

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 10th DAY OF NOVEMBER IN THE YEAR TWO THOUSAND FOUR OF OUR LORD IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING AT 6:00 P.M.

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

The Reverend Geoffrey M. Price, pastor of St. Peters Episcopal Church, led the invocation. Chairman Burrell led the pledge of allegiance.

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 meeting to order.

IN RE: CLOSED SESSION

Mr. Trout moved go into closed session for consultation with legal counsel pursuant to Section 2.2-3711A.7 of the Code of Virginia involving actual or probable litigation. 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

The motion carried. The Board went into closed session. Mr. Sparks moved to emerge from closed session. 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

Mr. Davis 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 whether there was any member who believed that there was a departure from the motion. Hearing none, the members were polled on the certification:

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.

Mr. Hill requested that the Board permit him to leave the meeting for approximately one hour in order to attend an engagement at his Church. He departed at 6:45 p.m.

IN RE: CONSENT AGENDA

County Administrator Gary Christie presented the Consent Agenda, which consisted of approval of the minutes of the Work session of October 11, 2004; regular session of October 12, 2004; and work session of October 25, 2004; approval of the Special Project Service Agreement for the Central Virginia Waste Management Authority's Wood Waste Processing Services Program; Resolution R-45-04 in recognition of Marianne Powell; refund of \$25.00 to Linda Morris for vendor application for the Family Festival at Marengo; Appropriations - FY2004 – 2005: to carry forward School Capital Funds, \$290,034.00; Total Supplemental Appropriation: \$(290,034.00) Total; \$-0- Money-in/money-out; \$290,034.00 From Fund 7 – fund balance; Appropriations – FY-2004 – 2005: to appropriate funds received for reimbursement of professional services for Farms of New Kent, \$2,603.69; to appropriate Commonwealth Attorney Forfeited Asset Funds for the purchase of a digital copier, \$1,193.74; Total Supplemental Appropriation: \$(3,797.43) Total; \$2,603.69 Money-in/money-out \$1,193.74 From Fund 220 – fund balance.

Mr. Davis moved to approve the Consent Agenda, as presented. The members were polled:

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

The motion carried.

IN RE: CITIZENS COMMENT PERIOD

Chairman Burrell opened the Citizens Comment Period.

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

IN RE: RESIDENT ENGINEERS REPORT

Gary Jennings, Assistant Resident Engineer with the Virginia Department of Transportation, reported that the department started using inmate labor on I-64 in New Kent last week. He indicated that a center line has been applied on Route 632, and that Route 608 at Black Creek Swamp has been re-opened. Culvert work on Route 618, just south of Route 614, required that the road be closed but it is now re-opened although work is continuing. He indicated that crews had installed pipe on Route 1236 in Five Lakes. They are working on pavement edges on Routes 611 and 613. He reported that an emergency contract for replacement of the bridge on Route 155 will be going out next week, and he anticipates that the bridge will be closed down for 6 – 12 weeks once work begins, probably some time between mid December and mid February. They will be removing the current structure and replacing it with a new one. The proposed detour will be Route 618 to Route 602 to Route 155.

Mr. Sparks expressed his appreciation for the pipe work in Five Lakes. On Mr. Hill's behalf, he inquired about the status of striping Quinton Road. Mr. Jennings was not familiar with that request and will check into it. Also on Mr. Hill's behalf, Mr. Sparks asked Mr. Jennings to check on a pothole on Cosby Mill Road, and pavement on Route 608 River Road.

Mr. Trout requested attention to the ditches on Route 640 near Woodhaven Shores. He also expressed his concern about the low area of Waterside Drive south of the railroad tracks that frequently floods, and is the only access to Chickahominy Shores. Mr. Jennings indicated that area should be considered for addition to the Six-Year Plan to have drainage improved and the road elevated. He indicated that there are some railroad issues in that area which may be contributing to the drainage problems.

Mr. Davis inquired if the paving projects in the County have been completed for the year. Mr. Jennings indicated that there is some patching work still being done, but that no more paving is expected until March or April. The work performed on all nine roads included in the Rural Rustic Roads program for this year has been accepted.

Mr. Burrell inquired about Route 608. Mr. Jennings reported that there is over 15 tons of stone at headquarters and they are waiting for the ditch and shoulder work to be completed before laying the stone. The long arm mowers have been sent out there to improve sight distance, and that work is on schedule to be finished by December.

Mr. Burrell asked about abandoning Boulevard Road in Providence Forge. Mr. Jennings indicated that if the Board wanted to take it out of the system, either by abandonment or discontinuance, a decision will have to be made by the Board as to what to do with the entrances.

Mr. Jennings indicated that they were aware of the problem with the light at Eltham.

IN RE: INTRODUCTIONS OF NEW STAFF

Accounting & Budget Director Mary Altemus introduced Shannon Roth, the new part-time Finance Clerk.

Parks & Recreation Programs Manager Matt Spruill introduced Donna Loonie, the new part-time secretary in the Parks & Recreation Department.

Planning Manager Rodney Hathaway introduced Andrea Finn, who recently became the new Planning Technician, having worked part-time in their department since she was in high school.

Manager of Information Systems Jonathan Stanger introduced Matt Forbes, the new GIS Coordinator.

The Board members expressed their welcome to all of the new employees.

IN RE: BAY TRANSIT

Kathy Vesey, with Bay Aging, along with Ken Pollock, Cleveland Johnson and Eric Travers, were on hand to describe the public transportation services available through Bay Transit. Ms. Vesey explained that Bay Aging is the parent company of Bay Transit, which is a private, non-profit company that provides services in ten counties in the Northern Neck. They have a 27-year history of providing traditional aging services and also provide other services which include building senior apartments, repairing senior housing, and providing public transportation to all ages.

Ken Pollock explained that Bay Transit is a rural public transportation system that focuses on rural counties where there is a need for public transportation. It is a demand response system where riders call dispatch 24 hours in advance to schedule a ride. He emphasized that this service is available to everyone, not just senior citizens or the disabled. He indicated that their company is recognized by the State as public transit and 22% of their funding comes from the State. They provided 116,000 rides last year and their fleet includes 15 buses that operate in 10 counties from 6 am to 6 pm, Monday – Friday. 40% of the rides are employment related, 5 days a week, to either work or work training. Surveys indicated that riders spend an average of \$20 per trip in their communities.

Mr. Pollock explained that 50% of the funding is federal, 22% is from the state and the remainder comes from local sources, which could include donations from private organizations or social services. It costs \$90,000 to operate one vehicle for one year, which would translate to a \$24,750 local match. There are one-time start up costs of \$30,000, of which the local match would be \$8,250.

Mr. Pollock indicated that he feels that it would be a challenge to serve New Kent with just one bus. He has talked with Charles City County about a shared program but has yet to receive a response from them, although he understands that there might be some interest.

Cleveland Johnson, regional supervisor with Gloucester Bay Transit, explained that this system helps everyone get a ride. It gives transportation to those who don't have a car, thereby raising self esteem and independence. He feels that the benefits far outweigh the costs.

Mr. Pollock indicated that in order to get process started, they would have to submit a grant request by January 31 for services that might start later in the year. He reported that there is also an experimental grant available which would cover the 15-month start up period, for which he could apply on New Kent's behalf. The local match would only be 5% during the grant period, but would thereafter return to the 28%,

Mr. Trout inquired how this would affect the transportation services provided by Quin Rivers Agency. Chuck Emmons from Quin Rivers indicated that they provide transportation for

specialized services only. Public transportation could reduce the need for some of those services, and his agency would be in support of this program.

Mr. Trout inquired how much it would cost the County. Mr. Pollock stated that if there was no start up grant, there would be one-time costs of \$36,650 for one vehicle (\$65,050 for two). With the grant, it would cost \$9,650 for one vehicle (\$17,800 for two and \$25,950 for three). He would recommend two buses to serve New Kent, and believes that three buses could serve New Kent and Charles City together. In that scenario, one bus could transport riders west, one for eastbound travel, and the third bus could be used for transportation within the counties. He indicated that the costs are based on vehicle use, not population, and the program would have to be flexible in order to meet the needs of the community. Kathy Vesey indicated that they would first organize an advisory board to develop the system which would be based on the demand of the citizens.

Mr. Sparks asked if the estimated costs are based on today's fuel costs. Mr. Pollock stated that he was comfortable with the estimates, which are based on current costs.

New Kent Social Services Director Phil Quin stated that their clients frequently need transportation. \$5,529.80 was budgeted in their Virginia Independence Program (VIP) and Virginia Initiative for Work, Not Welfare (VIEW) for transportation expenses and the County could be reimbursed from these funds on a case by case basis based on VIEW/VIP transportation needs from month to month. He envisions that their clients could use the services to get back and forth to work and to job interviews in Colonial Williamsburg, Williamsburg and Eastern Henrico. He stated that this program might even reduce the current cost of foster care.

Mr. Christie asked if it would be necessary to have two buses in order to take riders out of the County. Mr. Pollock stated that it would be a challenge to offer those services with just one bus.

Mr. Davis asked if the County applied for a grant for two buses and at the end of the period discovered that it only needed one, would it be obligated to keep operating both vehicles. Mr. Pollock stated that there would be no obligation the following year.

Mr. Davis asked where dispatch would be located. Mr. Pollock stated that he would anticipate establishing a dispatch office in either New Kent or Charles City, and he would envision hiring local employees.

Mr. Davis stated that any grant that was filed should be for two buses.

Mr. Burrell stated that he had received calls from citizens that were in support of public transportation.

Eric Travers, a current driver for Bay Transit, stated that it was a good deal for riders. It costs only \$1 per ride. The vehicles used are 12-passenger vehicles.

Mr. Davis asked if it would cost only \$1 to travel out of the County. Mr. Pollock stated that would be a decision of the Advisory Board, but would welcome input and suggestions.

Mr. Pollock stated that he would need a decision by the end of the year in order to file the needed paperwork with the State. If the grant was awarded, start up money would be available in July and service could start October 1.

Mr. Sparks indicated he would like to have some more details by the November 22 work session so that the Board could make an educated decision.

Mr. Emmons, Mr. Quinn and Mr. Pollock agreed to work together to get some real figures which they will get to Mr. Christie for distribution to the Board. They will be available at the November 22 meeting to answer any questions. A resolution will be needed to submit to the State.

IN RE: TERMINAL ROAD PROJECT

County Administrator Gary Christie reminded that at the previous meeting the Board had been requested to consider approval of a deed and right-of-way agreement necessary to proceed with this road project. The matter had been tabled to give VDOT an opportunity to work further with Donald Carr whose property will be most affected by the project.

Mr. Trout reported that he had met with Mr. Carr and VDOT to try to work this out. He indicated that a considerable amount of Mr. Carr's property will be taken over for the project; however, the road improvements are needed for the 1500 – 1700 vehicles that travel the road daily. He stated further that this is the only access to the New Kent Airport and is a very dangerous road. He feels that every effort has been made to work with Mr. Carr.

Gary Jennings, Assistant District Engineer with VDOT, reported that Mr. Prezioso and Mr. Winstead, Senior Engineer, had met with Mr. Carr but were not able to resolve the issue to Mr. Carr's satisfaction. The State has looked at all angles and there are no other options. They have to meet minimum design standards.

Mr. Carr addressed the Board. He indicated that he questions the traffic count as well as the need for six-foot shoulders. The State says that his drain field has to be 10 feet from the right of way, but after the project, it'll only be 3 inches away. He said that no decision has been made by the State, and the Senior Engineer promised to look at all the options and contact him next week. Mr. Carr maintained that the State can reduce the size of the shoulders.

Mr. Sparks apologized to Mr. Carr for failing to return his telephone calls, as he'd been away. He shares Mr. Trout's concerns but also questions how the project will affect Mr. Carr's drain field.

Mr. Trout stated that the motions under consideration deal with County property and don't involve Mr. Carr's property. He is sympathetic with Mr. Carr but the action taken by the Board will not directly affect Mr. Carr or his property. County Attorney Phyllis Katz confirmed that the two agreements simply give County property needed for the project.

Mr. Trout moved to authorize the County Administrator to execute a Deed conveying 1.482 acres, more or less, along Route 686, to the Commonwealth of Virginia, acting by and through its Department of Transportation, for State Highway Project 066-063-151,M-501. The members were polled:

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

The motion carried.

Mr. Sparks moved to authorize the County Administrator to execute the Right of Way Agreement with Virginia Electric and Power Company, granting a ten-foot easement across the property identified as Tax Map #20-7-A1, for State Highway Project 066-063-151,M-501. The members were polled:

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

The motion carried.

The Board took a short break. The meeting was called back to order at 8:11 p.m.

IN RE: KING PROPERTY RECLASSIFICATION AND ADDITION TO KENTLAND PUD

Planning Manager Rodney Hathaway reported that Mr. and Mrs. Jack King have applied to re-classify 68.95 acres of land from A-1 to PUD, and have further requested that this property be included in the Brickshire Master Plan. Seventy-seven single family residential units are proposed for this property on lots that range in size from 0.5 acres to 3.2 acres. The subject property is located west of Mt. Pleasant Road and south of I-64, and identified as tax map parcel 34-33. He indicated that adjacent parcels to the west and south are zoned PUD and adjacent parcels to the north and east are zoned A-1. Under current zoning, the property could yield 4 large residential lots.

Mr. Hathaway reported that although the Comp Plan designates the property for rural lands, the Comp Plan is viewed as a document that provides both general and specific guidance with respect to development. He continued that the Future Land Use map should not be equated with a zoning map, and minor shifts back and forth across lines shown on the Future Land Use map are to be expected. However, he indicated it was important to note that it is a Future Land Use map and there is no requirement or moral obligation to rezone property, even in complete conformance with the Plan designations, if the Board finds that the time is not ripe for such a zoning change.

Mr. Hathaway indicated that the primary access to the subject property will be from Kentland Trail, and the proposed site plan designates land for equestrian trails throughout the development that are to be used by the public. The developer has proposed to build a paddock in the center of the development that would enable Mr. King to walk horses from his stable across Mt. Pleasant Road to the paddock where riders could pick up their horses. The paddock could also be used for community festivals and events. The developer has agreed to post horse-crossing signs on Mt. Pleasant Road to warn drivers.

Mr. Hathaway reported that the Planning Commission recently approved the reduction of Section V-4 from 74 to 45 units and if the King property is added to the Brickshire Master Plan, the net increase of units from the existing plan would be 38 residential units, taking the total from 1065 to 1103.

Mr. Hathaway reported that a revised Proffer Agreement has been received. The prior proffer agreement called for a cash payment for school facilities of \$2,500 for each dwelling

that was not age-restricted or a time share ownership. The current proffer provides for a \$2,500 payment for every dwelling unit. The \$500 cash proffer per dwelling unit for fire and rescue services remains unchanged.

Approval of the application would grandfather the property into the Kentland PUD and the same conditions and requirements would apply.

Mr. Hathaway indicated that the Planning Commission considered this application on July 19, 2004 and voted 9:1:1 to forward it to the Board of Supervisors with an unfavorable recommendation.

Mr. Hathaway stated that staff finds no adverse impact on the environment, character of the area, public services or utilities. The property will use utility public water and sewer; law enforcement and fire protection are available and adequate to serve the property.

Mr. Davis asked if any of the current proffers are in conflict with the original PUD. Mr. Hathaway reported that the only difference is the amount of the cash proffers. He further indicated that the Sewer Service Agreement would not apply to this addition and that a new agreement would be needed if the application is approved.

Chuck Rothenberg addressed the Board on behalf of his client, Bluegreen Corporation. He indicated that these 69 acres would increase the PUD from 3165 to 3235 acres, increasing the number of residential units from 3271 to 3341, or a net increase of 38 lots. The property borders the existing PUD. He confirmed that they have deleted the requirement that deals with proffers on age restricted housing and time share units because they do not intend to construct those. They are also asking for an agreement with the County which would give them five years to pay the tap fees.

Mr. Davis asked if the escalation clause for the proffer payments was the same as on the original PUD. Mr. Rothenberg replied that it was.

Mr. Sparks asked about the average value of the homes that will be built on the subject property. Mr. Rothenberg indicated that it is anticipated that the value of the homes would range from \$320,000 to \$415,000.

Jack King, the applicant, requested that the Board approve his request.

Chairman Burrell opened the public hearing. There being no one signed up to speak, the public hearing was closed.

Mr. Trout expressed concern about the cash proffers.

County Attorney Phyllis Katz advised that any motion to adopt the Ordinance would have to provide for amendments on page 1 and page 6 to reflect the amended proffers received from the applicant.

Mr. Davis moved to adopt Ordinance O-20-04 with the following changes: on page 1, at the end of the last paragraph adding *"and those proffers were revised prior the opening of the Public Hearing"*; on page 6, adding to the first paragraph after July 19, 2004 *"and amended on this day prior to the opening of the Public Hearing"*. 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.

IN RE: UTILITIES

Mr. Trout moved to have the County Attorney prepare an amendment to the Ordinance establishing a sewer availability fee adopted on October 25, 2004 that would provide a "grace period" for lots that were under a contract of sale to individual purchasers on or before November 5, 2004, provided that such lots were under an existing sewer service agreement with the County, and that the payment of the sewer connection user fee is made no later than December 31, 2004. If such payment is made as provided above, no sewer connection availability fee will be required to connect to the public sewer system.

Mr. Davis suggested that the date be changed to December 30, 2004, since December 31 a holiday. Mr. Rothenberg stated that his client was agreeable to December 30. Mr. Trout amended his motion to December 30, 2004. 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.

Mr. Trout moved to amend the motion made at the meeting of October 25, 2004, to award a contract to R. Stuart Royer to engineer the Courthouse sewer line to a motion to have the existing contract with R. Stuart Royer for the engineering of the I-64 trunk line modified to include the engineering for the Courthouse sewer line and to have the County Administrator enter into such a contract. 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

The motion carried.

IN RE: ELECTED OFFICIALS REPORT

Mr. Davis reported that a committee on the Plum Point Community Development Block Grant has met and is working to move forward with the project. He commended New Kent citizens for the large voter turnout at the recent election and he understands that the newest polling place in District 2 worked out well. He reminded everyone that the 350th Gala Ball is set for November 27 and tickets are still available.

Mr. Trout thanked voters for the large election turnout, which he believes shows that New Kent citizens care enough to vote. Three of five local referenda passed which will allow Colonial Downs to establish three new offsite betting parlors. He reminded everyone that

tomorrow is Veterans Day and encouraged all to honor the veterans and those who are currently serving in the armed forces, and to keep them in their thoughts and prayers. He also commented on Gary Christie's leaving of his position as County Administrator and stated that everyone would miss him and his wife Fran, and wished him well in his new position. He indicated that Economic Development Director Andy Hay would be speaking later in the meeting about the Jamestown 2007 committee and an upcoming visit by officials from Kent, England.

Mr. Sparks also commented on Veterans Day, thanking all the young men and women who are risking their lives for their country. He indicated he was pleased with the large voter turnout and is proud of New Kent citizens.

Mr. Hill announced that 37 graduates of New Kent High School are currently serving in the armed forces, and he'll be thinking of those 37 and of those who have served before. He indicated that the Hanover Health Advisory Board will be focusing on the problem of youth obesity and he hopes that the Board will participate.

Mr. Burrell reported that voter turnout was estimated at 78%, and that historically New Kent voter turnout is one of the highest in the areas. He promised that there would be no work session in December.

IN RE: STAFF REPORTS

Mr. Christie reported that the Board had approved spending over \$800,000 to make improvements at the Chickahominy Wastewater Treatment Plant. The Public Works Director has indicated that replacement of the air piping has now become critical. Quotes have been solicited and the lowest bid is \$47,160 which exceeds the County's small purchase procurement policy. Adoption of Resolution R-50-04 will give the County the ability to amend that policy for this particular project.

Public Works Director Alan Harrison explained that the current piping is solvent welded PVC which is in very bad condition. This is affecting the treatment at the plant and if it is not replaced, there is a risk of losing the treatment process.

Mr. Davis asked about a time frame. Mr. Harrison indicated that the vendor can start fabricating the pipe on Friday and, with good weather, have the job completed by early December. The PVC pipe will be replaced with welded steel piping.

Mr. Sparks moved to adopt Resolution R-50-04 as presented. 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 carried.

Mr. Christie indicated that the pump station site at the Route 106 interchange needs to be identified. There is an opportunity to locate the pump station at the southern end of the area to be served which would serve the Route 106 area south of I-64. It was reported at the last meeting that the cost to create this dogleg in the main trunk line was \$880,641. The chief advantage to this location is that businesses in that area would be more likely to

connect to the sewer rather than install septic systems, and that the owner of the proposed site would likely donate the land.

He reported that if the pump station is located along I-64, then the County would have to install a sub-trunk line in the future to serve any businesses along Route 106, or wait for a developer to run the line. However, it may be that businesses and developers will have installed septic systems and would not be interested in connecting to public sewer. Furthermore, the County would have to purchase the land for the pump station site. Mr. Burrell has recently met with the owner of the land on the southeast quadrant of the interchange and may be able to add some information.

Mr. Trout expressed his concern about adding 1 1/3 miles to the main trunk line, which is 10 – 15% of the total. Public Works Director Alan Harrison indicated that the proposed addition would have only minimal impact on the system.

Mr. Davis inquired about the cost to drill a well on the south side of the interchange. Mr. Harrison stated that he thought the cost was \$200,000 - \$250,000. Mr. Davis suggested that it might be better to dig a new well rather than try to get water under the interstate.

Mr. Christie redirected the discussion to the location of the pump station, suggesting that the water issue could be decided at a future time.

Mr. Sparks inquired about the information on the other option that was provided at the previous meeting, remembering that there was a significant difference in the prices.

Mr. Christie asked Mr. Harrison if this decision could be postponed until the November 22 meeting. Mr. Harrison indicated that a decision needed to be made tonight.

Mr. Trout stated that the proposed demand by businesses in that area is speculative and he can't see spending the money when no one knows what will be needed there.

Mr. Burrell stated that the land owner would like the pump station located at the south end of the proposed service area, but he did not propose any use that would need sewer and has not yet decided what he will do with the property.

Mr. Davis suggested that the trunk line be installed the way they had previously decided.

Mr. Trout stated that he was concerned about spending money on a purely speculative basis.

Mr. Christie indicated that he now had the direction he needed for the engineers.

Mr. Christie expressed his appreciation to the people of New Kent and the Board, and stated that he will miss the many friends that he has made. Mr. Burrell expressed his appreciation and that of the Board for the services Mr. Christie has rendered during his tenure as County Administrator.

Economic Development Director Andy Hagy announced that the Small Business Administration would be holding a workshop in New Kent on November 16 to help local businesses access small business administration loans.

Mr. Hagy announced that Governor Warner has designated New Kent County as an official contributor to the Virginia 2007 Community Program, and has presented an official

Jamestown 2007 flag. He indicated that visitors from Kent, England will be in the County on November 15. Some of the members of New Kent's Jamestown 2007 committee have met to discuss ways of partnering with Kent, England, and will be meeting with the Kent visitors. Mr. Trout added that they will only be in the area for a few days and they are planning to have members of the Jamestown 2007 committee and New Kent's elected officials meet with them while they are here to discuss developing businesses in the area. There have been only preliminary meetings of the Jamestown 2007 committee and there will be more formal meetings in the future. The visitors from Kent will be Alex King and Rebecca Caison.

Mr. Hill asked how many meetings have been held by the Jamestown 2007 committee. Mr. Hagy responded that there have been no formal meetings yet - just informal brainstorming sessions to prepare for the visit. Monday's meeting will be the first official meeting.

Philip Felts, a member of the Jamestown 2007 committee, announced that an organizational meeting of the Jamestown 2007 committee will be held at 1:30 p.m. on November 15, and that they are in the process of notifying committee members. Mr. Hill suggested that the members be notified by telephone rather than e-mails or letters in order that they receive sufficient notice and can attend.

Mr. Christie reminded the Board that it needs to work on its legislative agenda at the next meeting.

IN RE: APPOINTMENTS

The Board will continue to make appointments to various committees.

Mr. Burrell announced that his prior District 3 appointment to the Jamestown 2007 committee, Edward Carter, is unable to serve. He moved to appoint Janice Fisher as District Three's representative to the Jamestown 2007 committee.

Mr. Trout moved to appoint Melissa Dean as District Four's representative to the Jamestown 2007 Committee.

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 motions carried.

Mr. Trout moved to appoint Pete Johns as the Chamber of Commerce representative to the Jamestown 2007 Committee.

Mr. Burrell moved to appoint Alease Christian as the civic organization representative to the Jamestown 2007 Committee.

The members were polled:

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

The motions carried.

IN RE: MEETING SCHEDULE

The next regular meeting of the Board of Supervisors will be held at 6:00 p.m. on Monday, December 13, 2004, in the Boardroom of the County Administration Building. Work sessions will be held on at 6 p.m. on November 22 and December 6 in the County Administration Building. A joint work session with the School Board will be held on November 29, 2004, at 6:00 p.m. in the Courtroom of the Old Courthouse.

IN RE: CLOSED SESSION

Mr. Sparks moved go into closed session to discuss personnel matters pursuant to Section 2.2-3711A.1 of the Code of Virginia involving candidates for employment and 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. 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

The motion carried. The Board went into closed session. Mr. Sparks moved to emerge from closed session. 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

Mr. Davis 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 whether there was any member who believed that there was a departure from the motion. Hearing none, the members were polled on the certification:

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: ADJOURNMENT

Mr. Sparks moved for adjournment. 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 meeting was adjourned at 10:45 p.m.
