

A REGULAR WORK SESSION WAS HELD BY THE NEW KENT COUNTY BOARD OF SUPERVISORS ON THE 25TH DAY OF MAY IN THE YEAR TWO THOUSAND SEVENTEEN IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 9:00 A.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

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

All members with the exception of Ms. Paige were present at roll call. Ms. Paige joined the meeting at 6:09 p.m. Mr. Evelyn left the meeting at 6:17 p.m. and returned at 6:48 p.m.

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IN RE: NEW FIRE HOUSE #5 PRE-CONSTRUCTION ENGINEERING FINDINGS UPDATE

Fire Chief Rick Opett reported that as the Board had requested, he and Evans Construction had gone back to the drawing board in an effort to reduce the cost of Fire House #5. He indicated an attempt had been made to get the price down to the \$1.8 million mark but a great deal of operational space would be lost with such a cut. He also suggested that with the County's current growth rate if operational space was cut significantly now, an expansion would be necessary in five years. Such an expansion was estimated to cost \$600,000 to one million dollars. Alternatives which would not result in any loss of functionality had been explored. One such alternative had been a steel building "dressed-up" with brick which had proved to actually be more costly per square foot than the original proposal. Another more economical alternative included some flat roof areas and insulated concrete poured walls which required much less labor. Chief Opett indicated the building had also been "squared-up" with this option which had resulted in a small loss of square footage but no operational or functional space loss. A color rendering of the front facade of the proposed fire house was shared. Chief Opett reported the price using this move in ready turn-key alternative was not to exceed \$2.2 million. This price would also include the monument sign but did not include the bi-fold doors in the original proposal. Chief Opett suggested if there was sufficient savings in site work costs, bi-fold doors could possibly still be included. This price did not include the logistics building or contingency funding. Chief Opett also reported he had discussed the need for a construction manager with a local builder. He turned the discussion over to County Administrator Rodney Hathaway.

Mr. Hathaway pointed out the proposed \$2.2 million dollar project limit was the same amount of funds the Board had borrowed for this project. He noted this would be a PPEA (Public-Private Education and Infrastructure Act) project which would protect the County from many issues. He pointed out that if the contractor missed something in planning for the project, any additional cost would be the contractor's responsibility. He suggested \$150,000 would be needed for contingency and \$50,000 to hire a construction manager. He suggested these items could be funded with capital funds.

Mr. Stiers expressed concerns regarding the mention of a flat roof and suggested such a design could be a problem with snow. Evans Construction President Chase Evans indicated the portions of the roof that were to be of flat construction would be over the apparatus bays. Addressing the concern regarding snow, he suggested the membrane used on the roof would determine how well it would perform.

Mr. Davis asked for the height of the roof. Mr. Evans noted the bay doors would be fourteen feet in height and suggested the roof would be sixteen to seventeen feet. The total area of the building would be 9,100 square feet. Mr. Davis suggested the Board did not need to make any decision at this meeting. Mr. Hathaway agreed that a decision was not necessary now but did note it would be necessary for the Board to determine if they were comfortable with the figures presented so that Evans Construction could move forward with the plans. Mr. Davis suggested a public hearing would be needed because this was a PPEA project. Mr. Hathaway indicated the public hearing had already been conducted (November 16, 2016) and County Attorney Bill Hefty indicated the next step would be to put together a Comprehensive Agreement. A question was raised regarding how quickly the station could be built. Mr. Evans suggested if the County kept with the basic footprint, construction could start as early as July with completion in the fall of 2018.

Mr. Tiller indicated he felt the Board had received what they had asked for, a lower price. Mr. Evelyn noted the volume of calls would continue to increase. Deputy Fire Chief Brian Bennett indicated calls had increased 22% over the last three years. Mr. Stiers suggested "it's time to bake the cake or turn off the oven". He also suggested there would be change orders which would impact the price and indicated every construction job he had ever seen had gone over budget. Mr. Hefty noted that because this would be a PPEA project any issues that should arise would be the contractor's to fix. He added that "if this is a \$2.2 million dollar contract, that's what it should be". Mr. Davis asked if the Board needed to take any action. Mr. Hefty indicated no action was needed. The general consensus was the Board was comfortable with the figures. Mr. Hathaway indicated the parties would begin the process of negotiating a Comprehensive Agreement and bring the information back to the Board at the June work session.

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IN RE: FIRE APPARATUS FLEET DISCUSSION

Fire Chief Rick Opett presented information on the Fire-Rescue fire apparatus replacement plan. The plan included the purchase of two small rescue engines, a quint and an engine tanker. The four pieces of equipment would cost a total of \$2,718,150.70 and the annual debt service would be \$227,690 to \$236,004 depending on the interest rate. Chief Opett pointed out that one cent on the tax rate would more than cover the estimated annual debt service and he recommended the Board consider setting aside one cent annually for this purpose. He also suggested that through the price negotiation process a fifth piece of equipment (small rescue engine) could possibly be purchased. He indicated he would also negotiate for a two-year warranty on the new equipment and suggested that with the purchase of new equipment, a decrease in vehicle maintenance costs could be expected over the next five to six years. Once new equipment was received, three pieces of existing equipment would be surplus. Mr. Davis asked when a decision was needed. Chief Opett indicated he was hoping there would be a decision made that night. He noted there would need to be some time for negotiating the final purchase price and there would be an approximate 300-day build period. Ms. Paige asked how much the County would have to pay. Chief Opett indicated a down payment was not necessary and no payment would be made until the vehicles were delivered. County Administrator Rodney Hathaway noted funds would be borrowed for the fire apparatus fleet just as had been done for the

construction of the new fire house and the County would have some control over when the first payment would be made. Chief Opett pointed out that no ambulances were included in this purchase plan. Mr. Tiller noted the Fire Chief had spoken about one penny on the tax rate covering the cost and asked if a one cent tax rate increase was being proposed. Mr. Hathaway indicated one penny would cover the annual payments for the fifteen-year term of the loan and pointed out that the value of one penny should increase over the years. He indicated his support for this purchase but suggested there would be a need for a tax increase in FY19. He noted the Board would also need to set aside another two cents for schools in FY19. Mr. Stiers indicated the need for a tax increase was "not set in stone". Mr. Tiller agreed and suggested these purchases could possibly be made without a tax increase. Mr. Hathaway reminded the Board that once the new school was complete, it would also be necessary to include additional operation funds in the budget. Ms. Paige also reminded everyone that there would be a need for additional manpower for the new fire station. Mr. Hathaway indicated the County would absorb the increases where ever they could but noted his skepticism that this could all be done without a tax rate increase. Mr. Tiller suggested he could not think of a better way to spend the money than on fire apparatus. Mr. Stiers asked if a motion was needed to move forward. County Attorney Bill Hefty indicated a motion would not be needed until such time as price negotiations were complete and a contract was brought back for consideration. Mr. Stiers asked for confirmation that the Board was directing the Fire Chief to move forward. The general consensus was for the Fire Chief to move forward with negotiations.

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IN RE:           PRESENTATION OF LUPUS AWARENESS MONTH RESOLUTION

Ms. Paige announced that Jessica Mitchell, a Lupus survivor, had come to her several weeks ago asking the Board to consider adopting a resolution recognizing May 2017 as Lupus Awareness Month in New Kent County. As requested, the Board had adopted Resolution R-20-17 on May 8, 2017. She noted Ms. Mitchell was present and asked her to come forward. Ms. Paige read the resolution and presented Ms. Mitchell with a signed original. Ms. Mitchell thanked the Board for the resolution and for taking the time to draw attention to this disease. She gave each Board member a Lupus awareness bracelet which stated "Someone you know has LUPUS" and provided a website where additional information could be found. Mr. Davis reported two of his cousins who were now in their sixties had been diagnosed with Lupus when they had been in their twenties and he was well aware of the struggles they had faced. He thanked Ms. Mitchell for bring this disease to the Board's attention.

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IN RE:           RURAL RUSTIC ROAD DESIGNATION - STAGE ROAD (ROUTE 632) - R-23-17

Before the Board for consideration was Resolution R-23-17 to qualify Stage Road (Route 632) as a Rural Rustic Road. County Administrator Rodney Hathaway noted the Board had designated funds for the Stage Road project as a part of the Secondary Six Year Plan adopted at the May 8, 2017 meeting. VDOT required the road be designated as a Rural Rustic Road in order to be eligible for paving. The project would involve paving from the intersection of Polish Town Road (Route 634) to Ropers Church Road (Route 621). The total cost for paving this remaining portion of Stage Road would be \$137,978 and the project was fully funded. Mr. Hathaway noted the resolution included statements indicating the road was located in a low-density development area, had no more than 1,500 vehicles per day and the Board was unaware of any pending development that would significantly affect the existing traffic volume. Mr. Davis asked if a traffic study had been conducted. Mr. Hathaway indicated he was not sure if VDOT had been conducted a study on this portion of Stage Road. Mr. Davis indicated he did not believe the current traffic count was anywhere

close to 1,500 vehicles per day but suggested the volume would increase once the road was paved.

Ms. Paige moved to adopt Resolution R-23-17 designating Stage Road, Route 632 as a Rural Rustic Road. The members were polled:

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| Thomas W. Evelyn      | Absent |
| 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: NEW KENT COUNTY PERSONNEL POLICIES MANUAL AMENDMENT

Before the Board for consideration were proposed amendments to the New Kent County Personnel Policies Manual. County Administrator Rodney Hathaway provided an overview of the changes being proposed for sections 2.28 (Holidays) and 2.50 (Personal Leave). He indicated the Board had begun discussing the Columbus Day Holiday a year and a half or more ago and the recommendation for amendments to section 2.28 was to eliminate Columbus Day as a County observed holiday. Amendments to section 2.50 included the addition of a second personal day for staff. This additional day of personal leave would take the place of the Columbus Day Holiday and could be utilized anytime within the fiscal year. These proposed amendments would allow County offices to remain open one additional day each year while allowing County staff to receive the same amount of leave time. Other proposed revisions were to clarify existing policies and practices. Mr. Hathaway indicated the County usually followed the Virginia Government Employee's Holiday Schedule and would continue to do so with the exception of the Columbus Day Holiday. He also noted the Governor authorized additional employee leave from time to time and the County would continue to act upon such additional leave as they had done in the past. Ms. Paige asked if the DMV Select would also be open on Columbus Day if County offices were open. Mr. Hathaway indicated he did not believe they would and suggested the County's contract for the DMV Select included provisions for the office to follow the Virginia Government Employee's Holiday Schedule. He noted if the office would be closed, the County could provide citizens with advance notice through Facebook and the County website. Mr. Davis indicated he had always liked the Columbus Day Holiday when he had been a state employee. He further indicated he liked the proposed amendments because employees would not be hurt (no leave time would be lost) and it would keep the County offices open. Mr. Stiers asked Mr. Davis if he realized these changes were being proposed because there was a group of people who thought Christopher Columbus had done a bad thing by coming to the United States. Mr. Davis indicated he did not believe that was what these amendments were about. Mr. Hathaway reminded everyone that the suggestion to eliminate Columbus Day as an observed holiday had originally been brought up by a Board member who was no longer serving and County schools were open on Columbus Day.

Mr. Tiller moved to adopt the proposed changes to Section 2.28 (Holidays) and Section 2.50 (Personal Leave) of the New Kent County Personnel Policies Manual. The members were polled:

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| C. Thomas Tiller, Jr. | Aye |
| Patricia A. Paige     | Aye |

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| Ron Stiers       | Nay    |
| Thomas W. Evelyn | Absent |
| W. R. Davis, Jr. | Aye    |

The motion carried.

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IN RE: OTHER BUSINESS - DOMINION RIGHT OF WAY AGREEMENT FOR SOLAR FARM

Before the Board for consideration was a right-of-way agreement between the Board of Supervisors of New Kent County, Virginia, Virginia Electric and Power Company and the Board of Supervisors of Henrico County, Virginia. Country Administrator Rodney Hathaway reported the purpose of the right-of-way agreement was to provide electric service to the solar farm site located on Route 30 by extending an underground cable within the existing Dominion overhead transmission line easement. Dominion's design involved exiting from the existing substation located adjacent to Route 30, across the road from Henrico Jail East. Because the subject property was currently involved in a long-term lease with Henrico County, the Henrico Board of Supervisors would also be asked to approve and execute the agreement. Mr. Hathaway noted Dominion had originally requested an easement outside of the existing transmission line easement. Because the existing easement was only for above ground utilities, it was necessary for Dominion to come back requesting the Board approve an underground easement through the same property. Mr. Davis asked if this was also the gas line easement. Mr. Hathaway indicated the gas line was through a portion of the easement. Mr. Stiers asked if Henrico County had any concerns. Mr. Hathaway indicated Henrico was on board and once New Kent's approval was in place, the documents would go to the Henrico Board for approval. Mr. Tiller asked if the easement was for power to or from the solar farm. Mr. Hathaway read a portion of an email from Dominion Senior Right of Way Agent for the Eastern Division Lori Rountree which suggested the easement was for power to the solar farm. There was some discussion regarding whether this easement was to provide power to the solar farm or to transmit power from the farm to the substation. Mr. Davis noted the power would have to go to the substation from the solar farm before it connected to the power grid. He suggested the easement wording may be backwards. Mr. Hathaway indicated he could contact Ms. Rountree to confirm this easement was to provide power to the farm. Mr. Davis indicated he was not aware that the County owned any property near the jail. Mr. Hathaway indicated the only property the County owned in the area was the jail property and this agreement was only for that portion of the easement located on the jail property. Mr. Davis suggested to Mr. Evelyn that he should abstain from a vote on this agreement because the owner of a portion of the solar farm property was a relative. Mr. Evelyn noted the property subject to the right-of-way was not owned by his relative and was in fact County property therefore there should be no reason to abstain. County Attorney Bill Hefty agreed and also noted there was no money to be exchanged in return for the easement.

Ms. Paige moved to authorize the Board Chairman and County Administrator to execute the proposed Dominion Right of Way Agreement. The members were polled:

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| 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: OTHER BUSINESS - REQUEST FROM POWHATAN COUNTY FOR MOTOROLA  
RADIO CONSOLES

County Administrator Rodney Hathaway reported Powhatan County was experiencing some problems with their Motorola radio system. He further reported that Powhatan was making plans to upgrade their system and had contacted New Kent about the possibility of borrowing three of our four Motorola consoles which were currently in storage. Mr. Hathaway noted Powhatan was one of New Kent's mutual aid partners through a Richmond region mutual aid agreement. Mr. Davis asked if the County was currently trying to sell this radio equipment. Mr. Hathaway indicated the equipment was currently for sale but noted most of the interest had been in the radios, microphones and batteries. He further indicated he did not believe the reduction in the number of radio consoles would negatively impact the sale. He asked the Board to consider a proposal to loan the consoles to Powhatan until their new radio system was built. Powhatan would return the consoles once their system cutover was complete. Mr. Evelyn suggested New Kent should put a limit on the length of time the consoles would be on loan. Mr. Hathaway noted he did not know how long it would take Powhatan to make a decision on their new radio system and to have it up and running so he recommended they agree to loan the consoles for eighteen months. County Attorney Bill Hefty asked the Board to consider if they really would want to have the consoles back after eighteen months or would they rather just set a price and sell them. Mr. Davis indicated he would rather set a price to sell the consoles and be done with it. He pointed out the consoles would also be more obsolete in eighteen months.

Mr. Evelyn moved to authorize the County Administrator to negotiate to the best of his ability a price with Powhatan County for three used Motorola radio system consoles. The members were polled:

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

The motion carried.

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IN RE: PUBLIC HEARING – FISCAL YEAR 2016-2017 BUDGET AMENDMENT – NEW  
KENT MIDDLE SCHOOL EXPANSION PROJECT – Ordinance O-08-17

Before the Board for consideration was Ordinance O-08-17 to amend the Fiscal Year 2016-2017 Budget by appropriating \$1,266,757 for the addition of six classrooms to the New Kent Middle School. County Administrator Rodney Hathaway noted State Code required a locality to conduct a public hearing when its budget was to be amended by more than one percent. He noted the Board of Supervisors had been in conversations with the School Board and School Administration involving a six classroom addition to New Kent Middle School and this budget amendment was to fund this project. He indicated the main reason the May work session had been moved up a week was so that the required public hearing could be held sooner and the School Board could move forward with signing the construction contract. He reported the School Board wanted to get started on the project as soon as possible and ordering the steel package would be one of the first things to be done

once the funds were appropriated. Mr. Davis asked if Board members had any questions prior to opening the public hearing. There were none.

Mr. Davis opened the public hearing. There being no individuals wishing to speak, the public hearing was closed.

Mr. Evelyn asked how far into the future would the expansion meet the middle school space needs. Mr. Hathaway indicated School Board projections suggested the expansion would meet needs for the next ten years. The projected completion date would be by the start of the second semester of the 2017-18 school year. Mr. Hathaway recommended the Board appropriate the funds to a line item with invoices being paid by New Kent County as had been done with several other projects in the past.

Mr. Evelyn moved to adopt Ordinance O-08-17 to amend the fiscal year 2017 budget by appropriating \$1,266,757 for the expansion of the New Kent Middle School. The members were polled:

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| 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:           ADJOURNMENT

Mr. Davis announced the next regularly scheduled meeting of the Board of Supervisors would be held at 6:00 p.m. on Monday, June 5, 2017 and the next work session would be held at 9:00 a.m. on Wednesday, June 28, 2017, both in the Boardroom of the County Administration Building.

Mr. Tiller moved to adjourn the meeting. The members were polled:

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

The motion carried.

The meeting was adjourned at 7:05 p.m.