

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

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IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

The Reverend Mike Mayton of Pamunkey United Methodist Church gave the invocation, followed by recitation of the Pledge of Allegiance.

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IN RE: ROLL CALL

Mark E. Hill	Present
D. M. Sparks	Absent
James H. Burrell	Present
Stran L. Trout	Present
W. R. Davis, Jr.	Present

The meeting was called to order. Chairman Davis announced that Mr. Sparks would not be in attendance as he had injured his arm and shoulder in a recent fall

Chairman Davis introduced the new County Administrator, John Budesky, and invited all to stop by to welcome him to New Kent.

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IN RE: CONSENT AGENDA

County Administrator John Budesky presented the Consent Agenda, which consisted of approval of the minutes of the Work Session of February 28, 2005; Special Work Session of March 1, 2005; Special Work Session of March 2, 2005; Special Work Session of March 3, 2005; Special Work Session of March 10, 2005; Regular meeting of March 14, 2005; Special Work Session of March 17, 2005; Joint Retreat of March 19, 2005; and Special Work Session of March 24, 2005; authorization for the County Administrator and Board Chairman to execute Deed of Vacation of Drainage Easement and Dedication of Relocated Easement between Alvin and Linda Franklin and New Kent County; authorization for the County Administrator and Board Chairman to execute Deed of Vacation of Drainage Easement between George and Toni Corbin and New Kent County; adoption of Code of Ethics of the New Kent County Board of Supervisors; adoption of Mission Statement of the New Kent County Board of Supervisors; Inter-Departmental Budget Transfer from Fund 98 to Fund 198 of the following: \$40,000 Admin Professional Services (-3115); \$230,000 Financial Professional Service (-3120); \$959,952 Engineering Services – R. Stuart Royer (-3140); \$60,000 Legal Professional Services (-3150); \$154,500 Inspections (-3160); \$177,200 Permits/Testing (-3170); \$663,998 Financial Reserve (-5890); \$11,279,103 Construction (-8300); \$422,965 Land Acquisition (-8400); Treasurer's Report: cash in Bank as of February 2005: \$21,337,082.44.

Mr. Budesky announced that Appropriations will be given under Staff Reports later in the meeting.

Mr. Burrell requested a change to the minutes of February 28, 2005, page 20, 3<sup>rd</sup> paragraph reflecting "...that the speakers here tonight do not represent *a majority of the people*".

Mr. Burrell also suggested that the Code of Ethics would carry more meaning if it were removed from the Consent Agenda and voted on separately.

Mr. Trout stated that there is a section of the February 28 minutes missing on the last page that dealt with the vote on Mr. Burrell's main motion, to which there was a 4:1 vote.

Mr. Burrell moved to approve the Consent Agenda with the corrections to the minutes and removal of the Code of Ethics for a separate vote. The members were polled:

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

The motion carried.

Mr. Burrell moved to adopt the Code of Ethics as presented in the Board packet. The members were polled:

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

The motion carried.

Mr. Hill read aloud the Mission Statement as adopted:

#### MISSION STATEMENT

*We will provide the citizens of New Kent County with the highest quality services in a professional, efficient and fiscally-responsible manner.*

#### VALUES

*As a County, we value*

- the opinions and perspectives of our citizens*
- our rural integrity*
- a commitment to balanced growth*
- preservation of the environment*
- our quality of life*

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IN RE:           CITIZENS COMMENT PERIOD

Chairman Davis opened the Citizens Comment Period.

Gilbey Campbell stated that on Thursday, April 7, the public was invited to a Supervisors' work session. She expressed her appreciation at being included but indicated that what she heard was "staggering and what was not discussed was mind boggling". She stated that the Board has continued to insist that its choice to install the sewer line down the south side of I-64 is the best and least costly route. She expressed her displeasure that the Board has yet to give a full accounting of the additional costs of the route that has been endorsed, and has exaggerated the cost of the alternate routes. She described the Board's presentation is "lacking in credibility". She indicated that the Board has represented that the cost of construction and additional engineering for the incremental stretch of pipeline

down Route 60 from the Star Motel and then up Route 106 to Talleyville would cost approximately \$316,000 more than the route along I-64. She pointed out that this routing is 2,100 feet longer and if one uses the same cost per linear foot for the two alternatives, then mathematically this route is more expensive. However, she continued, traveling up the west side of Route 106 would require only 22 easements rather than the 30 needed along I-64. The third alternative described along Airport Road would cost \$422,000 more to construct but would require only 11 easements. She stated that the Board never discussed the cost of obtaining easements yet these costs will be significant. She indicated that the Gregory family is going to lose their home – how much will that cost? Kenny Wilborne will not be able to sell homes on the land the County sold to him but continues to permit – how much will that cost? She stated that her business will have to shut down temporarily to accommodate the construction and the County will permanently destroy the beauty of three holes on the golf course. Countless others will have the quality of their lives irreparably damaged due to the increased noise level at their homes once 40 feet of trees have been clear cut. To add insult to injury, once the County is done inflicting this hardship on people, some of whom gave land to the State for the construction of I-64, the County intends to come back in and install a second line, once again targeting the same people and businesses. How much will all of this cost? She stated that the County claims that it needs easements to travel up Route 106 but she contends that the cost of destroying someone's drain field is much higher than the cost of damaging a driveway. She wagered that the cost of obtaining the easements along I-64 will cost a lot more than \$316,000 or even \$422,000. Some of the Supervisors have expressed concern that picking another alternative would further delay the project. However, the Board still has no easements from the landowners along I-64. She stated that the County has yet to make a legitimate request for an easement through her property. The only request she has in hand is the original one dated December 28, 2004, asking for 80 feet through her property, unrestricted access to it, and offering \$10 which is not "just consideration" and violates Virginia law. There has been discussion of amending the request but to date nothing has been forthcoming. Mr. Harrison would have the Board believe that all of the easements will be ready by May 1 and that is just not so. Mr. Hart says that the project is on track for a June 2006 completion date. That cannot happen if the easements have not been obtained. The County cannot "just come on through" without voting to condemn each and every property along the route. Despite what the Board thinks, the alternate routings are much less costly when all costs are taken into account, including the costs of obtaining easements. These alternatives are much less environmentally damaging and much less harmful to the Board's constituents. By dramatically reducing the need for clear cutting and reducing the need for directional drilling, the Board will come out ahead even if the routing is a bit longer. She stated that by choosing an alternative based solely on political considerations, the Board has "breached its fiduciary responsibility to its constituents". The Board claims that it does not wish to install a pressurized line down Route 106 yet it is about to vote on the Farms of New Kent which is located on Route 106. The Board is about to permanently harm the lives and livelihoods of numerous taxpayers of New Kent for "no good reason". She contended that the Board has viable alternatives, but refuses, for whatever reason, to really consider them. The Board claims that it wants to attract businesses to New Kent. Businesses locate where people live. If the Board precludes people from moving to New Kent, no businesses will open here. She stated that a county with fewer than 15,000 residents cannot support a Lowes or a Target. It is the citizens of New Kent that will pay in the years to come, not some anonymous business. It is the citizens of New Kent that will patronize these businesses if and when they come, and the cost that is passed on to them will be reflected in the prices paid for goods and services. Whatever shortfall there is when these businesses are struggling here will be the obligation of everyone. She stated that the Board has a chance to honestly re-assess its decision and not "perpetuate the charade presented on Thursday night". The Board has pledged to provide the citizens of New Kent with the

highest quality services in "a professional, efficient and fiscally-responsible manner". She urged the Board not to waste this opportunity to get this important and costly decision right.

Arthur Gnaegy echoed the sentiments and statements of Ms. Campbell and encouraged the Board to listen to her. He stated that ½ acre of his property will be affected by the 80 x 800 foot easement requested by the County. He indicated that he had never been informed of any of the other meetings, but admitted that he does not have the time to read the newspapers as he is busy "running three businesses". He stated that he was adamant in his position and would do everything that he could "to make it work the right way".

Rudolph Sykes, pastor of Rising Mount Zion Baptist Church, stated that his church is close to the proposed site for Farms of New Kent. He emphasized the need for an affordable housing policy to be in place for new developments and subdivisions. He would like for New Kent to be affordable to everyone, including college graduates who would like to return to the area to live. He wants New Kent to remain a place with a diversity of people.

Connie Kukla stated that she had attended the March 14 meeting as well as last week's meeting, and "the numbers just don't add up or make sense". She asked the Board to look at the alternatives again, including the costs of easements. She doesn't think that the Board has considered what it will cost to maintain the easements. She also challenged that choosing an alternate route would delay the project by 7½ months. She stated that the bids have not even been received yet, and could well "close the gap". She asked three things of the Board: that they continue to compare prices; that they question the numbers; and that they don't close their minds to the alternatives.

John Crump, as Commissioner of the Revenue, wanted to remind affected establishments and residents that the meals tax will become effective on May 1, 2005. He has prepared a package for the businesses that need them, and urged anyone that has any questions or needs any help, to please contact him.

Rev. Milton Hathaway, Pastor of New Covenant Community Church, urged the Board to adopt an Affordable Housing policy for New Kent. He stated that the Comp Plan speaks of providing housing for all citizens. In 2002, over 40% of New Kent's residents could not afford the median priced home of \$152,000. The cost of that median priced home has since increased. Of the 37 – 39% of existing homes in New Kent that are deemed affordable, most all are occupied and do not meet the need for affordable homes. He disputes the claim by some that affordable homes cannot be built in New Kent. As a private citizen, he has asked Farms of New Kent to do more. He stated that by not adopting an Affordable Housing program, the Board is not doing what it can. He urged the Board to take the lead in this process. He stated that there are misconceptions about affordable housing – it is not low income housing, but safe and sanitary housing for all residents. He expressed his disappointment that the Board has done nothing in the last 15 months and feels that this should be one of their priorities.

Garland Clay of 5000 Hampstead Lane, New Kent, Virginia, requested that he be permitted to ask questions that would be answered by the County in writing and sent to him by mail. He asked what authority allows the Board of Supervisors to borrow money for sewer for a few people and indebt the rest of the County. He asked to see what information the Board has looked at that has made them think the revenue stream would pay for this debt. He questioned whether \$17 million would pay for the project. He asked the County to send him a letter with this information.

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There being no one else signed up to speak, the Chairman closed the Citizen Comment Period.

Chairman Davis asked the County Attorney to prepare the responses to Mr. Clay's questions.

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IN RE:           RESIDENT ENGINEER'S REPORT

Gary Jennings, Assistant Resident Engineer with Virginia Department of Transportation, welcomed the new County Administrator and stated that he would be calling to schedule a time to meet with him.

Mr. Jennings reported that the Route 607 (Steel Trap Road) bridge opened last Friday. Crews have been working on potholes, low shoulders and ditching. They have been working with CSX on some of the railroad crossings in the County.

He reported that bids were taken on the Route 632 Stage Road project, and came in about 12% higher than the engineering estimates. After much deliberation, they have rejected the bids. They will continue to look at the contract and plans, as they do not want to affect the other projects in the Six Year Plan. It is their intention to re-advertise in May.

He reported that the Route 686 project is still set for a December advertising date.

Regarding a concern of Mr. Trout's about the railroad crossing into The Colonies being blocked last week, he asked for the County's help in getting someone from CSX to sit down with them to try to find a way to get emergency vehicles in and out of areas when crossings are blocked.

Mr. Hill thanked Mr. Jennings for the work in getting Route 607 repaired and re-opened. He asked about concerns of the Sheriff regarding Route 613. Mr. Jennings stated that more signs have been ordered and will be put up as soon as they are received. He hopes that this will resolve the Sheriff's issue with enforcement.

Mr. Burrell asked how the re-advertising of the Route 632 project will affect its completion date. Mr. Jennings responded that the completion date will probably be moved back from mid-2006 to the end of 2006. They want to be very careful and frugal with the funds.

Mr. Trout elaborated on the situation with the blocked train crossing into The Colonies last week. He stated that a train was stopped on the tracks for several hours, blocking the sole ingress and egress into that subdivision. There are other similar sites along the train tracks that also have critical crossings. There is an alternate route which is a railroad services road but it is unlawful to drive a car along it. This is a long standing problem whose solution lies with the Railroad. Not only are emergency vehicles denied access, but the residents themselves. He would like for VDOT, the Fire Chief, the Sheriff, and perhaps someone from the legislature work with CSX on this problem.

Mr. Davis asked if there is a law limiting the time that a railroad crossing can be blocked. He asked the Sheriff to check to see what the law is.

Delegate Ryan McDougle was present and stated that his office does have some contacts with CSX and if the County will provide him with the dates and locations, he will have someone contact the railroad to try to resolve the problem.

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Mr. Davis pointed out water pooling problems near the bridge across Eltham Creek and suggested that the ditches may need to be cut. Mr. Jennings indicated that "fill is shifting" in that area and they will need to do something there to resolve the problem.

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IN RE:           PRESENTATIONS

Delegate Ryan McDougle presented the family of John Frank Vickery, deceased, with a resolution passed by the House of Delegates and agreed to by the Senate, recognizing the late Mr. Vickery's contributions and his service as a Richmond police officer, New Kent deputy sheriff and magistrate. Mr. Vickery was killed in a vehicular accident on May 11, 2004, on his way home from magistrate duties.

Chairman Davis presented William Bowery a framed copy of Resolution R-15-05 adopted by the Board, recognizing Mr. Bowery for his contributions as a deputy sheriff. Mr. Bowery, who recently retired from the Sheriff's Department, expressed his pleasure in having served the Sheriff and Judge Hoover for so many years.

Mr. Hill introduced Lilly Kuhn, a 12-year old gold and silver medal winner at the 2005 Special Olympic World Games. Lilly made a presentation, explaining how the Special Olympics has enriched her life. Mr. Hill congratulated Lilly and her parents on her accomplishments, and presented her with a plaque and a New Kent 350<sup>th</sup> commemorative t-shirt.

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IN RE:           PARKS & RECREATION MASTER PLAN

Dr. Mort Gulak and two of his graduate students from VCU were on hand to review the master plan prepared for parks and recreation in New Kent County. Dr. Gulak explained that the plan had three major issues: the demand for recreation services resulting from a growing population; the lack of space for recreation programs and the need for a central facility to house existing and new programs; and the need to maintain the natural beauty of New Kent County as growth occurs. Their action plan includes development of a central facility, meeting long term future needs, and funding.

Dr. Gulak apologized for not having copies of the final report, indicating that it was at the printer and should be available next week.

He reported that the proposed parks and recreation facility should be located in a place that is central to future population centers, and they are recommending that it be near the current County complex in order to be convenient to parents, thereby reducing transportation needs for students. He would suggest a building of 35,000 square feet, but admitted that the level of need should be determined by Parks & Rec in order to balance needs with costs. The facility should be on a parcel of no less than 100 acres to allow for space for the building as well as outdoor sports facilities. This facility should fill the County's needs through 2020.

Greg Garrison spoke about recreation in natural environments, or passive self-directed recreation opportunities. He commented that Wahrani Natural Trail was a prime example, and reported that the 2002 Virginia Outdoors Plan recognized a number of other potential sites including the Cumberland Marsh Natural Area Preserve, the area along Big Creek on the Pamunkey River, and other areas along the Pamunkey and Chickahominy Rivers. He recommended the development of biking and walking trails with signage within a 15-minute drive of New Kent's population centers.

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Also recommended was development of the Diascund Reservoir site, to include installing a public boat ramp, trails and a canoe launch, as well as expansion of the Route 33 fishing pier to include marsh walks.

Matt Dugan spoke about providing public recreation opportunities close to future population centers. He discussed the seven village areas planned for the County, suggesting a 2 -5 acre park in each village which would provide recreation opportunities to all ages. Also recommended was the establishment of three natural and historic areas to serve recreation, education and tourism. He would suggest walking trails with interpretive markers, driving trails with appropriate signage within the areas to explain the current and historic importance, and identified bicycle paths.

Mr. Dugan also spoke about utilizing parks for education. Guided tours by local experts as well as self-directed tours on existing trails for students, residents and tourists could be used for this purpose. He explained that there are partnerships available for developing educational programs. For example, the National Parks Service has a program that can train staff.

Dr. Gulak addressed funding. He recommended that the County continue its partnership with other localities, and private and commercial businesses, such as the providing of golf lessons through the local golf courses, the Wal Mart fishing derby at Ed Allen's, and the youth sports leagues. He stated that the current proffer system should be continued and expanded to provide parks and recreation sites in new communities, and to initiate the acceptance of cash proffers for recreation that will benefit all of the residents. He stated that the Quinton Community Park Foundation should be expanded to assist park and recreation funding throughout the entire community and widen the field of contributors. The Parks and Recreation department should continue to pursue funding from state and federal government sources.

Dr. Gulak stated that his staff had worked with the Parks & Recreation Advisory Committee and he hopes that the report will expand upon tonight's brief presentation.

Mr. Hill commented that Dr. Gulak's group had been diligent in its work and that the report has a lot of "meat" in it that the Board members will need to digest. He stated that the County is behind in both education and recreation facilities and he asked that each Board member take the report home and study it. He indicated that the Parks & Recreation Advisory Committee will be coming to the Board shortly to explore other ways to fund facilities recommended by the report.

Mr. Burrell commended Dr. Gulak and his students for the report.

Mr. Trout thanked them for the report and stated that it is a plan that can be used in the future.

Mr. Hill inquired about Dr. Gulak's success in locating an intern who could write grants. Dr. Gulak stated that he will continue in his efforts to find someone.

Matt Spruill, Programming Manager, offered to help any Board members who needed assistance in interpreting the report.

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IN RE:           BOTTOMS BRIDGE SERVICE DISTRICT

County Attorney Phyllis Katz explained that when the Bottoms Bridge Service District was created, a few parcels were omitted because they were not shown on the maps in the office of the Commissioner of the Revenue. Furthermore, one of the parcels had been subdivided. Ordinance O-08-05 will correct those errors and add the missing parcels.

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

Mr. Burrell moved to adopt Ordinance O-08-05 as presented. The members were polled:

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

The motion carried.

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IN RE:           REAL ESTATE TAX EXEMPTIONS

Ms. Katz explained that the 2004 General Assembly had changed the section of the State Code that allows localities to give exemptions and deferrals by increasing the income and net worth limits. The proposed ordinance provides a real estate tax exemption to those with incomes of less than \$24,000 or combined household income of less than \$40,000, excluding up to \$10,000 of the income of a relative that is not a spouse of the owner. The ordinance will also increase the net worth amount to \$100,000, and will exclude the value of the dwelling and up to five acres of land. The amount of the exemption is proposed to be increased to \$600. This action will allow more residents to qualify for the exemption.

Commissioner of the Revenue John Crump explained that in the past, most applicants were excluded from qualifying because of the value of their land.

Karen Cameron, Executive Director of the Central Virginia Health Planning Association, a resident of New Kent, and well-versed in demographics, joined Mr. Crump to explain what kind of impact this might have on the County. Her research shows that 18% of New Kent households are headed by someone aged 65 or older, with 8.5% having income less than \$30,000 and 3.2% having incomes between \$30,000 and \$40,000. These figures are based on 4,913 total households in the County, and a population of 13,462, or 2.7 persons per household. Her research shows that 0.9% of the population is deemed to be disabled, 123 of which have an income below the poverty level. She admitted that her statistics show income only, and do not reflect net worth.

Mr. Burrell asked about the current poverty level. Ms. Cameron reported that she did not have that figure available but she believed that it was \$30,000 for a family of four.

Mr. Davis asked how many people currently take advantage of the exemption program. Mr. Crump stated that currently 30 – 40 people participate. He explained that the net worth limitation is what most often disqualifies an applicant. He also is concerned that many don't even know about the program, although he includes information in the tax bills that

are sent out and works with Social Services. He suggested that perhaps using local churches as a source of information might be one solution.

Mr. Davis inquired how Mr. Crump verifies the value of an applicant's net worth. Mr. Crump explained that he has ways of doing that but he has found that most are honest on their applications.

Ms. Katz outlined the differences between the current program and the proposed changes. There was a discussion about the impact that the proposed changes will have on the County, and how different amounts would change those impacts. Ms. Katz explained that any significant changes to the ordinance will require re-advertising and another public hearing

Chairman Davis opened the Public Hearing.

Rev. Hathaway urged the Board to adopt the ordinance as advertised. As a pastor, he finds that the elderly are facing problems that are "eating up their income" and they need relief.

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

Mr. Hill asked Mr. Crump and Ms. Cameron to calculate the impact of these changes prior to the time that a vote is taken.

There was a short break.

Mr. Crump reported that he has determined that with an exemption of \$600, the maximum exposure to the County would be \$126,000. However, he does not see that the number of participants would increase from 40 to 100, and in his opinion, the impact will most likely be about \$60,000. If the exemption amount remains at \$400, the impact would be about \$40,000.

Mr. Davis stated that he would like to keep the exemption at \$400 and have more people eligible. Mr. Crump suggested an income limit of \$30,000, net worth at \$50,000 and an exemption of \$400 and see how it goes. He agreed to keep good statistics and the Board could always increase it next year.

There was a discussion about caretakers. Ms. Katz explained that the proposed ordinance provided that a caretaker's income be excluded from the household income limit.

Mr. Hill stated that it appeared that the proposed action would result in more taxpayers being eligible for the exemption but would do little for those already eligible and in the worst need, and he recommended that the exemption be increased to \$500 from \$400, which is still less than the \$600 advertised.

Mr. Burrell moved to adopt Ordinance O-07-05 with the following changes: a tax exemption of \$500 to be provided to a person making less than \$20,000 or household income of less than \$30,000, net worth of no more than \$50,000, excluding the dwelling and five acres. The members were polled:

Stran L. Trout	Aye
Mark E. Hill	Aye
D. M. Sparks	Absent
James H. Burrell	Aye

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The motion carried.

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IN RE: MOBILE TELEPHONE USER TAX

Ms. Katz stated that there is currently a tax on landline telephones and this will change to include mobile phones as well. The amount of the tax is 20% of the first \$15 of the monthly phone bill.

Mr. Burrell asked if it was true that some localities are receiving cell phone tax revenue from New Kent residents. Ms. Katz stated that may be happening in some jurisdictions but she is not aware of it happening in New Kent. However, when this tax goes into effect, the County will have to notify all mobile telephone providers so that they will forward this tax to New Kent.

Mr. Trout stated that it appears that this was not a tax increase as opposed to bringing the tax revenue to New Kent.

Chairman Davis opened the Public Hearing.

Garland Clay stated that he will drop his mobile phone if this tax is added. He stated that the Board should not keep on adding taxes to everything. He complained that the County had reduced hours at the refuse sites. He stated that people are already in a "jam" with the increase in gas prices and that the County should adjust its spending rather than keep adding taxes.

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

Mr. Hill stated that he wanted to reiterate that this is a tax that cell phone owners are already paying to another jurisdiction.

Mr. Trout stated that revenue from 911 fees have very specific uses and are not put into the General Fund.

Mr. Davis asked about the language in the ordinance. Ms. Katz explained that it was easier to repeal and re-enact the provision rather than piece-meal the changes.

Mr. Trout moved to adopt Ordinance O-10-05 as presented. The members were polled:

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

The motion carried

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IN RE: TRANSIENT OCCUPANCY TAX

Ms. Katz explained that the Commonwealth of Virginia allows counties to adopt a transient occupancy tax on guest rooms and camp ground lots rented for continued occupancy for fewer than 30 days. The proposed ordinance calls for a 2% tax.

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Mr. Davis inquired about campgrounds. Ms. Katz indicated that the tax would only be charged to those who rent a campground site for a period of less than 30 days. It would not apply to personal use of one's own campsite.

There was discussion as to whether this would apply to the jockeys at Colonial Downs. There were some other unanswered questions and Ms. Katz suggested that the Board could hold the Public Hearing tonight and she would obtain the information for the Board to vote at a future date.

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

Commissioner of the Revenue John Crump stated that this tax was not an issue for the motels but may be some problem for the campgrounds. He is not sure how much effort he is going to have to expend on this, but it is less of an issue now than it will be when there are more lodging establishments in the County. He did question why the ordinance is scheduled to be effective immediately.

Mr. Burrell suggested that the effective date be changed to July 1, 2005.

Mr. Hill moved to adopt Ordinance O-11-05 with the following change: that the ordinance shall take effect on July 1, 2005. The members were polled:

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

The motion carried.

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IN RE: CORRECTION OF RECODIFICATION ERRORS

Ms. Katz explained that when the New Kent Code was re-codified, the editor adopted some of what was in the Code of Virginia rather than what was in the New Kent Code. It was believed that all of those changes had been found and corrected; however, another has now been detected. The proposed emergency ordinance will restore to the New Kent Code that New Kent County will accept proffers and will make it clear that the County has a right to accept proffers and does so willingly.

Mr. Burrell moved to adopt Ordinance O-12-05 as presented. The members were polled:

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

The motion carried.

Mr. Trout congratulated staff for detecting this mistake.

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IN RE: ELECTED OFFICIALS REPORT

Commissioner of the Revenue John Crump commented that there are a lot of changes taking place and some decisions needs to be made on how to implement these changes. He expressed his support of the new ideas but would suggest that a team be formed to work through some of these and he would like to be a part of it.

Mr. Trout reminded all of the New Kent Family Festival to be held at Marengo on April 30. Tickets are \$3.50 in advance and \$5 at the gate. This is the final 350<sup>th</sup> Commemoration event. Tickets that were purchased for the September event are valid.

He reminded that April is Alcohol, Tobacco, Drug, and HIV/AIDS Prevention Month in New Kent County. He attended an event at Ebenezer Baptist Church yesterday where awards were presented to the winners of the essay contest. 300 students from the middle and high schools participated. He commended Carter Perry and Rev. Joseph Lee and others for their hard work.

Mr. Burrell reminded that April 28 is the Volunteer Appreciation Dinner to be held at the high school.

He congratulated County Attorney Phyllis Katz on being chosen as one of the "Elite" in her profession.

Mr. Hill stated that the past weekend was the opener of the New Kent Youth Association baseball season. 23 teams comprised of 300 youth are participating.

He announced that Habitat for Humanity will be holding an organizational meeting in New Kent on April 25 at 7:00 p.m. at Corinth Baptist Church.

He reminded that the Strawberry Hill Races will be held on April 16, and urged residents to avoid Route 155 between 9 a.m. and 9 p.m. on that day.

Mr. Davis referred to a recent article in the Tidewater Review announcing that the builder of the new Medlin Ford facility had been given an award for design. He urged residents to visit any of the car dealerships in Eltham.

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IN RE: RAIL SERVICE

Mr. Trout stated that there is discussion regarding a light rail system to be installed between Richmond and Norfolk. Several routes are under consideration, some of which travel through New Kent and some do not. As County officials are very interested in rail service through Providence Forge, he asked the Board's consideration of the adoption of a resolution which will put the County on record in support of a route which will include New Kent.

Mr. Trout moved to adopt Resolution R-18-05 as presented. The members were polled:

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

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The motion carried.

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IN RE: MEETING SCHEDULE

Mr. Hill announced that if the Board plans on holding the Public Hearing on the Farms of New Kent application at the May 9 meeting, then he will ask that the public hearing be continued to the work session on May 23, to be the only item on that agenda. Accounting & Budget Director indicated that May 23 is also the date on which the Board is scheduled to adopt the budget.

Mr. Trout stated that since the Farms of New Kent application is not yet in final form, it is premature to set a date.

The Chairman announced that the next regular meeting of the Board of Supervisors will be held at 6:00 p.m. on Monday, May 9, 2005, in the Boardroom of the County Admin Building. A work session will be held at 6:00 p.m. on Monday, April 25, 2005 at 6:00 P.m., in the Boardroom of the County Admin Building.

Mr. Hill reported that he has an early out-of-town engagement on May 10 but will be able to attend the May 9 meeting.

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IN RE: STAFF REPORTS

County Administrator John Budesky thanked the staff for their reception, stating that he has found the staff to be talented and dedicated, and he is looking forward to working with them. He also thanked the community and residents for their welcome.

Accounting & Budget Director Mary Altemus presented the following appropriation requests: revenue received for Litter Prevention/Clean County grant in excess of amount anticipated, \$4,375.00; funding from Compensation Board for purchase of PC and laptop in the Commonwealth Attorney's Office, \$4,670.00; funds received from School retirees for health insurance, \$50,000; funds received for reimbursement of professional services for Farms of New Kent, \$30,189.86; funds for VA Department of Health grant for monitor and defibrillator, \$19,920.00; additional funding due to increased demand for VIEW AFDC Working Day Care-Mandated, \$1,500.00; funds received for cooling tower replacement for insurance claim at schools, \$55,875.00; funds received for reimbursement of professional services for Farms of New Kent, \$2,263.20; additional funding for Eligibility Administration pass thru to meet expenditures for FY2005 for Social Services, \$20,000.00; additional funding for Service Administration pass thru to meet expenditures for FY2005 for Social Services, \$20,000.00; Total Supplemental Appropriation, \$(204,669.06); Money in/money out \$174,020.06; from General Fund fund balance \$30,649.00.

Social Services Director Phil Quinn was in attendance to explain some of the reasons that his office is over budget, which included the amount of his health insurance, the rising price of gas for their five vehicles, training costs associated with staff turnover, and the recent purchase of a cell phone and fax machine. He indicated that he has established some cost controls on their long distance usage which he hopes will help. This is additional funding that is needed for the current budget year.

Mr. Hill moved to approve appropriations as requested of \$204,669.06, with money-in /money-out of \$174,020.06 and \$30,649.00 from the General Fund fund balance. The members were polled:

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

The motion carried

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IN RE: DISTRICT APPOINTMENTS

Mr. Davis moved to appoint Bruce Howard as District Five's representative to the Board of Road Viewers to serve a one year term ending December 31, 2005.

The members were polled:

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

The motion carried.

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IN RE: APPOINTMENTS TO BOARDS AND COMMISSIONS NOT DELEGATED BY DISTRICT

Mr. Burrell moved to appoint John A. Budesky as New Kent's alternate representative to the Richmond Regional Planning District Commission to complete a four-year term ending December 31, 2007.

Mr. Burrell moved to appoint John A. Budesky as New Kent's alternate representative to the Metropolitan Planning Organization to complete a four-year term ending December 31, 2007.

Mr. Burrell moved to appoint John A. Budesky as a New Kent representative to the Capital Area Training Consortium to complete a four-year term ending December 31, 2007.

The members were polled:

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

The motions carried.

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IN RE: ADJOURNMENT

Mr. Burrell moved that the meeting be adjourned. The members were polled:

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

The motion carried. The meeting was adjourned at 9:09 p.m.

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