

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 15TH DAY OF NOVEMBER IN THE YEAR TWO THOUSAND SEVENTEEN IN THE BOARD-ROOM 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 – NEW KENT FIRE-RESCUE HONOR GUARD

Ms. Paige gave the invocation. The pledge of allegiance was led by the New Kent Fire-Rescue Honor Guard. Fire Chief Rick Opett reported the New Kent Fire-Rescue Honor Guard was a new capability for New Kent. The members had recently graduated from The National Honor Guard Boot Camp in Winston Salem, North Carolina. This camp had focused on the principles of preserving pride, honor and tradition; paying precise attention to detail and building a network of local and national resources. Instruction had included basic drill and ceremonial movements, church and casket protocol, developing department standard operating procedures for honor guards, Public Safety Officer benefits, flag etiquette, honor guard commander leadership training, various types of funeral services and honor guard history and traditions. Chief Opett indicated the members of the Honor Guard would provide a positive display of professionalism and patriotism while serving as ambassadors of New Kent Fire-Rescue. Members of the New Kent Fire-Rescue Honor Guard included Cody VanLeliveld, Ryan Shelton, Ron Herrington, Michael Ervin and Chip Amen.

IN RE: INTRODUCTION OF CONSERVATION OFFICER

Mr. Davis introduced Conservation Police Officer Zach Howlett. He asked Officer Howlett to come to the podium and share some information about himself including where he was from, how he had come to be assigned to New Kent and his work schedule. Officer Howlett indicated he had lived in Virginia for fourteen years and was currently a Lanexa resident. He had previously worked for the City of Williamsburg Public Utilities Water Works and had transferred to the Game Department just over a year ago. He noted there had not been a Conservation Police Officer in New Kent for a number of years and he was looking forward to being the designated Officer for the County. In response to Mr. Davis' question regarding his work schedule, Officer Howlett indicated he worked "all the time" and noted officers were on call 24/7. Mr. Davis asked how many new Conservation Police Officers had been in Officer Howlett's graduating class. Officer Howlett indicated there had been 32 members of his class including 13 who had been prior sworn through other localities or military police. He indicated his district encompassed an area from Charles City County to Hampton and three officers had been added to an existing staff of three. In addition to his assignment to

New Kent County, two additional officers had been assigned to James City County. Officer Howlett thanked Mr. Davis for the introduction.

IN RE: CONSENT AGENDA

1. Approval of Minutes
 - a. October 9, 2017 Business Meeting minutes
 - b. October 25, 2017 Work Session minutes

2. Miscellaneous
 - a. Approval of Change Order – Montgomery Consulting, LLC, \$38,802.49 increase.
 - b. Approval of Emergency Procurement – Atlantic Pump and Equipment, \$6,817.50

3. Refunds
 - a. Erroneous Assessment refund due to Clem and June Palmer, \$4,168.48.

4. FY18 Carryforward Appropriations
 - a. Remaining FY17 Vending Machine Sales, \$1,605.46.
 - b. Remaining New Kent School Board FY17 Operating Budget to be used for FY18 School CIP Expenditures, \$877,403.
 - c. FY17 Sheriff's Office Funds, \$17,034.21.
 - d. Remaining FY17 Fire Station Construction Funds, \$446,000.
 - e. FY17 Litter Grant Funds (Committed), \$700.

\$1,342,742.67 Total
(\$879,008.46) From Fund Balance - General Fund (1)
(\$17,034.21) From Fund Balance - Grants (6)
(\$446,000.00) From Fund Balance - Capital Projects (7)
(\$700.00) From Fund Balance - Clean County/Litter (15)

5. FY18 Supplemental Appropriations
 - a. Program Income Received from FY18 from CDBG Plum Point Grant Participants, \$109.
 - b. Donations to the Animal Shelter, \$3,291.
 - c. Extension Program Sponsorship Revenue for Wreath Making Workshop - Jennifer N. Gilbert, \$40.
 - d. Gifts and Donations for Fire/Rescue - M/M Carl F. Roy, \$500.
 - e. Funds for the FY18 Grand Illumination - Maidstone Group, LLC (\$100) and Arcadis (\$500), \$600.
 - f. Funds for Security Detail - Dagen Electric Company, LLC - Love's Truckstop Traffic Control 9/25-9/29 (\$2,197.09), 9/12-9/18 (\$2,120), New Kent County Schools Sporting Events (\$613.61 & \$516.72), New Kent Winery 10/1/17 Harvest Festival (\$520.36), \$5,967.78.
 - g. FY18 Local Emergency Management Performance Grant - CFDA # 97.042, \$27,932.
 - h. FY18 Litter Grant Funds - \$5,947.
 - i. FY18 VSTOP Grant Funds - \$16,594.
 - j. Correct Gifts & Donations Appropriation Approved at the October 2017 Board of Supervisors Meeting - Amounts Assigned to Incorrect G/L Codes - (\$106 & \$215) - \$321.

\$60,980.78 Total
(\$38,439.78) Total In/Out - General Fund (1)
(\$16,594.00) Total In/Out - Grants (6)
(\$5,947.00) Total In/Out - Liter Fund (15)

6. FY18 Interdepartmental Budget Transfers
 - a. From School Debt Reserve to Historic School Renovation, \$137,744.
 - b. From Appropriation of funds from prior years to Middle School Improvements, (\$60,000), to Maintenance Shop Roof, (\$40,000), to Snow Removal Equipment, (\$20,000) and to Contingency School Debt Reserve, (\$200,000), \$320,000.
 - c. From Appropriation of funds from prior years to Furniture and Fixtures, (\$60,000), to Software Online Content, (\$30,000), to Athletic Supplies, (\$18,777.68 & \$1,222.32), to Contract Services - Misc. Services - Personnel Services, (\$10,000), \$120,000.
 - d. From Appropriation of funds from prior years to new Kent High School Lighting Console, (\$415) and to New Kent Middle School Improvements, (\$35,000), \$35,415.
 - e. From Program Income Expenditures to Home Maintenance - Plum Point Grant, \$10,000.

7. Treasurer's Report: Cash as of September 2017, \$27,516,767.50.

Ms. Paige 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.

IN RE: NEW KENT UNIVERSITY (NKU) 2017 GRADUATION

County Administrator Rodney Hathaway and Board members awarded certificates to the 2017 NKU graduates, identified as Myrna Augustine, Gary Augustine, Deborah Briggs, Kimberly DiLandro, Kenny Eades, Tom Ficklin, Linda Ficklin, Ester "Elf" Foster, Steve Humphrey, Yvonne Jones, Karen Keena, Sirena Kestner, Derek Kestner, Mark Kulick, Joanne Kulick, Jeni LeLeux, David Maloney, Eileen Maloney, Lelia McKee, Marisa Padin, Roy Padin, Joe Roman, Lester Stano and Christy Thomas. Mr. Hathaway noted NKU was a ten-week program for County citizens which had been started eleven years ago and thanked class members for their participation. Class members were given the opportunity to meet with County departments and to learn something about the work each was doing. He indicated there had been many great discussions and he hoped the participants had taken something useful from the program. He noted his door was always open and he encouraged the graduates to stay engaged in the County. He indicated staff worked to improve the program each year and many of the changes made over the years were due to citizen comments and suggestions. He encouraged graduates to spread the word about NKU and thanked them for their commitment to participate in the program. He recognized the NKU

Committee comprised of Krista Eutsey, Shannon McLaughlin and Wanda Watkins and thanked the departments who had presented during the sessions. He also recognized the NKU sponsor, Davenport and Company, who had made it financially possible to offer this program free of charge to citizens and at no cost to the County.

Mr. Davis reminded the graduates that he had told them they would get a lot out of the program when he had met with them during their first session and indicated he believed they had. He indicated he was glad they had enrolled and asked them to encourage their neighbors to enroll next year. He also noted the Board was proud of County staff and staff members loved participating in NKU. He suggested the program gave staff the opportunity to show off their talents and the Board the opportunity to show off their staff. Mr. Tiller reported one of the NKU graduates had indicated they had moved to New Kent from Northern Virginia. They had commented on how easy it had been to work with County staff and how well they had been treated. They had suggested they had never been treated this way in their former locality. Ms. Paige congratulated the graduates on completing the program. She indicated she had spoken with one of the graduates earlier and had learned they shared similar sentiments. She too was a NKU graduate and although she had lived in New Kent her entire life, she had learned a great deal from the program. She thanked the citizens for taking the time to learn more about the County and staff for their dedication to the program. Mr. Evelyn noted other localities had used NKU as an example to start similar programs. He suggested NKU was a great way to help citizens gain a better perspective on how County government worked. He thanked graduates for taking the time to participate and staff for doing such a great job. Mr. Stiers echoed previous comments and encouraged graduates to consider serving on County boards and commissions. He noted there would be a number of seats open in January and serving would give citizens an opportunity to become more involved.

Mr. Hathaway invited NKU members to speak. Several commented from their seats indicating how much they had enjoyed the program and how wonderful they felt it had been.

IN RE: VIRGINIA ASSOCIATION OF COUNTIES SUPERVISOR SERVICE AWARD
PRESENTATION – THOMAS W. EVELYN

Mr. Davis presented a Virginia Association of Counties Supervisor Service Award to Mr. Evelyn. This award recognized Mr. Evelyn for ten years of dedicated service to county government. Mr. Davis thanked him for his service to the citizens of New Kent County.

IN RE: SMALL BUSINESS CLOSE UP

Community Development Director Matthew Smolnik introduced Kate Ferris, the owner of Stay and Play, a childcare center located at 7770 Invicta Lane, New Kent as this month's featured Small Business Close Up. Ms. Ferris, who was also the 2017 president of the New Kent Chamber of Commerce, would also provide an update on Chamber activities as well as future plans and upcoming events.

Ms. Ferris noted it had been her pleasure to serve as the 2017 president of the Chamber of Commerce. She reported a focus for the past year had been to bring the Chamber up to date. She noted the Chamber of Commerce had been operating for many years and the County was experiencing tremendous growth especially in the last ten years. Ms. Ferris indicated she was seeing firsthand the impact of the increasing birth rate based on the current waiting list at her childcare center. Bylaws, policies and procedures had been

rewritten to make the Chamber a more “user friendly, business friendly organization”. She suggested the Chamber was ready to move forward with providing members with some new opportunities. Plans were to begin offering seminars in 2018 with the first being a session on Risk Management for Small Businesses. These seminars would be free of charge to members. Plans were to move the Wine Festival to Maidstone the first weekend of May and the event would look very different from previous years. She also announced the Chamber was very proud to report presenting \$4,000 in scholarships to Bridging Communities Career and Technical Center students in 2017.

Focusing more on Stay and Play, Ms. Ferris indicated working with the Chamber had given her the opportunity to meet many people and to network with other businesses in the community. She felt very strongly about keeping business in New Kent and she looked to Chamber members first whenever seeking services. Her business had experienced tremendous growth and had doubled its size two and a half years ago. She reported it had taken only eight months after the expansion for a waiting list to begin to form. Attendance was currently 100 children per day. Ms. Ferris reported she would be meeting with a Chamber contact in a few weeks to begin looking for new locations for a second Stay and Play in the Quinton area. She noted the County was growing very quickly and suggested there was definitely a need for quality childcare. She reported the next available opening in several of her classrooms was October 2018. She closed her comments by indicating the business community in New Kent was healthy and growing and County citizens were great about supporting their community and local businesses. She thanked the Supervisors for what they were doing for the business community and the Chamber.

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

Operations Manager Bruce Puffenbarger provided a summary of maintenance activities over the past thirty days. Recent work included pothole repairs, sight distance work, drainage work, pipe replacements and ditching, removal of low-hanging tree limbs and trees, blading dirt roads, removal of debris (tires and rims) dumped at Route 629 and Route 60 and traffic control for several recent incidents/events including the Wakie Howard bridge dedication. 82 work orders had been received and 22 had been closed.

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

Mr. Stiers indicated he had come to the meeting with three items from the New Kent Transportation Safety Commission and Mr. Puffenbarger had addressed those concerns.

Ms. Paige reported receiving calls from residents on Brown Avenue indicating VDOT had made markings in preparation for work some time ago but nothing more had been done. She asked for an update as to when work would resume on the project. Maintenance Superintendent Jay Fread indicated he was hopeful the work would be done in two to three weeks. He indicated the equipment needed to complete the work (a grade-all) rotated weekly between Charles City, Elko and New Kent and was currently out of the County.

Mr. Tiller indicated he had several issues which he had previously discussed with Ashland Resident Engineer Bruce McNabb and had no new concerns to report.

Mr. Evelyn indicate he had previously spoken with New Kent VDOT Supervisor Jack Tate regarding the signal light at the Pilot station not allowing left turns. Mr. Tate reported this problem had been corrected. Mr. Evelyn also reported backups at the intersection of Route

106 and Route 60. Northbound morning travelers were frequently waiting through two to three cycles of the light. Residents in Deer Lake had also expressing concerns regarding a new dirt road accessing Route 612 from Greenwood Estates. He suggested there may be a sight distance issue causing drivers to "run up" on vehicles exiting the new road.

Mr. Davis noted the written VDOT report had listed future plans for Route 60. Proposed repairs to be completed in 2018 had been included and Mr. Davis asked if there was a more detailed timeline as to when this work would be completed. Mr. Puffenbarger indicated he had no more information than what had been included in the report. Mr. Davis noted the plans also included deep joint patching eastbound in 2019 and westbound in 2020. He asked when construction would begin on the I-64 widening project from I-295 to Bottoms Bridge. Mr. McNabb reported field construction was scheduled to begin in January 2018 and run through August 2019. Mr. Davis suggested New Kent could expect more congestion during this construction phase. He also thanked VDOT for the recent work on Route 33.

Mr. Tiller noted the written report had indicated there had been sight distance work on Route 665 (Henpeck Road) and asked if this work had been in an area of concern previously reported. Mr. Tate indicated he believed the work was in the Sassafras Road area. He also noted additional work was scheduled to be completed in the area soon. Mr. Tiller indicated he had worked with VDOT and the land owner several years ago to get permission for VDOT to come onto the property and cut down the bank. At some point it had been decided broom straw was the problem and there was no longer a need to cut down the bank. He asked VDOT staff to please take another look at the area.

IN RE: CITIZENS' COMMENT PERIOD

Mr. Davis opened the citizens' comment period and called Gary Cicatiello of 10452 Virginia Rail Terrace, Providence Forge to the podium. Mr. Cicatiello indicated he wished to speak about the rumored closing of several golf courses in the County. He noted he was not present to suggest the Board intervene in the sale but was present to share concerns regarding what would happen after the sale. He suggested most citizens were concerned the property would be allowed to become overgrown with weeds and trees. Mr. Cicatiello suggested the purchaser was developing land in Albemarle and Warrenton and was using Land Preservation Tax Credit Law to get tax credits to develop in those counties. He read details from a Land Preservation Tax Credit document describing how the tax credits could be received including donation of the property to the locality or State for possible use as a park and the requirement to include a description of the conservation purpose being served and the public benefit to be derived from the donation. He suggested there would be no public benefit to New Kent and that there was already sufficient "conserved land" in the County. He further suggested there had been approximately \$750 million dollars in tax credits given since the law had been enacted in 1999 with Fauquier, Albemarle and Loudoun Counties being the top three recipients. The remainder of the State had only received \$250 million dollars. He suggested the Board of Supervisors should look into whether or not the State could give a tax credit for development in other counties. He suggested New Kent would lose value and business while other counties continued to develop and the purchaser would continue making money by supplementing their income with tax credits. He suggested companies should not be able to do this under the Land Preservation Tax Credit Law and indicated he wanted to be sure the Board was aware of this. He suggested the purchaser was only interested in the property for the tax credits and he didn't believe they should get any tax credits for the purchase. Mr. Davis thanked Mr. Cicatiello for his comments. He indicated he had thought the purchaser's plans had been to plant trees for carbon credits and noted something similar had been done in the Barhamsville area. Mr.

Cicatiello suggested this was not the plan for New Kent and reported the purchaser had recently been quoted as saying they were "enamored with conservation" but he suggested they were "more enamored with tax credits." Mr. Davis indicated the Board would have the County Attorney look into this.

Eddie Wood of 5401 Pocahontas Trail, Providence Forge was present to express concerns regarding the condition of Route 60. Mr. Wood noted his disbelief over previous VDOT reports indicating there was no funding for Route 60. He suggested VDOT was "fixing every road in the County except for Route 60." He cited Routes 155, 33 and 106 as examples where work had recently been done that he did not feel had been needed. He suggested the condition of Route 60 was "pitiful." He reported there were a number of places near Providence Forge where the road surface had been too high. VDOT had made some repairs and now the same places were too low. He also suggested there was a "speed trap" on Route 612 where a 35 mph speed limit sign was posted. He suggested this sign would be better placed if it were moved to the new traffic circle on Route 249 where no reduced speeds had been posted. He also suggested 80% of the problems on Route 60 could be cured by machining the high spots to level the road. He closed by again referring to the condition of Route 60 as being "pitiful" and "a shame."

Russell Hobson of 3370 Rock Creek Villa Drive, Quinton was present to express concerns regarding the Rock Creek Villas PUD (Planned Unit Development) which he believed would be on the Board of Supervisors agenda in December. Mr. Hobson indicated Rock Creek Villas had been designed, built and sold as a one story single family 55 and older community. The Cunninghams (owner/developer of Rock Creek Villas) were pursuing the sale of a portion of the property to a developer (Woda Group) to build two to three story subsidized apartments. He reported there would soon be sixteen families living in Rock Creek Villas and he believed each of them had purchased their property because of what the community was supposed to be. He suggested many Rock Creek Villas residents had sold nice homes to move to the community and the plan for apartments was "ridiculous." He indicated he hoped the Supervisors could see this and support the residents' side. Mr. Davis thanked Mr. Hobson for his comments. He noted this item would be going back to the Planning Commission in December before it would come to the Supervisors. Mr. Evelyn indicated this item would most likely come to the Board of Supervisors in January 2018.

Chillon Chambliss-Williams of 3544 Rock Creek Villa Drive, Quinton was present to also express concerns regarding the Rock Creek Villas PUD. Ms. Chambliss-Williams indicated she had lived in New Kent for four years and she and her husband had trusted the Cunninghams to build them a home. She indicated it was very upsetting to learn that Section 8 housing could possibly be built near her home. She suggested the Woda Group was not interested in building an assisted living facility but was only interested in apartments. She suggested the Cunninghams were asking the Board of Supervisors for a "blank check" to do what they pleased with the property. She noted the Rock Creek Villas residents trusted the Cunninghams and they also voted and paid taxes. She suggested they were now trusting the Board of Supervisors to not let this plan move forward. She indicated her husband was a cancer survivor and they had believed moving to Rock Creek would be a stress-free transition. She also indicated she had served in the military for over eleven years and had seen "some of the most horrific things in life." She indicated her husband had worked with Mr. Cunningham for many years and he had suggested they move to Rock Creek. She reported Mr. Cunningham had also served as a groomsman in their wedding and suggested he had "courted each and every one of us" in an effort to get them to move to the community. She suggested Mr. Cunningham would "now just wash his hands of us as if we were trash." She suggested this was "a very distrustful, very hurtful and despicable

thing." She closed her comments by indicating she was praying the Supervisors would choose not to allow this to move forward.

Pat Amann of 3478 Rock Creek Villa Drive, Quinton was also present to express concerns regarding Rock Creek Villas. She noted the draft resolution recommending the approval of the amended PUD contained the following statement, "The proposed amendment is not prejudicial to the character of the neighborhood." She suggested the PUD amendment would not only harm her neighborhood but would destroy the neighborhood's character. She indicated the Commissioner of Revenue's website depicted Rock Creek Villas as 60 lots – one lot for common area, one lot for commercial area and 58 single-family lots (a 14% commercial/86% residential ratio). She indicated the proposed amended was seeking to allow the undeveloped lots to be used within three parameters. Those parameters included attached senior housing units (a 46 unit apartment building), attached assisted living and medical and physical therapy. She suggested a recent meeting with the Woda Group had revealed they were not interested in the medical and physical therapy or assisted living facilities. She suggested many of the paragraphs in the resolution were "open-ended" and contained no details which would allow the building of any facility that fell within the parameters. If the resolution was approved, the community would become 75% commercial and 25% single-family. She noted the Board of Supervisors had approved the current Rock Creek Villas PUD with a vision of a neighborhood of 55 and older friends socializing and caring for one another. She noted she and her husband had built into a "safe, quiet gridlock-free community" as stated on a Rock Creek Villas marketing brochure and had believed the current marketing material which suggested their "forever home would be in an area that would remain intimate with that neighborly feel." She reminded the Board that they had the power to maintain the character of the neighborhood and urged them to "vote no" to the proposed amendment.

Virginia Armacost of 3530 Rock Creek Villa Drive, Quinton indicated she was also present to express concerns regarding the Rock Creek Villas PUD. She wished to specifically address concerns related to traffic and parking plans for the potential new uses in the proposed amendment. She reported there was currently significant traffic from the Third Base Grill and Dominoes passing through Rock Creek Villas. She also suggested the lack of a cross over from Route 60 at Rock Creek Villa Way was causing significant congestion at the Longview Drive entrance to the commercial property. She further suggested changing ten single-family lots to a large apartment unit would double the number of housing units from the original plan and increase traffic concerns. She noted that although the commercial property was not fully leased, parking was already an issue. Vehicles were often parking on the side of Rock Creek Villa Drive and Longview Drive and on sidewalks. She suggested the parking plan for the proposed senior apartments depicted most parking spaces backing out onto Rock Creek Villa Drive which could be a visibility and congestion issue. She indicated the proposed parking ratio was only one space per apartment which left no allowance for employees, caregivers or guests. She also suggested the four proposed handicapped spaces would not be enough with five to six of the units being designated for disabled residents over age 45 and other residents over age 55 who may have handicapped placards or license plates. She closed by asking the Board to carefully consider these and other issues raised by the residents and vote to deny the Rock Creek Villas PUD amendment.

Sharon Dalton of 7121 Longview Drive, Quinton was present to express her concerns regarding the condition of Route 60. Ms. Dalton reported she had "started a thread" on Facebook which had generated over 50 comments. She also reported she had emailed Delegate Chris Peace regarding the condition of Route 60. She noted she loved New Kent but suggested it was embarrassing to see a hand-painted sign suggesting drivers should be

aware of the next fifteen miles of speed bumps. She reported hitting these "speed bumps" while driving her car was difficult enough and asked Board members to imagine hitting them on a motorcycle. She noted a driver had recently lost his trailer as a result of hitting these bumps. She indicated there was a group of individuals who was considering painting these speed bumps yellow to make them more visible. She reported Chris Peace had been emailing back and forth with her and was working with the Senior VDOT administrative office to find out why Route 60 was not being addressed. She indicated that as a resident of New Kent County, she did not understand why Route 249 and Route 33 had recently been paved. She suggested Route 60 from Route 249 to Toano was a "war zone." She also reported VDOT employees, who did not wish to be named, had indicated VDOT had unofficially stated they would not address Route 60 until the I-64 expansion project was in the area. She was concerned about the additional traffic on Route 60 once the I-64 expansion reached the area and suggested the road would not be able to handle it. She suggested the road was like an "exhausted" human having "had a heart attack and CPR" numerous times and it could not survive. Referencing future construction plans in VDOT's written report, she suggested the road would not survive until 2019.

Mr. Davis thanked all who had spoken. He noted there had been many good comments and he appreciated the citizens who had taken the time to speak. He indicated the comments would be taken under advisement.

IN RE: PUBLIC HEARING – NEW KENT COUNTY CODE CHAPTER 66 AMENDMENT –
ORDINANCE O-23-17

Before the Board for consideration was Ordinance O-23-17 amending New Kent County Code Chapter 66 to include tax exemptions for surviving spouses of certain persons killed in the line of duty.

County Administrator Rodney Hathaway noted Chapter 66 was the taxation section of the County Code and the purpose of the proposed amendment was to provide real estate tax exemptions for the surviving spouses of first responders and military members who were killed in the line of duty. The proposed exemption would be only for the primary residence and if the spouse remarried, the exemption would no longer apply. The exemption would be limited to the average single-family dwelling value in the County. Values assessed above the average would be taxed at the regular rate. Mr. Hathaway entertained questions.

Mr. Davis asked if this was allowed under State Law. Mr. Hathaway indicated the military exemption had been passed by the Virginia General Assembly in 2014 and the exemption for first responders had been passed during the most recent General Assembly session. He noted the military exemption was mandatory and was being included in the Code for clarification and the first responder exemption was at the will of the locality.

Mr. Davis opened the public hearing. There being no one wishing to address the Board, he closed the public hearing. Mr. Davis indicated the Board had first learned about these exemptions at a recent monthly work session and asked Mr. Hathaway to provide more details for those in the audience.

Mr. Hathaway noted there were two proposed exemptions. The first was mandatory for the spouses of military veterans killed in the line of duty. Certification from the Veterans Administration would be required to be eligible for this exemption. The second exemption was optional and was for the spouses of first responders killed in the line of duty. Mr. Davis noted a good example would be the recent death of State Trooper Pilot Berke Bates. Mr.

Hathaway agreed and noted the exemption would be only for the primary residence and if the spouse remarried, the exemption would no longer apply. The County would look at the average assessed value for single-family homes and the exemption would only apply to this value. Regular tax rates would apply on any values above the average. Individuals wishing to receive exemption under this Code Section would be required to apply with the office of the Commissioner of Revenue.

Mr. Tiller moved to adopt Ordinance O-23-17, amending Chapter 66 of the New Kent County Code to include tax exemptions for surviving spouses of certain persons killed in the line of duty. 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.

IN RE: ELECTED OFFICIALS REPORTS

Mr. Stiers indicated he had previously spoken with Mr. Davis and County Attorneys Bill Hefty and Brendan Hefty in regard to the Board of Supervisors drafting a letter to the DCR (Virginia Department of Conservation and Recreation). Mr. Stiers indicated he believed the DCR was the agency who would be issuing the tax credits of which Gary Cicatiello had spoken during citizen comments. He suggested the County provided notice that they were not in favor of allowing golf courses to be turned into tree farms and how such a change could potentially devalue properties in the Brickshire community and negatively impact tax revenue to the County. He indicated he wasn't sure if a letter would help but felt it was important for the County to send a message indicating they were not in favor.

There was some discussion as to which government agency such a letter should be addressed. Mr. Davis suggested that Mr. Stiers put his request in the form of a motion.

Mr. Stiers moved to send a letter to the appropriate agency or agencies responsible for issuing tax credits letting them know that New Kent County is not in favor of allowing several golf courses in the County to be turned into tree farms.

Mr. Davis indicated this motion would allow staff an opportunity to determine who and what should be addressed in the letter. Mr. Stiers indicated he had been told DCR should be addressed but agreed there could be others who should be notified. County Administrator Rodney Hathaway indicated if the issue was the tax credit program, the DCR should be contacted but if the issue was nutrient credits, the DEQ (Department of Environmental Quality) should be contacted. Mr. Davis indicated he was not aware that nutrient credits would be involved. Mr. Hathaway indicated he had not spoken with the owner or the potential buyer and was not sure what was being considered. Mr. Stiers also suggested that if his motion passed, Senator Tommy Norment and Delegate Chris Peace should be asked to follow up with the involved agencies. Mr. Davis agreed.

The members were polled:

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

The motion carried.

Mr. Stiers also reported the 8th Annual Thanksgiving Feast would be held on Thursday, November 23rd at the Providence Forge Recreation Center. He indicated 900 meals had been served the previous year. The meal would be all you could eat for 99¢ and would be served from 12:00-4:00 p.m.

Ms. Paige thanked all who had been a part of the Veterans Day Celebration at New Kent Middle School. She reported planning for Relay for Life for 2018 was in the works. The event was scheduled for April 28th with the first organizational meeting being held at 6:30 p.m. on December 7th at Aspen Burger. All were invited to come out and help with the fight against cancer. She closed by wishing all residents a very happy and blessed Thanksgiving.

Mr. Tiller reported he had enjoyed attending the recent VACo (Virginia Association of Counties) conference. He indicated the conference always provided opportunities to learn and to meet and network with representatives from other counties.

Mr. Evelyn thanked the community and County staff for supporting the recent New Kent Educational Foundation (NKEF) Bowl-a-Thon. He reported the NKEF raised funds to give back to County schools. He indicated this had been a great community event and had raised more money than any previous Bowl-a-Thon. He also reported he had been receiving phone calls regarding a news story which had aired the previous evening and a number of New Kent University graduates had commented to him regarding the story. (The story had been in regard to a rezoning application (ZM-01-15) submitted by Sharon Traylor and heard by the Board of Supervisors on July 6, 2015.) He reported the story had indicated one Board member had been in support of the ordinance (O-12-15). He noted he wished to set the record straight and reported the official record of this meeting indicated all Board members had voted to deny the request.

Mr. Davis suggested fall was always a busy time in New Kent. He encouraged residents to be sure to let anyone who may be spending Thanksgiving alone know about the Thanksgiving Feast previously mentioned by Mr. Stiers. He noted this was a well-attended community effort and involved the support of many volunteers. Mr. Davis also reported four supervisors had attended the recent VACo conference. He agreed with Mr. Tiller that this was a good opportunity to learn from other attendees and to see New Kent was not by itself when it came to some of the issues they faced. He suggested one of the biggest issues was the opioid crisis which he believed was much worse in other parts of the State. He indicated people were dying every day and asked Sheriff Joe McLaughlin if there had been any opioid deaths in New Kent. Sheriff McLaughlin confirmed there had been. Mr. Davis suggested there was no simple solution and no one had an answer. He also reported Sherrin Alsop, who was a member of the King and Queen County Board of Supervisors, had been elected to serve as 2018 VACo President.

IN RE: STAFF REPORTS – PART 1

County Administrator Rodney Hathaway reported the 4th Annual New Kent County Grand Illumination would be held at 3:00 p.m. on November 26th. The event was expected to be

larger than the previous year and many activities were being planned. He encouraged everyone to come out and enjoy the festivities.

Sheriff Joe McLaughlin, speaking on behalf of retired Sheriff Wakie Howard, thanked the Board for honoring Sheriff Howard by naming the Chickahominy Canal Bridge the F.W. "Wakie" Howard Bridge. He noted Sheriff Howard truly appreciated the honor and recent dedication ceremony. Sheriff McLaughlin also reported he had received a call from Samaria Baptist Church in Charles City seeking his participation in a church security training session. The training session would be held at 9:00 a.m. on November 25th at Samaria Church. The Charles City County Sheriff's Office and Virginia State Police would also be involved in the training and New Kent churches were invited to send one to two representatives. The training session would last approximately two hours.

IN RE: OTHER BUSINESS

There was no other business.

IN RE: APPOINTMENTS – BY DISTRICT

Mr. Davis moved to appoint Marc Bennett as District Five representative to the Planning Commission to complete a four-year term ending December 31, 2018. 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: APPOINTMENTS – REGIONAL

Mr. Evelyn moved to appoint Lisa Diggs as New Kent's representative to the Henrico Area Mental Health and Developmental Services Board to complete a term ending December 31, 2017.

Mr. Evelyn moved to appoint Ms. Paige as New Kent's representative to the Colonial Criminal Justice Board to complete a term ending December 31, 2018. Mr. Evelyn noted this seat had been held by James "Jimmy" Burrell, a former Board of Supervisor member. Mr. Burrell had resigned from this position on November 6th. Mr. Evelyn noted Mr. Burrell had served on this Board for many years and thanked him for his service.

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 motions carried.

IN RE: UPCOMING MEETING ANNOUNCEMENTS

Mr. Davis announced the next regularly scheduled meeting of the Board of Supervisors would be held at 6:00 p.m. on Monday, December 11, 2017 and the next work session would be held at 9:00 a.m. on Wednesday, November 29, 2017 both in the Boardroom of the County Administration Building. Mr. Davis also announced the Board would be going into closed session but there would be no further action after the closed session other than adjourning the meeting.

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 and consideration of promotion involving the following current positions within the Community Development Department: Planning Manager, Environmental Planning Manager and Zoning Officer. 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. Tiller 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. Tiller moved to certify by roll call vote that to the best of each Board 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

IN RE: STAFF REPORTS – PART 2

County Administrator Rodney Hathaway reported there had been some concerns regarding a flyer promoting the 50th anniversary of the Green vs. the County School Board of New Kent County case. He indicate a flyer had originally been distributed suggesting New Kent

County was a sponsor of the event. He indicated the flyer had also suggested the New Kent School Board was a sponsor. He reported that neither New Kent County nor the New Kent School Board had made a commitment to be a sponsor and both names had since been removed from the flyers. He indicated he was not sure how many of the original flyers had been distributed but all new information would not contain New Kent County or the New Kent School Board as sponsors. Mr. Davis noted this event would involve four weekends in May and asked if there would be any associated cost. Mr. Hathaway indicated there would be no cost to the County and suggested New Kent County Schools may waive fees for the use of their facilities. Mr. Evelyn suggested the Board should consider having the General Assembly recognize the 50th anniversary. Board members agreed.

Mr. Davis noted the flag at the Historic Courthouse was in poor condition and should be replaced.

Mr. Evelyn suggested the County Administration Building was in need of power washing.

Mr. Davis noted the steps at the Courthouse were in poor condition. Mr. Hathaway reported \$30,000 was budgeted for improvements to the steps and handicapped access ramp.

IN RE: ADJOURNMENT

Mr. Stiers moved to adjourn the meeting. 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 was adjourned at 7:49 p.m.