

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 14TH DAY OF AUGUST IN THE YEAR TWO THOUSAND SEVENTEEN IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING, NEW KENT, VIRGINIA, AT 6:00 P.M.

IN RE: CALL TO ORDER

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

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.

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Tiller gave the invocation and led the pledge of allegiance.

IN RE: CONSENT AGENDA

1. Approval of Minutes
 - a. June 28, 2017 Work Session minutes
 - b. July 6, 2017 Business Meeting minutes
 - c. July 26, 2017 Work Session minutes
2. Miscellaneous
 - a. Adoption of Resolution R-28-17 requesting acceptance of streets within Patriots Landing, parcel E, Section 5 (Kimball Lane) into the State System for Maintenance.
 - b. Approval of Emergency Procurement – Sherwood-Logan & Associates, \$5,551.00.
 - c. Approval of contract for repainting water storage tanks at Minitree Glen and Quinton Park – Town Hall Painting Corporation, \$305,000.
 - d. Approval of contract for monitoring equipment maintenance at the WWTP – Hach Corp, \$7,491.
 - e. Approval of Proclamation recognizing Eagle Scout Jon Swartout.
3. Refunds
 - a. Refund due to Nancy M. Jones – erroneous assessment - \$2,833.75.
4. FY17 Supplemental Appropriations
 - a. Program Income received for FY17 from CDBG Plum Point Grant Participants, \$336.41.
 - b. Donations for Animal Shelter, \$60.
 - c. Funds from VML Insurance – Fire/Rescue Dept. – Veh #963 struck light pole during a training exercise – DOL 6/19/17, \$18,918.82.
 - d. Gifts & Donations to Fire/Rescue – TRUiST \$42.50.

- e. Funds for Security Detail: National Multiple Sclerosis Society – Colonial Crossroads Bike MS 6/3-6/4/17 (\$346.91) & On the Run Training, LLC DBA Skyefit – Dionysus Run 5/21/17 (\$462.55), \$809.46.
- f. Additional Funds needed to cover Maidstone Bank Building purchase, \$3,362.50.
- ~~g. Funds to cover overspent lines in the Registrar Department, \$24,000.18.~~
- h. Funds for State Fire Programs Grant, \$5,980.

\$29,509.69 ~~\$53,509.87~~ Total
(\$26,147.19) Total In/Out - General Fund (1)
~~(\$24,000.18) From Fund Balance - General Fund (1)~~
(\$3,362.50) Total In/Out - Capital Projects (7)

- 5. FY17 Interdepartmental Budget Transfers
 - a. Board of Supervisors – From Printing & Binding to Worker’s Compensation, \$129.47.
 - b. Financial Services – From Travel – Convention to Wages – Overtime, (\$1,335.00), From Travel – Convention to Retirement – VRS, (\$1.00) and From Travel-Convention to Medical Insurance (\$41.00), \$1,377.00
 - c. Parks and Recreation – From FICA to Overtime, (\$20.00), From PT Wages to Overtime, (\$100.00) and From PT Wages to Worker’s Comp, (\$2,215.00), \$2,335.00.
 - d. Sheriff’s Department – From Salaries & Wages to Salaries & Wages – Overtime, (\$27,000.00), From Salaries & Wages to Selective Enforcement, (\$685.00), From Salaries & Wages to Line of Duty Act LODA, (\$191.00) and From Salaries & Wages to HAS Contribution – Employer, (\$3,000.00), \$30,876.00.
 - e. Sheriff’s Department – From Part-time Salaries & Wages to Salaries & Wages – Overtime, (\$28,000.00), From Part-time Salaries & Wages to HAS Contribution – Employer, (\$1,000.00), From Part-time Salaries & Wages to ST/LT Disability Premium, (\$384.00), From Furniture & Fixtures to Professional Services, (\$557.00), From Furniture & Fixtures to Dues & Assoc. Memberships, (\$505.00) and From Furniture & Fixtures to Uniforms & Wearing Apparel, (\$459.00), \$30,905.00.
 - f. Sheriff’s Department – From Part-Time Salaries & Wages to Salaries & Wages, (\$4,662.00), From Gasoline to Salaries & Wages, (\$2,438.00), From Gasoline to Salaries & Wages – Overtime, (\$456.00), From Gasoline to FICA/Medicare, (\$250.00), From Gasoline to Motor Vehicle Insurance, (\$47.00) and From Gasoline to Office Supplies, (\$432.00), \$8,285.00.
- 6. FY18 Supplemental Appropriations
 - a. Program Income received for FY18 from CDBG Plum Point Grant Participants, \$75.
 - b. Donations for Animal Shelter, \$510.
 - c. Additional Funds for Social Services Programs, \$10,974.
 - d. Funds from VML Insurance – Sheriff’s Dept. – Veh #298 vehicle hit truck tire in the road – DOL 7/12/17, \$271.
 - e. Funds for FY18 Grand Illumination: C&F Bank (\$100) & Becky Ringley, DBA State Farm (\$25), \$125.
 - f. Gifts & Donations to Fire/Rescue – Richard E. Potter (\$300) & TRUIST (\$42.50), \$342.50.

\$12,297.50 Total
(\$11,910.50) Total In/Out - General Fund (1)
(\$387.00) From Fund Balance - Social Services (2)

7. FY18 Carryforward Appropriations
 - a. Carryforward unspent FY17 General Services Funds, \$16,000.
 - b. Carryforward unspent FY17 Bulletproof Vest partnership Grant Funds, \$2,259.32.
 - c. Carryforward unspent FY17 Funds for the Board of Supervisors Convention and Travel, \$4,382.30.

\$22,641.62 Total
(\$1,129.66) Total In/Out - General Fund (1)
(\$21,511.96) From Fund Balance - General Fund (1)

8. Treasurer's Report: Cash as of June 2017, \$38,081,666.49.

Ms. Paige requested that Consent Agenda Item 4.g. Funds to cover overspent lines in the Registrar Department, \$24,000.18 be pulled from the Consent Agenda. She further requested that the Registrar come before the Board to explain the expenditures. She also requested that she be given the opportunity to present the proclamation to be approved in Item 2.e. After further discussion, and noting there would be no August work session, Board members agreed that the Registrar should be scheduled to explain the expenditures at the September work session.

Ms. Paige moved to approve the Consent Agenda and that it be made a part of the record, with the following change: Item 4.g. FY17 Supplemental Appropriation funds to cover overspent lines in the Registrar Department, \$24,000.18 be removed and brought back for discussion and consideration at the September work session. 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.

IN RE: PRESENTATION OF PROCLAMATION TO EAGLE SCOUT JONATHAN TAYLOR SWARTOUT

Ms. Paige reported that Eagle Scout Jonathan Taylor Swartout was now in his first days of study at Longwood University and his father, Mr. Joe Swartout, was present to receive the proclamation on his behalf. She noted Mr. Stiers and she had both been honored to attend Jonathan's Eagle Scout recognition ceremony on July 16th. Eagle Scout was the highest rank of achievement in the Boy Scouts of America and Jonathan had refurbished the playground at Providence United Methodist Church for his Eagle Scout project. Ms. Paige congratulated Jonathan on this outstanding achievement, read the proclamation recognizing him and presented a signed original to his father.

IN RE: SMALL BUSINESS CLOSE UP - PHILLIPS ENERGY, INC.

Mr. Stiers reported he had received a call from Community Development Director Matthew Smolnik indicating he had been caught in traffic while returning from Fredericksburg. In Mr. Smolnik's absence, Mr. Stiers introduced Mr. John Phillips with Phillips Energy, Inc. located at 9201 S. Courthouse Road, Providence Forge. Mr. Phillips thanked the Board for the opportunity to speak about Phillips Energy and the company's decision to come to New Kent County. The company had been started by his grandfather in 1946 in Gloucester County. The business had expanded over the years and they had met with County Administrator Rodney Hathaway several years ago regarding the possibility of opening a location in New Kent County. Mr. Phillips indicated this had been a wonderful meeting, they had been able to purchase a piece of property on Route 155 just across the railroad tracks and they were delighted to be in New Kent County. The Company had initially been a heating fuel provider and had supplied gasoline to a small number of convenience stores. Mr. Phillips and his sister had joined the business in 1994. Recognizing the fuel oil business was dwindling, the company expanded into propane and the siblings purchased their father's business in 1998. Also recognizing it would be hard to be successful selling just one product, they began to diversify by expanding into the Heating and Air Conditioning business and most recently had expanded into alternative fuels. The company was currently selling propane as a motor fuel to a number of municipalities including James City, Newport News, Gloucester and Chesapeake and would very soon be expanding into Virginia Beach. Mr. Phillips noted that when his business expanded into new areas they made it a point to become involved in the community. He reported Phillips was currently partnering with numerous organizations including the Alzheimers' Association. He indicated he had lost his father to Alzheimers' disease and the company had dedicated a delivery truck in his memory. A portion of the proceeds from deliveries made by this truck was being donated to the Alzheimer's Association. The company was also partnering with the Virginia Living Museum and the Mathews/Gloucester Community Foundation. Mr. Phillips indicated they would like to become more involved in the New Kent area and he had discussed what was important to New Kent County with Mr. Stiers. Mr. Stiers had shared information on the annual Thanksgiving Feast and Mr. Phillips indicated they were looking forward to possibly being involved with this event. Mr. Phillips reported Phillips Energy prided itself on service and was focused on giving the best service possible and developing strong community partnerships. The company wanted to be a good neighbor and had done a number of things at the New Kent location to improve the appearance of the facilities and landscape. Almost any type of petroleum product including propane, non-ethanol gas and racing fuel could be purchased at the New Kent location. The company currently employed about fifty people and sought to hire locally whenever possible. He closed his comments by suggesting business was all about relationships and specifically about building strong relationships so that customers received the services they needed when they needed them. He thanked the Board again for the opportunity to speak and entertained questions.

Mr. Stiers reported that since Phillips Energy had come to New Kent the heat pump at his home had needed to be replaced and Phillips had been awesome to work with. He suggested it was clear they believed in customer service and specifically noted a time when they had come out the day before Thanksgiving to repair and replace leaking propane tanks at the Providence Forge Recreation Center so the Thanksgiving Feast could be held. He further suggested Phillips took pride in its business and its community and noted his appreciation. Ms. Paige thanked Mr. Phillips for his business being such a great asset to the community. Mr. Tiller asked if Phillips was currently selling retail gas at the New Kent location. Mr. Phillips indicated they were selling retail gas behind the office and plans were to modernize this station and install a canopy. Mr. Evelyn indicated he was glad Phillips had opened in New Kent County and noted everything he had heard about the business was positive. Mr. Davis noted Phillips had made the facility look more attractive and he was also

glad they had located in New Kent. He asked what brands of HVAC equipment Phillips was carrying. Mr. Phillips indicated their premium line was American Standard® (Trane®) and they also carried Goodman® equipment. He also reported mini split units similar to those found in motel rooms had become very popular. Mr. Phillips reported Mr. Hathaway had been very helpful when they had been considering coming to New Kent and he also complimented the employees in the permit office. He noted his company worked in a number of municipalities and it was not always easy to get things done but New Kent staff had been a joy to work with and had been very accommodating.

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

Operations Manager Bruce Puffenbarger reported a speed study had been conducted on Route 249 at the request of the New Kent Transportation Safety Committee and five passing zones had been modified. A speed study had also been conducted on Route 611 (Quaker Road) and no changes were recommended. The Route 249 and Route 612 roundabout had been reviewed for sight distance and signs and no changes had been recommended. Mr. Puffenbarger reported this information had been given to Ms. Paige and she was working with Jerry Moore (VDOT Traffic Engineering) to see what could be done. Mr. Puffenbarger provided a summary of maintenance activities over the past thirty days as well as areas to be addressed over the next thirty days. Some recent work included ditch cleaning, tree trimming, asphalt patching, gravel road repair, shoulder repair and completion of the third round of primary route mowing. 49 work orders had been received and 27 had been closed. The rural rustic project on Stage Road was scheduled to begin near the end of the month.

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

Mr. Evelyn indicated he had reported a number of potholes in Greenwood Estates to Maintenance Superintendent Jay Fread and thanked VDOT for their quick attention to this need. He also reported he had not been through the roundabout but he had heard there had been some vandalism in the area. Mr. Puffenbarger indicated he was aware of the vandalism. He reported this was the fourth time the area had been vandalized. He indicated he was working with VDOT staff regarding the possibility of installing some landscaping within the roundabout to deter this activity. Mr. Evelyn also reported receiving an email from Mr. Scotty Hager expressing concerns regarding the crossing at the creek on Cosby Mill Road. Mr. Hager had indicated there had been several accidents in the area and guardrails had been damaged and needed repair.

Mr. Tiller commented on the response the Board had received to their letter to VDOT Richmond District Project Engineer Bart Thrasher regarding Route 60. Mr. Thrasher had indicated a “ride through” had been conducted and Route 60 had been placed on VDOT’s three-year plan. Mr. Tiller reported he had done some survey work on his own from the stop light at Providence Forge to the stop light at Bottoms Bridge. He had counted patches which were half a lane or larger in the westbound lane and the total had been 124. He had continued to travel Route 60 from Bottoms Bridge to I-295 in Henrico County and had noted very few patches. He indicated he didn’t understand how VDOT could decide Route 60 was safe when there had been reports from the Sheriff’s Office that deputies had made note of where they should change lanes when responding to calls to avoid problem areas. Mr. Puffenbarger reported the VDOT asphalt manager as well as Bart Thrasher and Marshall Winn had conducted the ride through and he noted he had not received a copy of the letter describing their findings or plans. He reported he had been told work on the westbound lane from Eastview in Providence Forge to just past Brothers’ Pizza was scheduled for spring

2018. Trenchmilling and overlay work was also scheduled for the eastbound lane from Quinton to Toe Ink during that same time frame. Mr. Tiller indicate he was frustrated over the report suggesting the condition of Route 60 was not a safety issue. Mr. Puffenbarger indicated he too was frustrated and suggested he and staff were doing what they could with what they were given. He also noted projects requiring more resources were reported but he had no control over setting the priorities. Mr. Tiller expressed his appreciation for work being done and indicated he understood they were trying.

Ms. Paige reported she had previously spoken with VDOT regarding projects on Brown Avenue, Stage Road and Paige Road and it was her understanding work would begin on these projects soon. She thanked VDOT for all they were doing. Mr. Puffenbarger reported they were in the process of ordering materials for the Stage Road project which would begin very soon. Mr. Davis asked if all of the Stage Road work would be completed this fall. Mr. Puffenbarger indicated the entire project would be completed this fall. Mr. Davis asked if traffic would be redirected. Mr. Puffenbarger indicated the project would be done under traffic with periodic lane closures.

Mr. Stiers indicated he had spoken to Jay Fread and Ashland Resident Engineer Bruce McNabb since the last Board meeting and he wanted to apologize to Mr. Puffenbarger for the way he had spoken at the previous meeting. He indicated he knew he should not have said some of the things he had said but further indicated he still stood by the point he was trying to make. He suggested he "could have been a little more statesmanlike" in the way he had spoken and offered Mr. Puffenbarger an apology. Mr. Puffenbarger indicated he understood Mr. Stiers' frustration. Mr. Stiers also complimented the Chronicle for having been kind to him in their reporting by not quoting everything he had said. He thanked Mr. Puffenbarger for the repaving on Rockahock Road and for the mowing on Kentland Trail. Mr. Puffenbarger indicated he would try to get more money for additional work to be done on Rockahock Road in the next year. Mr. Stiers indicated he understood Mr. Puffenbarger was not "the money man" and noted his appreciation for all he was doing.

Mr. Davis asked if anything had been done on the requested speed study for a possible 45 mph speed limit on Route 30 in the Barhamsville area. Mr. Puffenbarger indicated nothing had been done yet and noted that it was his practice to send speed study reports to Mr. Hathaway for distribution to the individuals requesting them. Mr. Davis reported a tree was down at the intersection of Route 600 and Route 601 and several individuals had reported this to the VDOT 800 number but nothing had been done. He also reported a concern regarding the narrow bridge on Route 623 at Cooks Mill Pond. He suggested Route 623 had seen a significant increase in traffic in recent years due to a wedding venue and winery. He suggested much of the traffic was not familiar with the area and asked if it would be possible to have some signage indicating the "road narrows" at the Cooks Mill Pond bridge. Mr. Davis also reported a constituent from Ms. Paige's district had spoken with him regarding the traffic at the entrance to his property. He asked how difficult it would be to have "hidden entrance" signs placed near the driveway. Mr. Puffenbarger indicated the request could be sent to VDOT Engineer Sharad Uprety for review. Mr. Davis indicated the street address was 18305 New Kent Highway and the property owner had suggested a 45 mph speed limit was justified but he had let them know he didn't think that would happen. There were two entrances close together and just over a hill making them difficult to see. He noted a school bus stop sign was present so it would not be necessary to install a post.

Mr. Puffenbarger announced Jack Tate had been hired as a VDOT Supervisor for New Kent County. Several Board of Supervisors members indicated they knew Mr. Tate and knew he was very familiar with New Kent County. Mr. Davis thanked Mr. Puffenbarger for his report.

IN RE: CITIZENS' COMMENT PERIOD

Mr. Davis opened the citizens' comment period. There were no citizens wishing to address the Board and the citizens' comment period was closed.

Mr. Davis noted it was too early (6:35 p.m.) to begin public hearings and suggested the Board consider calling a closed session.

IN RE: CLOSED SESSION

Mr. Evelyn moved to go into Closed Session pursuant to Section 2.2-3711A.1 of the Code of Virginia for discussion on the performance of the Building Official and discussion on the assignment of duties to the Community Development Director position. 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.

Mr. Evelyn moved to return to open 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.

Mr. Evelyn 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:

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 Board returned to open session at 7:30 p.m.

IN RE: CREATION OF BUILDING INSPECTOR POSITION

Mr. Tiller moved that the Board authorize the creation of a new entry-level Building Inspector position in the Building Department starting at Grade Level 20. 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.

NOTE: Although the motion had indicated this position would be a Grade Level 20, a Human Resources review of similar existing positions suggested a Grade Level 21 was more appropriate. The position was advertised as a Grade Level 21 on August 17, 2017.

IN RE: PUBLIC HEARING – APPLICATION CUP-03-17 – JOLENE FARM WINERY –
RESOLUTION R-26-17

Before the Board for consideration was Resolution R-26-17 to approve conditional use permit application CUP-03-17, Jolene Farm Winery on tax map 19-B-3, GPIN #J05-3996-1664.

Planning Manager Kelli Le Duc provided an overview of the application. Ms. Le Duc indicated Brian Mikelaite, Cynthia Mikelaite and Sandra Lewis had requested a Conditional Use Permit to operate a farm winery on their property located at 2750 Pocahontas Trail in Quinton behind the Brianwood commercial complex. The property, which was zoned Business, was approximately 3.77 acres and contained several existing buildings which would be renovated or removed. The applicant's intentions were to plant 1.25 acres with fruit and other agricultural products for use in production, to allow tastings and sale of the wine produced, to allow private events to be held on the property and to allow the sale of product-related items as an agritourism venue. The application had been reviewed by all reviewing agencies as well as VDOT and there had been a few minor comments which would be addressed during the site plan process. There was one condition in the proposed resolution which indicated all business-related activities would be prohibited on the property between the hours of 12:00 a.m. and 8:00 a.m., daily. Staff was recommending approval of CUP-03-17 including this proposed condition. The Planning Commission had considered the application at their July 17th meeting and had voted to forward a recommendation for approval to the Board. Ms. Le Duc indicated Mr. Mikelaite was present and would like to say a few words. She also indicated she would be available to answer any questions. Mr. Davis asked if Board members had any questions prior to Mr. Mikelaite speaking. Mr. Evelyn noted the meeting materials had suggested comments received from Public Utilities and Environmental had been attached but, in fact, they had not been included. Ms. Le Duc apologized for the oversight and noted the comments were routine items such as RPA delineation, setback requirements, etc. which were generally addressed in the site plan process. Mr. Davis asked if the business would be able to sell wine produced by other manufacturers. Ms. Le Duc suggested that was a good question and indicated she did not believe they would be able to sell other producers' wines.

Mr. Mikelaite indicated he was representing Jolene Winery which was a family venture on property in Bottoms Bridge. It was their intention to have a farm winery on the property with 1.25 acre of production on the site. He reported farm wineries were required to have

51% of their fruit production on site before any outside fruit could be purchased for production. The 1.25 acre of production on site would be added to the three acres of grapes currently planted at Mr. Mikelaite's home. He also reported a farm winery could lease additional property or vineyards with the fruit being produced considered as a part of the fruit production of the business. The facilities on the property had originally been used as a garden center. Plans were for the main building to be utilized as a tasting area, for an existing barn to be fully renovated to become the production area, an attached greenhouse would be used as a display and seating area and the existing patio would be updated to fully take advantage of the atmosphere of the eighteen acre pond behind the property.

Mr. Evelyn asked if parking for the preexisting business would be sufficient. Mr. Mikelaite suggested the existing parking would be sufficient for the number of vehicles expected. He also noted access would be from Route 60 at the western end of the property and turn lanes providing access into the Brianwood Business Park were already in place.

Mr. Davis opened the public hearing and called Bryan Lee Dail of 2720 Brook Boulevard, Quinton to the podium. Mr. Dail spoke in support of the Jolene Farm Winery. Mr. Dail indicated his property was adjacent to the property where the winery would be located and he was delighted to hear about what was being planned. He noted he had been concerned for some time about what might be done with the property but noted he was confident Mr. Mikelaite would do an excellent job establishing this business. Mr. Dail thanked the Board for the opportunity to speak. There being no others wishing to speak, Mr. Davis closed the public hearing.

Mr. Tiller moved to approve Resolution R-26-17 approving Conditional Use Permit application CUP-03-17 submitted by Jolene Farm Winery. 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.

Mr. Davis encouraged Mr. Mikelaite to come back for a Small Business Close Up once the business was up and running and jokingly noted that some of the featured businesses in the Small Business Close Ups provided samples.

IN RE: PUBLIC HEARING – APPLICATION CUP-04-17 – HENRICO JAIL EAST/PYRAMID NETWORK SERVICES, LLC COMMUNICATIONS TOWER – RESOLUTION R-27-17

Before the Board for consideration was Resolution R-27-17 to approve conditional use permit application CUP-04-17, Henrico Jail East/Pyramid Network Services, LLC communications tower on tax map 37-13, GPIN #I29-0505-3387.

County Planner David "Koty" Gray provided an overview of the application. Mr. Gray indicated Pyramid Network Services, LLC had requested a Conditional Use Permit (CUP) to modify and construct a 210-foot public radio communications tower located at the Henrico Jail East site. The existing radio system tower was approximately 90 feet and the intentions were to raise the tower by 120 feet. Mr. Gray pointed out that County Code

required a CUP for communications towers exceeding 50 feet in agricultural zones. Staff was recommending CUP-04-17 be approved subject to the following conditions.

- This Conditional Use Permit shall apply only to the application and supplemental application materials submitted as CUP-04-17 on June 9, 2017 to the Community Development Department.
- A dedication of a ten-foot by ten-foot ground space shall be reserved to New Kent County for the purposes of possible construction of a communications tower shelter for tower equipment and any other purposes pertaining thereto.
- From the date of approval of CUP-04-17, the applicant shall have one year to relocate equipment identified as "RAMIS" (two antenna dishes) from the communications tower located on Tax map 27-6J to the proposed communications tower located at Tax Map 37-13.
- A dedication at the highest operable position shall be reserved solely to New Kent County.
- The applicant shall work towards, in a viable manner, to become further integrated with the New Kent County emergency services communications systems to create a more efficient and effective integration system.

Mr. Gray reported no major comments had been made by any of the reviewing agencies during the application process. No adverse impact on New Kent County had been noted and the Planning Commission had voted on July 17th to forward a favorable recommendation to the Board. Mr. Gray noted representatives from Pyramid Network Services, the Henrico Police Department and Motorola were present to answer any questions.

Mr. Davis asked who would be using the tower and would it be dedicated to Henrico County Communications. Mr. Gray indicated both Henrico and New Kent police forces would be working together to integrate communications. Sheriff Joe McLaughlin reported this would be primarily a Henrico tower but New Kent would have the option to have space if the need arose. Mr. Davis asked if the tower would be used for cellular services. Sheriff McLaughlin indicated it would be strictly for communications. Ms. Paige asked if New Kent would be required to pay any fees to utilize space on the tower. Sheriff McLaughlin indicated that from conversations with Col. Douglas A. Middleton, Henrico County Chief of Police, there would be no fees for New Kent to use the tower space. Mr. Davis asked for some clarification as to where the tower would be located on the property. Mr. Tim Glenn with Urban Network Services approached the dais and pointed out the proposed tower location. Mr. Davis asked if a balloon test would be required. Mr. Glenn indicated a balloon test would be conducted. Mr. Evelyn asked if this tower would be a part of Henrico's update to its Motorola communications system and if New Kent and Henrico would be able to communicate well with two different systems. Steve Gompers approached the podium and indicated he was representing Henrico County in this project and was also working closely with Motorola to deploy the new radio system throughout the Richmond Capital Region. Mr. Gompers suggested the tower could be a "cog in the wheel" to improving interoperability between New Kent and the entire Capital Region. He pointed out the conditions contained in the CUP provided details on what was being reserved for New Kent's future use.

Mr. Davis asked County Administrator Rodney Hathaway how high New Kent's existing radio equipment was positioned on the water tower. Mr. Hathaway indicated he was not sure at what level New Kent's emergency communications equipment was located but pointed out the equipment was placed on a tower adjacent to the water tank. Sheriff McLaughlin suggested this tower was about 260 feet. Mr. Evelyn noted New Kent had enjoyed a great working relationship with Henrico County and Sheriff McLaughlin agreed indicating he was confident a phone call would be all that would be necessary if New Kent needed something. Mr. Gompers noted Col. Middleton was very instrumental in the Capital Region radio group

and he and Henrico County Sheriff Michael L. Wade were working out the details for use of the tower. Mr. Evelyn asked if anyone representing Motorola was present. Mr. Gompers indicated Project Manager Jerry Massock representing Motorola, Tim (last name not given) who would be doing the actual construction and Major Peter MacRae who was responsible for the Henrico County 911 system were all present and ready to answer questions. He suggested the tower would be a win-win for everyone. He reported communications at the jail had suffered in terms of Henrico's ability to keep track of what was going on at the facility from a public safety standpoint. The tower would improve those communications as well as serve as a link between New Kent County and the entire Capital Region.

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

Mr. Stiers moved to approve Resolution R-27-17 approving Conditional Use Permit application CUP-04-17 submitted by Henrico County (Jail East Communications Tower). 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.

IN RE: ELECTED OFFICIALS REPORTS

Sheriff Joe McLaughlin reported the funeral for Trooper-Pilot Berke Bates, a New Kent County resident, would be held at 11:00 a.m. on Friday, August 18th at St. Paul's Church on Creighton Road. He also reported the New Kent Sheriff's Office would be working to support the family and plans were to give them some time and perhaps coordinate a fundraiser on their behalf at a later date. Services for Lt. H. Jay Cullen would be held on Saturday but no other details were known. Trooper-Pilot Bates and Lt. Cullen had been killed in a State Police helicopter crash near Charlottesville on August 12th. Mr. Davis noted Trooper-Pilot Bates was survived by a wife and two children and added "our thoughts are with them".

Mr. Stiers indicated he had no report.

Ms. Paige noted Mr. Charles Moss had spearheaded a unity march from the Historic School to the New Kent Courthouse the previous year. Plans were to hold another march this year on August 26th. Law enforcement, Commonwealths Attorney Linwood Gregory and other officials would be participating. The purpose of the march would be to show the community coming together to support law enforcement in New Kent County. Ms. Paige also reported the New Kent Clean County Committee had hosted a recycling event in conjunction with the County Fair. Central Virginia Waste Management would be providing tonnage reports on electronics recycling and shredding. The Clean County Committee would be meeting in September to discuss hosting more frequent recycling events. Ms. Paige also offered condolences and prayers for the troopers, their coworkers and families and asked that we especially keep law enforcement in our prayers.

Mr. Tiller thanked his fellow Board members for coming out to the recent Jenna Bash at Rockahock Campground. He also thanked Ms. Paige and Mr. Evelyn for taking some time to

sit in the dunking booth. He reported there had been over \$10,000 in sponsors prior to the start of the event. He noted this event was doing a lot of good in James City and New Kent Counties. He expressed his appreciation to all who had come out and supported this event.

Mr. Evelyn indicated he had no report.

Mr. Davis agreed that the Jenna Bash was a good event with proceeds going to worthy causes. He also noted there were many events in New Kent County each weekend for the community to enjoy. He reported the softball games scheduled for August 12th had been canceled due to rain. Plans were in the works to reschedule this event and Mr. Hathaway reported a new date should be announced by the end of the week.

IN RE: STAFF REPORTS

There were no staff reports.

IN RE: OTHER BUSINESS

There was no other business.

IN RE: APPOINTMENTS

Ms. Paige moved to nominate Andrea Finn for Circuit Court appointment as a representative to the Board of Zoning Appeals to serve a five-year term beginning January 1, 2017 and ending December 31, 2021. 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.

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 Tuesday, September 5, 2017 and the next work session would be held at 9:00 a.m. on Wednesday, September 27, 2017 both in the Boardroom of the County Administration Building. There would be no August work session.

Mr. Evelyn moved to adjourn the meeting. 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.

The meeting was adjourned at 7:59 p.m.