

A REGULAR WORK SESSION WAS HELD BY THE NEW KENT COUNTY BOARD OF SUPERVISORS ON THE 28TH DAY OF FEBRUARY IN THE YEAR TWO THOUSAND EIGHTEEN IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 9:00 A.M.

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IN RE: CALL TO ORDER

Chairman Thomas W. Evelyn called the meeting to order.

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IN RE: ROLL CALL

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

All members were present.

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IN RE: NEW KENT SOCIAL SERVICES ANNUAL REPORT

Department of Social Services Supervisor Jon Martz was present to provide the Board with an overview of the New Kent Department of Social Services (NKDSS), programs offered and clients served. He reported Virginia's population had increased 7%, inflation had increased 12% and the population of adults 65 and over had increased 32.1% from 2008 to 2016. New Kent's population was increasing approximately 2.6% annually and the results of a recent UVA Weldon Cooper Center study had suggested New Kent was the second fastest growing locality in Virginia. A review of 2017 statistics regarding the number of clients receiving services through a variety of programs revealed that Medicaid ranked the highest with 2,328 served, followed by SNAP (Supplemental Nutrition Assistance Program) with 1,620 served. Mr. Martz noted there had been a decline in SNAP numbers in 2016 when a work requirement had been instituted but numbers had begun to climb back up in 2017.

Mr. Martz reported the new administration in the Commonwealth was pursuing expansion of the Medicaid Program and he suggested a work requirement would most likely be added to this program too. He noted New Kent could expect up to 400 new Medicaid clients if expansion was approved and suggested this increase in work load would be equivalent to two full time Benefit Program Specialists. Mr. Davis asked if the State would be providing any funding to handle the additional load. Mr. Martz noted there was some funding included in the House proposed budget and reported that the last time there had been a similar situation, the State had provided approximately two-thirds of the funding and the County had funded the remainder. He noted Weldon Cooper numbers suggested that with the County's current growth rate, New Kent's Medicaid client numbers would reach 2,224 by 2025. New Kent had already surpassed that number with 2,294 Medicaid clients in FY16. Medicaid expansion could bring the total to 2,694, a level previous Weldon Cooper estimates had put at the year 2035. Mr. Martz noted that to meet current caseload demands, a Benefits Program Specialist would need to work 51.5 hours per week but full time NKDSS employees were scheduled to work only 37.5 hours per week.

Child welfare statistics indicated referrals, family assessments and investigations were increasing. Mr. Martz suggested the working relationships with the New Kent Sheriff's Office and New Kent County Public Schools had resulted in more cases being reported to Child

Protective Services (CPS). Projections for FY18 suggested 200 referrals, 101 family assessments and 20 investigations. Each family assessment required sixty work hours on average and there were only two CPS workers in the department. Along with the increase in CPS calls, the number of children in foster care had also increased. He reported there had been several parents/grandparents who had come to NKDSS indicating they were no longer able to care for the children in their custody and they were asking NKDSS to take them. Mr. Davis asked if these children had been placed with foster families in New Kent County. Mr. Martz reported there were currently six families certified as foster families in New Kent but no children had been placed with these families. Placements in New Kent would be especially good for the children because they could remain in their current schools and familiar surroundings.

Mr. Martz also reported there had been an increase in the number of Adult Protective Services referrals. He indicated the number was expected to triple in FY18 and suggested this was due to the aging population and increased emphasis on protecting older citizens. He reported there was only one Adult Protective Services worker in the department and that position was part time (29 hours/week). Mr. Davis asked if an additional part-time position would help. Mr. Martz indicated he would take whatever staffing he could get. He reported staffing had been an issue in the NKDSS office. A 2013 VDSS Research Brief had shown that New Kent at 50% had the highest percentage of employee turnover of all Class 1 agencies. This had improved with the turnover rate from July 1, 2015 to November 30, 2017 being only 16%. Mr. Martz pointed out that Bureau of Labor Statistics data indicated the average turnover rate in the Social Services field was 15.2%. He thanked the Board for all they had done to make it easier to retain employees.

NKDSS accomplishments included:

- Successfully helped to create both the New Kent Re-Entry Council and Chickahominy TRIAD (in association with the Sheriff's Office) organizations.
- Started several community focused programs including:
  - Christmas Gift Program (in association with Girl Scouts) – Approximately 1,000 gifts were distributed to the community.
  - Pathways Program (Nightlight and book program)
  - Money Management Course
  - PRIDE Training for perspective foster parents offered in New Kent.
  - Baby Box Program – Boxes were free and New Kent was the only distribution site within fifty miles.
- Hosted two separate hiring events with local companies.
- Completely updated Standard Operating Procedure Manual.
- Updated Legacy Documentation Plans for Senior Staff.
- Nominated for VDSS I-3 Award for Innovation for 2 of the past 3 years.
- Family Services Specialists recognized by state office for making first contact on CPS referrals in timely manner 100% of the time.
- Administrative unit successfully implemented Document Imaging System in association with new Eligibility Computer System as well as a new Check in System.
- Benefit Program Specialists successfully navigated the implementation of a new eligibility system for all eligibility programs.

Mr. Martz indicated he understood the budget process was difficult and noted his department didn't ask for anything they didn't truly need. He also wanted the Board to know what NKDSS was facing. He reported NKDSS was working to make sure that no one coming to their office was ever turned away without anything. Individuals who did not qualify for programs were provided with contact information for other services. Mr. Davis

suggested Mr. Martz and his staff were doing a wonderful job. He also agreed that the County could expect a significant increase if Medicaid expansion was passed. Mr. Evelyn thanked Mr. Martz and his staff for all they were doing and also noted he frequently heard good things about NKDSS. Mr. Martz thanked the Board for their support and noted County Administrator Rodney Hathaway was also very supportive and wonderful to work with.

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IN RE: RESOLUTION TO APPLY FOR VDH (VIRGINIA DEPARTMENT OF HEALTH)  
FUNDING – RESOLUTION R-10-18

Before the Board for consideration was Resolution R-10-18 authorizing the Director of Public Utilities to begin applying for VDH funding for the Route 618 waterline project.

Assistant Director of Public Utilities Mike Lang reported Public Utilities was exploring funding options for the Route 618 waterline project. This project would be the next step in consolidating New Kent's major water systems in anticipation of construction of a centralized water treatment plant. This project would involve the interconnection of the Farms of New Kent and Kentland PUDs and immediate benefits in operational efficiency and water quality would be realized even if the treatment plant project did not move forward. Project design was 95% complete and the funding application process could take as much as two years. There would be no cost at this time and authorizing the submission of an application did not obligate the County in any way. Mr. Lang noted the Route 249 waterline had been a similar project and had also been funded through a low-interest VDH loan.

Mr. Davis moved to adopt Resolution R-10-18 authorizing the submission of applications seeking funding from the Drinking Water State Revolving Loan Fund for the Rt. 618 waterline project. The members were polled:

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

The motion carried.

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IN RE: DISCUSSION ON THE ISSUANCE AND DISPLAY OF THE COUNTY DECAL

County Administrator Rodney Hathaway reported the question of whether or not to continue issuing County decals had been raised. He noted recent changes in the laws required State inspection stickers to be placed on the left side of the windshield. New Kent County Code required County decals to be placed to the right of the inspection sticker. He noted the County would need to issue new decals to be placed in the proper location and it would be necessary for the Treasurer's Office to order a new supply. Practices in neighboring localities had been reviewed and there were only two issuing decals; New Kent County and the Town of Ashland. He also reported Charles City County required those wishing to use the landfill to have a landfill decal but no county decal was required. He suggested the biggest issue with doing away with the decals would be how to address the use of County trash transfer sites. Mr. Evelyn asked Mr. Hathaway if he thought there would be many individuals from other localities who would bring trash to New Kent transfer sites. Mr. Hathaway indicated he wasn't sure but reported he liked Goochland's approach to addressing trash from other localities. Goochland did not require a county decal but their County Code contained language indicating refuse site attendants may request proof of

residence. He recommended the County do away with the decal and monitor volumes at the transfer sites for six to eight months. If pulls increased, the Board could then consider issuing transfer site use decals. Mr. Davis suggested the only reason New Kent should be concerned about residents from other localities using County sites was that James City County charged its residents a substantial amount to use their own sites. Several New Kent transfer sites were only a few miles from the James City County line and he believed there would be increases at those sites.

Mr. Tiller indicated he was concerned about transfer site attendants being expected to ask for identification and what may happen when someone refused to show their ID. Mr. Davis questioned whether or not attendants would actually check IDs and asked if the County could put that responsibility upon them. Mr. Hathaway noted attendants were already responsible for checking IDs. Mr. Davis suggested they were only responsible for checking IDs if there was no County decal and if decals were not used, attendants would have to check each individual. He suggested transfer site use stickers could be issued by site attendants. Mr. Hathaway reported Gloucester County was using a sticker system similar to what Mr. Davis had described.

New Kent County Treasurer Norma Holmes indicated she was in support of doing away with County decals. She pointed out the annual registration fees would remain in place and there would be no change in revenue. She reported that Commissioner of Revenue Laura Ecimovic had shared a number of concerns with her. Among those concerns were:

- Would it be legal for refuse site attendants to ask individuals to show their IDs and vehicle registrations?
- No County decal would impact personal property assessments. Mrs. Holmes indicated she didn't fully understand this concern. She noted the Commissioner of Revenue downloaded DMV records on January 1<sup>st</sup> to determine which vehicles were to be taxed.
- The use of bumper stickers could have a negative impact on vehicle values. Mr. Hathaway noted a small sticker affixed to the rear view mirror was another possibility.

Mrs. Holmes suggested many people wanted the County to do away with the decals. She noted with the new laws, many residents would be coming to her office for new decals.

Mr. Evelyn asked if the decals could be issued at the transfer sites. Mr. Hathaway suggested that could be an option and would be the most convenient for citizens. Mr. Stiers indicated he was not only concerned about managing transfer site use but was also concerned about the safety of citizens. He suggested numerous stickers on the left of the windshield could be a safety issue. Mrs. Holmes noted the current County decals were permanent and the only time individuals came in for a new decal was when they purchased a new vehicle or had a windshield replaced. With the new law, all vehicles registered in the County would need a new decal by the end of the year. Mr. Evelyn asked Sheriff Joe McLaughlin for his opinion on the use of County decals. Sheriff McLaughlin indicated he was fully in support of doing away with the decals. Mr. Evelyn suggested that Mr. Hathaway and Mrs. Holmes work together to draft a recommended policy to be brought back to the Board and that they also seek input from Sheriff McLaughlin and Commissioner Ecimovic.

Mr. Evelyn called for a brief recess at 9:53 a.m. The meeting reconvened at 10:02 a.m.

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IN RE:           FY19 BUDGET DISCUSSION

County Administrator Rodney Hathaway noted this discussion would be a continuation of the February 22<sup>nd</sup> Budget Retreat. The question of what real estate tax rate the County would advertise had been left unanswered. Board members had been advised by County Attorney

Bill Hefty that they would not be locked in by the advertised rate and could choose to set a lower rate if they wished. If a higher rate was desired, the Board would have to issue another advertisement. Mr. Hathaway noted the Board had agreed to continue this discussion at today's work session. He reminded Board members that the proposed FY19 budget was based on a \$0.05 real estate tax increase.

Mr. Evelyn suggested Board members had been given an opportunity to review the proposed budget and reminded members that they could always set a lower rate than advertised. Mr. Davis recommended the Board move forward with advertising an \$0.83 tax rate but suggested the Board had much work to do before they would be ready to adopt a budget.

Mr. Davis moved to authorize the advertisement of a real estate tax levy of \$0.83 per \$100 of assessed value. The members were polled:

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

The motion carried.

Mr. Hathaway asked Board members if they would like to continue budget discussions at the March 28<sup>th</sup> work session or if they would prefer scheduling a special meeting to continue discussions sooner. After some discussion, the general consensus was to schedule a special work session for 9:00 a.m. on March 6<sup>th</sup> in the County Administration Building boardroom.

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IN RE: OTHER BUSINESS – LETTER FROM OAK RIDGE FARM, LLC (KENNETH FISHER)

County Administrator Rodney Hathaway distributed copies of a letter recently received from Kenneth Fisher with Oak Ridge Farm, LLC. Mr. Fisher had expressed concerns regarding the impact of a 2016 zoning ordinance amendment on a fifteen acre residential zoned property in the Bottoms Bridge area. Mr. Hathaway noted Mr. Fisher had been working with Mr. Pete Sweet to develop the property when he had become aware of changes to the definitions of major and minor subdivisions. The ordinance amendments had changed the definition of a major subdivision to "any division of property of eight lots or more" and the definition of a minor subdivision as "a division of property into seven or fewer lots". Prior to the 2016 amendment, a minor subdivision could have up to 20 lots and a major subdivision was 21 or more lots. Mr. Fisher was requesting that the Board consider reverting back to the original language. Mr. Hathaway noted Mr. Fisher and Mr. Sweet wished to develop the property as a 20 lot subdivision and did not want to have to meet the major subdivision requirement of providing a private water system. Mr. Hathaway noted these amendments had been in response to concerns regarding cluster subdivisions. He suggested the Board could leave the ordinance as it was or they could consider applying the eight lot criteria only to cluster subdivisions and the 20 lot criteria to all others.

Mr. Davis noted Mr. Fisher's letter suggested a subdivision plat had been completed in 2013. He asked if the plat had been recorded. Mr. Hathaway indicated the plat had not been recorded and noted he had discussed the development of the property with Mr. Fisher prior to 2013 and those discussions had been about developing the property as commercial. Mr. Tiller asked if the property should be treated the same as cluster subdivisions or should

it be treated differently because it was zoned residential. Mr. Stiers suggested the property should be treated differently because it was zoned differently. Mr. Davis suggested the Board should remember why the changes had been made in the first place and indicated he didn't think the Board wanted to go back. Mr. Hathaway reminded the Board that major subdivisions were required to have central water systems which had to be designed to County standards. He further reminded the Board that Assistant Public Utilities Director Mike Lang had just discussed the Public Utilities' efforts to move away from small water systems. Discussion moved to the possibility of a connection to public water and sewer. It was noted the subject property was located across the street from the Quinton Community Center and water and sewer service stopped at Dispatch Road. Mr. Davis asked if it would make more sense for the developer to extend and connect to the water and sewer service than to put in a private system. County Attorney Bill Hefty reminded the Board that whatever they decided to do should be based on whether it would be a good decision for the County and consideration should be given to how it would impact the County as a whole. Mr. Stiers suggested everyone knew his opinion on personal property rights and noted he didn't like infringing on anyone's rights to their property. Discussion continued with Public Utilities Director Larry Dame regarding the possibility of connecting to public water and sewer. Mr. Evelyn noted if the Board chose to pursue changing the ordinance, they would be making the change for one person. He pointed out Mr. Fisher's letter had referenced a sixty day due diligence period and noted the Board could not make such a change in such a short time period. Mr. Davis asked if an ordinance change would have to go back to the Planning Commission for a recommendation. Mr. Hathaway indicated it would. After further discussion, the general consensus was that the Board was not interested in considering amending the ordinance any further and the option of extending and connecting to public water and sewer could be offered.

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IN RE:           CLOSED SESSION

Mr. Davis moved to go into closed session pursuant to section 2.2-3711A.29 of the Code of Virginia for of the Code of Virginia for discussion of the award of a public contract involving the expenditure of public funds, and discussion of terms and scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board, involving the Fire Station 5 construction project and pursuant to section 2.2-3711A.1 of the Code of Virginia for discussion and consideration of promotion, involving the Department of Fire and Rescue's Battalion Chief position. The members were polled:

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

The motion carried.

Mr. Davis left the meeting at 11:20 a.m. and returned at 11:25 a.m.

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

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

Ron Stiers	Aye
Thomas W. Evelyn	Aye

The motion carried.

Mr. Davis 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:

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

The motion carried.

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IN RE:           ADJOURNMENT

Mr. Evelyn announced the next regularly scheduled meeting of the Board of Supervisors would be held at 6:00 p.m. on Monday, March 12, 2018 and the next work session at 9:00 a.m. on Wednesday, March 28, 2018, both in the Boardroom of the County Administration Building. A special work session for further budget discussion had also been scheduled for 9:00 a.m. on Tuesday, March 6, 2018 in the Boardroom of the County Administration Building.

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

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

The motion carried.

The meeting was adjourned at 11:27 a.m.