

A JOINT WORK SESSION OF THE NEW KENT COUNTY BOARD OF SUPERVISORS AND SCHOOL BOARD WAS HELD ON THE 29th DAY OF NOVEMBER IN THE YEAR TWO THOUSAND FOUR OF OUR LORD IN THE COURTROOM IN THE OLD COURTHOUSE IN NEW KENT, VIRGINIA, AT 6:00 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

The School Board members who were present were: Van N. McPherson, Joseph Yates, Cynthia Gaines, Teresa Lindsay and Gail Hardinge.

Chairman Burrell reconvened the Board of Supervisors' meeting that had been continued from November 22, 2004. He then turned the meeting over to the School Board.

IN RE: ELEMENTARY SCHOOL PROJECT

School Board Chair Van McPherson announced that the primary school project is underway and on schedule, and they expect the project to be completed on time for the fall of 2005.

Mr. McPherson reminded the Board that the elementary school project had been halted because of problems with the septic system. He reviewed the revisions to the projected cost of the elementary school improvements. \$1,372,576 (or 20% of the initial cost projection of \$6,862,884) has been added because of inflation and the rising cost of steel and cement. Architectural costs will also increase by a projected \$59,626 because this project is no longer proceeding simultaneously with the primary school project. \$500,000 has been removed from the cost estimates for the work on the drain fields that will not be required because of the availability of sewer and/or pump and haul. The total revised cost estimate is \$8,295,086.

Mr. Davis expressed his concern about the increased architectural fees inasmuch as he felt the architects were largely responsible for the delay of the project. Mr. McPherson explained that the architect had received a verbal okay from the health department to proceed with the project as planned which called for supplementing the existing septic system with more drain fields. Later the health department insisted that the septic system had to be completely replaced. Superintendent Roy Geiger reported that Mr. McPherson had negotiated these additional architectural fees down from \$74,000, and they have had local architect Brandon Currence review the proposal and he has indicated that it is reasonable.

Chairman McPherson reported that the chief architect on the project had "unexpectedly retired" and Shriver & Holland has assigned someone new to the project. He agreed that the delays were partly the fault of the architect, but he feels that the alternatives would not be worth what they would cost. The cost of steel has more than doubled since the time that the original cost estimate was made, and the cost of cement has increased as well. He emphasized that this is only an estimate and that the exact cost of the project will not be known until bids are received.

The only changes that have been made to the design are enlargement of the water tank and some modifications to the roof.

The proposed project schedule was reviewed, which was reported to be much "tighter" than that for the primary school. Mr. McPherson reported that in order for the work on the elementary school to start in May of 2005, the project will have to be advertised for bids no later than December 19, 2004, and the School Board needed a decision from the Board of Supervisors as soon as possible.

Mr. McPherson reported that Shriver & Holland Associates have engaged the services of Darrell Rickmond as a consultant for the water and sewer parts of the project.

IN RE: ESTIMATES OF SCHOOL POPULATION 2005 – 2015

Dr. Gail Hardinge described the work of their Six-Year Plan Committee, which was composed of 15 members from the Board of Supervisors, the School Board, the schools and the community. This group was tasked with revising and updating the long-range facility plan. Larry Forbes, a member of the committee and a certified economic developer, used his resources and talents to arrive at a revised population forecast, which shows a greater increase than had been previously predicted. His calculations predict that the student population will be 4,242 by the year 2015. The current school population is 2,615, which does not include the Head Start students that are located in the primary school.

Mr. Forbes explained the factors that were considered in his calculations, which included migration patterns, populations of neighboring localities, the economy, and the long-range financial forecast, as well as New Kent statistics including permit data and current school population. He reported that he had used the very best forecasting program software that is available. He indicated that the population figure is in the middle of the population projections contained in the Comp Plan, but higher than previous School Board's estimates. He went on to say that the current average student per household in New Kent is .4, but with the development at Patriot's Landing, that average has been increased to .9 over a ten year period.

Chairman Burrell commented that past School Board population projections have not come to pass. He stated that he believes that if the County builds schools, the population will increase at a faster rate because families would be more likely to move to New Kent if there was plenty of room in the schools. He commented that Virginia's student per household ratio is now 1.48 and New Kent's rate is one-third of that.

Dr. Hardinge disputed Mr. Burrell's assertion, indicating that New Kent is located in a growth area. She does not feel that families move to a locality based on space that is available in schools. She believes that people move where work is or where property is most affordable.

Dr. Geiger stated that he felt people move to New Kent for its quality of life.

Mr. McPherson stated that the real issue is that the schools are already over-crowded.

Mr. Davis asked how many New Kent students are educated outside of the County. The best guess of the School Board members was 25 – 30.

Mr. Hill stated that he believed that the population projections are too low. He reported that from January 2004 to October 2004, 286 new permits have been issued in New Kent, and he anticipates that number will exceed 300 before the end of the year.

Dr. Hardinge agreed, and stated that the County needs a plan that is flexible enough to accommodate that change. She feels that school zoning will be necessary within the near future and that will also require flexibility. Once the projects are completed at the elementary and primary schools, the plans are that both of those facilities will serve a K – 5 student population, with 700 students at each. They have a committee preparing for that transformation and the Educational Foundation is working on a second library. However, it will also be necessary to address a third elementary school, as they anticipate being at capacity (without trailers) at that time.

It was reported that there are now 668 students at the Middle School, which is above its current capacity of 653 with the use of trailers. Population at the High School is currently 777, which is above the current capacity of 768 with the use of trailers. The School Board members indicated that a decision on whether to build a new high school or new middle school needs to be made this year in order to be able to have a new facility open in 2008. If the high school is renovated into a middle school, projections call for a capacity of 1,000, which should be adequate through 2015. Proposed capacity for a new high school is 1,200 which would be adequate to serve the County's school population through 2015, with the ability to expand to 1,400, which is deemed to be the maximum at any one high school.

Mr. Burrell inquired if the School Board had considered building a new middle school rather than renovating the existing high school. Mr. McPherson indicated that a new middle school is estimated to cost \$25 million; however, the core facilities at the existing high school are not adequate to serve a larger high school population that consists of four grades, and it is not economically feasible to spend another \$12 to \$13 million to expand those facilities. The core facilities at the existing high school are sufficient for the three grades of the middle school.

IN RE: FINANCING OPTIONS

Dr. Geiger reviewed some of the options available for financing. Funding of \$7.5 million per project is available under the Literary Loan program, at a rate of 4%. There is a wait of approximately 2 years which would require interim financing. A referendum is not required for eligibility. Mr. Christie indicated that he thought each locality had a \$20 million cap under this program.

Dr. Geiger reported that financing is also available under the Virginia Public School Authority for the balance of the projections. This would require resolutions from both Boards and also has a two year waiting list. There is no limit on the amount that can be borrowed.

IN RE: LONG RANGE FACILITY PLAN

The School Board presented its long range facility plan. Their estimated cost of a new 1200-student high school is \$33,000,000. However, in order for this facility to be ready for use in 2008 – 2009, a decision to move forward has to be made by February of 2005. Their estimate to modify the existing high school to become a 1000-student middle school is \$11,100,000.

Mr. Sparks questioned their figures, asking if they are realistic considering the recent significant increase in the cost of steel and other materials. He suggested that the School

Board obtain a real number. Ms. Hardinge indicated that James City County just built a \$40 million high school.

Ms. Gaines expressed her frustration at having served almost ten years on the School Board and having to repeatedly haggle over numbers. She stated that the School Board only wants authority to move forward. The facts are that the school population is growing and no one can stop that. She asked that the Board of Supervisors trust the School Board to propose schools that are flexible and to stop arguing over the numbers.

Dr. Geiger indicated that the proposed plan gives the County a vision. Price was never the charge of their committee, and all estimates are subject to change.

Mr. Sparks countered that the \$33 million figure is at least six months old and he wanted a more recent estimate. Mr. McPherson asked if he wanted them to get another price and schedule another meeting. Dr. Hardinge suggested telling the citizens that the longer the County waits, the more a new school will cost. Mr. Hill suggested that the Board not wait another three months. Mr. Trout commented that the cost will not go down. Dr. Geiger stated that the need is clear and the School Board feels that the proposal provides the flexibility that is needed. Mr. Hill stated that he came on the Board knowing that the County has to build a new school and he is prepared to vote tonight. Mr. Trout asked if a public hearing was needed. Mr. Christie indicated that the Board of Supervisors will be hearing from Davenport & Associates next week on how to pay for capital improvement projects. Mr. Trout suggested adding this to the December 6 agenda. Mr. Hill asked how things would change between tonight and December 6.

Mr. McPherson stated that what the School Board needs tonight is approval of the elementary school improvement.

Mr. Sparks moved to approve \$8,295,086 as a revised cost for capital improvements at the elementary school. 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.

Mr. Christie indicated that the Boards need to continue discussions about building a new high school and renovating the existing high school into a middle school. He inquired whether the renovations to the existing high school could be made without adding on. The School Board members replied that it could, and added that it would require a \$10 million renovation to add capacity that would be reached in about four years.

Dr. Hardinge urged the Boards to be careful when trying to cut corners and stated that it was important to learn from the mistakes that were made when the current high school was built. She emphasized that it is necessary to have adaptability. Mr. McPherson echoed her comments, indicating that the County should build a school that is flexible, and not because it is a certain price. That will save money in the long term. Dr. Geiger agreed to contact the State Board of Education to see if he can obtain more current pricing information.

IN RE: VEHICLE MAINTENANCE FACILITY

Mr. McPherson asked for a status on the vehicle maintenance facility. Mr. Trout stated that it is important to make sure of the footprint of the high school before proceeding with the vehicle maintenance facility. Mr. McPherson responded that one has no impact on the other.

Mr. Burrell indicated that there remained a question about whether or not the Sheriff's impound lot would be attached.

Mr. McPherson asked about funding. Mr. Christie reported that there is \$1.1 million in the current budget for this project and this should be included in the discussion with Davenport at the next meeting. Mr. Hill commented that the cost keeps going up and the Board should talk about this tonight.

Mr. Christie reminded that the Board of Supervisors committed to building this facility a few months ago in a Memorandum of Agreement, but did not commit to when it would be built. He continued that the County has \$72 million in CIP needs and will have to decide how to stage those over the next few years. He reminded that 6¢ of the real estate tax rate has been committed to school capital.

Mr. McPherson asked if the School Board should move forward to get an architect to start on the project. There was a discussion about who was responsible for bidding the project out and having the facility built. Mr. Davis indicated that it had been agreed that the School Board would operate the facility - not that they would bid it out and build it. He indicated that he had some discussion with the sheriff about using the revenue from lease of the jail farm to help with the Sheriff's needs.

The School Board adjourned their meeting at 7:50 p.m.

IN RE: CLOSED SESSION

Mr. Trout moved go into closed session for discussions relating to real property pursuant to Section 2.2-3711A.3 of the Code of Virginia involving a conservation easement and to discuss a personnel matter pursuant to Section 2.2-3711A.1 of the Code of Virginia involving the interim county administrator. 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. The Board went into closed session. Mr. Davis moved to emerge from closed session. 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. 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 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:

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.

IN RE: OTHER BUSINESS

Ken McDermott was present to request the Board to sign documents relating to the probability of the approval of applications for development on property being put into conservation easements. He maintained that the Board has the authority to determine whether or not a PUD would have been possible on that property. He explained that he needs language strong enough to help him fight the State. The State has reported that an elected official from New Kent had advised that there was no way that a PUD would have ever been approved for the property.

Mr. Burrell explained that everyone on the Board would like for the property to be put into conservation easements but no one is comfortable with the wording in the document.

Mr. Christie inquired if Mr. McDermott was under a time constraint. Mr. McDermott indicated that he has over 200 investors and he needs something written from the Board in order to move forward with the easements.

Mr. Burrell indicated that the Board would be meeting again on December 6. Mr. McDermott responded that the Board needs to decide quickly on what wording would be acceptable, but repeated that the language has to be strong enough to "turn the State around".

Mr. Burrell indicated that the proposed language would be shared with Mr. McDermott before it was sent out. Mr. Christie stated that staff and the County attorney would work together to get something that would be acceptable to the Board.

IN RE: CONTINUANCE

Mr. Sparks moved to continue the meeting until December 6, 2004, at 6:00 p.m. in the Board Room of the County Administration Building. 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 meeting was suspended at 8:45 p.m.
