

A REGULAR WORK SESSION WAS HELD BY THE NEW KENT COUNTY BOARD OF SUPERVISORS ON THE 25TH DAY OF APRIL 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: CLOSED SESSION

Mr. Davis moved to go into closed session pursuant to section 2.2-3711A.8 of the Code of Virginia for consultation with legal counsel regarding specific matters related to possible casino gambling in the County requiring the provision of legal advice and pursuant to section 2.2-3711A.5 for discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating its facilities in the community. 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. The Board went into closed session.

Mr. Davis moved to return to open session. 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. 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:

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

The motion carried.

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IN RE: CONTRACT FOR ODOR CONTROL TECHNOLOGY

Assistant Public Utilities Director Mike Lang reported that 75 to 80 percent of the County's sewage passed through the Chickahominy Sewer Pumping Station. The strong odors caused by the hydrogen sulfide gas generated at the station had resulted in complaints from residents and had facilitated the need for odor control. An RFP for Odor Control Technology had been issued in January and C9 Consulting had offered the simplest and most cost effective option for \$64,400. \$77,000 had been appropriated for this project in the FY18 CIP. Mr. Lang was asked to provide information on how the Odor Control Technology would solve the issue. Mr. Lang indicated a carbon canister with filtration media would be utilized and there would be no chemicals in the process. The filtration media would have a five-year useful life and replacement costs would be \$16,000. Due to the simplicity of the setup, County staff would be able to install and maintain the system. He suggested that as the County continued to grow, similar technology may become necessary at other pumping stations. Mr. Stiers asked for an installation timeframe. Mr. Lang suggested a three-month installation and startup period and noted he was asking the Board to consider authorizing the County Administrator to sign a contract with C9 for the described services.

Mr. Tiller moved to authorize the County Administrator to sign a contract with C9 Consulting for RFP #17-1105 – Odor Control Technology. 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.

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IN RE: A RESOLUTION COMMEMORATING THE 50<sup>TH</sup> ANNIVERSARY OF THE CHARLES C. GREEN V. COUNTY SCHOOL BOARD OF NEW KENT, U.S. SUPREME COURT DECISION – RESOLUTION R-14-18

Before the Board for consideration was Resolution R-14-18 commemorating the 50<sup>th</sup> anniversary of the Charles C. Green v. County School Board of New Kent, U.S. Supreme Court decision.

County Administrator Rodney Hathaway reported a committee had been meeting for a number of months to plan a variety of events in recognition of the 50<sup>th</sup> anniversary of the May 27, 1968 U.S. Supreme Court decision in the Charles C. Green v. County School Board of New Kent case. Events included:

- Saturday, April 28th from 11:00 a.m. to 5:00 p.m. at the New Kent Historic Courthouse - "Education Matters" Pictorial Display of Dr. Calvin C. Green, George W.

Watkins High School, and New Kent High School. These pictures would remain on display throughout the month of May.

- Saturday, May 5, 2018 from 2:00 p.m. to 4:00 p.m. at the George W. Watkins Elementary School Auditorium - "Introduction to *Charles C. Green et al v. County School Board of New Kent County, Virginia, et al.*"
- Tuesday, May 15, 2018 at 6:30 p.m. at Watkins Elementary School - The Watkins PTO will present "The History of Watkins School and Its Properties".
- Sunday, May 20, 2018 at 3:00 p.m. at the New Kent High School Auditorium - "Celebrating Dr. Green's Legacy in Song".
- Sunday, May 27, 2018 at 2:00 p.m. at the New Kent High School Auditorium - "Civil Rights in the 21st Century and Beyond". This will be the final event of the 50th Anniversary commemoration.

Mr. Hathaway reported the committee had requested that the Board consider adopting a resolution commemorating the 50<sup>th</sup> anniversary and, if the resolution was approved, he would like to invite the Green family to the Board's May regular meeting for a special presentation.

Ms. Paige moved to adopt Resolution R-14-18 commemorating the 50<sup>th</sup> anniversary of the Charles C. Green v. County School Board of New Kent, U.S. Supreme Court decision. 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:           FY 2019-2024 SECONDARY SIX YEAR PLAN

County Administrator Rodney Hathaway noted it was time for the Board to take its annual look at the Secondary Six Year Plan (SSYP) for secondary roads. He reported the County received yearly State and Federal allocations to fund proposed secondary road improvements. The primary source of funding was from TeleFee funds which consisted of lease revenues received by VDOT from utility companies with infrastructure located within VDOT right-of-ways. He reported that information on funds available for FY19 had not been received from VDOT yet but past history suggested the allocation would be in the \$75,000 to \$80,000 range. Funds available in FY18 secondary road projects included \$156,123 in TeleFee Funds, \$10,629 in CTB Unpaved Road Funds and \$103,676 from Federal Formula Bridge Funds. Mr. Hathaway indicated he would like the Board to consider FY19 projects and distributed a list of New Kent roads which could be considered for possible rural rustic road projects. He reported the SSYP included a line item for county-wide engineering and surveying which could be used to explore potential road projects for future years. He suggested the Board consider requesting that VDOT begin engineering and designing for Old Sweet Hall Ferry Road (Route 624) and Olivet Church Road (Rt. 618). Old Sweet Hall Ferry Road was a gravel State road which was being recommended for paving and Olivet Church Road was prone to flooding near the Route 60 intersection. Mr. Davis reported that Old Sweet Hall Ferry Road had been scheduled for paving approximately twelve years ago but the residents had not wanted the road to be paved. He suggested owners and opinions had changed since that time. Mr. Evelyn noted he felt the SSYP

process was a waste of time and suggested that with no FY19 figures, the Board should move on. Mr. Hathaway reported it would be necessary to hold a public hearing and adopt the SSYP by the end of May in order to receive any funding. He noted there were three projects listed in the FY18-23 SSYP including Stage Road (Phase 2), Dispatch Road (Phase 2) and the Route 155 Chickahominy Bridge Replacement/Repair. Stage Road had been completed and would be removed from the FY19-24 SSYP list and the Dispatch Road project would remain. Mr. Hathaway noted funding for the Route 155 bridge work could only be used for that project and VDOT was responsible for oversight of those funds. He recommended that the Board move forward with the addition of the Old Sweet Hall Ferry Road and Olivet Church Road projects. Mr. Tiller noted there had been a number of concerns regarding Bell House Road and asked for an update. Mr. Hathaway reported VDOT had determined Bell House Road did not meet the criteria for rural rustic projects.

The general consensus was to move forward with the addition of Old Sweet Hall Ferry Road and Olivet Church Road to the FY19-24 SSYP and to schedule the public hearing for the May 14<sup>th</sup> regular meeting.

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IN RE:            OLDER AMERICANS MONTH IN NEW KENT COUNTY – MAY 2018 –  
                         RESOLUTION R-15-18

Before the Board for consideration was Resolution R-15-18 recognizing May 2018 as Older Americans Month in New Kent County.

County Administrator Rodney Hathaway reported that Senior Connections and the Capital Area Agency on Aging had requested that the Board consider adopting a resolution recognizing May 2018 as Older Americans Month in New Kent County. He indicated Senior Connections had requested resolutions from all localities within the Richmond Region.

Ms. Paige moved to adopt Resolution R-15-18 recognizing May 2018 as Older Americans Month in New Kent County. 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.

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IN RE:            RICHMOND REGION TOURISM (RRT) - DISCUSSION

County Administrator Rodney Hathaway noted there had been a great deal of discussion regarding New Kent's participation in Richmond Region Tourism (RRT). RRT had developed a plan that would allow additional smaller jurisdictions to join and participate. New Kent had participated for many years for a \$10,000 annual membership payment. RRT had proposed increasing New Kent's annual membership payment to \$20,000 in FY19 and other small jurisdictions would join at that same level. Small jurisdiction membership payments would increase by \$10,000 annually until reaching \$50,000. Mr. Hathaway noted that larger jurisdiction members including the City of Richmond and Henrico, Hanover and Chesterfield Counties were generating the lion's share of the RRT membership revenue. (These localities were paying a percentage of collected occupancy tax.) Mr. Hathaway noted that in previous budget discussions the Board had decided to no longer participate in

RRT and the current budget recommendations did not reflect any funding for RRT in FY19. RRT had since indicated they would delay the membership increase and hold New Kent's seat for an additional year at \$10,000. The proposed increases would become effective in FY20. Mr. Evelyn indicated he had concerns and specifically noted the out-of-date information on the RRT website. Ms. Paige reported she had pointed out to RRT that the website had not been updated since New Kent's population had been 13,000 and Colonial Downs was still listed as an attraction. She indicated RRT had made a number of updates to the website and had sent a letter noting their embarrassment. She also reported she had spoken with representatives from some of the other small jurisdictions who were being encouraged to join RRT and noted she did not believe they were on board and did not see any real value in membership for the money. She also reported speaking about this with the EDA and they had not seemed concerned. Mr. Hathaway also reported that consideration was being given to connecting with the Hampton Roads area for tourism promotion. Mr. Stiers noted a recent issue of a popular Richmond magazine had contained a map of the RRT service area. He noted New Kent had not been on the map and the only indication that New Kent existed was three dots in the margin noting three specific attractions/venues in the County. He suggested that until New Kent had a hotel where people could stay overnight, RRT membership would be a waste of money. Mr. Evelyn asked Board members if there were any concerns regarding leaving RRT. The general consensus was to move forward with the budget without any funding for RRT.

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IN RE: NEW KENT REFUSE COLLECTION SITE DECAL DESIGN

County Administrator Rodney Hathaway noted the Board had taken action to amend County ordinance to do away with County decal requirements and to develop a decal for use at trash transfer stations. He distributed copies of a proposed 2" by 1.5" white vinyl decal with permanent adhesive as well as a photograph depicting the placement of the decal on the outside of the windshield. He indicated if the board found the proposed decal design to be acceptable, an order would be placed that week. After some discussion, the general consensus was that the decal should be printed with dark green ink. Mr. Hathaway indicated decals would be available at the transfer sites. Vehicles with current County decals would be given the transfer site decal and those without County decals would receive a transfer site decal after providing proof of residence. He also noted the decal ordinance would be effective June 1<sup>st</sup> and consideration was being given to doubling staff at the sites for the first two weeks of June to assist with checking IDs and distributing decals.

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IN RE: OTHER BUSINESS – JULY MEETING DATES

Mr. Evelyn noted he had a conflict with the July 9<sup>th</sup> regular meeting date and asked the Board to consider changing the date. Several options were discussed including scheduling a second meeting in August (no work session was currently scheduled), having just one meeting in July and moving the July work session to 6:00 p.m. Monday, July 23<sup>rd</sup>.

Mr. Tiller moved to move the Board's July 9<sup>th</sup> regular monthly meeting to Monday, July 23, 2018 and to cancel the July 25, 2018 work session. 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.

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IN RE: OTHER BUSINESS – FIRE-RESCUE/COLLEGE CLINICAL AGREEMENTS

Fire Chief Rick Opett indicated Virginia Commonwealth University, J. Sargent Reynolds Community College and Thomas Nelson Community College had approached New Kent Fire-Rescue regarding the possibility of entering into clinical agreements to allow paramedic students to ride along with County EMTs to gain experience necessary to meet course requirements. He indicated several New Kent employees were enrolled in courses at these schools and would be able to use their time performing patient skills while on shift as a part of their course requirements. Chief Opett asked the Board to consider authorizing the County Administrator to sign agreements with these institutions. Mr. Davis asked if there would be any liability to the County. County Attorney Brendan Hefty indicated students would be required to sign waivers/hold harmless agreements and Chief Opett noted liability clauses were included in the clinical agreements. Mr. Davis asked how many students would be involved. Chief Opett indicated the number would depend on enrollment numbers at each of the schools.

Mr. Tiller moved to authorize the County Administrator to enter into clinical affiliation agreements in a form approved by the County Attorney. 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.

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IN RE: OTHER BUSINESS – NASAL NALOXONE FOR EMS AGENCIES – GRANT OPPORTUNITY

Fire Chief Rick Opett reported that the Virginia Office of Emergency Medical Services had announced a no cost grant opportunity to licensed EMS agencies for nasal Naloxone to be administered by EMT personnel. He also reported that New Kent Fire-Rescue had administered 56 doses of Naloxone in the past two years. He pointed out the deadline to apply for this grant was June 30, 2018 but noted the medication would only be available "while supplies last". He indicated his department would be submitting a request as soon as possible in hopes that New Kent would be included in the distribution.

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IN RE: OTHER BUSINESS – MISCELLANEOUS BOARD DISCUSSION

Mr. Tiller thanked Fire-Rescue and the Sheriff's Office for their recent response to a home on Henpeck Road. He reported there had been a chemical reaction involving aluminum gutters and the heat pump and the property owner had been very appreciative of the assistance provided.

Mr. Tiller noted funds from the New Kent Winery proffer had been placed in the Purchase of Development Rights account for a number of years. He reported the current balance was \$93,000 and suggested the Board should consider moving the funds for other uses. He indicated he had initially thought of suggesting that a portion of the funds be used to aid families who may need assistance paying the Chromebook® fees charged by County

schools. He reported he had spoken with the School Board and had learned a plan was already in place to assist those in need. He then suggested that the entire Purchase of Development Rights balance be used to fund Fire Station 5. Mr. Stiers noted the Board of Supervisors had already borrowed the funds for Fire Station 5. County Administrator Rodney Hathaway pointed out that the Board had borrowed some funding for Fire Station 5 but the actual purchase price was approximately \$600,000 more than had been borrowed. Mr. Davis pointed out the Purchase of Development Rights funding had been put there for a reason and although it had not been used, it could be used. There was some discussion over whether the funding source had been a tax or a proffer and the unlikelihood that any additional funding would be received. Ms. Paige suggested that if the funds were to be moved, they should be used as set aside funding for the Historic School or Pine Fork Park. She pointed out that the County had recently spent \$300,000 on the Historic School roof and nothing had been done to the building since. She reported the Head Start Program was running out of classroom space and the Parks and Recreation Department was in need of additional office and classroom space. She suggested that the longer the building remained empty, the more it would deteriorate. Mr. Evelyn suggested the Board take this discussion back up at the June work session (June 27<sup>th</sup>).

Mr. Stiers wished Chief Deputy Lee Bailey a Happy Birthday.

Mr. Davis noted the Budget Adoption Calendar called for a vote on the budget at the May work session (May 23<sup>rd</sup>). He asked if the Board should consider scheduling the vote for an evening meeting rather than a morning. Mr. Hathaway suggested the vote could be scheduled either way and noted the budget public hearing was scheduled for an evening meeting. He noted the Board had voted on the FY18 budget in a late afternoon meeting because a drug forum had been scheduled to follow that meeting. After some discussion, the general consensus was to leave the Budget Adoption Calendar as it was. Mr. Evelyn suggested if there was a great deal of outcry at the public hearing on May 14<sup>th</sup>, the Board could take action then to change the May 23<sup>rd</sup> meeting start time.

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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, May 14, 2018 and the next work session at 9:00 a.m. on Wednesday, May 23, 2018, both in the Boardroom of the County Administration Building.

Mr. Tiller moved to adjourn the meeting. 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.

The meeting was adjourned at 10:21 a.m.