

THE REGULAR WORK SESSION OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 25th 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.

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

Chairman Davis called the meeting to order.

IN RE: LITERARY LOAN APPLICATION

It was explained that the School Board has requested a resolution for the increased amount of the elementary school renovations as a part of its revised application for Literary Loan funds.

Mr. Hill moved to adopt Resolution R-17-05 as presented.

Mr. Davis inquired about the bridge loan that the County obtained from Citizens & Farmers Bank. Accounting & Budget Director Mary Altemus reported that the bridge loan was only for the primary school project, and did not include the elementary school renovations.

The members were polled on Mr. Hill's motion:

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

The motion carried.

IN RE: MAP FEES

MIS Jonathan Stanger and GIS Manager Matt Forbes reviewed the proposed map product fees. It was explained that many of these products are available on line for free; however, if someone wants the County to print the maps, then the proposed charges would apply.

There was some discussion about the new map books. Mr. Trout suggested that Brickshire be broken down into sections and enlarged to make it easier to find the new roads, especially for emergency personnel. Mr. Stanger agreed, and asked if there were other areas where this also needs to be done, to please let Mr. Forbes know.

Mr. Stanger stated that GIS is a new department, and Mr. Forbes had worked diligently to price the maps so that the charges reflect the County's costs and be in line with what is charged in other localities. It may be that some fees will have to be adjusted as time goes by.

County Attorney Phyllis Katz advised that these fees do not have to be advertised in order to be adopted by the Board. However, she suggested that the MIS department have justification for the fees in the event that they are challenged.

Mr. Trout asked if any of these fees would conflict with those charged by Community Development. Community Development Director George Homewood reported that their charges are for reviews and not for production and there should be no conflict.

Mr. Trout moved that the New Kent County map product fees be adopted as presented, to become effective May 1, 2005. The members were polled:

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

The motion carried.

IN RE: PERMIT AND PLANNING FEES

Community Development Director George Homewood, his Administrative Assistant Pam Crosby, and Permit Center Manager Darla Stanley were present to review the proposed new and increased fees.

Mr. Homewood stated that they had looked at the fees charged in surrounding localities as well as what it actually costs his department to process the requests.

Regarding the proposed increases in Environmental Protection fees, Mr. Homewood reported that he has projected that with the increase in fees and growth, there will be increased revenue of \$67,000. He asked that the County use that additional revenue to fund an additional environmental inspector. An additional \$37,000 is projected based on increased fees alone.

Mr. Budesky reported that if Mr. Homewood's numbers are correct, then he would support the department's request that the additional revenues fund a new position.

Mr. Hill expressed his concern that the amount of the fees might not correctly reflect what it cost the County to process these requests. Mr. Homewood stated that they had last evaluated fees two years ago at which times some adjustments were made. This time they looked at their costs of operation as well as what it would cost them to fund an additional position. He explained that with their current staff, they are having a hard time completing the work for which fees are paid.

Regarding new position costs, he has deducted the costs of a vehicle, computer and other capital items that he feels should not all be built into the first year of a position, and has determined that \$41,000 would be the annual recurring costs for an inspector. He explained that new staff would be able to use some of the older vehicles and his department is in the middle of reconfiguring its work space to provide more work stations.

Permit Center Manager Darla Stanley reviewed the proposed increases in building permit fees. She and Building Official Clarence Jackson explained that it was the smaller inspections that were taking so much time and effort in relation to fees charged.

There was a discussion regarding inspection fees for Amusement Device Rides. It was explained that these are required for mechanical rides only, and that non-profit organizations can request a waiver of the fees from the Board.

Mr. Homewood reported that he has estimated additional revenue of \$65,000 annually from an increase in the permit fees and increased activity, and he is asking the Board to use that revenue to fund an additional inspector position. \$46,850 in additional revenue is projected on fees alone.

Accounting & Budget Director Mary Altemus indicated that the revenue projections she has used for the upcoming budget includes growth. Mr. Budesky suggested that he and Ms. Altemus compare Mr. Homewood's projections with those in the budget to make sure that they are not being duplicated.

Mr. Homewood reviewed the proposed increased and new fees in Planning and Zoning. Some of the fees have been increased because of the new requirements for advertising.

After discussion, it was agreed that the new fee for a PUD area plan be set at \$900 and Administrative Subdivision Waiver at \$300. In the instances where Mr. Homewood has asked that the actual costs of advertising and document review by the County Attorney be charged to the customer, Ms. Katz suggested that fixed amounts be determined instead.

Mr. Homewood asked that the \$40,000 in additional revenues that he projects from the increase in planning and zoning fees, be spent to fund a new position in the Planning Department.

Mr. Davis directed that Mr. Budesky and Ms. Altemus need to determine how much is already figured into the budget for growth.

Mr. Burrell moved that the fees discussed and changes made, be advertised for public hearing on May 9, 2005. The members were polled:

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

W. R. "Ray" Davis, Jr.

Aye

The motion carried.

IN RE: PUMP & HAUL - ESSEX CONCRETE

Mr. Todd Vanlandingham appeared on behalf of Essex Concrete to request permission to be added to the County's pump and haul permit until such time as sewer service is available. His company has recently purchased property in Bottoms Bridge, where apparently the previous owner ran a concrete company for over 20 years and had no permits and a non-functioning septic system. The County's public utility plans call for a pump station to be located on their property and they would like permission to pump and haul until such time as sewer is available. He gave his word that his company has no objection to the pump station being located on its property and they are willing to work with the County on this. He provided an insurance certificate protecting the County against any claims for contamination that might occur. He indicated that they have no problem with paying the \$500 administrative fee or \$1200 refundable deposit. The only thing they are asking is that they not be required to pump on a weekly basis as is required of others, but be permitted to pump when the tank is at 50% capacity (tank is on alarm). He explained that they will only have one or two employees using one bathroom and one sink (uses bottled drinking water), producing a flow of only 10 – 50 gallons per day. Although they do pumping themselves, they have contracted with Brockwell's to do the pumping so that it can be policed.

There was a discussion about the term of the permit, and it was suggested that it be for six months, available for renewal five times under the authority of the Public Works Director, or until sewer is available, whichever occurs first.

Mr. Trout moved that the Board grant Essex Concrete permission to use the County's pump and haul permit for a period of six months, renewable five times at the discretion of the Public Works Director, or until sewer is available, and that pumping will take place when the tank reaches 50% capacity. The members were polled:

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

The motion was carried.

Ms. Katz indicated that she will be in touch with Mr. Vanlandingham with the easement agreement for the pump station.

IN RE: SOCIAL SERVICES

Mr. Budesky reviewed the request from Social Services for funding for a four wheel drive vehicle. This had been included in their request for FY05/06 but did not survive the cuts. They are asking for \$13,200 in local money and have asked the State for the remainder to purchase a \$20,000 vehicle that will assist their staff in reaching

some of the less accessible locations in the County. He reminded the Board that at its last meeting, the Board appropriated \$24,000 in local money to apply to a \$40,000 over-expenditure in the Social Services budget. Mr. Budesky stated that the Board needs to be cautious in setting a precedent. If the Board approves this request, then he suggested that the funds be paid from contingency and that it be emphasized to Social Services that this vehicle is to be used in the County only and is not to be taken home by staff.

Mr. Budesky reported that the Fire Chief's vehicle had been considered for use by Social Services, but it needs some work and it would be costly to remove the emergency equipment. He believes that it is best to leave that vehicle with the Fire Department.

There was discussion about the Social Services budget. Ms. Altemus stated that she was concerned because the budget requested by Social Services for FY05/06 is less than what it overspent for FY04/05. Mr. Budesky agreed to meet with Mr. Quinn to discuss these and other concerns.

Mr. Budesky stated that he is going to stress to all departments that they need to make requests for appropriations for over-budgeting before the expenditures are made. He reported that the current balance in the contingency account is \$154,517

Mr. Trout moved that the Board appropriate an amount not to exceed \$13,200, contingent on State funding being provided for its portion, for the purchase of a four wheel drive vehicle, to be paid from contingency. The members were polled:

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

The motion carried.

There was brief discussion about staff use of County vehicles and the disparate use of logos and seals. Mr. Budesky reported that he will be recommending that standard County seals be displayed on all vehicles and that all vehicles be numbered.

IN RE: OLD BUSINESS

Mr. Budesky reported that at a previous meeting, the Board had appropriated funds for the EDA's purchase of the Fisher property but had not indicated from what fund these funds were to be paid.

Following discussion, Mr. Burrell moved that the funds previously appropriated for the purchase of the Fisher property by the Economic Development Authority, are to be allocated out of Fund 7 Capital Projects. The members were polled:

D. M. "Marty" Sparks	Absent
James H. Burrell	Aye

Stran L. Trout	Aye
Mark E. Hill	Aye
W. R. "Ray" Davis, Jr.	Aye

The motion carried.

Mr. Budesky reported that that when the Board appropriated funds for R. Stuart Royer for the Courthouse utility project, it failed to indicated from where these funds would be paid.

Following discussion, Mr. Trout moved that the money appropriated for R. Stuart Royer for the Courthouse utilities project is to be paid from the Utility Fund, Fund 98. The members were polled:

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

The motion carried.

Sheriff Howard was present and warned the Board that he is very close to exceeding his budget under fuel and vehicle maintenance and supplies. He attributed this to the increased cost of gasoline, as well as the School Transportation Department's unavailability to service County vehicles for a period of months. He is closely monitoring expenditures and to try to stay within his budget. However, prisoner confinement expenses will definitely exceed the budget. Mr. Budesky indicated that he would prefer the Sheriff to request an appropriation prior to the time that the budget is exceeded and he will work with him on that process.

IN RE: CLOSED SESSION

Mr. Hill moved to go into closed session to discuss a personnel matter pursuant to Section 2.2-3711A.1 of the Code of Virginia; for discussions relating to real property pursuant to Section 2.2-3711A.3 of the Code of Virginia involving acquisition of real property; and for discussion of plans to protect public safety pursuant to Section 2.2-3711A.20 of the Code of Virginia as it relates to terrorist activity and briefings by staff members, legal counsel or law-enforcement or emergency service officials concerning actions taken to respond to such activity or related threat to public safety. The members were polled:

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

The motion carried. The Board went into closed session. Mr. Burrell moved to emerge from closed session. The members were polled:

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

Mr. Hill made the following certification:

Whereas, the New Kent County Board of Supervisors has convened a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by the Board that such closed session was conducted in conformity with Virginia law;

Now, there, be it resolved that the Board hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open session requirements by Virginia law were discussed in closed session to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Board.

Chairman Davis 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:

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

The motion carried.

IN RE: FINANCE COMMITTEE

Chairman Davis appointed the County Administrator, Accounting & Budget Director, Commissioner of the Revenue, Treasurer, Superintendent (or his designee) and himself to the Finance Committee. There will be no at-large appointment at this time. It is expected that this group will meet quarterly. The Deputy Clerk was asked to schedule a meeting for Thursday, May 5.

IN RE: ADJOURNMENT

There being no further business, Mr. Burrell moved to adjourn. The members were polled:

James H. Burrell	Aye
Stran L. Trout	Aye

Mark E. Hill	Aye
D. M. "Marty" Sparks	Absent
W. R. "Ray" Davis, Jr.	Aye

The motion carried. The meeting was adjourned at 9:50 p.m.
