

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 10<sup>th</sup> DAY OF MARCH IN THE YEAR TWO THOUSAND THREE OF OUR LORD IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING AT 6:03 P.M.

---

IN RE:            INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Burrell gave the invocation and led the Pledge of Allegiance.

---

IN RE:            ROLL CALL

Rebecca M. Ringley	Present
James H. Burrell	Present
Dean E. Raynes	Present
W. R. "Ray" Davis, Jr.	Present
Julian T. Lipscomb, Sr.	Present

Chairman Lipscomb called the meeting to order.

---

IN RE:            CONSENT AGENDA

Mr. Christie presented the Consent Agenda, which consisted of the following: approval of the minutes of the February 6, 2003 joint Public Hearing with the Planning Commission; the February 10, 2003 work session and regular meeting; the February 14, 2003 retreat; the February 20, 2003 joint work session with the School Board; and the February 20, 2003 joint work session with the Planning Commission and Citizens Advisory Group; Approval of Agreement with Davenport and Associates dated February 25, 2003; Resolution R-09-03 in appreciation of Merle "Lisa" Gill; authorization of a \$500 credit on the water bill for service at 5730 Quinton Estates Drive (Robin Dixon); authorization to request VDOT to undertake Old Ferry Road project and to establish an accounts receivable with VDOT; approval of the cost share funding of the FY03 Salary of Paul Davis, Extension Agent, proposed with Charles City County; authorization to pay \$8,399.96 to K. W. Poore Associates, Inc. from the contingency fund; reimbursement for septic tank pump out to Thomas E. Cahoon, \$175.00; Appropriations for FY2002-2003: to appropriate additional funding for the Fuel Assistance Program, \$1,309.00; to appropriate additional funding due to increased demand for services, \$7,000.00; to adjust Social Services State Reimbursement to Actual - Adjustment from August, \$10,365.00; to appropriate Chesapeake Bay Local Assistance Grant Funds, \$29,596.00; to appropriate additional funds to the Airport for fuel, \$30,000.00; Total Supplemental Appropriation \$48,674.00; Money-in/Money-out \$38,309.00 and \$10,365.00 from the General Fund Balance; proposed Inter-departmental budget transfer of \$18,814.00 from Safe & Stable Families fund (53020-5751-00) to Salaries (053010-1001) to cover social worker salary; budget transfers during February 2003; monthly revenues during February 2003 - \$1,998,301.20; monthly expenditures during February 2003 - \$2,415,730.13; Treasurer's Report - total cash as of January, 2003 - \$18,047,179.25.

Following discussion, Mrs. Ringley moved to approve the Consent Agenda, after removal of the authorizations regarding the water bill credit for Robin Dixon and to establish an account with VDOT for repairs on Old Ferry Road. The members were polled:

Rebecca M. Ringley	Aye
James H. Burrell	Aye
Dean E. Raynes	Aye
W. R. "Ray" Davis, Jr.	Aye
Julian T. Lipscomb, Sr.	Aye

The motion carried.

---

Mr. Burrell explained the circumstances surrounding the request to grant relief on the water bill for Robin Dixon, stating that Mrs. Dixon had done everything that a reasonably prudent person could have done. In this unusual circumstance, he believed that the County should grant relief. Mr. Burrell made a motion to adjust Mrs. Dixon's water bill to the amount of her average bill, and forgive the balance. The members were polled:

James H. Burrell	Aye
Dean E. Raynes	Aye
W. R. "Ray" Davis, Jr.	Aye
Rebecca M. Ringley	Aye
Julian T. Lipscomb, Sr.	Aye

The motion carried.

Mr. Davis explained that Old Ferry Road, in Plum Point, became impassable after the recent winter weather. This is a private road that was once part of a subdivision. R. E. Prezioso, Resident Engineer with VDOT, explained that ownerships of the rights-of-way are unclear. In order to make this road passable for the residents, the County must give permission to VDOT to do repairs, set a spending limit, and set up an accounts receivable. VDOT will then bid the job out, and bill the County for the actual expenses incurred.

Mr. Davis reported that he had received an estimate from Mr. Jennings at VDOT of \$2,500 to make the road passable, and \$9,000 to bring it up to state standards. He indicated that the County is partly at fault for the confusion as to ownership of the road, and needs to do what has to be done to make the road passable in order to ensure the health and safety of the residents.

Mr. Raynes reported that he believes it was the intention that this would be a public, paved street, but he has concerns that there will be similar requests from residents along other private roads in the County. He stated that it needs to be made clear that this is a totally different circumstance, and that the residents that bought in that area years ago thought that it was a state-owned road.

Following discussion, Mr. Davis moved that the County request VDOT to establish an accounts receivable to perform minimal work on Old Ferry Road to it passable. The members were polled:

Dean E. Raynes	Aye
W. R. "Ray" Davis, Jr.	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye
Julian T. Lipscomb, Sr.	Aye

The motion carried. Mr. Davis also suggested that the County takes steps to establish ownership of the rights-of-way.

---

IN RE: CITIZENS COMMENT PERIOD

Chairman Lipscomb opened the Citizens Comment Period.

Betsy Mountcastle, a special needs teacher at the Middle School, shared with the Board her recent experience after a leak at the school. She related continuing problems with the sewer system backing up, and the smells that the students have to endure. The children need a safe, clean, dependable place in which to learn, and she believes that the Middle School is not suitable for renovation. She urged the Board to consider its replacement.

Elaine Perdew, a special needs teacher at the Middle School, admitted that her comments are a little late in coming, but had no idea that the recent school bond referendum would fail. She related that her

classroom had over an inch of water after a recent leak, and shared the problems that her class had in its aftermath. She feels that money should not come before the needs of the children, who are the future of the County, and urged the Board to consider replacing the Middle School.

Beatrice DeLeon read aloud a letter from Robert Boroughs regarding his request for reimbursement by the County which was denied at a previous meeting. Mr. Boroughs requested that his letter be made a part of the record, and his letter has been lodged in the office of the County Administrator.

There being no one else signed up to speak, Chairman Lipscomb closed the Citizen Comment period.

---

IN RE: ELECTED OFFICIALS REPORTS

Mr. Davis reported on his meeting at Plum Point last week and at Brickshire the week before.

Mr. Burrell responded to the citizens comments made earlier regarding conditions at the Middle School, and reported that the Board is in the process of moving forward with improvements and repairs at the schools. He reported that the increase in the school's budget requests, exclusive of any new buildings or renovations, could result in an 8 - 10 cent increase in the real estate tax rate. He stressed that the County is hard pressed to meet those needs and that the voters had defeated the bond referendum for a new school. The County needs to invest in infrastructure in order to attract retail and commercial businesses in order to increase revenues so that the County will have money to pay for new schools.

Mrs. Ringley announced VDOT workshops for citizens interested in biking and walking trails, the closest of which will be held on March 25 between 5 and 8 p.m. at the Eastern Henrico County Government Complex. She thanked the teachers from the Middle School for their comments and stated that she will not accept those deplorable conditions for any child, and that it is not a matter of money.

---

IN RE: RESIDENT ENGINEERS REPORT

Dan Mott, Assistant Resident Engineer with VDOT, brought the Board up to date with work recently performed in the County, which included snow removal and patching of potholes. It is anticipated that the paving on the Route 60/Route 249 project in Bottoms Bridge will be completed as soon as the weather breaks, and it is expected the contractor will need one week of warm weather in order to finish the job.

Regarding the recent back up on I-64 due to pothole repair work, Mr. Burrell inquired whether signs could be posted suggesting Route 60 as an alternate route.

In response to an inquiry from Mr. Davis, Mr. Prezioso stated that the eastbound I-64 welcome center is scheduled to open in October and it is not possible to open the restrooms any earlier.

In response to Mrs. Ringley's inquiry, Mr. Prezioso indicated that the pothole repair work on I-64 is not yet complete and it is unknown how long repairs will take.

Mr. Prezioso reminded the Board that if the County wants to participate in the Revenue Sharing Program for FY03-04, VDOT needs to receive a letter from the County Administrator with a request, along with a list of proposed projects and specification of the amount of funds (up to \$500,000), before March 28. Although funds from FY02-03 can carry over, the County needs to advise VDOT if it does not intend to use those funds so that they may be distributed to other localities. \$400,000 has been approved for FY02-03, of which the County will have to pay one half. Route 638, Black Creek, was included on the list of roads for FY02-03, but other roads can be substituted. He believes that the County had anticipated that owners along private roads would be interested in putting up the County match in order to upgrade their road, similar to what was done in Ranch Acres, but there has been no interest to date.

Mr. Prezioso suggested that the Board consider applying Rural Rustic Roads to pave the gravel and dirt roads in the County.

---

Mr. Prezioso also announced that the Community Meeting in Providence Forge regarding proposed changes to the traffic pattern near the Heritage Library is scheduled for March 25, 2003, at 6:30 p.m. at the library.

---

IN RE: RECOGNITION OF NORMAN ANDERSON

Mr. Burrell read aloud Resolution R-06-03 in recognition of Norman Anderson. Sheriff Howard joined in the presentation, commenting that Deputy Anderson had served the law with common sense and compassion. Deputy Anderson thanked the Board and stated that although he had enjoyed working for the County, he felt it was time to "hang up his belt", and asked for everyone's prayers in connection with an upcoming hospitalization. Deputy Anderson was accompanied by his wife, son and grandson.

---

IN RE: CLEAN COUNTY COMMITTEE

Evelyn Waring, Chairman of the Clean County Committee, brought the Board up to date regarding the accomplishments of this committee. The committee is comprised of two members from each district, and its purpose is to promote environmental conservation through litter control and recycling. They receive funding through litter control and recycling grants, and have purchased trash cans for use at the County Fair, recycled plastic picnic benches and litter containers for use around the County complex, as well as provided education materials regarding environmental science and conservation for the schools. Ms. Waring reported that they are having a problem with representation on the committee - some members do not attend and other positions are vacant.

Ms. Waring provided the Board with information on upcoming activities planned for celebration of Earth Day on Saturday, April 26. The Rotary Club and several churches have signed up to assist, and she asked the Board to lend its support. Mr. Burrell suggested that the committee contact Kelly Bartell at Central Virginia Waste Management Authority for assistance as well.

---

IN RE: AUDIT

John Montoro and Mike Sherrod of Cherry, Bekaert & Holland reported to the Board regarding the Audit. Mr. Montoro reported that there were no significant audit adjustments and no mis-statements. Mr. Sherrod reported on Financial Results, which included revenues from 2000 - 2002, tax collection rates (96% over last 5 years) and expenditures from 2000 - 2002. Mr. Sherrod also thanked Mary Altemus as well as the staff in the offices of the Treasurer and the Commissioner of the Revenue for all of their help.

Mr. Montoro also reported on new standards and rules issued by the General Accounting Office which apply to Auditing Firms.

---

IN RE: LICENSING OF DOGS

County Attorney, Phyllis Katz, announced a correction in the wording of proposed Ordinance O-05-03, changing "animal" to "dog", and apologized for any confusion that this may have caused.

Ms. Katz explained that this change in the ordinance evolved from a problem experienced by the Treasurer's office in issuing kennel licenses for dogs kept in the County but whose owners who do not live in the County. This change will close that loophole.

Chairman Lipscomb opened the Public Hearing.

Chris Madison expressed his concerns about the ordinance. He obtains dogs on a three-week trial basis, and does not feel he should have to obtain a license for a dog that he may not keep, but admitted that he has had no problem to date with the animal control staff.

---

There being no one else signed up to speak, Chairman Lipscomb closed the Public Hearing.

Mrs. Ringley moved to adopt Ordinance O-05-03, as corrected. The members were polled:

W. R. "Ray" Davis, Jr.	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye
Dean E. Raynes	Aye
Julian T. Lipscomb, Sr.	Aye

The motion carried.

---

IN RE: CHESAPEAKE BAY PRESERVATION ORDINANCE

George Homewood, Planning Director, reported to the Board that proposed Ordinance O-04-03 has been approved by the local CBLAD office. Although CBLAD has recently extended the deadline to December, 2003, staff sees no reason to delay its adoption.

The main changes in the Ordinance are: addition of definition of a perennial stream; allows inspection rather than pump out every five years; regional stormwater management ponds are allowed to be located in an RPA (which creates an incentive for regional BMPs); has been reorganized and simplified; requires a full 100-foot RPA buffer when converting from agriculture or silviculture; encroachment into the seaward 50% RPA buffer must be approved by the Wetlands Board; in cases of phased construction, the stormwater management plan must be designed for the full development; contains a requirement for developers to install signage in areas where RPA boundary intersects property lines; requires replacement of vegetation at a ratio of 2:1 when a buffer is disturbed without a permit.

Mr. Homewood reported that the provisions in this ordinance apply only to property in the Chesapeake Bay Protection Area, and it does not put back into the RMA any of the property that had previously been removed.

It was noted that a correction needs to be made on page 23, changing tree size from two inches to six inches.

Chairman Lipscomb opened the Public Hearing.

Edward Pollard stated that he approved of the septic tank inspection option, but wondered whether it would be better to change the pump out requirement to a period longer than every five years, taking household size into account.

Mark Daniel objected to the requirement for RPA signage, and the penalties to be assessed. He is concerned that the ordinance is intended to control growth rather than protect the environment, and cautioned the Board to be careful of the rights of individuals to own land.

There being no one else signed up to speak, Chairman Lipscomb closed the Public Hearing.

Following a discussion of the signs and their part in protecting and informing prospective purchasers, Mrs. Ringley moved to adopt Ordinance O-04-03(R1), as corrected. The members were polled:

Rebecca M. Ringley	Aye
James H. Burrell	Aye
Dean E. Raynes	Aye
W. R. "Ray" Davis, Jr.	Aye
Julian T. Lipscomb, Sr.	Aye

The motion carried.

---

---

IN RE:           ACCESSORY APARTMENTS

George Homewood, Planning Director, reported that proposed Ordinance O-03-03 was sponsored by the Board of Supervisors, and arose out of discussions about family subdivisions. He reviewed the current situation regarding accessory dwellings in the County, as well as their purposes and advantages.

Mr. Homewood reported that, in business districts, the ordinance would allow a business owner to live on one floor of the building, as long as the accessory apartment was 1,000 square feet or less. In a residential district, an accessory apartment would be allowed, subject to certain performance standards which include: one per principal residence; limited to a maximum size of 450 square feet, or 25% of floor area, whichever is greater; no exterior changes to the principal residence; adequate parking; health department certification of adequate water and sewer treatment facilities; occupants of the accessory dwelling must be related to each other; occupant must be either family member or caregiver to occupant of primary residence.

Applicants who cannot meet these standards, can apply to the Board for exceptions.

Mr. Homewood reported that the Planning Commission has recommended approval.

Chairman Lipscomb opened the Public Hearing. There being no one signed up to speak, the Public Hearing was closed.

Mr. Burrell moved to adopt Ordinance O-03-03 as presented. The members were polled:

James H. Burrell	Aye
Dean E. Raynes	Aye
W. R. "Ray" Davis, Jr.	Aye
Rebecca M. Ringley	Aye
Julian T. Lipscomb, Sr.	Aye

The motion carried.

---

IN RE:           HORSE KEEPING IN RESIDENTIAL DISTRICTS

George Homewood, Planning Director, reported that the proposed Ordinance is the result of a request from the Board of Supervisors. Staff feels that horse keeping contributes to the rural character of the community, and would be suitable for New Kent, considering the location of Colonial Downs and the equestrian communities being developed in the County. Issues centered on how to balance the positive impacts with the negative.

The proposed Ordinance would permit horse keeping by right in a residential district, if horse keeping is specifically permitted in the subdivision's restrictive covenants, on lots of 5 acres or greater, limited to horses owned by the resident, with the same stable and fencing requirements that exist in A-1 zoned areas. Those who wish to keep horses but cannot meet these conditions, may apply for a conditional use permit.

The Planning Commission has previously recommended denial of this matter, but the conditions they considered are different from what is currently being proposed. Staff feels the current proposal strikes a balance between protecting neighborhoods and the desire of some residents to keep horses.

Chairman Lipscomb opened the Public Hearing.

Mark Daniel stated his opinion that the current Conditional Use Permit process requires too much from a horse owner, and asked that the number of acres be reduced from five to three.

Jeff Dinsmore objected to the fact that there was no information provided regarding what surrounding localities permit, and feels that horse owners were being singled out.

Erik Blake, a horse owner and local furrier, stated that the County should be horse friendly, and was concerned about the acreage requirement. He agreed that the size should be dropped to three acres.

Joe Ferguson, a resident of Turners Neck, reported that Turners Neck was set up with horse owners in mind, and he had helped with development of the restrictive covenants for the subdivision. The property was bought and recorded as agricultural, and it was his opinion that the proposed ordinance places unjust and unreasonable restrictions on the residents.

Richard Smith reported that it was his understanding that if the ordinance is passed, some owners will be required to remove horses from their property. James City County permits horses to be kept on three acres, and he did not agree with the five acre minimum in the ordinance. He also objected that electric fences will not be permitted, and wondered how owners would keep stallions enclosed without it. He stated that horse owners will not do anything to devalue their property, and the performance standards are unnecessary and unwanted. He also felt that the information provided regarding manure production was incorrect.

Fred Bahr indicated that the Board needs to make the County as horse friendly as possible, and recommended that equestrian trails be developed in the County.

There being no one else signed up to speak, the Public Hearing was closed.

Mrs. Ringley reminded those in attendance that this was an effort to make the ordinance more friendly to horse keeping.

Mr. Burrell had no objection to reducing the acreage requirement to three acres, which would leave plenty of room for a horse. He also had no objection to permitting electric fences

Mr. Raynes stated his preference to drop the acreage requirement to three acres, and would also like to amend the ordinance to allow horses in residential areas unless the restrictive covenants do not allow it. He agreed that electric fences should be permitted. He did not agree with requiring that stables be in back of the home, as that would not be practical in Turners Neck where many of the homes are built on the water front.

Mr. Davis reminded that the Board had a duty to protect others in the County.

Mr. Lipscomb had no objection to reducing the minimum size property to three acres.

County Attorney, Phyllis Katz, reminded the Board that if substantial changes are made to the Ordinance, it should be re-written and re-advertised.

Following discussion, Mrs. Ringley moved to adopt Ordinance O-01-03(R1) with the following changes: removing the setback provision, removing the fencing restrictions, and changing the minimum parcel size to three acres. Mr. Lipscomb inquired if she would take a friendly amendment to her motion, changing the requirement that "restrictive covenants must allow it" , to "unless the restrictive covenants do not allow it". She would not accept that amendment.

Mr. Burrell moved to adopt Ordinance O-01-03(R1) with the following changes: changing the minimum parcel size to three acres; removing the fence restrictions; removing the restriction regarding location of the stables, and changing the wording to permit horse keeping unless the restrictive covenants do not allow it.

The members were polled on Mr. Burrell's motion:

W. R. "Ray" Davis, Jr.	Nay
Rebecca M. Ringley	Nay
James H. Burrell	Aye
Dean E. Raynes	Aye
Julian T. Lipscomb, Sr.	Aye

The motion carried.

---

IN RE: SEWER FORCE MAIN FROM NEW KENT COURTHOUSE TO PARHAM LANDING ROAD

Planning Director, George Homewood, reviewed the proposal which involves authorization of the construction of a 41,310-foot sewer force main and pumping station to transmit wastewater from the New Kent Court House area to the Parham Landing Wastewater Treatment Plant. The force main would extend from an area in the vicinity of the current high school, and will be placed entirely within existing VDOT rights-of-way. The system is designed to serve the anticipated build out of the entire Courthouse area. The force main will operate at high pressure, so that individual connections, while possible, will be generally not feasible, and therefore will not promote development along Route 249 between the Courthouse area and Eltham Road. The size of the force main will be increased from 8" to 10" at Eltham Road to accommodate the intended future commercial and industrial development in the Route 33 corridor.

Mr. Homewood stressed that utilities were needed for village development and in this instance, the developer was stepping forward to pay for it. As a part of the process, the developer has also agreed to construct a 250,000 gallon water tank and drill a deep well.

Mr. Homewood reviewed the impacts on the government and schools, reporting that the negative fiscal impact of connection fees, which are estimated to be between \$500,000 and \$750,000, will be outweighed by the potential positive fiscal impact. The Parham Landing Wastewater Treatment Plant is currently operating under capacity. The proposal is in conformance with the Comp Plan, and was approved by the Planning Commission.

Available to answer questions was John Crump as well as Darryl Rickmond from Rickmond Engineering who reviewed the plans on behalf of the County, and a representative from the Timmons Group who performed the engineering for the applicant.

John Crump stated that he felt that this development will protect the rural character of the County, and is a win/win proposal for both the County and the developer. He also thanked the Board for spending time with the visitors from Kent, England, and presented Mrs. Ringley with a framed photograph of herself with the Kent visitors and the Governor.

Chairman Lipscomb opened the Public Hearing.

George Philbates is in favor of construction of the sewer force main but urged the Board to have 10" pipe installed along the entire route in order to provide capacity for growth and new schools.

Chris Madison commented on the size of the pipe, and expressed his concern about property owners being upset with the installation of the pipe in the front of their lots, and feels the line should be designed to permit hook ups for those who want them. He also was concerned about what financial benefit the County will get from the project.

There being no one else signed up to speak, the Public Hearing was closed.

The engineer from Timmons explained that the estimate to install the originally planned 6" pipe was \$1.2 million; to upsize it to 8" pipe along Route 249 to Eltham Road, and then to 10" to run along Eltham Road, is estimated to cost \$2 million. There are no easement acquisition costs, and VDOT has

---

approved the installation of the pipe within their right-of-way. There will more than likely be an improvement in the shoulders and the drainage along Route 249 as a result of this installation. The pipe will be installed 3 ½ feet deep, although in places where it has to cross the three creeks it will require a deeper installation. One disadvantage to installing a larger pipe is problems with odor.

Mr. Davis commended John Crump and Tolar Nolley for their plan, but worries about using sewer capacity for residential use.

Mr. Raynes stated that this will be good for the County's tax base.

Mr. Lipscomb expressed that it is important to keep the size of the pipe small as a way to control residential growth.

Mr. Burrell was of the opinion that this was a way to keep the rural character along Route 249, but still assist commercial establishments.

Mrs. Ringley reminded that the Board is voting tonight only on a Conditional Use Permit to construct a force main.

Chairman Lipscomb read aloud part of the proposed Resolution.

Mr. Burrell moved to adopt Resolution R-10-03 as presented. The members were polled:

Rebecca M. Ringley	Aye
James H. Burrell	Aye
Dean E. Raynes	Aye
W. R. "Ray" Davis, Jr.	Nay
Julian T. Lipscomb, Sr.	Aye

The motion carried.

---

IN RE: HENPECK ROAD PARK MASTER PLAN

Marcy Greenberg, Parks & Recreation Coordinator, presented the Board with a copy of the Master Plan for the Henpeck Road Park, on land previously donated to the County by the developer of the Quinton Park subdivision, Pete Sweet. She recounted how this Plan was created with the help of staff, the Parks and Recreation Commission, and citizens, and reviewed the Plan itself, which provides for soccer fields, baseball fields, playgrounds, walking and biking trails, volleyball court, concessions, picnic area and open space.

The next step is to have construction drawings and documents prepared at an estimated cost of \$29,555.58, after which time the County would advertise for contract bids, obtain development cost estimates, as well as solicit volunteer labor and donations.

Funding for the phased development of the Park can be a combination of capital improvement funds, donated labor and material, as well as grants.

Ms. Greenberg asked the Board to adopt proposed Resolution R-11-03 which approves the Master Plan as developed by Timmons, and also authorizes the County to contract with Timmons to develop construction drawings and documentation for implementation of the plan at a cost not to exceed \$29,555.58, using capital improvement funds.

Following discussion, Mrs. Ringley moved to adopt Resolution R-11-03 as presented. The members were polled:

---

---

James H. Burrell	Aye
Dean E. Raynes	Aye
W. R. "Ray" Davis, Jr.	Aye
Rebecca M. Ringley	Aye
Julian T. Lipscomb, Sr.	Aye

The motion carried.

Ms. Greenberg also reviewed with the Board the Criminal History Check policy to be implemented by her Department. The cost is estimated to be \$31.00 per person.

---

IN RE: DEPARTMENT OF JUSTICE GRANT

Larry Gallaher, Director of Public Safety, explained that the County has been approved to receive funds for 1999, 2000, 2001 and 2002 from a Department of Justice Grant to purchase equipment for incidents of weapons of mass destruction. Funds approved for 1999 total \$3,777.72 which will be used to purchase personal protective gear for distribution to EMS, fire and police agencies. Grants for 2000, 2001 and 2002 total approximately \$27,000 and decisions as to what will be purchased with those funds will be made at a later date. Resolution R-12-03 will authorize the County Administrator to complete and submit applications for these funds.

Mr. Davis made a motion to adopt Resolution R-12-03, as presented. The members were polled:

Dean E. Raynes	Aye
W. R. "Ray" Davis, Jr.	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye
Julian T. Lipscomb, Sr.	Aye

The motion passed.

---

IN RE: UTILITIES

Gary Christie, County Administrator, reported that six proposals had been received in response to the RFP for water and sewer engineering services in Bottoms Bridge, and asked for authority from the Board to move forward with interviews. The Board agreed, and Mr. Raynes and Mr. Burrell consented to participate in the interviews. It is anticipated that the Board can approve the selection at its April meeting.

Once a firm is selected, Mr. Christie suggested that the County negotiate for services with that firm to assist with a cost benefit analysis for county-initiated utility system services in the Providence Forge and Route 33 areas. The Board agreed.

Regarding the Courthouse area, Mr. Christie reported that capacity fees at the Parham Landing Wastewater Treatment Plant were set without consideration of users other than the Henrico Jail. Considering that other users are now coming on line, he recommended that the County contract with Robinson, Farmer, Cox to have Steve Jacobs, who is most familiar with our system, review countywide connection fees and water and sewer rates, at a cost not to exceed \$5,000. The Board agreed.

---

IN RE: WATER SYSTEM GENERATORS

Charles Loving, Public Works Director, reviewed the estimate from R. Stuart Royer for engineering services for the installation of the four remaining water system generators at a cost of \$39,850. He explained the scope of work that is involved in this process and that this price is less per unit than the previous generators. In the past, Royer has come in under budget and performed adequate work.

---

There was discussion about whether to spend money to install generators at the water systems at Food Lion or Winn Dixie, since those areas will be included in any public water system that is installed in the Bottoms Bridge area. Mr. Raynes suggested that the County put off installing generators at the Food Lion and Winn Dixie, and get more prices on installing the other two. It was the consensus of the Board to hold up on engineering for installation of any more generators, and to get prices from some other engineering firms for all four of the systems, broken down by sites, and the Board can decide later to eliminate sites.

Mr. Loving explained why he had never proposed a generator for installation at the County complex. He reported that there can be no back up water to the Courthouse until the electrical distribution system is upsized. The pump station is not on emergency generators, and water cannot be supplied to the buildings without a way to get the water out. The sewer system for the County complex is not on gravity drain fields, but is run by a pump station. The water system for the proposed Villages of New Kent, which will include the County complex, will be required to have a generator.

---

IN RE: COUNTY HOLIDAYS

Gary Christie, County Administrator, explained the proposed change to the list of holidays contained in the personnel policy manual. The proposal would permanently add Lee-Jackson Day and Columbus Day to the list of holidays, and delete Easter Monday.

Mr. Burrell was concerned with deleting Easter Monday, as schools are closed and that would give parents a day to be at home with their children. Keeping Easter Monday would give employees a holiday that was midway between Martin Luther King Day and Memorial Day.

Mrs. Ringley thought it would make more sense to give up Lee-Jackson Day, but understood that the majority of the staff was more willing to give up Easter Monday.

Mr. Christie explained that the staff would like to have all of the days, but that this proposal was the general consensus of the staff.

Following discussion, Mr. Burrell moved to make the changes as suggested to the holiday closings, with the exception of deleting President's Day rather than Easter Monday. The members were polled:

W. R. "Ray" Davis, Jr.	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye
Dean E. Raynes	Aye
Julian T. Lipscomb, Sr.	Aye

The motion carried.

---

IN RE: FINE ARTS FUNDING

Gary Christie, County Administrator, explained the request from the Town of West Point to participate in the development of the Robinson/Olsson Civic Auditorium and Fine Arts Center at the West Point Schools Complex by donating \$5,000.00. Any donation up to \$5,000 would be matched upon application to Virginia Fine Arts Commission, and New Kent would be given a seat on the Board of Directors for *Arts Alive*.

Mr. Davis stated that this will provide an opportunity for New Kent residents to attend plays, musicals, and symphonies that would not be available without traveling to Richmond. He believes this money will be well-spent and will benefit New Kent County residents.

---

---

Mrs. Ringley agreed that this would provide an opportunity for New Kent citizens without the County having to do it all by itself. She reminded the Board how much money is given each year to the Richmond Metropolitan Convention and Visitors Bureau, and thinks that it's time to look at the eastern end of the County and establish some regional relationships. She feels that participation on the Board will provide experience in the event New Kent wants to do something on its own in the future.

Mr. Burrell asked if the issue could be tabled until the Board has had a chance to look at its budget. Mr. Christie reported that the deadline to obtain state matching funds is at the end of this month.

Mr. Davis made a motion that New Kent County provide \$5,000 in FY2003/2004 to support *Arts Alive*, and to apply for matching funds from the Virginia Commission for the Arts. The members were polled:

Rebecca M. Ringley	Aye
James H. Burrell	Aye
Dean E. Raynes	Nay
W. R. "Ray" Davis, Jr.	Aye
Julian T. Lipscomb, Sr.	Nay

The motion carried.

---

IN RE:            APPOINTMENTS

The Board will continue to make appointments to various committees.

Mr. Lipscomb had no appointments for District One.

Mrs. Ringley had no appointments for District Two.

Mr. Burrell had no appointments for District Three.

Mr. Raynes had no appointments for District Four.

Mr. Davis had no appointments for District Five.

Mr. Lipscomb moved to appoint Jimmy Burrell as New Kent's Director of Emergency Management to complete a one-year term beginning January 1, 2003, and ending December 31, 2003.

Mrs. Ringley moved to appoint Lisa Guthrie as New Kent's alternate representative to the MPO Citizen Transportation Advisory Committee to complete a four-year term beginning January 1, 2003, and ending December 31, 2006.

Following discussion, Mrs. Ringley moved to establish a 15-member 350<sup>th</sup> Commemoration Committee to serve two-year terms beginning March 31, 2003, and ending on March 31, 2005, to be comprised of one member from each district, and ten members from the community at large.

The members were polled:

James H. Burrell	Aye
Dean E. Raynes	Aye
W. R. "Ray" Davis, Jr.	Aye
Rebecca M. Ringley	Aye
Julian T. Lipscomb, Sr.	Aye

The motion passed.

---

---

---

IN RE: MEETING SCHEDULE

The next work session of the Board of Supervisors will be held at on Monday, March 24, 2003, beginning at 9:00 a.m. for budget meetings, following by a work session that evening at 6:30 p.m. in the Courtroom of the Old Courthouse. The next regular meeting of the Board of Supervisors will be held at 6:00 p.m. on Monday, April 14, 2003, in the Boardroom of the County Administration Building.

---

IN RE: ADJOURNMENT

There being no further business, Mr. Burrell moved to adjourn the meeting. The members were polled.

Dean E. Raynes	Aye
W. R. "Ray" Davis, Jr.	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye

---

Julian T. Lipscomb, Sr.	Aye
-------------------------	-----

The motion passed. The meeting was adjourned at 11:00 p.m.

---