

A WORK SESSION OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 23rd DAY OF AUGUST IN THE YEAR TWO THOUSAND FOUR OF OUR LORD IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING AT 4:00 P.M.

IN RE: ROLL CALL

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

Chairman Burrell called the work session to order.

IN RE: COURTHOUSE UTILITIES

The Board reviewed the options of installing public utilities at the Courthouse area, which include having the County construct the system or a developer.

Mr. Trout distributed a handout with a summary of his analysis of the options.

Under Option II, the County builds the system and borrows the funds with interest. At full build-out, Mr. Trout calculates that the County will have a net loss of \$149,387, plus interest and overages.

Under Option III, as the developer Mr. Crump would build a water and sewer system, which the County would purchase for a not-to-exceed price of \$2,500,000. In this option, the developer assumes the risk of overages, but the County has to borrow the funds with interest. He has calculated that the County would receive a net income of \$16,349 at build-out (after the final two connections).

Under Option IV, Mr. Crump would build a water and sewer system which would be turned over to the County at completion. He would receive rebates from connection fees up to the actual cost of construction, not to exceed \$2,500,000. The County has no risk under this option, and would have a net income at build-out of \$235,040.

Mr. Trout's calculations were based on County facilities using 37% of the system and Mr. Crump and Mr. McNew using 63%.

Mr. Davis indicated that the Board had already decided against extending sewer service to Mr. McNew's development, and reminded that service to residential development was not the purpose of the sewer project. He expressed his concern that the County would set a precedent and have little justification to deny other residential developers who requested to connect to the County's sewer system.

Mr. Burrell stated that this was a unique situation, and provides the County the opportunity to collect connection fees that would otherwise be lost.

Mr. Sparks inquired about the capacity of the system and the size of the pipe. He also stated that he understands that a rezoning application had just been received on the Godall property that is in this same area.

County Attorney Dan Siegel expressed his concern that there were no provisions in Mr. Trout's calculations for payment of the "fair share" of the trunk line costs.

Mr. Burrell inquired if Mr. Crump would be willing to construct the system if the McNew property was excluded.

Mr. Crump indicated that he would not be able to recover his costs without the connection fees from the McNew project. He also stated that 150,000 gpd would be sufficient capacity, and that there was little difference in the cost between a 6" and 8" pipe.

Mr. Davis stated that he thought everyone was under-estimating the value of the system to the County, and cited the cost of replacing drain fields at the schools, and the cost of drain fields at a new high school and a vehicle maintenance facility.

Mr. Christie indicated that without including the McNew project, the County would have to finance the project.

The County Attorney suggested that the County consider a PPEA, which would not involve the Procurement Act. Ms. Katz advised that the Board would be able to justify providing sewer service to Mr. McNew if his project was consistent with the Comp Plan.

Planning Manager Rodney Hathaway reported that it appeared that the majority of Mr. McNew's property was classified as "suburban housing" upon which he currently has been approved for 100 residential lots (although he expects that the number of homes actually approved will be less than 100). Mr. Hathaway did confirm that there had been an application filed to rezone the 525-acre Marjorie Goodall property from A-1 to R-1.

Ms. Katz reminded that the Board had articulated its policy to have county-built systems rather than developer-built ones, and that all users would pay their fair share of the costs of the I-64 trunk line and any sub-trunk line. She also indicated that the fact that the tap fees are paid up front by the developer, reduces the financial risks to the County.

Mr. Crump indicated that he has calculated that it would cost him close to \$100,000 to get a PPEA proposal to the County.

Mr. McNew's engineer reported that testing to date showed that the property had good soils.

Mr. Burrell repeated that this was a unique situation and that he would be in favor of Option IV.

Mr. Hill suggested that the Board settle the tap fee policy issue before making any decisions on Courthouse utilities. Mr. Sparks agreed and the discussion was suspended.

IN RE: UTILITY TAP FEES

Pursuant to the Board's request, County Attorney Dan Siegel presented Resolution R-33-04 for consideration for adoption as the County's policy on sewer policy and tap fees.

Mr. Trout indicated that he objects to the provision in the Resolution that prohibits rebates to developers.

Mr. Hill stated that he was under the impression that the policy set forth in the Resolution is only a guide and the provisions are not set in stone, and moved to adopt Resolution R-33-04 as presented. Mr. Siegel confirmed that the Board would be able to adjust its policy to deal with special situations, but he did encourage the Board to work towards adopting an ordinance that would become policy.

Mr. Burrell stated that he would be in favor of eliminating the provision prohibiting rebates.

Mr. Trout moved to amend Resolution R-33-04 to eliminate the bullet on rebates. The members were polled on Mr. Trout's amendment:

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

The motion failed.

The members were polled on Mr. Hill's motion to adopt Resolution R-33-04 as presented:

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

The motion passed.

County Administrator Gary Christie received approval to work on a cost estimate for Brickshire/Kentland and bring it back to the Board.

IN RE: COURTHOUSE UTILITIES (continued)

The Board resumed discussions on Courthouse utilities.

Mr. Siegel advised that the recently adopted Sewer Service Policy would not supercede the CUP held by Mr. Crump. He indicated that the Board could work out a credit under the PPEA or change the policy.

Mr. Christie offered to determine what the cost would be for Mr. Crump to participate and see if he is interested.

Mr. Crump repeated that his interpretation of the PPEA policy is that it would cost him close to \$100,000. Following discussion, it was the consensus of the Board that Mr. Crump would not have to complete some of the engineering work before submission of the application. Mr. Siegel indicated he would be happy to work with Mr. Crump and Mr. Christie on this.

Ms. Katz reviewed the differences between solicited and unsolicited PPEAs. With a solicited, the County would set out the performance requirements and solicit proposals. For an unsolicited proposal, the applicant provides specifications that the County would be required to send out for a period of 45 days to give others an opportunity to compete.

There was discussion about water in the area. Mr. Davis stated that he felt the current wells could produce enough water, and that the County might not need a new well but just a tank. Mr. Hart indicated that it was his recollection that it would require one new well, but he will gather that information for the Board. Mr. Crump stated that it was his information the well at the current high school was sized to serve the entire complex, but was limited by the size of the pump, and reminded that his CUP did not include a water system. Mr. Christie suggested that with the numbers changing, it might be best to solicit a PPEA to give the County time to work out all of the details. Mr. Sparks disagreed, stating that the figures have been worked out and he did not want to wait. Mr. Hart indicated that he had met with Darrell Rickmond, Mr. Crump's engineer, and they found little differences in their estimates. Mr. Hart's estimate includes a 200,000 gallon water tank and a well, for total construction costs of \$2,446,000. Mr. Hart then corrected his earlier statement, stating that a new well would not be needed, but that his costs did include installation of a telemetry system to connect all the wells.

Mr. Siegel suggested that if the Board wanted to make a motion tonight, the motion should be that the Board was interested in receiving proposals similar to Mr. Crump's, under the PPEA, but that it was really not necessary that they take any action.

Mr. Christie indicated that this will take longer because the County could not do anything until it received a proposal from Mr. Crump. Ms. Katz reminded that all proposals would have to be evaluated. Mr. Sparks asked that the County Attorney advise the Board as to the best way to do proceed.

Mr. Davis stated that, except for the route, he liked Mr. Trout's motion that was tabled at the last meeting.

Mr. Siegel advised that the County needed to comply with the Procurement Act or proceed with a PPEA. The key difference in solicited and unsolicited proposals is that with an unsolicited proposal, the design is set by the applicant who has to pay the County's cost of evaluation. The County can reject any proposal if the standards are not acceptable, which could lengthen the process. With a solicited proposal, the County sets the specifications (Mr. Hart stated that he has not yet designed the system). Both options are expensive, but an unsolicited proposal is more costly to the applicant.

The Board took a dinner break.

IN RE: DEERLAKE SUBDIVISION UTILITIES

Attorney John Montgomery appeared on behalf of the developer of Deerlake, along with Mr. Nelson.

Mr. Montgomery reviewed Mr. Godsey's proposal to construct and pay for a sewer line that would serve the Deerlake development, and would run along Route 249, providing service to Watkins Elementary School as well as the hamlet area at Route 612 and Route 249. The cost of the two pump stations at these areas (estimated at \$140,000 each) would be borne by the County. Mr. Godsey is not asking for a rebate of any of the connection fees.

Mr. Montgomery provided a chart outlining the residential areas proposed to be served, which included information regarding existing lots with traditional and non-traditional septic systems, and the number of lots that would become available with sewer. He reported that in Sections A and B, there are 220 lots already zoned R-1 and approved, and that number would not increase with the availability of sewer. In Section C which is zoned A-1, 13 lots

are available, but with rezoning to residential and the availability of sewer, that number would increase by 167 - 171. He also reported that that in Kentwood Farms and existing lots in Greenwood Estates, there are 128 and 76 (respectively) lots existing, and that number would not increase with sewer. In that part of Greenwood Estates yet to be developed, there is an estimated 120 lots that could be built on septic systems, although Mr. Nelson thought it was more like 130 – 140. He indicated that soils in that area of Greenwood Estates is very similar to those in Deerlake. Mr. Montgomery submitted that the County would realize \$3,062,000 in net revenue from connection fees for sewer from these residential lots.

Regarding water, Mr. Nelson reported that they have 44 more available taps before a new well would have to be drilled.

Mr. Nelson also advised that of the 44 homes that have been built, 11 have alternative systems, which now cost about \$7,500 - \$8,000 each.

Mr. Montgomery indicated that their figures were calculated without taking the recently adopted tap fee into account. He also stated that Mr. Godsey understands that a rezoning application may not be approved for the land that is now A-1, but is willing to take that risk, and is not tying his request for sewer to any promise of rezoning approval.

There was some discussion about the value of the homes to be built. Mr. Nelson reported that homes would have value in the neighborhood of \$150,000 - \$175,000. Mr. Trout indicated that homes in that price range cost the County about \$1,000 in services. He also expressed his doubt that the hamlet area would attract businesses.

Mr. Hill disagreed and pointed out that there is a restaurant and other businesses in the area that are thriving now.

Mr. Montgomery admitted that the business development is speculative but feels that it is important that the County identify pockets of revenue to help pay for the sewer project, and he feels that the connection fees that the County would receive from these residences would help pay for the project. He believes that this is a positive situation for both parties, and that the homes will be built whether sewer is provided or not. He stated that the County can do little to control the demand for homes, but can control the supply.

Mr. Burrell stated his opinion that the cost to run sewer would be less than the cost of services resulting from the additional homes.

Mr. Montgomery inquired whether they would need to provide an unsolicited PPEA. Mr. Christie stated that he did not believe so, since the County was not purchasing anything under this proposal.

Mr. Trout expressed his concern about the impact that the new homes would have on traffic and the roads.

Mr. Sparks agreed that homes cost the County money.

Mr. Davis stated that he could not say that this would be good for the County.

Mr. Burrell thanked Mr. Montgomery for always being straightforward.

Mr. Montgomery thanked the Board for their time and indicated that he would confer with his client and try to address some of the concerns of the Board.

IN RE: BOTTOMS BRIDGE SERVICE DISTRICT – WATER TANK

Mr. Christie reported that it was necessary to decide on water tank color and design prior to it being put out for bid. Public Works Director Alan Harrison circulated a color chart, recommending the tank be painted “desert sand” with the letters in “wild cattail”. There was discussion about paint life, and Mr. Harrison and Mr. Hart reported that water tanks generally needed repainting every 15 – 20 years. There was also discussion about the print type, content, and whether to include the leaf/acorn logo, as well as the visibility of the tank.

Mr. Sparks moved to paint the water tank in Bottoms Bridge in “desert sand” with script letters in “wild cattail” which say “Village of Bottoms Bridge”. Mr. Trout moved to amend the motion to change “Village of Bottoms Bridge” to “New Kent County” and to obtain an optional bid on adding the leaf logo.

The members were polled on Mr. Trout’s amendment:

Stran L. Trout	Aye
W. R. “Ray” Davis, Jr.	Abstain
Mark E. Hill	Nay
D. M. “Marty” Sparks	Nay
James H. Burrell	Aye

The motion failed.

The members were polled on Mr. Sparks’ original motion:

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

The motion carried.

IN RE: BOTTOMS BRIDGE SERVICE DISTRICT – PROJECT FINANCING

Courtney Rogers of Davenport & Associates provided a Financing Plan Update. He indicated that he anticipates a \$19 million bond issue size. He reviewed recent changes in estimates, reporting that engineering, inspections, permits/testing, construction and land acquisition have increased from \$13.1 million to \$14.8 million. The increase of \$1.7 million together with the estimates for work needed at the Chickahominy Wastewater Treatment Plant have added \$2.5 million to the cost.

Roger Hart reviewed their estimates on the Chickahominy Wastewater Treatment plant totaling \$868,540. He noted that if the liner does not have to be replaced, then the cost will decrease by \$80,000. The other increases in the cost of the sewer project are a result of the addition of the Talleyville lift station (\$592,881), an increase in the size of the water tank from .5 million gallons to .75 million gallons (requested by Chief Larry Gallaher for fire flow), a longer access road to the water tank site, the installation of underground power

through the Patriot Landing property, and changes to the Bottoms Bridge pump station which increased the cost per linear foot of the line from Bottoms Bridge to the plant. He indicated that the cost of a 12" force main is \$60/foot, and a 16", which will run from Talleyville to the plant, costs \$85/foot, resulting in an increase of \$1,151,847. He reported that he has reduced the contingency from 20% to 10%, and the cost of the Talleyville pump station has been reduced by \$.5 million. He indicated that the water scada system to be installed to coordinate the operation of the wells will cost \$430,000, but will save manpower. \$100,000 has been set aside for wild flower protection and a Phase I A historical research if it becomes necessary.

Mr. Sparks questioned the need for the upsizing of the water tank. Ms. Katz reported that the flow requested by Chief Gallaher is an industry standard recommended by the State.

Mr. Rogers reviewed the proposed schedule for the financing process. He reported meeting with the VRA earlier in the day. Applications are due September 17, but they intend to file before then. Approval takes at least 30 days, and he hopes to schedule closing during the first week of December, which would be on target to pay the bills for the water tank. He warned that the VRA may come back with some more stringent requirements.

Mr. Rogers reported that Bond Insurers are also reviewing the data, but warned that there may not be any interest on their part because it is a "start up" system.

The County's third option for financing would be a non-rated sale which would have higher interest costs.

Mr. Rogers hopes to have more details by the September 13 meeting. He requested and received the Board's approval to proceed to file the application with VRA in order to get approval and join the "pool", but this would not obligate the County to choose that option.

Mr. Rogers also reviewed a Utility Enterprise Performa based on what he believes is a moderate case scenario of 50 new homes per year (outside of the Bottoms Bridge Service District). The figures are only based on connection fees, and do not include tap fees or ad valorem taxes. He reported that the County will be required by the State to establish a Rate Stabilization Fund, equivalent to a year's payment on \$19 million, which cannot be included in the borrowing amount (per IRS). He stated that the fact that New Kent has this sum in its Enterprise Fund is a bonus in attracting bond holders. Another year's payment will be required in a Reserve Fund which protects the bondholders, and can be included in the borrowing amount.

Of the \$19 million, \$6 million is attributed to the County and \$13 million to the Bottoms Bridge Service District.

Mr. Rogers pointed out that the Proforma reflects deficits in the Enterprise Fund in years 2007 – 2012. However, Steve Jacobs' model calls for increases in the tax rates of one to two cents over those years which would compensate for the deficits. Steve Jacobs suggested that since Bottoms Bridge will be generating a healthy fund balance, the County could opt to use those surpluses to pay back the Bottoms Bridge portion of the Utility Fund.

On other business, Mr. Jacobs indicated that the classification and salary study would be available for distribution to the Board members by the end of the week.

IN RE: WELL AT TALLEYSVILLE

County Administrator Gary Christie presented a quote from Sydnor Hydro in the amount of \$15,715.00 to test the Talleyville well. Mr. Hart indicated that testing involves pumping the well for 48 hours and then allowing a 24 hour recovery period in order to determine the actual capacity. Water samples will also be taken to send to the State for analysis to determine if the well can be used to provide water and sewer at that interchange. It is also estimated to cost about \$1,000 to clear access to the site. If the well is found to be suitable, the County will have to get the well re-permitted. Mr. Hart stated that it was definitely worth testing.

Sydnor was reported to be the low bidder.

Mr. Christie reported that if the Board accepted this bid, it will have to decide whether to pay for it out of the utility contingency or utility reserves.

Mr. Davis moved that the County spend from utility reserves (fund balance) \$15,715 plus whatever it takes to clear the access to the site, to test the Talleyville well.

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

The motion passed

IN RE: UTILITY CONNECTION PAYMENT OPTIONS

Mr. Christie inquired if there was any interest among the Board members to set up payment plan options for customers in Bottoms Bridge.

Mr. Hill stated that the Board had met with Bottoms Bridge property owners several times and explained what it would cost them and he is not interested in any kind of payment plan.

There was consensus among the Board members that property owners have had 18 months' notice to come up with the payment. Mr. Hill and Mr. Sparks both felt that it would create more work for staff.

Mr. Trout stated that he felt that the County should have some flexibility for those who haven't asked to connect but are being required.

Mr. Christie reported that he has had no requests for payment options. Mr. Hill suggested that the County wait and let the requests be made and then the Board could consider them. There was consensus that it would be okay to accept early payments.

IN RE: ELTHAM BRIDGE

Mr. Christie reported that he had hoped to have a proposed agreement from VDOT to bring to the Board, but that a meeting on September 2 at 2 p.m. at the Sandston office has been scheduled instead.

A letter was provided by Roger Hart, stating that it was his opinion that structurally, the bridge would last another 25 years or more as a fishing pier.

IN RE: SUMMER CAMP

Parks & Recreation Director, Charles Hester, reported that the 2004 summer camp was attended by 275 children, with 104 in the 6-8 age group and 177 in the 9-12 group. There was a profit of \$200. He reported that the cost of field trips is the biggest cost, and he feels that these costs should be passed on to the customers in the future, which would increase the profits of the camp.

Mr. Hester also reported that the \$12,000 of revenue received in the past from the Department of Social Services will not be available next year. However, he did not need those funds that for camp.

Mr. Davis suggested raising camp fees to cover the field trips, and use any profit to provide scholarships for those who cannot afford the camp fees.

Mr. Hester reported that the camp fees are relatively low and he suggested that the County increase them a little and have the parents pay for the trips.

Mr. Sparks disagreed, and suggested that the fees be raised enough to cover the trips rather than risk a child not being able to participate because a parent didn't want to pay the extra field trip fee.

IN RE: PARKS AND RECREATION MASTER PLANNING

Mr. Hester reviewed the proposal for a master plan for New Kent County by the Urban and Regional Planning Program of the School of Government and Public Affairs at VCU for the sum of \$11,178. Although there is a note that "university overhead is not included", Mr. Hester understands that the County can ask for that to be waived. This proposal does not include community meetings, but does include a public hearing with the Board of Supervisors and a meeting with the Parks and Recreation Advisory Commission.

Mr. Trout inquired if this was a repeat of the survey done several years ago. Mr. Christie advised that this is not a community survey. Mr. Trout will try to locate the results of that prior survey and share it with Mr. Hester.

Mr. Christie reported that \$37,000 was budgeted last spring for this and no action is required by the Board. The study should be completed by January 2005.

IN RE: PARKS DEVELOPMENT COORDINATOR POSITION

Mr. Christie reminded that the Board had been requested to approve a temporary position for Nancy Currence to coordinate development of the Quinton Community Park. The Board was presented with a draft job description which included coordination of volunteers, fundraising, marketing and developing partnerships. Ms. Currence would report directly to Mr. Hester. The position would pay \$11 per hour for 20 hours per week.

Mr. Hill moved that the Board approve payment from the General Fund contingency at \$11 per hour, not to exceed 20 hours per week, to Nancy Currence to be the project coordinator for Quinton Community Park, through June 30, 2005. The members were polled:

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

The motion passed.

IN RE: FINANCE MATTERS

Mr. Trout recommended re-establishing the Finance Committee, to be comprised of the County Administrator, the Chief Budget Officer, the Treasurer, the Commissioner of the Revenue, one member from the Board of Supervisors, and a citizen. The duties of this committee might be to review the audit, assessor recommendations, and other over-sight activities.

Mr. Christie cautioned the Board not to create this committee until the members had time to think this through and establish clear duties.

Mr. Trout is concerned that there is no official connection between the County's Chief Financial Officer and the Treasurer and Commissioner of the Revenue. Mr. Christie understood including Board members but questioned why the constitutional officers should be included.

Accounting & Budget Director Mary Altemus indicated that there had been only one meeting of the Finance Committee since she began her employment, with the exception of another at which she was the only one who was present.

Mr. Davis questioned whether the Board members qualified as financial experts, and if the Treasurer would be willing to reciprocate with feedback from his office.

Ms. Katz advised that, as a rule, constitutional officers do not want any oversight.

Mr. Sparks indicated that he would be interested in serving if this Committee was structured to be of benefit to the Board.

Mr. Christie indicated that he will work on this idea with Mr. Trout and Ms. Altemus. He also indicated that he would like to have a standing committee to help deal with non-finance matters.

Mr. Christie reviewed the request from the Southeast Rural Community Assistance Project for funding in the amount of \$1,000. This agency helps to bring water to homes in rural communities across Virginia and the southeast United States. New Kent does not currently fund this project but he understands that this agency helped out during the drought. Chuck Emmons of Quin Rivers has indicated that this group serves New Kent and has grant money available for water and sewer to low income families.

Mr. Sparks indicated that he would like a chance to look at their website, programs and services before making any decision.

It was the consensus of the Board to reconsider this request at a future meeting.

Mary Altemus, Accounting & Budget Director, requested approval of the following carry forward appropriations for FY2004/2005:

- a. funds to complete the Courthouse HVAC contract, \$419,591.00
- b. Wireless E-911 funds for mapping, \$100,000.00
- c. funds to complete the Animal Control Shelter Improvement Project (purchase freezers), \$1,355.45
- d. funds to complete the Clerk of Court's project of digitizing existing plats (purchase order #22123), \$2,322.00
- e. funds to complete the Eltham Bridge evaluation project, \$4,800.00
- f. funds to complete the Arcadis Contract, \$34,983.00
- g. funds to complete GIS contracted services, \$10,5460.45
- h. Funds for VDOT revenue sharing, \$144,000.00
- i. to reduce the amount of carry forward funds for the ISTEA Courthouse Project Phase III (the amount of \$84,431.38 was approved on August 9, 2004 but an FY04 invoice for \$11,415.58 was paid after the request was made)
- j. funds to cover the Sycom contract, \$14,550.00

\$(720,746.32)	Total
\$(9,132.46)	Money in/out
\$ 33,587.90	From General Fund fund balance
\$ 596,290.88	From Fund 7 capital fund balance
\$ 100,000.00	From Fund 9 Wireless E-911

Ms. Altemus reported that these involved no new money, but were all carry-forwards.

Mr. Sparks moved the carry-forward appropriations totaling \$720,746.32 as requested. The members were polled:

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

The motion carried.

IN RE: MEETING SCHEDULE

Chairman Burrell announced that the next regular meeting will be on September 13, 2004 at 6:00 p.m. in the Board Room of the County Administration Building.

IN RE: CLOSED SESSION

Mr. Davis moved go into closed session to discuss a personnel matter pursuant to Section 2.2-3711A.1 of the Code of Virginia involving an employee performance evaluation; for discussions relating to real property pursuant to Section 2.2-3711A.3 of the Code of Virginia involving acquisition of real property for public purpose; and to discuss a personnel matter pursuant to Section 2.2-3711A.2 of the Code of Virginia involving classification and salary study. The members were polled:

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

D. M. "Marty" Sparks	Aye
Stran L. Trout	Aye
James H. Burrell	Aye

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

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

Mr. Sparks made the following certification:

Whereas, the New Kent County 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 Burrell asked 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	Aye
Stran L. Trout	Aye
W. R. "Ray" Davis, Jr.	Aye
Mark E. Hill	Aye
James H. Burrell	Aye

The motion carried.

IN RE: ADJOURNMENT

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

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

The motion passed. The meeting was adjourned at 10:15 p.m.
