

A REGULAR WORK SESSION WAS HELD BY THE NEW KENT COUNTY BOARD OF SUPERVISORS ON THE 24TH DAY OF FEBRUARY IN THE YEAR TWO THOUSAND SIXTEEN IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING, NEW KENT, VIRGINIA, AT 9:00 A.M.

IN RE: CALL TO ORDER

Chairman Ron Stiers called the meeting to order. He welcomed everyone including members of the New Kent Economic Development Authority, members of the press and Financial Services Director Mary Altemus who had recently returned to work after an extended leave.

IN RE: ROLL CALL

Thomas W. Evelyn	Present
C. Thomas Tiller, Jr.	Present
Patricia A. Paige	Present
Ron Stiers	Present
W. R. Davis, Jr.	Present

All members were present.

IN RE: ECONOMIC DEVELOPMENT AUTHORITY (EDA) BUSINESS INCENTIVE PROGRAM – PROPOSED CHANGES

Community Development Director Matthew Smolnik noted EDA Chair Bill O’Keefe and Economic Development Consultant Mark Kilduff were present to assist with answering questions regarding the proposed changes to the EDA Business Incentive Program. Providing background information on the incentive program, Mr. Smolnik noted the program had been started in 2007 as a means to encourage business development and incentive grants had been provided to a number of national tenants in recent years. He also reported a subcommittee of the EDA had undertaken a review of the program and recommendations had been approved at the January 21, 2016 and February 18, 2016 EDA meetings. Recommendations include the following:

- New Kent should maintain an incentive program to encourage business development.
- The EDA should request an annual appropriation from the County to help rebuild the incentive fund to a minimum of \$200,000 and a maximum of \$500,000.
- Resolution R-17-07 had established the underlying philosophy of the program which included facilitating expansion of the tax base, providing incentives to new and expanding businesses, making economic sense to both sides of the table and awards based on performance. The recommendation was for this incentive philosophy to continue to be the operational guidance of the program.
- The incentive program, at its inception, had required a \$2.5 million qualifying investment which had been lowered to \$1 million in 2009. The recommendation now was for the EDA to focus back on the original threshold of \$2.5 million. This would not preclude grant assistance to businesses below this threshold provided the business would offer a product or service particularly needed in the County, provide meaningful employment opportunities or provide a meaningful tax base. Manufacturing, wholesaling and similar operations would receive greater focus and any grants greater than \$50,000 would require Board of Supervisor approval.
- New Kent should establish the practice of refunding all planning-related and construction permit fees for businesses.

- The EDA should establish a separate fund of up to \$75,000 annually to cover one-half of the costs for new or expanding small business to connect to the New Kent utility system. Mr. Smolnik pointed out this and the previous recommendation clearly demonstrated the County's understanding of the importance of small business and offering meaningful costs savings to encourage their location within the County.
- The final recommendation included a number of record keeping requirements as well as the establishment of timelines and expiration limits on approved grants.

Discussion ensued regarding current EDA advertising expenses and potential sources of revenue for replenishing the waning EDA incentive program fund.

Mr. Evelyn asked for annual television marketing figures. Mr. Kilduff indicated the EDA advertising budget was approximately \$39,000. Approximately \$10,000 of this budget was expended on print ads in the Richmond Times Dispatch and \$12,000 to \$15,000 was expended on New Kent branding television advertisements.

Mr. Davis indicated citizens were asking "why spend any money on the EDA" and suggested it did not seem that the EDA had brought any business to the County that would not have come on its own. The EDA had purchased a parcel of land as an investment a number of years ago and Mr. Davis asked had they considered selling it to replenish the incentive program fund. Mr. O'Keefe suggested the property could be sold if there was a willing buyer. Mr. Davis pointed out that when the County had instituted a meals tax, a portion of the tax revenue had been designated for the EDA but that funding had been stopped. County Administrator Rodney Hathaway indicated this funding had stopped approximately three years after the meals tax was put in place. Mr. Davis asked how much annual revenue was generated by the meals tax. Financial Services Director Mary Altemus indicated \$700,000 to \$800,000 was being generated. Mr. Davis noted the Board would soon be looking at the budget and there would be some tough decisions to be made. He suggested it may be time to look back at the meals tax funding formula.

Mr. Evelyn noted he recently had the opportunity to observe the operations of the EDA in Louisiana while on a business trip. He suggested it was important for the EDA to have ownership of land which could be offered to prospective businesses. He further suggested there wouldn't be much benefit if the EDA were to sell the land they currently owned.

Mr. Stiers noted much of the EDA advertising focused on the Richmond market and asked if consideration had been given to other markets. Mr. Kilduff suggested out-of-state markets didn't make much sense and were expensive. He pointed out the EDA had pursued the Hampton Roads market in its early days but had determined it to not be productive. He suggested the natural flow to New Kent was from the Richmond and Williamsburg areas. Mr. O'Keefe suggested current advertising was bringing people into the County for special events. He noted more wine had been sold at the muscle car show than at any other event in the County. He also noted a significant increase in wedding venue traffic.

Mr. Evelyn indicated he was pleased to see the recommendations for the incentive program included something for existing businesses.

Ms. Paige asked for information on the number of businesses having received incentive grants. Mr. Kilduff indicated ten businesses had received grants since 2007. Of those ten, nine were still in business (one of the nine had moved to Charles City County). There was approximately \$100,000 currently available in unencumbered incentive grant funds.

Mr. Tiller asked if the proposed \$75,000 fund to assist businesses with the cost of public utilities hookups was a per business figure or was it to be shared by everyone. Mr. Smolnik indicated this funding would be shared. Mr. Tiller pointed out Public Utilities was self-supporting and asked if business would initially pay the full cost of hookups. Mr. Smolnik indicated the business would pay the full hookup cost to Public Utilities and the EDA would then reimburse the business owner for half of the cost.

Mr. Davis asked how much funding would be needed to bring the EDA fund balance back up to a desired level. Mr. O'Keefe indicated the EDA fund had a \$700,000 balance when he had become a member in 2011. He suggested the current low balance limited the EDA's flexibility when working with prospective businesses. Mr. Tiller suggested if one cent of the meals tax funding was restored, \$170,000 would be generated. Mr. Evelyn noted the original meals tax distribution had been one cent for the EDA, two cents for schools and one cent for Parks and Recreation.

Mr. Evelyn suggested the EDA should "think outside of the box" and look at its branding advertising to determine what the County was getting for its investment. Mr. O'Keefe noted the EDA had recently approved its annual budget which included branding advertising.

Mr. Stiers asked if all new businesses to the County received incentive grants. Mr. Smolnik indicated businesses wishing to be considered for incentive grants were required to apply to the EDA and not all businesses were awarded grants. Mr. Kilduff pointed out, as a matter of practice, the availability of incentive grants was not brought up with prospective businesses and the EDA focused on selling the natural advantages of New Kent County. Mr. Evelyn suggested the recent adoption of the Bottoms Bridge Corridor Overlay should help to reduce the need for some incentive grants.

Mr. Stiers pointed out the Board would soon be working on the budget and would need to consider EDA funding. Mr. Davis suggested the Supervisors should restore the meals tax funding. He pointed out the citizens had voted on the meals tax knowing where the funds would be spent and he suggested that funding model should be restored. Mr. Hathaway indicated he was scheduled to bring budget recommendations to the Board at their March 14th meeting and meals tax distribution scenarios could be incorporated.

Mr. Stiers called for a brief recess at 9:44 a.m. The Board reconvened at 9:50 a.m.

IN RE: ADOPTION OF 2016 BOARD OF SUPERVISORS BYLAWS

Before the Board for consideration were the 2016 Board of Supervisors Bylaws which had been presented with recommended amendments on January 11, 2016. As prescribed in Article X of the Bylaws, "These Bylaws may be amended by a recorded majority vote of the entire membership of the Board after (30) days prior written notice." Written notice having been provided on January 11, 2016 and the thirty days having expired, the proposed amended Bylaws were being presented for final consideration and action.

County Administrator Rodney Hathaway drew attention to several proposed amendments. The New Kent County Procurement Manual provision for the Board to approve all County contracts exceeding \$50,000 had been included and duties of the County Administrator had been modified to include "the County Administrator shall advise the Board prior to the hiring or dismissal of Department Directors". Mr. Hathaway noted both of these recommendations were current practice and would have no impact on the way the County was currently doing business. All other recommended changes were grammatical in nature.

Mr. Davis moved that the 2016 Board of Supervisors Bylaws be adopted with amendments as presented at the January 11, 2016 Supervisors Business Session. The members were polled:

Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
W. R. Davis, Jr.	Aye
Ron Stiers	Aye

The motion carried.

IN RE: PINE FORK PARK – DEED OF LOT CONSOLIDATION

Before the Board for consideration was a Deed of Lot Consolidation proposing the vacation of the property line separating Parcel 21-91 and Parcel 21-92, both parcels being a portion of the Pine Fork Park property.

County Administrator Rodney Hathaway indicated the property contained in the Pine Fork Park had been received by the County in two parcels. He reported a 16.85 acre parcel had been received as a proffer for a walking trail from New Kent Farms, LLC in 2013 and a 39 acre parcel had been received from Southwest Holdings, Inc. through a land swap. The County was ready to further develop the property and the lot consolidation would better facilitate the development and management of the property.

Parks and Recreation Director Kim Turner pointed out a proposed deed had been prepared and was included in the meeting materials. She provided a copy of the approved consolidation plate entitled, "Lot Consolidation Parcel Number 21-91 and Parcel Number 21-92 Deed Book 620, Page 1616 and Deed Book 620, Page 1849 New Kent County, Virginia".

Mr. Evelyn asked if there had been any restrictions placed on the properties at the time they had been conveyed to the County that would impact the proposed consolidation or the future use of the property. Ms. Turner indicated there were none. Mr. Davis noted the possibility of changes to the Farms of New Kent PUD and asked if the property proffered by the Farms was in anyway encumbered. Mr. Hathaway indicated there were no encumbrances on either of the properties and both had been deeded to New Kent County.

Mr. Evelyn moved to approve the Deed of Lot Consolidation for Pine Fork Park as presented. The members were polled:

C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
Ron Stiers	Aye

The motion carried.

IN RE: 2017 STAFFING FOR ADEQUATE FIRE & EMERGENCY RESPONSE (SAFER)
GRANT PROGRAM

County Administrator Rodney Hathaway noted that Fire Chief Rick Opett was participating in training and Deputy Fire Chief Brian Bennett was present to assist with answering questions

regarding the SAFER Grant Program. The Fire Chief was requesting authorization from the Board to submit a 2017 grant application for funding for twelve new fire and rescue career positions. The addition of these positions would provide 24/7 coverage at all County stations. The cost for the twelve positions was estimated to be \$695,000 per year and, if awarded, the grant would pay 100% of this cost for two years and the County would be responsible for funding the positions in the third year. This would be twelve positions in addition to those included in the FY17 Fire Rescue budget request.

Mr. Davis asked when the County could expect to receive the funding if a grant was awarded. Mr. Hathaway indicated he did not have a schedule of when awards would be made and noted it was his understanding this was a very competitive grant with the odds of receiving an award being very low. Ms. Paige asked if the Board would know if New Kent had been awarded a SAFER grant prior to finalizing the FY17 budget. Mr. Hathaway indicated notice of awards would not be expected until later in the year. Chief Bennett indicated the application was due by March 25, 2016 but he did not have award dates.

Mr. Stiers asked if these positions would be firefighters or EMTs. Chief Bennett indicated the positions would be both and noted the department's minimum standard was that all firefighters also be EMTs.

Mr. Evelyn asked for the ratio of lieutenants to firefighters and suggested the department needed to "put more boots on the ground." Chief Bennett noted they followed the NFPA (National Fire Protection Association) standards as close as they could and lieutenants were also on the ground working calls beside other department staff. New Kent's current lieutenants to firefighters ratio was one to three.

Mr. Hathaway noted Fire Rescue had included a request for six new positions in the FY17 budget but the County Administrator's recommended budget currently included only two positions. He reported significant funding had been set aside for reassessment appeals and suggested that once all appeals were settled, it was a good possibility some of those funds would be left over and could be made available for additional firefighter positions.

Chief Bennett noted with current staffing levels, receiving just one medical call at any of the stations resulted in that station being put out of service for any other calls. He pointed out that NFPA recommendations were for fire engines to have a four person staff and the County frequently went into NUA (No Units Available) status. More people at the stations would increase options to make more units available to respond to calls. Ms. Paige pointed out that one fire station was currently not manned 24/7. Chief Bennett noted Station 4 was not manned 24/7 but the additional positions would facilitate plans to provide 24/7 coverage at all stations. He indicated it was Fire Rescue's goal to "do the most good for the most people" and staff were moved from station to station as needed.

Mr. Stiers suggested if the grant for twelve positions was received, the County could possibly receive a better ISO rating which could equate to reduced insurance premiums. He also asked if there had been any recent discussions with the Providence Forge Volunteer Rescue Squad. Mr. Hathaway noted the Providence Forge Volunteer Rescue Squad was under new management and there had been discussions regarding the possibility of their return to running calls in the County.

Mr. Hathaway noted Chief Opett was asking for the Board's authorization to apply for grant funds to cover twelve positions but the number of positions could be reduced. He further noted that Chief Opett had indicated he believed a request for twelve positions would be

more competitive than one for fewer positions. Chief Bennett indicated \$340 million was available to fund SAFER grants nationwide.

Mr. Tiller moved to authorize the New Kent County Fire Chief to submit a 2017 SAFER grant application to FEMA for twelve new Fire and Rescue career positions. The members were polled:

Patricia A. Paige	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Nay
C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye

The motion carried.

Mr. Evelyn asked Chief Bennett if there were any updates on the afternoon weather forecast. Chief Bennett indicated Chief Opett was attending a Department of Emergency Management conference and was constantly receiving and relaying information back to staff. The last report indicated the growing potential for severe weather in the afternoon and evening hours. Consideration was being given to opening the EOC (Emergency Operations Center) if needed. The forecast included heavy rain, straight-line winds and possible tornadic activity from approximately 3:00 p.m. to 7:00 p.m.

IN RE: ROUTE 106 ARTERIAL MANAGEMENT PLAN

Community Development Director Matthew Smolnik introduced Kimley Horn Project Manager Carroll Collins and Kimley Horn Transportation Engineer Alex Shoemaker. Mr. Collins and Mr. Shoemaker were present to provide a status update on the Route 106 Arterial Management Plan. Mr. Smolnik noted the next public meeting on this plan would be held from 6:00 to 8:00 p.m. on March 10, 2016 at the New Kent Visitors' Center.

Mr. Collins began by providing some background information on the study area which encompassed a portion of Route 106 beginning at the roundabout north of I-64 and extending south a distance of approximately 1.5 miles until reaching Parrish Road. This segment of roadway included a roundabout and eight intersections, seven of which were unsignalized. This area had also been designated as a bicycle route and was home to several businesses including the Pilot Travel Center and Burger King. Mr. Collins indicated the purpose of the study had been to develop a plan that would guide future development and transportation decisions along the Route 106 corridor as well as ensure safety and preserve capacity. Data collection including information on peak hour traffic volumes, traffic operations, safety analysis (crash data) and environmental assessments (wetlands and floodplains) had been completed the previous spring. Interviews had been conducted with stakeholders and the first public meeting had been held on November 18th with twenty attendees. Mr. Collins also reported a public survey had been administered and the feedback had focused on corridor safety, truck volumes and the economic vitality of the corridor. Mr. Shoemaker noted that projected traffic volumes through 2040, potential future development and land uses in the area and VDOT's minimum spacing standards for commercial entrances, intersections and median crossovers were considered when formulating recommendations for possible road redesign and improvements. Information was presented on two possible road design options including a three lane option (two travel lanes with a two-way left turn lane) and a four lane option (four travel lanes with a raised median). Work remaining to be completed included finalizing the future conditions analysis, developing alternatives and recommendations, holding an additional public meeting for

citizen input (scheduled for March 10), preparation and submission of a draft report and submission of a final report for approval in June.

Mr. Davis expressed concerns over the June final report date. He noted there was a project waiting for this plan to be finalized and asked if the June final report date would have any impact. Mr. Smolnik indicated the County was working closely with Love's and was expecting them to submit their site and signal plans soon. Love's was anticipating a July construction start date and the facility to be open for business by the end of the year. Efforts were being made to get all parties together so VDOT could begin their review process and no delays were expected.

Mr. Davis left the meeting at 10:52 a.m.

IN RE: 2016 BOARD OF EQUALIZATION COMPENSATION – RESOLUTION R-07-16

Before the Board for consideration was Resolution R-07-16 setting compensation for the 2016 Board of Equalization (BOE) at fifteen dollars per hour per member.

County Administrator Rodney Hathaway noted the Board had nominated five individuals for Circuit Court appointment to serve on the 2016 BOE. The Circuit Court judge had officially appointed those individuals earlier in the month and the Board now needed to set the BOE compensation rate. The recommended compensation was fifteen dollars per hour per member which was the same rate paid in 2014. Members of the BOE would be meeting later in the day for required training through the Virginia Department of Taxation.

Mr. Tiller asked if BOE members were paid for a minimum number of hours on meeting days. Mr. Hathaway indicated a three hour minimum had been the practice in the past.

Ms. Paige moved to adopt Resolution R-07-16 setting compensation for the 2016 Board of Equalization at fifteen dollars per hour per member. The members were polled:

W. R. Davis, Jr.	Absent
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
Ron Stiers	Aye

The motion carried.

IN RE: CLOSED SESSION

Mr. Evelyn moved to go into Closed Session pursuant to Section 2.2-3711A.3 of the Code of Virginia regarding the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the bargaining or negotiating strategy of the County involving the Heritage Public Library. The members were polled:

Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
W. R. Davis, Jr.	Absent
Ron Stiers	Aye

The motion carried. The Board went into closed session.

Mr. Davis rejoined the meeting at 11:05 a.m.

Mr. Evelyn moved to return to Open Session. The members were polled:

C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
Ron Stiers	Aye

The motion carried.

Mr. Evelyn moved that the Board certify by roll call vote that to the best of each member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Freedom of Information Act and identified in the motion to go into closed session were heard, discussed or considered in the closed session. The members were polled on the certification:

Patricia A. Paige	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye

The motion carried.

IN RE: MEETING SCHEDULE

Chairman Stiers announced the next regularly scheduled meeting of the Board of Supervisors would be held at 6:00 p.m. on Monday, March 14, 2016 and the next work session would be held at 9:00 a.m. on Wednesday, March 30, 2016. Both meetings would be held in the Boardroom of the County Administration Building. The Board would also be holding a Retreat on Friday, March 18, 2016 at 9:00 a.m. at the New Kent Forestry Center located at 11301 Pocahontas Trail, Providence Forge, Virginia.

IN RE: ADJOURNMENT

Mr. Evelyn moved to adjourn the meeting. The members were polled:

W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
Ron Stiers	Aye

The motion carried.

The meeting was adjourned at 11:20 a.m.