

A TOWN HALL MEETING WAS HELD BY THE NEW KENT COUNTY BOARD OF SUPERVISORS ON THE 24TH DAY OF MAY IN THE YEAR TWO THOUSAND EIGHTEEN IN THE AUDITORIUM OF NEW KENT MIDDLE SCHOOL IN NEW KENT, VIRGINIA, AT 6:30 P.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, District 1	Present
C. Thomas Tiller, Jr., District 2	Present
Patricia A. Paige, District 3	Present
Ron Stiers, District 4	Present
W. R. Davis, Jr., District 5	Present

All members were present.

Mr. Evelyn led the pledge of allegiance. He thanked New Kent County Schools for the use of their facilities. He noted School Superintendent Dr. Dave Myers, School Board Chair Gail Hardinge, and School Board Members Andrea Staskiel, Adriane Marshall and Kristin Swynford were in attendance. He also thanked Sheriff Joe McLaughlin and staff and Fire Chief Rick Opett and staff for their presence and assistance in planning for this meeting. Mr. Evelyn introduced fellow Supervisors Tommy Tiller, Patricia Paige, Ron Stiers and Ray Davis. County Administrator Rodney Hathaway, County Attorney Bill Hefty and Economic Development Director Matthew Smolnik were also introduced.

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IN RE: WELCOMING STATEMENTS AND MEETING GUIDELINES

On behalf of the Board, Mr. Evelyn welcomed everyone to the meeting. He emphasized that the purpose of the meeting was to help everyone including the Board of Supervisors better understand projects with the potential to have significant long-term impacts on the County. He indicated the Board considered the development of New Kent to be a serious matter and recognized the importance of making decisions that would result in improving the County. He urged all to "listen intently, with patience and do our best to understand" the information being presented. Mr. Evelyn noted the first item on the program would be information regarding the reopening of Colonial Downs. The second item would be a presentation on the process that would be necessary for the Pamunkey Indian Tribe to build a casino. Mr. Evelyn stated, "none of the members of the Board of Supervisors has spoken with anyone from the Pamunkey tribe or the landowner who purchased the property in question. The Board of Supervisors learned of this rumored casino just one day before the news broke in the Daily Press." He reported the process could be long and complicated and, as a result, the County had retained Foley Quigley Law Firm which specialized in Indian casino development. He suggested that everyone needed to better understand the process, understand what the County could and couldn't control and the responsibilities of the Commonwealth.

Mr. Evelyn noted Colonial Downs had a building and was in the process of updating and remodeling and the Board thought it was important to hear their plans. He also noted the Pamunkey Tribe, "through an investor," had purchased property. He also pointed out that some news reports had suggested the Tribe was considering properties in other localities as possible locations for the casino. Given that the process to develop a casino would involve

many steps and it was uncertain where the Tribe would decide to pursue this development, Mr. Evelyn stated, "we're here tonight to focus on the now and to prepare for the maybe." He stressed that "we are not here to hear the details of the Pamunkey proposal because there is no proposal and we aren't here to debate." He emphasized that the purpose of the meeting was to learn more about the process and to better understand the County's role.

Mr. Evelyn provided the following guidelines for the meeting. There would be a question and answer session after each presentation. Those wishing to speak were asked to line up at the podium and state their name and address for the record prior to speaking. Each speaker would be limited to two minutes. The question and answer session for each agenda item would have a starting and ending time. In the event that the allotted time did not allow for all to speak and to ensure that all comments were addressed, the board had set up an email account ([asknewkent@newkent-va.us](mailto:asknewkent@newkent-va.us)) to gather comments from the public. Citizens could also deliver written comments to the County Administrators Office Monday-Friday from 8:00 a.m. to 4:30 p.m. Comments from citizens would be due to the County in either format by 4:30 p.m. on Monday, June 4<sup>th</sup>. Comments received by the deadline would be forwarded to the attorneys, Colonial Downs representatives or County staff. Responses and/or answers would be made available for the public on the County website and at the County Administration Office.

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IN RE: INTRODUCTION OF COLONIAL DOWNS GROUP AND COLONIAL DOWNS  
UPDATE

Mr. Evelyn noted the first item to be discussed was the reopening of Colonial Downs, the recent purchase of the horse track and what that would mean for New Kent County. He reported that the group that had been known as "Revolutionary Racing" would now be known as the "Colonial Downs Group." He reported that the Board as well as County staff members had been working with the Colonial Downs Group since the fall of 2017 up to and including the legislative process in Richmond in early 2018. He thanked Delegate Chris Peace for his support in the passage of House Bill 1609 and helping to facilitate the reopening of Colonial Downs. He reported representatives of Colonial Downs had been in contact with the County "from day one" to discuss their plans and had called upon the County whenever assistance was needed. He noted the County was excited to soon have live horse-racing back in the County. He introduced Stefan Huba, Chief Development Officer with Colonial Downs.

Mr. Huba provided some of his personal background information indicating he had been involved in hospitality for approximately 20 years and had held senior positions in various organizations dealing with design, development and operations. He also reported having involvement with mid-size to five-star hotels as well as casual and fine-dining restaurants, bars, lounges, entertainment venues and racing facilities. In addition, he reported his company had developed and owned Evangeline Downs in Opelousas, Louisiana and he had also worked as Regional Director of Development for the company that owned Delta Downs in Vinton, Louisiana.

Mr. Huba reported the sale of the track (Colonial Downs), which had been made official approximately 30 days ago (April 25, 2018), had received a great deal of media attention and suggested this had been because of Colonial Downs' reputation for having the best track and best turf in the Country. He share several recent headlines including Richmond Times-Dispatch - "Racing Group Buys Colonial Downs for More than \$20 Million" and ABC 8 News - "Dream Come True: Local Reaction to Purchase of Colonial Downs". He reported the first big event, the track turf burn, had taken place about two weeks ago. He noted the

burning of the turf was done to remove dead foliage and allow for new growth and suggested it represented rebirth, regrowth and revitalization not only of the track but also the industry. He shared several pictures of the turf burn and noted this had been a controlled burn with New Kent County Fire-Rescue and the Virginia Department of Forestry providing assistance. He reported that thanks to Mother Nature and the recent rain, new grass had already begun to grow and the track was looking good. He reported that Colonial Downs was seeking to fill a number of positions including Vice President/General Manager, Vice President/Human Resources, Vice President/Operations, Executive Administrative Assistant, Purchasing Manager, Employment Manager and Director of Information Technology. He also reported they were looking at design and renovations and noted the building was over twenty years old and had been closed for four to five years. Local firms including Richmond Contractor W.M. Jordan and Norfolk Interior Designer Within would be involved. They would also be working closely with New Kent Building Official Clarence Jackson and other County departments to be sure they were in compliance.

Colonial Downs would be working with a number of partners including the Virginia Equine Alliance, the Virginia Horsemen's Benevolent & Protective Association, the Virginia Thoroughbred Association, the Virginia Gold Cup Races and the Virginia Harness Horse Association. Core values for Colonial Downs would be Service, Quality and Community. Mr. Huba indicated it was Colonial Downs' pledge and promise to live by these core values every day. He also indicated he wanted to keep everyone informed about what was happening at Colonial Downs and would routinely provide updates. A new webpage ([www.colonialdowns.com](http://www.colonialdowns.com)) had been designed and recently launched. Mr. Huba closed by thanking New Kent County and the State of Virginia for supporting Colonial Downs.

Mr. Stiers reported he had been working with Mr. Huba for several weeks to help get things rolling at Colonial Downs. He indicated he had been working on one particular project of which he hoped to be able to announce the results soon. He suggested it was something that would not only impact Colonial Downs but also everyone in the Brickshire Community. He also reported that Mr. Huba had contacted him indicating he had 300-400 chairs which he wished to give away and asked if he had any suggestions of who may want them. He indicated he was aware of a local church which was expanding and could use the chairs. He reported that earlier that day the church had picked up three U-Haul truck loads of chairs valued at approximately \$65,000. He suggested this said a lot about how Colonial Downs wanted to be involved in the community.

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IN RE: COLONIAL DOWNS QUESTION AND ANSWER SESSION/PUBLIC COMMENT

Mr. Evelyn opened the public comment period. He asked those wishing to speak in regard to Colonial Downs to come up to the podium and state their name and address for the record. He reminded them that they would each be given two minutes to speak.

Charles City County Administrator Michelle Johnson spoke on behalf of the Charles City County Board of Supervisors. Ms. Johnson indicated Charles City was thrilled to see Colonial Downs return to New Kent. She suggested the track was an integral part of the area and they wished to thank the Board of Supervisors, County Administrator Rodney Hathaway, the House of Delegates, State Senate and Governor Northam for the role each had played. She suggested Colonial Downs would be a major draw for tourism in Charles City and would be a huge win for the Commonwealth. She shared statistics suggesting the return of horseracing to Virginia would result in the creation of 1,400 new jobs, an annual economic impact of \$349.1 million and the generation of \$41.6 million annually in state and local revenue. She urged the Board and County officials to continue to do all they could to

help Colonial Downs succeed. She also encouraged state representatives to be a friend and ally to Colonial Downs. She closed by indicating that on behalf of the Board of Supervisors of Charles City County, they hoped Colonial Downs would become one of the best horse racing tracks in America.

New Kent Winery co-owner Joe Dombroski spoke in support of Colonial Downs. He thanked the Board of Supervisors and County Administrator Rodney Hathaway. He suggested the reopening of Colonial Downs was a big move for the tourism business in New Kent County. He reported he, Larry Lucas (Revolutionary Racing Chairman) and Colonial Downs lawyers had met several times and saw huge growth for tourism in the County. He also suggested there may be a nice windfall of tax revenue to help with schools, Fire-Rescue and police services in the County. He indicated he and his wife were very supportive and were very happy that New Kent Winery would no longer be the largest business and tax payer in the County. He indicate he was very happy to see Colonial Downs come and thanked the Board and Economic Development Director Matthew Smolnik for all the work they were doing to bring business to the County. He closed by indicating New Kent Winery was looking forward to partnering with Colonial Downs in the future.

Gracefield Hall Bed & Breakfast co-owner Larry Reynolds spoke in support of Colonial Downs. Mr. Reynolds indicated he served as Vice President of the New Kent Chamber of Commerce and would be speaking on behalf of the Chamber. He thanked the Board of Supervisors and other County officials, the Virginia House of Delegates, the State Senate, Governor Northam, Delegate Peace and Senator Norment for their support and all they had done to get this legislation passed. He indicated the Chamber was thrilled that Colonial Downs would be reopening and suggested this would be a huge win for New Kent. He noted the track had been an integral part of the community and suggested the County had suffered because of its closing. He reported hundreds of people had lost jobs and the County had lost approximately \$400,000 in annual revenue when the track had closed four years ago. The reopening would mean the addition of much needed jobs and revenue back into the County. He also suggested the track would be a major draw for tourism and a huge win for the Commonwealth of Virginia. He noted the Chamber was thankful for all that had been done and reported that Colonial Downs had already joined the Chamber of Commerce.

Travis Haynes of New Kent (no street address given) indicated he had several questions. He noted he understood that everyone was excited about having new businesses and opportunities in the County. He questioned what Colonial Downs would be doing with betting, would they have slot machines, what they would expect from citizens in regard to what they would have to pay to get traffic in and out of Colonial Downs, were they planning for further growth, hotels, bus lines, would they be in competition with a casino that may/may not be coming? He indicated he would like some answers.

Mr. Huba suggested Mr. Haynes had asked great questions and noted there were a lot of "what ifs". He indicated the focus would initially be on reopening the track. He pointed out that Colonial Downs had been built along the Interstate (I-64), had attracted volumes of guests and had been successful for many years. He reported hearing there had been as many as 17,000 in attendance at a single event and there had been no issues. He suggested that simulcast horseracing would be the main focus as well as revitalizing thoroughbred horseracing in Virginia. He reported his main responsibility was to get the track open. He again noted the building was 21 years old and there would be a focus on infrastructure. He also reported Colonial Downs was waiting on regulatory guidelines to determine what could and could not be done and indicated he could not speculate as to what those guidelines would be.

Mr. Haynes noted the track had been purchased and suggested the new owner must have known what they wanted to do and asked if Colonial Downs had a solid plan in place describing what they would like to do vs. let's wait and see what the guidelines allow.

Mr. Huba indicated a plan was in place and specifically mentioned an alliance with the VEA (Virginia Equine Alliance) to run races and do simulcasts at the race track the same way it had been done previously.

Mr. Haynes asked if slot machines would be in or out.

Mr. Huba noted that slot machines were not legal in the State of Virginia.

Mr. Evelyn indicated he wanted to be transparent and noted there would be historical racing machines at Colonial Downs. Mr. Evelyn reported the General Assembly had passed legislation that would allow the use of historical racing machines and these machines as well as simulcast racing would be available at Colonial Downs.

Mr. Huba agreed that simulcast racing and historical racing machines would be at Colonial Downs.

Mr. Evelyn asked if Colonial Downs would also be opening off-track betting parlors.

Mr. Huba indicated plans were to open ten off-track betting satellite locations.

Mr. Evelyn asked if some off-track revenue would be coming back to New Kent.

Mr. Huba indicated he wasn't sure.

Mr. Evelyn indicated he didn't mean to put Mr. Huba on the spot but some revenue from off-track betting would be coming back to New Kent. He had asked so the point could be made for the public.

Virginia Equine Alliance (VEA) representative John Hannum spoke in support of Colonial Downs. He thanked the Board of Supervisors for the opportunity to speak. He noted Mr. Huba had referenced the VEA in his presentation and indicated the VEA represented the horseracing and breeding industry in Virginia. He also reported the VEA had worked closely with the Colonial Downs Group in the recent legislative session to help bring about the purchase of the track. He suggested the VEA looked forward to working with New Kent, Colonial Downs and the community. He suggested the VEA couldn't begin to describe how excited they were to see the track opening again and suggested the reopening would be a great thing for the local community and the State's agricultural economy. He also noted the VEA and its member groups would be available to answer any questions or address any concerns in terms of the racing program as they worked on its development with Colonial Downs. He closed by thanking staff, the Board of Supervisors and everyone who had come out and noted the VEA was looking forward to working with all of them.

Josh Townsend of 9404 New Kent Highway, New Kent, asked why the track had failed the first time.

Mr. Huba indicate he had not personally been involved in that business and apologized for not having an answer.

Leanne Hester (no address given) indicated she was a local horseman in the area. She noted she couldn't begin to express how excited she and other horsemen were to have the track opening again. She asked, "How soon can you start?"

Mr. Huba indicated they were hopeful to start racing next season (2019) as soon as the remodel was finished. He indicated they would be working with the horsemen to develop a schedule and they wanted to start soon.

Mr. Evelyn thanked everyone for their comments and Mr. Huba for the Colonial Downs presentation.

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IN RE: INTRODUCTION OF FOLEY QUIGLEY LAW FIRM & OVERVIEW OF LEGAL  
PROCESS INCLUDING FEDERAL, STATE AND LOCAL GOVERNMENT  
OVERSIGHT OF POTENTIAL PAMUNKEY INDIAN CASINO PROJECT

Mr. Evelyn introduced Tom Foley and Kevin Quigley of the Foley Quigley Law Firm. He indicated this law firm had been retained to represent New Kent County and they would be sharing information on the process involved in developing an Indian casino project.

Mr. Quigley thanked the Board of Supervisors and County Administrator Rodney Hathaway for inviting them to come and talk to the citizens of New Kent. He indicated he and Mr. Foley would be speaking with a focus on the actual process to be followed for any Indian gaming development that may occur whether here in New Kent County or some other location. He noted he would be using a slide presentation (Understanding The Federal Fee-To-Trust Land Acquisition Process) to walk through this process. He reported Mr. Foley and he had been involved in Indian gaming for over 20 years. He noted Mr. Foley was a former chairman of the National Indian Gaming Commission which was the federal agency responsible for oversight of Indian gaming across the United States. He also provided additional background information and mentioned a number of other positions with connections to Indian gaming which Mr. Foley and he had previously held. He indicated he wanted to share "the rules of the road" and noted the rules which were made by Washington, DC, governed the relationship between the federal government and federally recognized tribes. He noted the Pamunkey Tribe had been granted federal recognition.

Mr. Quigley noted the presentation and comments would be in the context and in consideration of the recently announced Pamunkey Tribe Indian gaming plans. He noted that although Virginia currently permitted certain forms of gambling such as parimutuel horse racing, simulcast races, state lottery, charity bingo and raffles, Virginia did not have any legal casinos. He also reported that unless "prohibited by a specific congressional act, the Indian Gaming Regulatory Act (IGRA) generally permits a federally-recognized tribe located within Virginia's borders to conduct gaming activities on their "reservation" or their "trust lands" over which the tribe exercises governmental powers." He indicated although limited, states were allowed to have some say in the process. He reported the IGRA had identified three types of gaming that a federally-recognized tribe could conduct on their reservation or trust lands including:

- Class I Gaming – traditional social or ceremonial games played for prizes of minimal value – regulated solely by the tribe.
- Class II Gaming – including but not limited to paper bingo games, linked e-bingo machines, other games similar to bingo, paper pull-tabs, e-pull-tabs machines and card games if they are played consistent with state law – regulated primarily by the tribe with oversight by the National Indian Gaming Commission – there is no state role.

- Class III Gaming – slot machines, blackjack games, lotteries, craps, roulette and other “casino” type games – only permitted if the tribe enters into a “compact” with the state authorizing such gaming.

Mr. Quigley provided some background information on the Pamunkey Indian Tribe and its announced gaming plans. He noted the Pamunkey Tribe had become a federally-recognized tribe in 2015. They had also announced plans to develop a \$700 million gaming facility and their financial partner had purchased 600+ acres in the northwestern part of New Kent County. Unlike six other Virginia tribes who had recently received federal recognition which included a provision prohibiting IGRA gaming, the Pamunkey Tribe had no such prohibition. Mr. Quigley reported the Pamunkey Tribe could conduct gaming under the IGRA if the tribe had IGRA eligible gaming lands, an NIGC approved gaming ordinance and the Department of Interior approved Tribal-State Compact if Class III gaming was to be conducted. He indicated he would focus on the process necessary for acquiring IGRA eligible gaming lands.

Mr. Quigley indicated federally recognized tribes were considered sovereign nations similar to states under the U.S. Constitution and had “government-to-government” relationships with the federal government. All Indian trust land applications required a specific Congressional authority and the Indian Reorganization Act (IRA) generally allowed the Secretary of the Interior to take land into trust for a tribe which would restrict the jurisdiction of the state where the land was located. Mr. Quigley indicated there had been “Carcieri” issues with recently recognized tribes. He noted “Carcieri” was a Supreme Court case in which the Court said “yes, Congress did give this general authority to the Secretary of the Interior to acquire land into trust for tribes (1934) but the actual wording in the act says land into trust for tribes now under federal jurisdiction.” He indicated the focus was on the word “now” and it was being suggested the intent was that only tribes existing in 1934 were to be included or “otherwise can show they are under federal jurisdiction.” He reported this had resulted in litigations over the past six to seven years and suggested if the Pamunkeys move forward, the question of Carcieri issues could arise.

#### Process and Procedures

- 25 CFR (Code of Federal Regulations) Part 151 regulations implement trust land acquisitions under IRA. These regulations establish the criteria and procedure used by the federal government for acquiring land into federal trust for tribes.
- National Environmental Policy Act (NEPA) applies to trust application decisions and makes environmental information available to federal officials and the public prior to any decisions being made or actions taken.
- Land that goes into trust for a tribe is not automatically eligible for gaming if it was acquired after the IGA was enacted (October 17, 1988). Land acquired after this date was considered a “later-acquired trust parcel” for gaming purposes and was subject to regulations contained in 25 CFR Part 292 in addition to the Part 151 regulations. Mr. Quigley noted the Part 292 process included a list of possible exceptions and if a tribe was able to meet any one of the listed exceptions, “later-acquired trust” land could still be eligible for gaming.

Part 151 Process – Mr. Quigley indicated it would be during this process that an avenue for local and state input into the process would most likely to be provided.

- Criteria included a description of need for additional land, the proposed use, the impact removal of the land from tax rolls would have on the state and its political subdivisions and any jurisdictional problems or potential conflicts of land use which may arise. Mr. Quigley noted a one-page brochure published by the Department of Interior Bureau of

Indian Affairs entitled "Understanding the Fee-to-Trust Process for Off-Reservation Discretionary Trust Acquisitions" had been distributed with the meeting agenda. He suggested this brochure had anticipated a number of questions regarding the process and provided much more detail than he would in his presentation. He highly recommended that citizens reviewed the content.

- The Part 151 process would not begin until a tribe had submitted a land-into-trust application to the Secretary of Interior.
- Once the application was considered complete, the Secretary of Interior would be required to give a 30-day comment period to state and local governments as well as any other interested parties.
- If approved, the decision would be published in the Federal Register and the land would be "immediately" acquired into trust but the decision would also be immediately subject to APA (Administrative Procedure Act) legal challenge. Mr. Quigley indicated this challenge period could be six years. Mr. Quigley also referenced another document entitled "The Evolution of Acquiring Land in Trust For Gaming: What Tribes Need to Know" and noted this document would be made available on the New Kent County website. This document from the Department of Indian Gaming contained a more detailed description of the process.

#### Questions Regarding the Part 151 Process

- What are local government's rights or involvement in the application process?  
The local government will get notice if an application is made within your jurisdiction.
- What kind of issues or subjects do local governments most often provide comment on in the application?  
Local government's opportunity for comments will be directed at specific parts of the 151 Process such as how will removal from tax roll impact revenue or are there any jurisdictional problems or land use issues? NEPA and environmental issues could also be addressed. How will it impact neighboring properties and is the proposed use consistent with surrounding properties? Mr. Quigley pointed out that an application for trust land did not have to state how the land would be used. He noted local government would want to be able to weigh in on any and all impacts.
- Other than the 30 day comment period, is there any other way a local government can contribute input?  
Opportunities for additional input would be mostly through public lobbying of the locality's Congressional delegation and Executive Branch policy makers.
- What else can a local government do to mitigate any impacts to the local government such as loss of property tax revenues?  
Mr. Quigley suggested it would be very unusual for a local government to not enter into a Memorandum of Understanding (MOU) with the tribe. A MOU was an agreement that tribes customarily worked out with their local governments for things such as the use of fire services, police services, traffic control and water. He noted that although the tribe would not pay taxes on the land, an agreement for a payment to the locality in lieu of taxes to cover services could be arranged through a cooperative agreement.
- If trust land is not subject to state or local control, does that nullify state authority or controls over land use once the land is placed into federal trust?



Yes - Once in trust for the benefit of the tribe, the land is neither subject to state regulatory jurisdiction nor state or local taxation and property taxes.

- How long does the trust application process generally take for moving land into federal trust?  
Mr. Quigley indicated this would depend on the nature of the trust acquisition and its specific circumstances. He suggested that in his firm's experience, it was not uncommon for gaming-related trust applications to stretch out 8 or more years before any final decision was reached. He referenced a specific case where an application had been submitted in 2002 and had not received final approval until 2013.
- Have any local governments or municipalities successfully contested a proposed transfer of tribal-owned land into federal trust?  
Mr. Quigley reported that most recent local government objections to trust land applications that have been successful in delaying a transfer have focused on the "Carcieri" "not under federal Jurisdiction" in 1934 challenge. He noted that most often local governments did not contest the decisions and suggested most were contested by local citizen groups.
- May a tribe "automatically" conduct gaming activities on land taken into trust under the Part 151 process?  
No - Not all trust land is eligible for gaming purposes under the IGRA. Any land acquired in trust after October 17, 1988 may be used for gaming activities only if it meets one of the IGRA's express exceptions to the "after-acquired trust lands prohibition" and this determination is subject to the Part 292 Process regulations.

#### Part 292 Process

- A tribe makes request to federal government agencies for determination that the after-acquired trust lands meet one of IGRA's exceptions. Those exceptions include:
  - "2719(a) Location" exception - Land is located within or contiguous to 1988 reservation boundaries or within last recognized reservation in the state where tribe is presently located.
  - "Land Settlement Claim" exception - Land was purchased either by Congressional act or an order of the court to settle a historic land claim brought forth by the tribe.
  - "Initial Reservation" exception - Gaming is permitted on the land if all of the following conditions are met: (1) The tribe has been acknowledged through the Part 83 administrative process. This is the process through which the Pamunkey tribe received federal recognition. (2) The tribe has no gaming facility on newly acquired lands under the "restored lands" exception. (3) The land is the first proclaimed reservation of the tribe following acknowledgment, or if no proclaimed reservation as of May 20, 2008, the tribe demonstrates that the land is located within the State where the tribe is now located and within an area where the tribe has significant historical connections and the tribe can demonstrate a modern connection to the land. A "modern connection" can be demonstrated by meeting any one of the following conditions: (1) Showing that the land is near where a significant number of tribal members reside. (2) The land is within a 25-mile radius of the tribe's headquarters or other governmental facilities that have existed for at least two years at the time the land-into-trust application was submitted. (3) The tribe can demonstrate other factors establishing the tribe's

current connection to the land. Mr. Quigley suggested if the Pamunkey moved forward with property in New Kent, we could expect to hear more about the 25-mile radius rule.

- "Restored Lands" exception – This impacted tribes who were federally recognized and due to certain policies (1950s) were "terminated" and lost the benefit of being a federally recognized tribe for several decades. Congress acted to say the policy of the 1950s was wrong and the tribes were restored. A part of this act included funding to restore the land base by purchasing more tribal land. This land would be considered "restored land."
- "Secretarial Two-Part Determination" exception – If none of the other exceptions could be met, gaming would be permitted if the Secretary determined after consulting with the "tribe and appropriate state and local officials, including officials of other nearby tribes" that gaming would "be in the best interest of the tribe and its members" and "not be detrimental to the surrounding community" and the governor of the relevant state agreed with the Secretary's determination. If the governor didn't agree and did not sign off on the exception, the land would never be eligible for gaming.

Questions Regarding the Part 292 Process – Mr. Quigley indicated he had tried to anticipate possible but noted he was sure other questions which would come up during the citizen comment period. He also encouraged the submission of questions as previously mentioned and noted they would answer as much as they could.

- What other processes, local and state, are initiated by a proposed gaming use of trust land?  
None – except for Part 292 regulations concerning "Secretarial Two-Part Determinations."
- Who ultimately decides whether gaming is an allowed use on the tribal trust lands?  
Mr. Quigley noted it would not be the state, local government or Board of Supervisors. The ultimate decision would be made by the federal government through the Secretary of Interior or National Indian Gaming Commission. Either decision would be subject to judicial review.

Mr. Quigley indicated what he had presented was a general overview of the Part 151 and Part 292 processes which were considered the "ground rules/rules of the road." He introduced his partner, Tom Foley, and indicated Mr. Foley would explain who applied these rules and how the process actually worked in our current environment.

Mr. Foley indicated he would be brief and suggested Mr. Quigley had given a great overview of the Part 151 and 292 processes. He suggested many people were confused about how this process really operated. He reported that during the Obama administration there had been a significant increase in lands taken into trust. He noted not all of the land had been taken into trust for gaming purposes and pointed out the Part 151 process was also used by tribes who wished to acquire trust lands for housing and economic development for other uses besides gaming. The Part 292 process only came into question if the lands were to be used for gaming. Mr. Foley noted most of this was currently handled by the Department of Interior. He reported the current Secretary's focus had been mostly on oil and gas and he had not been involved much in the Indian gaming aspect. He also reported the presence of a number of Deputy Secretaries and suggested that none of them had been very "proactive" in taking land into trust for tribes as the Obama administration appointees had been. He reported the Assistant Secretary of Interior position remained empty but noted hearings for

a nominee from Alaska had been held a week ago and he expected that individual would be confirmed in a month or two. He indicated he did not believe this nominee had any direct experience with land-into-trust issues and noted the Alaskan natives were handled differently than tribes in the lower 48 states where treaties and land-into-trust issues were a concern. Mr. Foley also reported the Chief Deputy Assistant Secretary who had been serving as the Acting Assistant Secretary had been handling most of the land-into-trust issues. He reported this individual would soon be leaving for a position in the White House. He suggested that many of these issues were being decided by people who kept moving from one government position to another or in and out of the government. He stated, "there's a lot of discretion with every one of those people in how they interpret some of these regulations" and he suggested this had a great deal to do with how land was being taken into trust. He indicated that prior to the Trump administration many of the discretionary acts had been at the regional director level. Since the Trump administration, this authority had been moved back to Washington, DC. with the Assistant Secretary being responsible for approving the Part 151 process (non-gaming land-into-trust). Land taken into trust for gaming now had to be approved at a higher level by the Deputy Secretary. He reported the current administration was reviewing all of the Part 151 and Part 292 regulations and as a result, everything Mr. Quigley had shared was now subject to revision. Current law required that tribes around the country be consulted regarding revisions. Consultation hearings had been in progress for four to five months and he noted the final consultation hearing would be held on Thursday, May 31<sup>st</sup> in South Dakota. Mr. Foley suggested that depending upon the results of the final hearing, the Assistant Secretary (position currently vacant) and the Deputy Assistant Secretary (leaving the office for a position in the White House) would be responsible for finalizing new recommendations regarding what should and should not be changed. He noted as Mr. Quigley had previously suggested, it often took eight years or more to have a parcel of land taken into trust. He added that with the current regulations under review/revision and not knowing if the Pamunkey would move forward in New Kent or some other area, it would be difficult to determine what the Part 151 and Part 292 regulations would be. The process could not begin until an application was submitted and the regulations in place at the time of application would apply. Mr. Foley indicated he expected there would be some changes as a result of the consultation hearings and with some of the new people filling vacant positions in the Department of Interior. He opened the floor for questions.

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IN RE: CASINO QUESTION AND ANSWER SESSION/PUBLIC COMMENT

Mr. Evelyn opened the public comment period. He noted this portion of the meeting had been scheduled to run from 7:45 p.m. to 8:30 p.m. Because the meeting was five minutes off schedule, public comments would be received from 7:50 p.m. to 8:35 p.m. Mr. Evelyn asked those wishing to speak on the potential Pamunkey Indian casino to come to the podium and state their name and address for the record. He reminded them they would each be given two minutes to speak.

Gabriela Benzel of 7783 Arbor Ponds Terrace, New Kent. Ms. Benzel indicated she felt the information presented suggested that the local government would have very little power in the casino process and would have to wait to see what would happen. Ms. Benzel indicated she was worried about the impact a casino would have in the community and what our local government would do in that regard. She indicated she was from Florida, was familiar with casinos and had worked for a casino and although she didn't believe this would become Vegas or Atlantic City, it would result in changes in the community. She suggested the economic impact could be both positive and negative. She suggested a casino would bring other businesses such as restaurants, nail salons, hair salons and a variety of other

attractions that may sound entertaining but could negatively impact existing local businesses. She noted it had been reported that a casino would bring 4,000 jobs but she suggested most of these jobs would be minimum wage. She suggested that with the lack of public transportation to bring in workers from surrounding areas, "affordable housing" would be needed in New Kent. She then suggested that affordable housing would have a negative impact on property values and would also impact the level of education in County schools. She closed by asking, "How is our local government going to handle this? How are they going to protect us from the things that might hurt us?"

Rev. Greg Pulling of 1640-19 Outpost Road, Lanexa. Rev. Pulling indicated he represented the local church. He noted that it seemed it would take a long time but it sounded like the Tribe could do whatever they wanted. He reported that his plan was "to reach them with the gospel of Jesus Christ." He asked "Who will stand with Christ for what is right?" He suggested "we always have to be found on the right side of God's word" and he referenced several scripture passages. He indicated he was not against horses and businesses and suggested the discussion was not about horses and businesses but about sin. He noted he thought it odd that the opening of a casino and the gambling that would come out of Colonial Downs were "lining up together." He suggested "we have to know which side we stand on" and "we have to be very careful what we call good that is possibly evil." He indicated that he loved New Kent and suggested "God is doing a work in New Kent that I do not want to see erased." He suggested "we've got to take a stand for what's right. God can win anything ... God always wins in the end." He suggested there was something everyone should be aware of regarding gambling, casinos, slot machines and betting and that was that "the house never loses, we do. But you never lose with Christ."

Rev. Jared Harker of P.O. Box 390/Outpost Road, Lanexa. Rev. Harker thanked the Board for their service to the community. He reported the local church was praying for them and that he personally was praying for them by name. He suggested there were many critical decisions resting on the Board's shoulders. He referenced scriptures stating "all who are weary and heavy laden" should come to Jesus to find rest and suggested that as the Supervisors became increasingly weary or heavy laden over these issues that they should "run to Jesus." He also referenced scripture suggesting people should seek the welfare of the city where God has called them and there, they would also find their own welfare. He stated, "A casino in New Kent County will not bring about your personal welfare or the corporate welfare of our community." He indicated that as representatives of the County, he was calling on the Board of Supervisors to seek the welfare of the County and he was calling on the community to do the same. He suggested "the welfare of New Kent County is bigger than taxes" and added, "it's spiritual, it's homes, it's families, it's our children." Rev. Harker referenced scriptures indicating "the harvest of righteousness is sown in peace by those who seek peace." He suggested if the County "acted in the God-honoring peace and welfare of our city, we will reap a harvest of peace." He added that if we did not, "the Bible promises we will reap bloodshed in our streets" and suggested this was what we were constantly hearing about in the news. He asked the following quote from Jesus, "What does it profit a man if he gains the whole world and loses his soul?" He added, "what does it profit a wife if she gains a job but loses her husband? What does it profit a County if it gains a tax dollar and gains a larger drug pandemic? What does it profit a father if he gains a free beer at the bar at the casino and loses his pay check? and his daughter? and his soul?" He closed by stating, "there is only one lawgiver and judge who is able to save and destroy" and he encouraging the Board to "seek His wisdom" as they moved forward.

Mr. Foley indicated he would like to comment. He noted much of the process would be a federal decision between the federal government and the tribes and the state

had never had a role in the process. He noted Mr. Quigley had outlined the role the local government would have and suggested the County's Congressional delegation could be involved in the process because they could have influence in discussions with the Department of the Interior. They served as New Kent's federal representatives on federal issues. Mr. Quigley agreed and noted the Congressional delegation could have an impact on the Executive Branch decision makers. He reported that Indian law policy was always decided by Congress through Congressional acts (legislation) such as was the case in the recent federal recognition of six additional tribes. He noted that any Congressional act would trump the Part 151 and Part 292 regulations previously mentioned.

Brenda Donner of 4201 Rose Cottage Road, Quinton. Ms. Donner reported she had received a notice from a federal agency about a year ago indicating an application had been submitted for a water treatment plant at Quinton and Quaker Roads. The notice had suggested that if there was enough interest, a meeting would be held. She noted the only individuals receiving the notice had been the owners of the properties abutting the treatment plant location. She suggested it had been stated that the "government wants to hear from the locals" and she asked "if they apply (proposed casino), if things get approved and it comes to that point, will more than just the properties that abut the tribal property be notified...?" She indicated she understood from the presentation that the Tribe would not be paying taxes and asked what would happen to our police department and emergency services. She suggested they would have to grow and the cost of that would fall back on the citizens of New Kent County. She noted that if a casino was present, there would also be hotels. She asked if the casino would be able to build hotels without County approval.

Mr. Quigley addressed the first question regarding property abutting the tribal property. He indicated that if an application was submitted for land that was located in New Kent County, the New Kent County Government would be notified as a part of the process. The County would then reach out to the citizens for input. He also reported that other "interested parties" not directly connected with New Kent could submit a request to the federal government to be notified about any application submitted by the Pamunkey Tribe. These individuals would receive personal notice. In addressing the second question regarding emergency services, Mr. Quigley noted the Memorandum of Understanding (MOU also known as the local cooperative agreement) would address those needs. He noted that while the Tribe may not pay taxes directly, the agreement could include funding for increased services while the Tribe was establishing its own departments. The cooperative agreement would make sure that the increased use was covered in some manner. In response to the hotel question, Mr. Quigley noted a hotel built on tribal trust property would be subject to tribal zoning and other land use regulations. He indicated this was a part of the 151 Process where any potential land use conflicts with the surrounding area would be considered.

Ms. Donner indicated she had one additional question. Mr. Evelyn noted we needed to keep comments to two minutes. Ms. Donner indicated she wished to correct something Mr. Quigley had said. Mr. Evelyn indicated he was sorry but he had to keep the comments to two minutes. Ms. Donner insisted on continuing and suggested Mr. Quigley had said "295 and 64" in his earlier comments and asked if this was correct or was it "249 and 64?" Mr. Evelyn indicated the location was 249 and 64. He noted that what had been published in the paper was the "Williams Tract" behind the Star Service Center and Citizens and Farmers Bank. This property was approximately 600 acres and abutted 249 and 64. Mr. Evelyn

noted this was what had been published in the papers. Mr. Quigley noted that what had been published in the papers was all that was known at this point.

Henry Dowdy of 4111 Henpeck Road, Quinton. Mr. Dowdy indicated he was opposed to the casino for some of the same reasons expressed by the first speaker. He suggested he had done research on the issue and "the community never wins." He suggested the social impact on the community would not be positive. He also suggested crime rates would increase and in the long run a decrease in revenue with the citizens having to fund the difference. He encouraged the Board that if there was any legal way to have an impact that they provide as much input as possible into the way this would be developed. He suggested the further investigation may cost a little more than the County would like to pay but indicated he felt it would be worth the extra expense. He suggested the County would be looking at millions of dollars of infrastructure for roads, sewer and other needs and asked if these would be funded by the federal government or would New Kent have to pay. He closed by stating, "I don't think we can afford it."

Mr. Quigley indicated the issues mentioned by Mr. Dowdy would be a part of the environmental review process. He suggested there would be a number of "scoping" meetings to review the project and answer questions such as "what's the traffic and what road development/infrastructure would need to be done?" He indicated funding usually did not come from the federal government but generally was funded by the development.

Ruthi Weldin of 11320 Carriage Road, Providence Forge. Ms. Weldin thanked the Board of hosting this meeting. She noted it had been stated in the Foley Quigley presentation that the land would be called "trust land." She asked which federal government department would be acting as trustee? What would their specific responsibilities be to the tribe and would they be fiduciary responsibilities?

Mr. Foley indicated the Department of Interior would be making the decision in regard to taking land into trust and would be responsible for making sure the land was used appropriately. He noted that some of the Department of Interior staff mentioned in his presentation have expressed concerns about the amount of trust land the federal government had taken in within recent years and whether they have the ability to regulate it.

Ms. Weldin asked if the trustee would be acting in the interest of the government or in the interest of the Tribe land.

Mr. Foley indicated the Tribe would manage the land under the trust of the government. He noted there was an Office of Trustee but this office didn't usually get involved unless oil or minerals were involved.

Matthew Dolci of 4101 N. Courthouse Road, Providence Forge. Mr. Dolci expressed his gratitude to the Board, to the staff of the Board, to his neighbors who had taken the time to come out and express their interests in this matter and for the diligence of the Board in carrying out their responsibilities and efforts to get ahead of the issues that would be coming. He noted Mr. Foley had mentioned an ongoing review of regulations being led by the Department of Interior and specifically that the tribes would be given an opportunity to provide input. He asked if there was a mechanism by which other stake holders would be allowed to give input to the regulations and specifically whose input was the Department of Interior seeking. In regard to the timing for the 151 Process and 292 Process, Mr. Dolci

noted Mr. Quigley had indicated that even after a decision had been made to take land into trust there could still be challenges for up to six years. He asked what the County could expect in regard to the Tribe's ability to use the land after the determination but while still subject to challenge. He suggested that with the possibility of litigation and the need for the County's interests to be heard over a protracted period would also come significant costs. He indicated that based on the attorneys' experience in this matters, he would like to hear the cost to local governments and if that cost had been shared by state governments or others. He indicated he would also like to hear from the Board in regard to what New Kent would be expected to fund and what they would be considering as opportunities for funding.

In response to Mr. Dolci's question regarding input, Mr. Foley noted the final hearing on the regulations would be held the following Thursday in Rapid City, South Dakota. Any stake holder could be present to give input. Written comments to the Department of Interior would be received through the end of June. Mr. Quigley indicated the Department of Interior would be required to issue (publish in the Federal Register) the proposed new regulations and allow anyone to have an opportunity to comment. In response to Mr. Dolci's comments regarding the six-year challenge period, Mr. Quigley indicated if there was a court action to challenge taking the land into trust, under current regulations the Tribe could still use the land as trust land while the action was playing out in court. He reported that although the land could be taken into trust immediately, a thirty-day waiting period which allowed time for an injunction to be filed was the more commonly seen practice. In regard to costs, Mr. Quigley noted it was hard to determine. He indicated that if an application ever came in, the County would only be responding at certain points in the process.

Clifford DeHart of 8031 McCormick Drive, New Kent. Mr. DeHart thanked the Board for the opportunity to comment and suggested it appeared the County was "on the wrong side of the bell curve." He recommended that the Board and the County hire a consultant to do anything possible to fight against this land acquisition. He suggested that even if it did not become gaming, it would still be possible for a tribe to open gas stations and sell alcohol and tobacco with no tax which he further suggested would undercut the local economy and the state as well as "contributing to the delinquency of the whole area." He stated, "I wish that we had had information a year ago that this was coming" and added "unfortunately, I see now that we didn't." He thanked the Board again for the opportunity to speak.

James Hawley of 11005 Creeks Edge Road, New Kent. Mr. Hawley indicated he had several issues concerning both the potential Indian lands and Colonial Downs. He indicated roads were a concern and asked, "What is our five-year plan?" He also expressed concerns regarding "interchanges" and suggested they were "deadly" and the Sheriff's Office and Fire-Rescue were responding to frequent calls. He asked, "What are we doing about this?" He agreed that there would be a MOU between the County and the Tribe for these services and suggested the County would "ramp up" to meet the need. He then suggested that once the Pamunkey decided they no longer needed the services, what would happen to the men and women in these positions. He also questioned how tribal law and jurisdiction would interact with New Kent. What would "happen when someone gets in trouble on tribal land?" He suggested that infrastructure had been mentioned and he understood that it would come at a cost to the Tribe. He suggested infrastructure should be included in the five-year plan and asked if some of the costs would fall back on the County. He also noted concerns regarding waterways and parks and pointed out the proposed property was close to a waterway. He suggested this could take away from the sport fishing in the County. He

also suggested there were experts in this process and suggested the Tribe would be hiring them just like the Board had hired Foley Quigley. He closed by suggesting, "Most of us are lost in the sauce."

Travis Haynes who had spoken earlier called out from the audience, "I guess you're not going to answer questions. .... I thought this was questions and learning." Mr. Evelyn indicated we would continue moving forward with comments.

Katrina Blakely of 7858 Arbor Ponds Court, New Kent. Ms. Blakely noted her questions were similar to those of Mr. Hawley in regard to the five-year plan. She asked if this were to materialize with "Class III" gaming and a compact was necessary, how much involvement would the local government have in the compact between the State and the Tribe? She indicated she understood there would be no tax and asked if a fee arrangement could be put in place to cover funding expected from the municipalities. She asked if they had seen this in their twenty years of experience.

Mr. Quigley suggested there were several elements which would provide funding to the municipalities. The MOU was one avenue. Ms. Blakely noted the MOU was for services suggesting her question was in regard to other costs. Mr. Quigley indicated the compact for Class III gaming was something the local governments had to work out with their own state government. He noted there would be no tax but historical development had been that the compacts would sometimes contain "revenue sharing" with a certain percentage going to the state who in turn could provide a percentage to the locality.

Becky Adkins Branch of 4000 Adkins Road, Providence Forge. Ms. Branch noted she was a resident of Charles City. She also indicated she did not have a question but would like to make a statement. She stated, "As a local Native American, I just want to let everyone know I am not in favor of the casino." She reported she had visited Native American owned casinos and suggested there was "nothing wrong with them" but also suggested that in addition to creating jobs they would also bring crime and other problems. "As a Native American, everyone is not in favor of them. I do not want everyone to believe that just because the Pamunkeys are trying to bring them, all the Native Americans are in favor of them." She suggested a statement from the Pamunkeys in a recent news article had indicated they "do not want to bring it to their reservation because they do not want to ruin their quiet environment." She asked the Board, "Why do we want to ruin our quiet area? Why bring it to our area?"

David Smith of 6010 Lakeshore Drive, Quinton. Mr. Smith indicated he had several things he would like to mention. He referenced an article published by the National Association of Realtors and the Realtors Association of Pioneer Valley in Springfield, Massachusetts. He indicated he had provided a copy to Mr. Evelyn and reported the article suggested casinos impacted residential properties in the range of a 4 to 10 percent reduction in value. He also reported he had spoken with Mr. Evelyn regarding the NEPA Process (National Environmental Policy Act review process). He indicated he had experience with permitting power plants in a previous position and suggested there was no better way to slow down or stop a project than through NEPA. He indicated one of the areas NEPA would review was traffic and noted I 64 was already a "parking lot" in the summer. He suggested additional traffic generated by Colonial Downs and a casino would need to be addressed. He shared additional statistics from the previously referenced article including "based on the statistics for an average county with 100,000 population, introducing a casino implies 615 more larcenies, 325 more burglaries, 272 more auto thefts, 10 more rapes, 65 more robberies



and 100 more aggravated assaults.” Mr. Smith asked, “How is the County going to be able to help the existing police force address that?”

Mr. Evelyn thanked Mr. Smith for his comments and noted all of the questions received tonight were great questions. Mr. Evelyn noted the Board had just found out the information several weeks ago and they were “here tonight to hear your comments, to listen to you, take it in and we’re going to come back as this process moves forward, if it moves forward, and we’ll have another one of these. So we’re just taking this information in, trying to get citizens’ input. We work for you, the citizens of the County. You elected us. We heard your comments, your concerns as soon as this news broke. We’re just trying to get out on the forefront, hiring an outside firm to protect the County’s interests and your interests. So we’re here tonight to try to understand this process a little bit more with you. You know about as much as we do tonight. There’s no need to get very upset in here. We are learning with you and as this process moves forward, we will have more of these town hall type meetings.”

James (Andy) Walker of 3540 Hilton Drive, Quinton. Mr. Walker indicated he was a lineman and his job was “to keep everybody here out of the dark” and indicated he hoped the Board of Supervisors would do the same. Addressing Mr. Quigley and Mr. Foley, Mr. Walker indicated he didn’t understand a lot of what they had presented and asked, “what can we as residents do to stop this” other than writing in comments and “what are our other options?”

Mr. Quigley indicated there was nothing to react to at this point. Mr. Walker asked what they could do once it began to move forward. Mr. Quigley suggested that once it moves forward, citizens could work with their local government and congressional delegation to submit comments and concerns as a part of the 151 process and with lobbying efforts with the congressional and Executive Branch decision makers. He suggested these would be “avenues of action” for citizens.

Lisa Guthrie of 6019 Wensleydale Drive, New Kent. Ms. Guthrie thanked the panel members for being present to answer citizen questions. She indicated her question pertained to the definition of “historical lands” which Mr. Quigley had previously mentioned in his presentation. She indicated Chief Gray (Chief of Pamunkey Tribe) had mentioned the “possibility of purchasing additional land for a casino elsewhere in Tidewater, Virginia. What is their possible reach of historical land? Is it everything east of the fall line?” She asked Mr. Quigley if he could shed some light on the definition of historical lands.

Mr. Quigley indicated he wished he “could shed some significant light on the concept of historical lands.” He noted that any tribe had to show a long-term, century-old occupation and use of a particular piece of land.” He suggested the determination would involve “a lot of anthropological and ethnological research.” He indicated each tribe would be different and he could not give a definitive answer as to what would be considered Pamunkey historical lands. This would all be a part of the 292 Process.

Sharon Dalton of 7121 Longview Drive, Quinton. Ms. Dalton indicated she had moved to New Kent eight years ago “via the US Army” and she loved the County. She noted she had seen the County change and grow. She indicated she was concerned that “if this casino takes place, where is it going to stop? If this casino comes in, what are y’all going to do to protect us because all of a sudden now this massive movement of everything else comes in like Walmart, Target ..... these large monsters that come in and kill every one of these mom

and pop shops? We all live together and work together. She indicated her next question was, "how is this going to affect our taxes on our homes? How are we going to have to pay this?" She then suggested Mr. Quigley and Mr. Foley had "come for \$440 per hour" and stated, "I get that, y'all hired them to protect us." She suggested the "bottom line" was, "how are we going to pay for this?" She asked, "what are y'all going to do to protect us ... so we don't turn into Chesterfield or Short Pump where it's one big huge cement block?" She also asked, "what's going to happen when all this crime escalates? There is no stopping."

Mr. Evelyn asked if there was anyone else wishing to speak. There were no others. Mr. Evelyn thanked those who had spoken and gave Board members an opportunity to give closing comments.

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IN RE: CLOSING COMMENTS

Mr. Tiller thanked all for attending and the many who had called and sent emails. He indicated he had served on the Board for six and a half years and reported he had received more calls in three days regarding the casino than at any other time during his term of service. He thanked everyone for their involvement, their interest and comments.

Ms. Paige thanked all for their time and patience as they worked with the Board to work through this. She indicated she had heard many comments asking "what are we going to do to protect us" and noted "all five of us are us too." She suggested the Board was doing the best that it could to gather information and research to keep citizens updated and informed. She noted, "we want to hear the voice of New Kent" and assured those present, "we hear you." She noted Chairman Evelyn had worked very hard with the Board to make sure the citizens know what's going on and that they know that "we are here to serve you." She stated, "The New Kent County Board of Supervisors is here to serve its constituents and the citizens of this great County and we want our County to continue to be the County that we will love living in and others will love visiting". She thanked all who had come out and wished them a safe holiday weekend.

Mr. Stiers thanked all for coming out and urged citizens to please keep in mind that the members of the Board lived in New Kent County too and had moved here "for the same reason you did." He suggested the Board did not want to see New Kent County turned into a Short Pump. He noted that as a child one of his favorite movies had been "The Wizard of Oz" and indicated he considered the scarecrow to be "one of the most intriguing characters" in the movie. He noted the scarecrow "could talk but had no brain, and then I got on Facebook and I cannot believe the remarks made on Facebook" and suggested some of what he had read was "absurd". He noted that "every one of you has a representative up here, every one of you has our phone numbers, you have our email addresses." He reported receiving several hundred emails and phone calls monthly and indicated he responded to all of them. He stated, "with us, you will get the facts" and "we'll let you know ... what's going on in the County that we know of." He asked citizens to continue to support the Board as they worked to support the citizens.

Mr. Davis noted he had been born in New Kent as was also the case for two other members of the Board. He noted New Kent had changed considerably and had been through many things since he had been born. He suggested that 24 years ago there had been about the same size gathering of individuals "who were against the evils of horse racing" and noted we were here now "applauding the race track coming back." (This comment was followed by murmuring from the crowd indicating many who were not applauding the race track's

return.) Mr. Davis conceded that not everyone was in support of the track and suggested the Board of Supervisors had not had a "say so" in that decision either. He noted things change and mentioned the jail which had come to the County over twenty years ago. He noted some people had been upset about the jail and suggested "the jail has turned out to be a pretty good thing for us." He noted the County had been through many developments and suggested none had turned out to be as promised. He suggested "nothing is as bad as people make it out to be." He noted the Board was trying to stay on top of this and suggested those in the audience knew as much about it as the Board members did. He thanked Mr. Quigley and Mr. Foley for the information they had provided. He stated, "You can be assured we're working for you and we'll do everything we can to keep this from happening." He suggested it could happen but would take a long time and he indicated he was pretty sure that all five supervisors would "fight this every step of the way". He noted someone had asked what it would cost to fight this and he stated, "well, it all cost. Yesterday morning we raised your taxes 5%. Hope y'all were paying attention." He noted the increase had been to help with the cost of a new school and a park. He stated, "We have 21,000 people in New Kent now, y'all expect a lot." He again noted the Board was working for the citizens to "keep everything on an even keel" and suggested the Board had done a "good job over the years and will continue to do so."

Mr. Evelyn noted there had been one group he had failed to recognize in his earlier comments; the New Kent High School IT program students. He indicated it was through this program that the town hall meeting had been live-streamed through Youtube. He reminded citizens to please remember all that had served and were serving over the Memorial Day weekend. He closed by promising that "as this thing moves forward, we will be in touch and keep having meetings" and noted the Board's appreciation to all who had come out for this meeting.

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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, June 11, 2018 and the next work session at 9:00 a.m. on Wednesday, June 27, 2018, both in the Boardroom of the County Administration Building.

Mr. Davis 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 8:36 p.m.