would not deport them. He suggested the County should develop some type of public outreach. Social Services Director Jon Martz indicated he and his staff had encountered similar problems when working to meet the needs of this population. Chief Opett indicated there had been good translators on site but even though this had been the case, there had been some confusion regarding what was happening when the divers were pulled at dark due to safety reasons. He indicated boats had been on the water all night and the child's body had been recovered at 4:22 a.m. the next day.

IN RE: RESOLUTION R-23-15/APPLICATION AFD-003-15 – SALAVEJUS ADDITION TO WAHRANI SWAMP 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 12.46 acres to the Wahrani Swamp AFD.

Environmental Planning Manager Matt Venable reported this request had been modified since it was first presented to the Board on July 6th. He indicated the subject property which included Tax Map Parcel 37-18 and Tax Map Parcel 37-18A collective contained approximately 21 acres with 12.46 acres devoted to pasture. He pointed out this pasture acreage had been reduced from 19 acres included in the July 6th presentation and the request was now for inclusion in the Wahrani Swamp AFD rather than the Mill Creek AFD. He also pointed out a letter had been received from the owners describing their use of the pasture and Extension Agent John Allison was standing by his original report. Mr. Venable noted a picture from the Commissioner of the Revenue's office depicting the barn which was also shown in pictures of hay being harvested had been included in the package materials and documented this barn was in fact located on the subject property.

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 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. Mr. Davis asked if the proof of the sale of agricultural products was a requirement for pasture land. Mr. Venable indicated he wasn't aware of this being a requirement.

Mr. Davis moved to approve Resolution R-23-15/AFD-003-15 filed by Timothy and Rebecca Salavejus to add 12.46 acres to the Wahrani Swamp AFD District instead of the Mill Creek AFD District. The members were polled:

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

The motion carried.

IN RE: EMERGENCY COMMUNICATIONS OPERATION MANAGER POSITION

County Administrator Rodney Hathaway reported a radio administrator would be necessary to manage the operation of the County's new 800 MHz radio system and indicated he was recommending the Board approve the new position of Emergency Communications Operation Manager. He reported Fire-Rescue and the Sheriff's Office had been consulted and neither department indicated there was anyone currently in their departments who would be able to take on this additional responsibility. He noted management of the new radio system would be almost a full-time position in itself and was recommending this position also be responsible for the management and administration of the County's Enhanced 911 Emergency Communications Center. Mr. Hathaway also noted the County's contract with Harris for the new radio system required that the County send the person responsible for the radio system to a two and a half week training course provided by Harris in October.

The radio responsibilities for this position would include defining the fleet map and associated properties, planning radio feature usage and personalities, developing operating procedures, maintaining unit and group databases, generating reports, controlling radios (enabling and disabling units) and monitoring system performance. Mr. Hathaway reported the Sheriff's Office and the Fire Chief had each identified \$35,000 in their budgets which could be used to cover a portion of the salary and benefits for this new position. He was recommending the Board approved the expenditure of \$40,000 from contingency to make up the needed balance. He pointed out the importance of identifying someone to fill the position quickly to allow them time to prepare for the training in October. He suggested it would be ideal for the selected individual to be on board by the middle of September.

Mr. Stiers asked if the salary for this position would be \$110,000. Mr. Hathaway noted the salary would be in the \$75,000 range and the balance would cover benefits. He pointed out this position would be supervising other staff and the salary would be consistent with those of other County directors.

Mr. Evelyn moved to establish the requested new position of Emergency Communications Operations Manager and to approve the use of \$40,000 from contingency funds to cover a portion of the associated salary and benefits. 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.

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 in the Boardroom of the County Administration Building. He noted no work session was scheduled for August 2015.

IN RE: CLOSED SESSION

Mr. Evelyn moved to go into Closed Session pursuant to Section 2.2-3711A.1 of the Code of Virginia for discussion regarding demotion and salaries involving the Office of the Clerk of the Circuit Court and Fire-Rescue. 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. The Board went into closed session.

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

Thomas W. Evelyn	Aye
W. R. Davis, Jr.	Aye
James H. Burrell	Aye

Ron Stiers	Aye
C. Thomas Tiller, Jr.	Aye

The motion carried.

Mr. Evelyn 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 therefore 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:

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

The motion carried.

IN RE: GENERAL DISCUSSION ON VARIOUS TOPICS

Mr. Davis asked if County EMS staff would be working with Rappahannock Community College (RCC) to provide EMS instruction once RCC moved into the Historic School facilities. Fire Chief Rick Opett indicated Fire-Rescue was working on a public/private partnership with RCC and would be meeting the following week to discuss how best to pull resources together.

Fire Chief Rick Opett indicated Fire-Rescue was very interested in exploring the possibility of using the five upstairs classrooms in the Historic School for training. He indicated they would like to set up an EMS lab which could be shared with RCC. He pointed out if this did become reality and a paying tenant were to come forward with an interest in renting the space, Fire-Rescue would move out. County Administrator Rodney Hathaway indicated Building Development would need to be contacted to secure a Certificate of Occupancy for this portion of the building.

Mr. Hathaway reported the Heritage Public Library Board of Trustees had voted to move the Library into the cafeteria portion of the Historic School. He indicated additional renovations would be necessary and information would be supplied to an architect soon so that plans could be prepared and the project put out for bid.

Mr. Hathaway noted there would be a public hearing before an independent fact-finding commission in Richmond on July 29th regarding HCA's application for a certificate of public need for an MRI facility in New Kent County. He indicated the public hearing would begin at 10:30 a.m. and New Kent would be last on the agenda. Mr. Tiller, Mr. Hathaway and several staff members would be attending.

Mr. Hathaway noted he had been asked by the Board to make arrangements for CPR instruction to be offered to County employees. He reported classed had been scheduled for August 26 and August 28th from 8:30 a.m. to noon and 1:00 to 4:00 p.m.

IN RE: ADJOURNMENT

Mr. Evelyn 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 12:05 p.m.