

A REGULAR WORK SESSION WAS HELD BY THE NEW KENT COUNTY BOARD OF SUPERVISORS ON THE 29TH DAY OF NOVEMBER IN THE YEAR TWO THOUSAND SEVENTEEN IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 9:00 A.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: DEATH OF SAMUEL "BUDDY" ALTER

Public Utilities Director Larry Dame announced that Parham Landing Plant Manager Samuel "Buddy" Alter had succumbed to cancer on November 22nd. Mr. Dame indicated Mr. Alter was a "special man" and had done a lot for New Kent County. He read a segment of Mr. Alter's obituary which stated, "Buddy's passion in life was wastewater. . . . He loved his job so much and all his employees from the bottom of his heart. He loved teaching them and respected each and every one of them. When he became sick, it was his goal to get better to return to work." Mr. Dame indicated Mr. Alter loved working for New Kent County and had continued logging into the plant's controls even while receiving treatments in Chicago. He added that New Kent had lost a good man who would be hard to replace. He closed by indicating he had truly believed Mr. Alter would be able to come back to work and had been caught off guard by his death. He reported that he and several other staff members would be attending a Celebration of Life service for Mr. Alter later that day.

Ms. Paige suggested the County prepare a letter of condolences for Mr. Dame to read at the service. Mr. Dame indicated he had not been asked to speak but would be happy to share words from the County. County Administrator Rodney Hathaway also reported the County had sent flowers.

IN RE: BROADBAND DESIGN PRESENTATION

County Administrator Rodney Hathaway noted Broadband Advisory Committee members including William O'Keefe, Ron Durrer and Matthew Smolnik were present. He reported the County had contracted with SCS Broadband (Acelanet, LLC) in August to design a broadband wireless network. Acelanet Chief Executive Officer Lon Welchel and Acelanet Chief Operating Officer Clay Stewart were present to share the SCS Broadband Wireless Network Implementation Plan for 2018. Mr. Stewart indicated the plan was focused on bridging the digital divide by providing access to broadband services for residential customers, businesses, schools, healthcare providers and government operations. He suggested New Kent was fortunate to already have many towers which could be available to support broadband delivery. Specific services provided by SCS included but were not

limited to true unlimited data, speeds from 10 to 50 Mbps, wireless to fiber internet connections and a centralized customer service call center. Project goals included:

- forming a public/private broadband partnership,
- implementing a County-wide wireless network,
- providing true high-speed broadband speeds,
- serving as many customers as technology would allow and
- providing a flexible project plan for implementation.

An overview of the proposed network suggested high-end streaming services would be available through partnerships with NetFlix, Apple TV, Black Board and others. Businesses with fiber would also have wireless backup services. Mr. Stewart noted there was currently no wireless service being offered in New Kent. In addition to approximately thirty leasable towers located within New Kent, two leasable towers located in King William County had been identified as viable options to provide service to some residents. The tower to tower signal range was estimated to be between three and twelve miles and would depend heavily on terrain and tree cover. Mr. Stewart noted pine forests would hamper transmission more than deciduous forests but community poles could be used as an option for areas with poor signal reception. He noted a "fully decked out" community pole would cost approximately \$13,167 and the cost of tower loads (equipment) was estimated at \$40,702. The total project cost estimate was \$972,156 over two years. Mr. Stewart pointed out all figures were for high-end "fully decked out" installations and suggested an actual price range between \$600,000 and \$972,000. He also noted the importance of regional and local support teams and the significant impact broadband service could have on County revenue.

Mr. Davis indicated broadband would also have a significant impact on County students. He pointed out that high school and middle school students had been issued Chromebooks® but many could not use the computers at their homes. School Superintendent Dr. David Myers was present and Mr. Davis asked if he could provide any figures on student access to internet. Dr. Myers reported the school division had surveyed students several years ago and the results had suggested about 60% had access to high-speed internet.

Mr. Davis called for a brief recess at 10:05 a.m. and indicated the Board would have additional questions and comments for the SCS representatives after the recess. The Board reconvened at 10:14 a.m.

Mr. Davis reported conversations at the recent VACo (Virginia Association of Counties) conference regarding "driverless cars" had suggested these vehicles would operate off of cell towers. He asked how broadband would impact these vehicles. Mr. Welch suggested more 5G service would be required and would be difficult in rural communities. Mr. Stewart also indicated he would expect these vehicles to operate on a different frequency.

Mr. Evelyn noted the lack of broadband was one of his constituents' biggest concerns. He asked what would be the next step toward implementation. Mr. Welch indicated some counties budgeted implementation funds and grant funds were also an option. The system would be built as demand increased and expansion was justified. He noted SCS was already working on tower access. Mr. Stewart also noted every dollar saved would go into resources such as human resources, service vehicles and the construction of an office in the area. He indicated one of the company's goals was to have service technicians within a one-hour drive of customers. He also noted he was interested in more discussions regarding the County's options for tower space. Mr. Evelyn noted the presentation suggested a two-year buildout and he asked the expected level of coverage at the end of two years. Mr. Stewart noted he wished to avoid any misconceptions and suggested there

would most likely still be areas with no service. Mr. Evelyn asked who would negotiate the next steps. Mr. Hathaway recommended that he continue to work with SCS and bring recommendations back to the Board. He also indicated he felt that grant options should be explored. Mr. Evelyn asked who would be responsible for writing grant proposals. Mr. Hathaway suggested that he, the County Attorney and SCS representatives would write the proposals. Mr. Evelyn noted he felt pursuing grants was a good idea but asked if there was a "Plan B." Mr. Hathaway indicated some radio project funding remained and could be utilized as a grant through the EDA (Economic Development Authority). He also suggested payments would be performance-based with specific benchmarks and indicated he would work with the EDA and the Broadband Advisory Committee in this regard.

Mr. Stiers indicated it had been almost two years since forming the Broadband Advisory Committee and suggested today's presentation had indicated it would be another two years before citizens would realize their efforts. Mr. Stewart indicated this was not correct and suggested the first customers could be on the system as early as March 2018. Mr. Stiers asked if there was anything the County could do to expedite the process. Mr. Stewart suggested implementation speed would depend on funding and staffing.

Ms. Paige asked for information on the cost for residential customers. Mr. Welchel indicated there would be a \$198 installation fee. Mr. Stewart suggested average monthly costs would be in the \$55 to \$60 range depending on services needed. Mr. Welchel also suggested satellite subscribers could save by switching to internet service to receive programming. Ms. Paige asked how outages would be handled. Mr. Stewart noted this was why SCS wanted to have service technicians within an hour's drive of customers.

Mr. Tiller asked if customers would receive signals from community poles or would fiber be installed to homes. Mr. Stewart indicated service could be provided either way but noted fiber would add value to the home. Mr. Welchel suggested fiber to every home was an option but noted the signal was typically received from point to point to the pole and then by wireless to the homes. He suggested the cost of fiber installation would be a concern. Mr. Tiller asked if neighborhoods would have WiFi or LTE (Long-Term Evolution) service from community poles. Mr. Stewart indicated both would be available but noted LTE would be slower than WiFi.

Mr. Davis asked for any other comments. Mr. O'Keefe's recommendation for both residents and economic development was to move forward and noted he fully supported the proposal. Mark Flynn (County resident) indicated he and his wife were small business owners who were currently operating in the City of Richmond. He suggested they would love to move operations to New Kent but their current DSL (Digital Subscriber Line) service would present challenges. Mr. Flynn noted he appreciated the Board's efforts and was glad plans were to move forward with SCS. Mr. Durrer indicated it "would be great to have 100% coverage" but noted he understood that may not be feasible. He asked if this would truly address "the last mile." Mr. Stewart indicated SCS would do the best that technology would allow and suggested there would always be areas not covered. He noted possibilities with New Kent were very good with so many "vertical assets" (towers). Broadband Advisory member Kevin Eddowes had arrived after introductions and indicated he had previously worked with SCS and was pleased with their services. He suggested the Board should be careful of perceptions and noted, "it's easy to over promise and under deliver." He suggested this was a great concept and the County should be careful to handle implementation correctly.

Mr. Davis thanked Mr. Welchel and Mr. Stewart for their presentation and the citizens who had provided comments.

IN RE: EDA (ECONOMIC DEVELOPMENT AUTHORITY) BUSINESS INCENTIVE
FUNDING

Economic Development Director Matthew J. Smolnik noted he and EDA Chairman William O'Keefe had met with the Board in September to discuss EDA Business Incentive funding. The Board had appropriated \$150,000 for this purpose and had also asked that options for future funding of the program be explored. Mr. Smolnik indicated the Business Incentive program had received a portion of the meals tax at one point which the EDA had discussed at their November meeting. He provided background information indicating he had researched the 2004 referendum regarding meals tax and had found the documents did not contain any percentages regarding revenue distribution. Revenue had been distributed between schools, Parks and Recreation and the EDA for some period of time but was later pulled away. The EDA's recommendation was to go back to the original distribution with 25% of the meals tax funding the program. Mr. O'Keefe indicated EDA members had worked hard on the referendum with the understanding the funding would support the EDA. Mr. Smolnik indicated a cap was also being recommended so there would not be an endless supply of funds. Mr. Davis indicated he felt the Board should go back to the 25% funding with a \$150,000 cap. Mr. Hathaway reminded Board members that this funding was currently being used in the general fund. Mr. Tiller noted that was why his recommendation had been for new revenue funding at the previous work session. Mr. Evelyn suggested the EDA be given \$100,000 annually. Mr. Smolnik asked if he was suggesting a flat budget? Mr. Evelyn indicated he was. Mr. O'Keefe suggested if the EDA was flat-funded, they would have to come back each year to request additional funding. He suggested funding be capped at \$300,000. Mr. Smolnik pointed out the EDA had three funds: business incentive, marketing and operating. Ms. Paige asked if the Board received yearly requests for incentive program funding. Mr. Smolnik indicated yearly requests were not made and noted the September request had been made because the program was nearly out of funds. Mr. O'Keefe indicated the \$150,000 received in September had been the first request in five to six years. Ms. Paige asked how much funding the EDA had originally been given. Mr. Hathaway indicated original funding had been about one million dollars but pointed out the EDA had paid for the Fisher tract (approximately \$800,000). Mr. Davis indicated he would like to see the incentive program be self-supporting and suggested the meals tax would be the easiest option. Ms. Paige asked if the Board would consider a smaller percentage. Mr. Davis agreed and suggested 25% would be equal to approximately \$250,000 next year which he felt was too much. Mr. Evelyn asked Mr. Smolnik and Mr. O'Keefe what they felt was needed for the incentive program to survive. Mr. Smolnik pointed out applicants currently could receive up to \$50,000 in grants meaning the number of grants would be limited by a low budget. Mr. O'Keefe suggested two years of funding would be reasonable and would allow program flexibility. He reported one applicant had recently been turned away due to a lack of funding. Ms. Paige indicated she thought meals tax should be considered but at a rate lower than 25%. Mr. Evelyn indicated he understood a buffer was needed but noted the Board was trying to "not hurt the budget." Mr. Hathaway suggested it was no secret this would be a tough year with the need to build a new school, a new fire house and the need for additional firefighters. Mr. Tiller again noted this was why he had suggested using a percentage of new growth. Mr. Smolnik noted the EDA marketing and operating budgets still had a couple of years of funding and asked if the funding being discussed would be for all three funds or just the business incentive program. Ms. Paige suggested the EDA would need to come back for marketing and operating funds and the current discussion was about incentive funding which was separate from the others. Mr. Davis pointed out the EDA budget was already bigger than the Board of Supervisors budget. Mr. Stiers indicated he did not feel comfortable having a percentage designated for the EDA

and he didn't want the Board to be "boxed in." Mr. Hathaway suggested there was also the option to treat the EDA like any other agency by having them present an annual budget request. Mr. Evelyn indicated he agreed with Mr. Stiers and noted he too was not comfortable with percentage funding. He suggested it would not "hurt the budget" if the EDA was given an additional \$75,000 from meals tax as a buffer. Mr. O'Keefe indicated the recommendations were being made in response to the Board's request. Ms. Paige noted she liked the budget request option. Mr. Hathaway noted he had not received any revenue numbers and had not looked at any department requests. He suggested if the Board wished to move forward with \$75,000 in annual funding, he would work with that as a goal for the next year. Mr. Hathaway also suggested EDA funding should be considered as an investment and not just an expense. Mr. Smolnik asked if the proposed \$75,000 would be for the overall EDA budget or only the incentive program. The general consensus was the funding would be only for the incentive program.

IN RE: NEW KENT COUNTY 2018 LEGISLATIVE AGENDA

County Administrator Rodney Hathaway noted it was normal practice for the Board to adopt an annual legislative agenda to be forwarded to the County's representatives. The draft legislative agenda had been revised since publication of the meeting package to include recognition of the Green vs. New Kent Board of Education decision. Revised copies were distributed.

Part I of the agenda contained a number of action items including:

- 1-1 Green vs. New Kent Board of Education – Mr. Hathaway noted the addition of this item had been discussed at a previous Board meeting. A resolution commemorating the 50th anniversary of this landmark Supreme Court case was being requested.
- 1-2 Broadband – The General Assembly was being asked to assist private providers in their efforts to deploy affordable access to high speed internet services in underserved and rural areas.
- 1-3 Interstate 64 Widening – Mr. Hathaway noted this request was to make the widening of I-64 from I-295 to the Lightfoot Exit (Exit 232) a priority. This item had been on the County's list for several years.
- 1-4 Funding for Alternatives to Groundwater – This request was for the creation of an Alternative Water Supply Fund to assist businesses and communities with meeting the new groundwater withdrawal requirements. Mr. Hathaway noted this request had also been on the legislative agenda for several years.
- 1-5 Emergency Services Assistance – The General Assembly was being asked to provide financial aid to localities to assist with the provision of emergency services on Interstate Highways. Approximately 25% of all transports in New Kent County resulted from incidents on Interstate 64 and New Kent Fire-Rescue often went NUA (No Units Available) while responding to these incidents.

Part II of the agenda included the County's Position Statements. These statements included:

- 2-1 Support for full funding for all legislation mandated for localities by the General Assembly that would have any associated cost.
- 2-2 Support for legislation that incentivizes regional cooperation and service delivery to promote efficiency, mitigate inequities, and overcome barriers that result from Virginia's unique local government structure.
- 2-3 Support for legislation providing adequate funding for secondary road maintenance.
- 2-4 Support for any legislation that would allow Colonial Downs to maximize its potential to benefit the Commonwealth and New Kent County.

2-5 Support for the Virginia Association of Counties 2018 Legislative program.

Mr. Stiers suggested expedited funding for Route 60 should be included as a priority. Mr. Hathaway suggested that 2-3 could be revised to include Route 60 improvements or it could be included with 1-3 – Interstate 64 Widening. After some discussion it was decided Route 60 resurfacing and maintenance should be listed as a separate item between items 1-3 and 1-4. Ms. Paige reported there would be a meeting regarding SMART Scale (a process to allocate additional road maintenance, repair and new construction dollars throughout the region) in a week or so and she suggested this could still be an option for New Kent. It was also suggested that the current VDOT three-year plan for Route 60 was encouraging.

Mr. Stiers moved to adopt the 2018 New Kent County Legislative Agenda as presented and amended to include Resurfacing and Maintenance of State Route 60. 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: OTHER BUSINESS – TILLER CONVERSATIONS WITH VDOT

Mr. Tiller reported speaking with VDOT Ashland Resident Engineer Bruce McNabb several weeks ago regarding the possibility of striping crossovers on Route 60 in Bottoms Bridge. This request had been made as a result of comments from citizens expressing concerns regarding drivers not understanding where they should stop when crossing from one lane to the other. He reported Danny Baiden with VDOT had contacted him and had indicated the crossovers on Route 60 were not wide enough to meet minimum requirements for striping. He also reported VDOT had indicated they would conduct a traffic study at Route 60 and Marketplace Drive once the Taco Bell opened to determine if a signal would be needed.

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, December 11, 2017. There would be no December work session.

Mr. Tiller moved to adjourn the meeting. 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.

The meeting was adjourned at 11:13 a.m.