

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 13<sup>th</sup> DAY OF FEBRUARY IN THE YEAR TWO THOUSAND SEVENTEEN IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 6:00 P.M.

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IN RE: CALL TO ORDER

Chairman W. R. Davis, Jr. called the meeting to order.

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IN RE: ROLL CALL

Thomas W. Evelyn	Present
C. Thomas Tiller, Jr.	Present
Patricia A. Paige	Present
Ron Stiers	Present
W. R. Davis, Jr.	Present

All members were present.

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IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Paige gave the invocation and led the Pledge of Allegiance.

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IN RE: CONSENT AGENDA

1. Approval of Minutes
  - a. January 10, 2017 Business Meeting minutes
  - b. January 25, 2017 Work Session minutes
2. Miscellaneous
  - a. Adoption of Board of Supervisors Bylaws, as amended.
  - b. Adoption of Resolution R-06-17 to request that VDOT add streets in The Oaks, Section 2 into the State system for maintenance.
  - c. Ratification of the New Kent Clean County Committee Bylaws as amended.
3. Refunds
  - a. Due to Amerigas – Homeowner Canceled Contractor - Permit BP# 20958-2016, \$49.88.
  - b. Due to Simmons Electrical Services – Contractor Canceled Permit - BP# 20747-2016, \$74.63.
  - c. Due to Simmons Electrical Services – Contractor Canceled Permit – BP# 20947-2016, \$66.38.
  - d. Due to Woodfin – Contractor Canceled Permit – BP# 20963-2016, \$87.00.
4. FY17 Supplemental Appropriations
  - a. Program Income received for FY17 from CDBG Plum Point Grant Participants, \$565.67.
  - b. Donations to Animal Shelter, \$1,026.00.
  - c. Extension Program Sponsorship Revenue for 2017 Ag Conference Sponsorship: Robert & Rose Brown (\$100.00), James Oliver (\$100.00), Doebler’s PA Hybrids, Inc. (\$100.00), Virginia Grain Products Association, Inc. (\$100.00), Simpson Insurance Services, Inc. (\$100.00), Dawna &

Richard Eacho (\$100.00) and First Bank & Trust Company (\$100.00), \$700.00.

- d. Funds received from VML Insurance – Sheriff’s Dept., Veh #296 – 2013 Dodge Charger – DOL 12/14/16, (\$2,272.76), reimbursement of deductible for damage to vehicles involved in 11/3/16 pursuit – Veh #s 304 & 307 (\$1,000.00) and refund to VML for overpayment of funds for vehicles involved in 11/3/16 pursuit (-\$3,030.17), \$242.59.
- e. Funds received from VML Insurance – Fire Dept., Veh #968 – 2015 Ferrara Fire Engine – DOL 12/15/16, \$343.75.
- f. Gifts & Donations to New Kent Fire & Rescue: Julian & Deborah Ward, Jr., (\$25.00), TRUiST (\$42.50), Paul & Nancy Costello (\$50.00) and Hopewell Baptist Church (\$100.00), \$217.50.
- g. Gifts & Donations to Parks and Recreation: H. E. Fenner, \$100.00.
- h. Co-sponsorship and Affiliate Agreement Funds: New Kent Youth Wrestling (\$600.00) and New Kent Youth Association – Football & Cheerleading (\$195.00), \$795.00.
- i. Funds for Security Detail: Ed Allen’s Campgrounds and Cottages – 10/22/16 Event (\$66.08), New Kent High School – December 2016 Sports Events (\$775.09), New Kent High School – January 2017 Sports Events (\$193.77), Refund to New Kent Winery for Overpayment of Security Detail (-\$48.91) and correction of January appropriation (\$0.02), \$986.05.
- j. 2017 Litter Grant Award, \$5,999.00.

\$10,975.56 Total  
(\$4,976.56) Total In/Out - General Fund (1)  
(\$5,999.00) Total In/Out – Clean County/Litter (15)

- 5. FY17 Carry Forward Appropriations
  - a. FY09 Kip Kephart Foundation Grant, \$264.57.
  - b. Unspent 2016 Litter Grant Funds, \$0.36.

\$264.93 Total  
(\$264.57) From Fund Balance - General Fund (1)  
(\$0.36) From Fund Balance – Clean County/Litter (15)

- 6. FY17 Interdepartmental Budget Transfers
  - a. Administration – From Contingency to County Contribution-Lease Payment, \$24,999.99 (Heritage Library Rent).
  - b. Fire-Rescue – From Contingency to Lease/Rental Buildings, \$5,750 (Fire Station #4) and From Ambulance Replacement to Fire Apparatus Replacement, \$1,022.28.
  - c. Information Technology – From Commissioner of Revenue to Financial Services, \$125.00.
  - d. Registrar – From Travel (Convention & Education) to Dues & Association Membership, \$10.00.

- 7. Treasurer’s Report: Cash as of December 2016, \$46,956,320.27

Mr. Davis noted the Consent Agenda included the adoption of the Board of Supervisors Bylaws which had been amended at the January 10, 2017 meeting. He asked if this item should be pulled from the Consent Agenda and voted upon as a separate item. County Administrator Rodney Hathaway indicated this was not necessary and the amended Bylaws could be adopted as a part of the Consent Agenda.

Mr. Tiller moved to approve the Consent Agenda and that it be made a part of the record. The members were polled:

Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye

The motion carried.

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IN RE: SMALL BUSINESS CLOSE UP – SEW UNEEK

Community Development Director Matthew Smolnik began the Small Business Close Up by sharing the story of his recent attendance at the Daddy Daughter Dance hosted by the New Kent Parks and Recreation Department. A few days prior to the dance, he had pulled out a tuxedo he had purchased several months ago and realized the pants were not hemmed. He had wondered where he could find someone to hem the pants in time for the dance. When later opening his email he had discovered a message from Ms. Paige indicating she had found a business to be featured in the February Small Business Close Up, a seamstress named Cynthia Gaines doing business as Sew Uneek. He indicated he believed in fate, Ms. Gaines had hemmed his pants and he had worn them to the dance. He thanked Ms. Gaines and noted the service had been fast and professional. He introduced Ms. Gaines and invited her to share information on her business.

Ms. Gaines thanked the Board for the opportunity to speak. She indicated Sew Uneek was a home-based business located at 8841 Crumps Mill Road in Quinton. She reported she had been sewing most of her adult life and had picked up the skill from her mother at the age of thirteen. She noted she loved making women's fashions but could do it all including curtains, blankets and alterations. Her favorite thing to sew was women's plus size fashions. She had recently auditioned for RVA Fashion Week to be held in Richmond, Virginia in April. Five of her creations had been included in the audition and Sew Uneek had been selected to be a part of this event. She also worked with schools and had sewn preschool graduation gowns. Prom season as well as spring and summer wedding seasons were big for her business. Ms. Gaines encouraged anyone who may be in need of her services to give her a call and noted she had left a supply of business cards at the front desk. She again thanked the Board for the opportunity to speak.

Mr. Davis thanked Ms. Gaines for her presentation. He reminded everyone that the Small Business Close Up was something the Board hosted every month. He encouraged attendees to contact their supervisor if they had a business or knew of a business they would like to have highlighted in an upcoming Small Business Close Up.

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IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION – RESIDENCY  
ADMINISTRATOR'S REPORT

Ashland Resident Engineer Bruce McNabb noted VDOT had changed the format of its monthly written report. He also noted that when Maintenance Operations Manager Bruce Puffenbarger and he were both able to attend, he would be providing the monthly updates on construction projects and traffic studies and Mr. Puffenbarger would be providing the maintenance report and updates on special requests.

Mr. McNabb provided an update on the Route 249 roundabout project. He reported VDOT had made the decision several weeks earlier to call in a new "emergency" contractor. Howard Brothers, a well-known local contractor, had been on the job for about a week and much more activity had been noted. The estimated completion date was early May. Traffic flow would be managed by flaggers during the day and Route 249 travelers were advised to expect delays and exercise caution when passing through the interchange. Mr. McNabb reported there were no traffic study reports and entertained questions from the Board.

Mr. Evelyn reported County Administrator Rodney Hathaway and he had met with Delegate Chris Peace, the VDOT Commissioner and the Secretary of Transportation about three weeks ago regarding this project. He thanked Delegate Peace and the VDOT Commissioner for their quick response. He noted his confidence in the current contractor and reiterated Mr. McNabb's comments regarding being cautious while passing through this interchange. He urged drivers to look out for workers while driving in the area.

Mr. Puffenbarger provided an update on special requests. He indicated requests had been received from citizens regarding mud on the roadway and drainage issues at Route 606 and Barham Road. These issues were the result of ongoing logging operations. The property owner had replaced an entrance pipe and had attempted to clean the road. The owner had been advised that the roadway needed to be cleaned daily and logging entrances would have to be removed and ditch lines restored at the end of logging operations.

A written report on maintenance items completed over the past thirty days as well as items scheduled for the next thirty days had been provided. Mr. Puffenbarger reported the primary focus for the past thirty days had been on asphalt patching, ditch cleaning/ regrading, litter pickup and tree trimming/ removal. A large number of work orders had been received (78) and crews were working to address those needs. The traffic signal light at Route 33 and Route 249 had also been repaired. The focus for the next thirty days would be on pothole patching on primary and secondary routes, shoulder repairs and litter pickup with inmate labor. Crews would continue working to complete work orders. Mr. Puffenbarger also reported a "mini-ex" had been rented for use in cleaning ditches. Ditch work requested by Ms. Paige on Route 618 (Olivet Church Road) had also being addressed.

Board members provided the following comments and reported the following road concerns:

Mr. Stiers reported he would be meeting with Maintenance Superintendent Jay Fread and several engineers on Tuesday to evaluate the work needed at several locations.

Ms. Paige noted her appreciation for the work on Route 618. She indicated residents in the area were very pleased to see progress being made. She also thanked VDOT for removing a "Stop Ahead" sign on Cooks Mill Road. She noted she would contact Mr. Puffenbarger regarding the next steps a constituent needed to take in regard to a culvert with recurring backup issues. She noted patch work had been done on Pine Fork Road near Route 106 and asked if these patches were temporary. Mr. Fread indicated VDOT would come back and tar and gravel over the area. Ms. Paige noted appreciation for VDOT's attention to the issues.

Mr. Tiller thanked VDOT for the headway being made on the roundabout project. He noted Mr. Evelyn had been receiving calls regarding this project for many months and he and other supervisors had begun receiving calls too. He also reminded Mr. Puffenbarger that he had previously requested the removal of loose gravel on Woodland Circle in Five Lakes.

Mr. Evelyn reported a tree had blown over on St. Peters Road and the stump was in the roadway.

Mr. Davis noted he had previously reported overhanging trees on Route 273 (Farmers Drive) from Polish Town Road south to Route 30 were making it difficult for school buses to pass. Conditions had worsened and some of the trees were about to fall into the roadway. He also noted the ditches on Route 636 into Plum Point needed to be cleaned. Mr. Puffenbarger noted they now had the "Mini Ex" and would be working five days a week to address drainage issues. He reported there were many drainage issues in the County and they were working to address them as soon as they could. He also noted the "Vactor truck" was being used to assist with cleaning pipes. Mr. Davis thanked Mr. McNabb and Mr. Puffenbarger for their reports.

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IN RE: CITIZENS COMMENT PERIOD

Mr. Davis opened the citizens comment period.

Ann Burks of 9321 Bailey Lane, Providence Forge addressed the Board regarding the condition of the road into Burks Farm. Ms. Burks indicated she was also speaking on behalf of her husband David Burks who had operated a business at this location for seventeen years. She suggested there had been problems with the maintenance of Bailey Lane for many years. She indicated the road was graveled but potholes were still not filled and recent VDOT work had resulted in the "Cox" cable being cut twice in a week. The family operated a meat processing business (Burks Farm) and a hair salon (Burks Barber and Beauty) at this location and had a large volume of customers. Ms. Burks reported VDOT had indicated the road could not be paved because there were not enough residents. She reported the two businesses served several thousand customers on a yearly basis and noted over 1,800 customers had been served in a recent three-month period. She suggested the volume of business should warrant something being done to improve the road. She suggested VDOT was grading the road but had not been graveling the road. The road was not being fixed but rather it was just being "band aid boo-booed over".

Mr. Davis suggested the cable service was cut frequently because the lines were not buried deep enough. Ms. Burks reported the cable had been marked with orange flags and that she appreciated the attempts that had been made to fix the road but it wasn't fixed yet. She indicated she wanted to bring this issue to the Board's attention. She pointed out there were currently two businesses trying to operate without Wi-Fi. She suggested the length of road was only 1,000 yards from Route 155 and VDOT needed to do something more than just putting dirt over the holes. Mr. Davis asked VDOT Ashland Resident Engineer Bruce McNabb if the "Pave in Place" (aka Rural Rustic Road Program) was still in existence. Mr. McNabb indicated it was still an active program and he would check to see if this road could be a possible candidate. Mr. Davis noted the road was straight and 1,000 yards long and suggested it would be a good candidate. Mr. Evelyn asked if there were three homes on the road. Ms. Burks indicated six homes were present. Mr. McNabb indicated he would be in contact with Ms. Burks. Mr. Davis thanked Ms. Burks for her comments.

Bob Jeremiah of 3531 Good Hope Road, Lanexa addressed the Board regarding broadband service. Mr. Jeremiah thanked the Board for moving ahead on the broadband initiative. He noted broadband was badly needed and the few providers who were available were offering service in a very limited area. He noted that he ran a real estate appraisal business from his home and reported his most recent Verizon bill for one month of internet service had been \$810.08. His home was close to the James City County line and appraisers in James City were able to get internet service for less than \$100.00 a month. He was eager to hear the contents of the broadband report to be given later in the meeting. He suggested the Board follow and express opposition to several bills currently in the General Assembly. He

suggested HB 2108 and HB 2196/SB 1282 were designed to hinder localities from setting up broadband networks and urged the Board to pay attention to these bills and consider what was best for the citizens of the County. He suggested these bills were being pushed under the guise of competition by providers who would not provide service in New Kent.

Mr. Davis thanked Mr. Jeremiah for his comments and urged him to stay for the Broadband Feasibility Study presentation. He asked County Attorney Bill Hefty if he could share any information on the bills mentioned by Mr. Jeremiah. Mr. Hefty reported the bills had been changed significantly and had been improved but were still not in a form the County could support. He reported VACo (Virginia Association of Counties) and VML (Virginia Municipal League) were working to either kill the bills or amend them so they would not negatively impact counties. Mr. Hefty noted there were twelve days left in this General Assembly session. Mr. Davis asked him to keep the board apprised of developments with these bills.

Mr. Davis closed the citizen comment period.

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IN RE: CLEAN COUNTY COMMITTEE – ANNUAL REPORT

Clean County Committee (CCC) Outgoing Chairwoman Jeannie Gilman thanked the Board for the opportunity to speak and approached the dais to share an album of photos and other information regarding the CCC. She thanked fellow committee members for their attendance and that they stand and introduce themselves. She noted copies of the Committee's full annual report had been provided and she would be sharing a brief overview. She opened by noting the CCC was dedicated to the cause of a cleaner, more attractive community. She reported a number of accomplishments in 2016 including the addition of three high school students to the membership. Expanding participation in community events had also been a focus in 2016. A CCC information booth had been sponsored at the All American Muscle Car Celebration, Safe New Kent Day, New Kent Extension Office Farm Tour, Jenna Bash Festival and the New Kent County Fair. A very popular attraction at the CCC booth had been the "Take a Spin for New Kent" game. The game featured a wheel inspired by Wheel of Fortune® and was made entirely of recycled materials. The Committee had also sponsored a document shredding and small appliance recycling day in conjunction with the County Fair and had entered a float in the Providence Forge Christmas Parade. She reported volunteers had been the backbone of CCC's success in 2016 and increasing volunteer participation was a recommendation for 2017. The CCC also had litter clean-up kits that were available for individuals or communities who may want to sponsor a clean-up day in 2017. The Committee was also recommending they partner with CVWMA (Central Virginia Waste Management Authority) to increase schools' involvement and that a representative be appointed to the local Virginia Cooperative Extension Office Leadership Council. She closed her comments by suggesting 2017 would be a great year for the CCC and noted they had already gotten off to a good start with a field trip to the CVWMA recycling center in Chester. "Let's make New Kent Beautiful!"

Mr. Davis thanked Ms. Gilman for the CCC report and noted the Committee had made a good amount of progress in recent years. Mr. Evelyn asked if recycling programs were in place at County schools. Incoming Committee Chairwoman Earlyne Leary indicated the schools were doing a fantastic job. The Middle School had an Ecology Club and Committee member Sherese Bonner was working with School Superintendent Dr. David Myers to get programs through the CVWMA started at the high school. She noted that current SOL (Standards of Learning) required that education in regard to ecology and recycling be included in the curriculum and a program of some form was included at all schools.

Mr. Davis indicated he was glad to hear progress was being made in the schools. He thanked CCC members for their service. He noted Ms. Paige had a presentation she wished to make.

Ms. Paige came to the podium and noted the Board wished to recognize Ms. Gilman and commend her for a job well done and had approved a resolution (R-04-17) recognizing her service at its January 10, 2017 meeting. Ms. Paige read the resolution and presented Ms. Gilman with a signed original.

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IN RE: BROADBAND FEASIBILITY STUDY PRESENTATION

County Administrator Rodney Hathaway noted the County had received many comments from citizens regarding the accessibility of broadband. The County had hosted a town hall meeting in 2015 where broadband had been a popular topic. Staff had left knowing the broadband issue needed to be addressed and the County could not wait for providers to address its needs. New Kent had applied for a Virginia Department of Housing and Community Development grant and had received notice in November 2015 that it would be one of eight communities to receive \$75,000 to study its broadband needs. Mr. Hathaway reported the Broadband Advisory Committee had been formed by the Board and had been working through the year with consultant Dr. Andrew Cohill with Design Nine, Inc. from Blacksburg, Virginia. Dr. Cohill was present to provide an overview of the work that had been completed over the past year.

Dr. Cohill reported the focus of the feasibility study had been to:

- identify current conditions and telecom assets in the County,
- assess current and future broadband needs,
- survey businesses and residents,
- identify public/private partnership opportunities,
- recommend strategies and solutions to improve broadband affordability and accessibility and
- identify "starter" projects and provide cost estimates.

He noted many parts of the County had extremely poor internet service with some residents still using dial up services. These conditions made it difficult for residents to work from home or operate a home-based business. He reported that when it came to surveying, New Kent had been unique with 1,595 residential responses. This had been a phenomenal response with the only other locality coming close being Fauquier County with 1,200 responses. He noted Fauquier was many times larger than New Kent. Dr. Cohill suggested this response indicated the importance of broadband to the residents. Sixty-five percent of respondents indicated they were trying to use their home internet for work part time and another sixteen percent were self-employed and working from home. The business response rate had also been very high with 137. Seventy-eight percent of business respondents indicated they were not satisfied with their current service and seventy-four percent indicated they needed better service. Maps depicting responder locations indicated both residential and business responses had covered a wide area of the County.

The feasibility study had resulted in a number of recommendations including:

- The formation of an authority to create a focus for improvements. Dr. Cohill reported Charles City had received a grant which had been used to provide fiber service to the Roxbury Business Park. A "Tier 1" internet provider was now providing service to this fiber. The connection for this service was actually on Route 60 in New Kent County. He suggested one of the challenges communities faced in providing broadband service was finding a major internet provider willing to provide service.

This connection having already been made in the southern part of the County should give New Kent an advantage. Dr. Cohill reported both Prince George and Charles City had indicated they would be interested in discussing a regional approach. Mr. Evelyn asked if the Charles City grant had been a federal subsidized grant. Dr. Cohill indicated that it had been a federal Community Development Block Grant (CDGB). He noted he had included information on possible funding later in the presentation but suggested grant funding would be a very good option for New Kent. He pointed out this type of grant was tied to either attracting jobs or retaining jobs and suggested significant funding was available through CDGB.

- Not competing with the private sector but working to develop public/private partnerships. Dr. Cohill noted he was not recommending the Board of Supervisors go into the internet business. He was however stressing the importance of local government's investment in some of the basic infrastructure costs associated with broadband. The public/private partnership would decrease capital expenditures and lower operating costs for businesses.
- Make wireless more widely available. Dr. Cohill noted wireless would be very important in New Kent County and a big challenge faced by WISP (Wireless Internet Service Providers) was the cost of getting equipment on towers. The recommendation was to make affordable tower space available on existing county-owned or county-leased water tanks and towers. Because New Kent County was heavily wooded, wooden utility poles would be necessary to allow more rural residents and businesses to have wireless antennas above the tree line. Mr. Davis asked if existing utility poles could be used and noted the cable company was using existing poles to run their lines. Dr. Cohill indicated the antennas would be placed at a level above the power lines. He also noted cable lines were placed below the power lines and the power company would not allow anything to be placed above their lines. Because of this, new poles would be necessary.
- Establish pilot project for fiber to support business attraction and retention and attract residents. "Meet-Me Box" fiber drops could be an option for New Kent. Service providers would pay to use these boxes and multiple providers could use a single cabinet. These boxes would create competition, reduce costs and allow access to a higher bandwidth. Dr. Cohill also drew attention to several aerial maps depicting possible layouts for extending fiber from the drop box on Route 60.
- Consider a referendum and service districts to identify areas of support.

Dr. Cohill noted most community projects were developed with a "basket" of financing strategies and it was common to have funds coming from three to five different sources. Charles City had used some EDA funds and CDBG funds. He also noted some localities were utilizing user fees to fund the expansion of community-owned networks. He closed by indicating more details were included in the full report and he then entertained questions.

Mr. Evelyn suggested there would be more to this than erecting a utility pole and a service provider would be needed. Dr. Cohill confirmed and indicated areas that would need to utilize antennas on utility poles would need to coordinate this with service providers. He pointed out there were currently no WISP in New Kent and a part of the recommendations was to attract wireless providers by making some affordable space available on existing towers and water tanks or erect new towers if necessary.

Mr. Davis noted that Mr. Bob Jeremiah who had spoken earlier had a question. Mr. Jeremiah noted again that his most recent bill for internet service had been \$810.08. He asked what good would the proposed partnering with WiFi providers be to users if the cost would still be several hundred dollars. Dr. Cohill noted there were different pricing structures for cellular data and WiFi. He indicated fiber connections ranged in price from

\$40 to \$60 and there were typically no data caps. Mr. Jeremiah asked for the names of service providers. Dr. Cohill indicated that "Acela Net" (formerly SCS) was one such provider and there were others who could provide service at a more affordable rate compared to Mr. Jeremiah's current service. He suggested the focus should be on making tower space available and then working with the providers to get them on the towers.

Mr. Davis called on an unidentified man in the audience. This individual asked how many towers would be needed and what the cost would be. Dr. Cohill indicated the study had looked carefully at existing towers and noted the great thing about New Kent was that the topography was generally level and four to five towers (a maximum of six) should provide good coverage. New towers would cost \$100,000 to \$140,000 each. He also pointed out county-owned towers would generate some revenue through rentals.

Mr. Davis noted the County had just replaced its public safety radio system and asked if the coverage provided by this radio system would be about the same as our WiFi coverage. Dr. Cohill indicated these were different frequencies and public safety frequencies usually traveled a greater distance because they were better at getting through foliage and over hills. He suggested current technology allowed for a two to three mile coverage zone.

Mr. Evelyn noted he had some familiarity with the system in Charles City and wanted to be sure everyone understood the cost of that system. He estimated the price had been in the \$750,000 range and had covered a very small area. Dr. Cohill indicated the project had cost in the \$600,000 to \$650,000 range. County Administrator Rodney Hathaway indicated the feasibility study had suggested the rough estimate for providing service in New Kent County would be just over three million dollars. Dr. Cohill suggested this figure reflected the cost to do everything at once. Mr. Hathaway noted a considerable County investment would be needed. He further noted the Board had continued the Broadband Advisory Committee for an additional year and they felt the next steps would be to begin discussions with service providers to see what they could bring to the table. He noted Dr. Cohill had done a good job of identifying available communication towers and lease discussions with tower owners would also be a next step.

Mr. Tiller expressed concerns regarding the utility poles and suggested some neighborhoods may not allow them. Dr. Cohill pointed out that not everyone would need a utility pole. These would be used only for those without a clear line of sight to a tower. He reported some localities had taken action to loosen zoning and permitting requirements to make use of the utility poles easier and less expensive. He suggested the Planning Commission and County Planners would need to be involved.

Mr. Jeremiah noted he lived in a heavily wooded area in Lanexa and the reception and speed of his current service were very good. The signal was being received through an antenna located in the attic of his home. He suggested this may be another option for those without a clear line of sight to a tower. Dr. Cohill agreed.

Another unidentified man in the audience suggested Dr. Cohill had presented some excellent points and Mr. Hathaway's points regarding next steps had been well taken. He asked if the County was "going to develop a timeline for this or are we just going to say we think we need to do this?" Mr. Hathaway noted the Broadband Advisory Committee members had been reappointed for an additional year and would continue to work on this. The unidentified man asked if there would be a published timeline and goals for the Committee. Mr. Davis noted the County was already talking with other localities to see what could be done regionally and assured the gentleman the County was not sitting still.

County Attorney Bill Hefty noted a 5G technology bill was in the General Assembly and asked Dr. Cohill for his thoughts on the subject. Dr. Cohill indicated the 5G standard would not be released until 2020. He suggested everything we were hearing about 5G was "marketing hype". He suggested the more promising technology was the "broadband only LTE" which was an improved 4G technology currently being introduced in the United States. Mr. Evelyn suggested that some of what was being considered by the General Assembly could significantly limit what localities could do with broadband. Mr. Hefty indicated he didn't think the bills would pass this year but cautioned the Board to expect to see similar provider-supported bills aimed at limiting what localities could do in the future.

Mr. Davis called on Community Development Director Matthew Smolnik who had indicated he wished to speak. Mr. Smolnik indicated he wanted to address the issues raised regarding towers (utility poles). He read from a section of County Code which indicated cell towers and communication towers under seventy-five feet could be erected in business, industrial, economic opportunity and agricultural zoned areas. He noted there should be no additional requirements from the County.

Mr. Stiers indicated he was serving as the Board's representative to the Broadband Advisory Committee. He reported the Committee had requested that Dr. Cohill look into available towers and he asked if this information was available. Dr. Cohill indicated the work had been completed and the information had been sent to Mr. Hathaway several weeks ago. Mr. Hathaway indicated the information had been forwarded to Broadband Advisory Committee members. He also noted he had recently received the final report from Design Nine and would be providing copies to Committee members. Mr. Stiers noted the Board had been asked what they would be willing to do and he suggested the Board could not make any decisions until they knew what the bottom line would be.

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IN RE: ELECTED OFFICIALS' REPORTS

There were no elected officials' reports.

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IN RE: STAFF REPORTS

#### FY18 BUDGET RECOMMENDATIONS

County Administrator Rodney Hathaway indicated it was his pleasure to share FY18 Budget recommendations. As had been done in the past, a budget team had been assembled to review department requests and make recommendations. Department of Social Services Director Jon Martz had served as the department head representative this year. Other budget team members had included Finance Director Mary Altemus, Assistant Finance Director Larry Clark and District Three Supervisor Patricia Paige. Mr. Hathaway noted the team had done a very good job and thanked them for their service.

Board members had been provided copies of the proposed budget and PowerPoint presentation earlier in the evening. The presentation included information on the methodology used in developing the budget as well as budget goals. Goals included maintaining departmental spending at FY17 levels (departmental spending had actually been reduced), utilizing existing cash reserves for capital projects, working with the School Board to maintain educational excellence, increase the set-aside for a new elementary school (two cent increase), maintaining public safety and social services during a period of increasing demand for services and infrastructure (Weldon Cooper numbers had indicated New Kent was the fifth fastest growing community in the state with a 13% growth rate.) and ensure Public Utility bond covenant compliance. The presentation also included detailed

information on an anticipated \$1,302,049 increase in general fund revenues. Mr. Hathaway noted the total proposed budget was \$64,604,333 which was a \$2.5 million dollar increase from the previous year's budget. The proposal did not include the \$4,876,797 Public Utilities budget which would be discussed later in the presentation.

Mr. Hathaway reviewed a chart depicting how the \$64 million dollar budget was distributed. He noted schools with a \$32,226,616 budget would receive approximately half (49%) of the total budget. Public Safety was a distant second with a \$7,980,823 budget followed by annual debt service of \$5,807,362. He noted debt service levels had remained steady for a number of years but were expected to increase as the County pursued additional projects.

Mr. Hathaway reported a \$1,302,049 increase in general fund revenues was expected in FY18. He drew attention to several increased revenue sources including increases of \$202,153 in real estate tax revenue and \$596,189 in personal property tax revenue. Recommendations for the allocation of these new revenues included the addition of four firefighters at a cost of \$218,421, the purchase of new computer financial software at a cost of \$228,886 and the additional two cent set-aside for schools totaling \$520,716. Mr. Hathaway noted the four firefighters were new positions which had been approved by the Board after the FY17 budget had been adopted. These firefighters were already working for the County but were being shown as new positions in FY18. Mr. Hathaway pointed out the County had previously committed to fund these items and after taking them into consideration, \$334,026 in new revenue was available for allocation. Recommendations for the remainder included an additional \$100,000 to the schools' operating budget. He also noted a recommendation was also being made for an additional \$100,000 to the schools' capital budget. The budget team had taken a hard look at department budgets and had found areas where cuts could be made. Department operations budget requests had come in lower than FY17 by \$16,789, non-major capital (furniture and fixtures) requests had also come in lower than FY17 by \$23,884 and the budget team had recommended an additional \$110,112 in cuts. Other recommended allocations included \$228,821 in personnel requests, \$115,990 in contingency for employee health insurance increases and \$40,000 in contingency for VML (Virginia Municipal League) insurance premiums.

Mr. Hathaway provided an overview of proposed transfers to other funds. He noted the proposed transfer to school operations was \$13,754,595 which was \$100,000 more than FY17. Debt service including principal and interest at \$5,807,362 was an increase of \$127,055. A total of \$1,041,432 would be transferred to the school construction set-aside fund. This represented a two cent (of real estate tax rate) increase totaling \$545,738. He noted a \$126,650 reduction in fire station debt set-aside, a \$28,485 reduction in CSA programs, a \$15,076 reduction in airport operations and a \$13,956 reduction in Social Services administration and programs. Transfers to other funds totaled \$21,818,164, a \$588,626 increase over FY17.

Mr. Hathaway provided a brief overview of proposed FY18 personnel actions totaling \$271,094. Recommendations included position upgrades for two Building Development inspector positions and the Financial Services payroll administrator position. Mr. Hathaway noted these upgrades were recommended because individuals in these three positions had received additional certifications. A number of new positions were also being recommended including a Deputy, a Communications Officer, a Procurement Manager, an Economic Development Director, a part-time Custodian and a part-time Deputy Emergency Management Coordinator. Other recommendations included a salary increase for the Human Resources Administrative Assistant resulting from the addition of new responsibilities, a reclassification of the CSA Administrative Assistant position from full-time to part-time and funds to cover possible adjustments resulting from a State Department of

Social Services realignment study. The Public Utilities Department was also recommending the addition of one new position for a Utility Locator.

Mr. Hathaway reported health insurance rates would be increasing and no salary increases were being recommended for employees. No changes were expected for VRS (Virginia Retirement System) retirement rates and VRS Group Term Life Insurance. Figures for VML auto, liability and workers' compensation rates were not available. A \$25.00 per pay period premium increase was being recommended for employees with "employee only" coverage. No changes were being recommended for all other health insurance premium rates.

Mr. Hathaway noted staff had been following the 2017 General Assembly session. He reported that no budget had been adopted but several salary adjustments were being considered. Adjustments included two percent increases for the Department of Social Services Director and Employees, for Constitutional Officers, the Registrar and Electoral Board. If approved, these increases would be effective July 1, 2017. Mr. Hathaway suggested what was most uncertain was what decision the General Assembly would make in regard to schools. He noted that one budget version included a two percent increase for schools but there was much discussion regarding how any increase would be distributed.

Mr. Evelyn noted the State had never funded the approved two percent salary increases for schools in FY17. Mr. Hathaway indicated this was correct and the County had funded the three percent salary increase schools received in FY17. Mr. Hathaway pointed out the increase currently being proposed in the General Assembly was only for SOQ (Standards of Quality) positions. The School Board was recommending a two percent across the board increase so additional funding would be needed to fund the proposed FY18 salary increase.

Mr. Hathaway noted CIP (Capital Improvement Plan) recommendations had been covered in depth at the Board's previous meeting so he would not spend much time on them in this presentation. A CIP budget totaling \$4,503,526 included \$1.6 million dollars in cash reserves, \$206,000 in proffer allocations, \$2.2 million dollars in federal grants and \$443,000 in state grants was being recommended. Mr. Hathaway indicated there was currently \$5.8 million dollars in the CIP budget. Because one million of this balance was to be held in reserve, \$4.8 million was available for projects. Proposed FY18 allocations from cash reserves totaling \$1,640,276 and cash proffers totaling \$206,229 resulted in a CIP cash reserve balance of \$3,030,271.

Mr. Hathaway reported County financial consultants had performed an in depth review of the Public Utility Fund revenues and projected expenditures. Based on this analysis, a four percent increase in water and sewer rates and no increases in connection and availability fees were being proposed. The Bottoms Bridge Service District tax rate would remain unchanged. The proposed FY18 Public Utilities budget was \$4,876,797. Public Utilities CIP projects totaling \$649,800 had been discussed at the Board's previous meeting.

Mr. Hathaway addressed several budget challenges to be faced over the next five years. He suggested education funding would continue to be a challenge and noted New Kent Schools were expecting increased State funding of \$930,000 as a result of increases in student population. He pointed out New Kent's State per pupil funding was rather low. He indicated this funding was determined by a benchmarking formula calculating a locality's ability to pay and because New Kent had a very high median income, the funding level was low. He also pointed out the Board had heard from New Kent Schools that New Kent was one of the lowest in terms of salaries offered to our teachers. Mr. Hathaway indicated this was a true fact but was due to no fault of the Board of Supervisors. He indicated New Kent's funding for schools as a percentage of the total budget compared to 139 other school systems

ranked New Kent at sixty-fourth. He suggested this indicated the County was doing a good job of funding its schools but unfortunately did not fare well in the States funding formula.

Maintaining compliance with existing financial policies regarding debt limits would continue to be a challenge as the County moved forward with borrowing for additional capital projects. Mr. Hathaway also noted Public Utility bond coverage compliance in the Bottoms Bridge Service District would continue to be a concern. As projects were built out and connection fees dwindled, compliance would become more difficult to achieve.

Mr. Hathaway also reported capital and related operating funding would be a challenge. He noted the following capital projects:

- a new \$20 million dollar elementary school with \$1.4 million dollar annual principal and interest payments and \$1.2 million dollars in annual operating costs,
- a \$13.7 million dollar New Kent Elementary School renovation (minimum impact on operating costs),
- a \$1.5 million dollar New Kent Middle School expansion – five classrooms (moving forward with construction scheduled to begin this summer),
- \$10.2 million dollars for two new fire stations (operating costs – unknown),
- \$6.2 million in fire apparatus,
- a \$1.7 million dollar animal pound (operating costs – unknown) and
- a \$35 million dollar Public Utility water treatment facility with \$2.6 million dollar annual principal and interest payments and unknown operating costs.

Mr. Hathaway reviewed the FY18 budget calendar noting the Board would meet for a Budget Retreat on February 16<sup>th</sup> beginning at 9:00 a.m. at the Providence Forge Recreation Center. Staff would be requesting the Board set a tax rate at this retreat. Advertisements for April 10<sup>th</sup> public hearings were scheduled to be sent to papers on March 17<sup>th</sup>. If the process moved along as scheduled, budget adoption could occur as early as April 26<sup>th</sup>. Mr. Hathaway indicated additional budget discussion would be the focus of the Board's Thursday meeting. He entertained comments and questions. Chairman Davis suggested the Board would have comments and questions on Thursday.

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IN RE: OTHER BUSINESS

WHERE THE RUBBER MEETS THE ROAD CAMPAIGN

Mr. Hathaway noted Board members had been provided with information on a VML (Virginia Municipal League) insurance program called "Where the Rubber Meets the Road". This was a defensive driving program utilizing nationally recognized training methods and products from the National Safety Council (NSC). VML had reported that fifty-six percent of the number of claims and forty-seven percent of the cost of claims were related to automobile liability and physical damage coverage. Upon successful completion of the program, the County would receive a five percent discount on its auto liability premium.

Mr. Evelyn moved to authorize the Chairman of the Board and County Administrator to sign an agreement, in a form approved by the County Attorney, with the Virginia Municipal League Insurance Program for the "Where the Rubber Meets the Road Campaign". The members were polled:

C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
Ron Stiers	Aye
Thomas W. Evelyn	Aye

W. R. Davis, Jr.

Aye

The motion carried.

REFUSE SITE OPERATION HOURS

County Administrator Rodney Hathaway reported the County had received a request to consider opening the Lanexa trash transfer site seven days a week. This site had been closed on Mondays due to cost-saving measures taken in 2011. Staff had evaluated the request and determined the personnel cost associated with adding one day a week to the operation schedule would be \$6,500.00 per year. Mr. Hathaway recommended if the Board decided to open the Lanexa site seven days a week, that they also consider opening the Polish Town Road site which was currently closed on Thursdays. Mr. Davis noted both sites were very busy. Mr. Hathaway agreed and noted with the increased population, traffic at both sites had increased. Additional staffing costs at the Polish Town Road site would also be \$6,500.00. Mr. Davis suggested the Board review tonnage reports on these sites to see if there was justification for increasing hours prior to making any decision. Mr. Hathaway suggested this information should be available through the CVWMA (Central Virginia Waste Management Authority) and suggested ten years of data could possibly be provided. Mr. Davis noted the County had not opened any new transfer sites in the past eighteen or more years. Mr. Hathaway agreed and noted the Route 618 site was extremely busy and unfortunately, there was nowhere to expand at that location. He suggested it may become necessary to find a new location to serve the western portion of the County.

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IN RE: DISTRICT APPOINTMENTS

Ms. Paige moved to appoint Harold Repasky as District Three representative to the Airport Advisory Commission to serve a four-year term beginning January 1, 2017 and ending December 31, 2020.

Ms. Paige moved to appoint Anne Gaudreaux as District Three representative to the Clean County Committee to serve a four-year term beginning January 1, 2017 and ending December 31, 2020.

Ms. Paige moved to appoint Amy Pearson as a District Three representative to the Planning Commission to serve a four-year term beginning January 1, 2017 and ending December 31, 2020.

Ms. Paige moved to appoint Chris Goebel as District Three representative to the Purchase of Development Rights Committee to complete a term ending June 30, 2017.

Mr. Stiers moved to appoint Kara Larochelle as District Four representative to the Parks and Recreation Advisory Commission to complete a term ending December 31, 2018.

The members were polled:

Patricia A. Paige	Aye
Ron Stiers	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
W. R. Davis, Jr.	Aye

The motions carried.

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IN RE: NON-DISTRICT AND STAFF APPOINTMENTS

Ms. Paige moved to appoint Robert Wright as an at large member of the Parks and Recreation Advisory Commission to serve a three-year term ending December 31, 2019.

Mr. Evelyn moved to appoint Debbie Richards as an at large member of the Parks and Recreation Advisory Commission to serve a two-year term ending December 31, 2018.

Ms. Paige moved to appoint Matthew J. Smolnik as staff representative to the Wetlands Board, Chesapeake Bay Preservation Board and the Dunes and Beaches Board.

The members were polled:

Ron Stiers	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
W. R. Davis, Jr.	Aye

The motions carried.

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IN RE: ANNOUNCEMENT OF UPCOMING MEETINGS

Mr. Davis announced the Board would be going into closed session in a few moments and he wished to announce upcoming meetings before they moved to do so. The next regularly scheduled meeting of the Board of Supervisors would be held at 6:00 p.m. on Monday, March 13, 2017, and the next work session at 9:00 a.m. on Wednesday, February 22, 2017, both in the Boardroom of the County Administration Building. As previously discussed, the Board of Supervisors would continue this meeting and meet for a Budget Retreat at 9:00 a.m. on Thursday, February 16, 2017, at the Providence Forge Recreation Center.

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IN RE: CLOSED SESSION

Mr. Tiller moved to go into Closed Session pursuant to Section 2.2-3711A.1 of the Code of Virginia for discussion on employee performance involving the Fire & Rescue Department and pursuant to Section 2.2-3711A.3 of the Code of Virginia for discussion and consideration of the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County involving Fire Station #4. The members were polled:

Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye

The motion carried.

Mr. Tiller moved to return to open session. The members were polled:

C. Thomas Tiller, Jr.	Aye
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Patricia A. Paige	Aye
Ron Stiers	Aye
Thomas W. Evelyn	Aye
W. R. Davis, Jr.	Aye

The motion carried.

Mr. Tiller moved that the Board certify by roll call vote that to the best of each member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Freedom of Information Act and identified in the motion to go into closed session were heard, discussed or considered in the closed session. The members were polled:

Patricia A. Paige	Aye
Ron Stiers	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
W. R. Davis, Jr.	Aye

The motion carried.

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IN RE:           ADJOURNMENT/CONTINUATION

Mr. Evelyn moved to continue the meeting until 9:00 a.m., Thursday, February 16, 2017 at the Providence Forge Recreation Center, 9900 Carriage Road, Providence Forge, Virginia. The members were polled:

Ron Stiers	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
W. R. Davis, Jr.	Aye

The motion carried. The meeting dismissed at 8:18 p.m.