

A REGULAR WORK SESSION WAS HELD BY THE NEW KENT COUNTY BOARD OF SUPERVISORS ON THE 31ST DAY OF OCTOBER IN THE YEAR TWO THOUSAND EIGHTEEN IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 9:00 A.M.

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IN RE: CALL TO ORDER

Chairman Thomas W. Evelyn called the meeting to order.

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IN RE: ROLL CALL

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

All members were present. Mr. Evelyn thanked everyone for coming to the meeting.

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IN RE: NEW KENT DEPARTMENT OF SOCIAL SERVICES (DSS) UPDATE

New Kent Department of Social Services (DSS) Director John Martz and Assistant Director Suzanne Grable were present to provide the Board with an update on several Social Services programs as well as what they were anticipating with the expansion of Medicaid.

Ms. Grable distributed a handout on Child Protective Services (CPS)/children in Foster Care, adopted children and adult services referrals. She noted FY18 figures indicated a significant increase in CPS referrals over the previous year and investigations which generally involved law enforcement were also up. While these numbers were up, she happily reported the number of children in Foster Care was down. There were currently two children in adoptive placement Foster Care with final adoptions expected by the end of the year. Adoptions had also been completed for four other children earlier in the year. Mr. Davis praised DSS staff for this accomplishment and suggested there had been no adoptions in the County ten years ago. Mr. Tiller asked if the four children who had been adopted were still in New Kent County. Ms. Grable reported two had been adopted in Caroline County and two in New Kent County. The other two expected to be adopted by the end of the year would be in Henrico County. Ms. Grable indicated she was very excited to find permanency for these children. She indicated the two children recently adopted in New Kent County and their adoptive mother would be stopping by this meeting to meet everyone. She drew attention to the Adult Services Referrals chart and noted these numbers continued to climb. Many of these cases involved financial exploitation reported by banks and law enforcement was also involved in investigating these cases. She turned the floor over to Mr. Martz.

Mr. Martz introduced Tiffany Jones who had recently been promoted to the position of Benefit Programs Supervisor. Ms. Jones had worked for New Kent DSS for four years.

Mr. Martz reported DSS would be working in conjunction with a local Girl Scout Troop again to sponsor a Christmas Gift Program for the citizens of the County. He reported over 1,000 gifts had been made available last year for people in need. New and gently used items would be collected and distributed in the DSS lobby. Mr. Martz also reported DSS was working on a Thanksgiving program and asked that referrals for individuals who may need assistance be forwarded to his office.

The mother and two children (twins) recently adopted in New Kent had arrived and Ms. Grable introduced them to the Board. These children had gone into Foster Care at the age of six months and were now eleven months old. Mr. Stiers reported the Forge Foundation had received a request from the family and assured the mother they were currently in the review process. This was a wonderful opportunity for the Board and others in attendance to see one of the many DSS success stories.

Mr. Martz distributed a brochure and provided an update on Medicaid expansion. DSS would begin accepting applications on November 1 and applicants had several options for submitting applications including by website, in the office or they could also contact the federal market place. Coverage would begin January 1, 2019 and new income limits which were 138% of the federal poverty level would be used. New Kent was expecting over 1,000 new applications and anticipated 400 to 500 of those would receive benefits. Individuals who were interested in applying were encouraged to use the eligibility screening tool available at [www.coverva.org](http://www.coverva.org) to find out if they may qualify.

Mr. Martz reported DSS currently had a number of clients facing emergency crisis situations. DSS typically received one or two such cases each week but six had been received the previous day. He noted he would like to change the way Social Services was administered in New Kent County and suggested this could be done through Intensive Case Management. He reported the mission of DSS was to help clients overcome poverty, abuse and neglect and help them to develop a strong future for themselves, their families and communities. Mr. Martz suggested New Kent DSS was "proposing a radical departure from the status quo" and a "fundamental transformation of our entire way of doing business." Their vision was to provide Intensive Case Management Services to the most vulnerable and hard to serve clients and by doing so, empowering all residents to become champions for their community, providing the opportunity for citizens to develop skill sets to break free from the cycle of poverty and crisis. Mr. Martz reported clients they saw who were in crisis generally had issues with housing, medical, education, employment, mental health, child care and a lack of resources. The Case Management Society of America indicated "the goal of case management is to facilitate coordination, communication and collaboration with consumers, providers, ancillary services, and others in order to achieve goals and maximize positive consumer outcomes based upon individual assessments of consumers' needs." Mr. Martz reported the goals and objectives of Case Management would include:

- Client autonomy
- Client is knowledgeable regarding options
- Optimum health and functioning
- Clients who are able to self-advocate
- Informed decision making by clients
- Appropriate use of services
- Appropriate use of resources
- Timeliness of services
- Optimal level of client independence

Mr. Martz indicated DSS team members would be asking questions and following up on the information provided by clients in an effort to identify both "verbalized and non-verbalized needs." This would be a global program for New Kent, teaching clients to help themselves while involving community resources. Discussions would involve budgeting, determining how clients were making ends meet when expenses exceed income and connecting clients with training/employment opportunities to help put them in a better position to earn an income sufficient to meet needs. Mr. Martz reported DSS would be asking for a Program Coordinator position in the next budget cycle. This position would oversee the connection of

clients with services such as mental health and employment. The goals would be to give clients what they need to take the steps necessary to achieve self-sufficiency. This program would need the support of citizens and community partners as well as the Social Services Advisory Board and the Board of Supervisors. He encouraged the Board to share this information in the community and to direct citizens and partners to the DSS office. He encouraged them to "help us grow this program."

Mr. Davis suggested this sounded like a good program but noted he didn't believe clients would be willing to share information on how they were making ends meet in places they couldn't afford. Mr. Martz noted that most everyone in the room had started employment at a minimum wage position but they hadn't stayed in these low paying positions. He suggested better jobs were available and the question was often if the client possessed the skills necessary to get a better job. Mr. Evelyn also suggested this sounded like a good program and asked if the plan was to start providing these services next year. Mr. Martz reported New Kent DSS would be starting to make changes now and suggested "the citizens deserve it." Mr. Evelyn thanked the DSS staff for doing a great job and thanked Mr. Martz and Ms. Grable for the update.

Assistant Public Utilities Director Mike Lang was next on the agenda but commented on the DSS presentation noting he and County Administrator Rodney Hathaway both had twins in the family. He suggested the adoptive family who had come to the meeting during the DSS presentation was very special to be willing to open their home to twins.

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IN RE: RT. 618 WATERLINE PROGRESS UPDATE AND EASEMENT ACQUISITION

Assistant Public Utilities Director Mike Lang reported the Route 618 waterline would provide for more efficient operations for all Public Utilities customers while providing better water quality and service reliability to the neighborhoods of Oakmont Villas, Bel Green and Brickshire. The project design was almost complete with comments from VDOT and County agencies pending. Mr. Lang also reported Public Utilities was working with VDH (Virginia Department of Health) on a low interest loan for approximately \$3.5 million for this project. The cost of easements and acquisition services was estimated to be \$125,000 to \$150,000 which would be covered with approved CIP (Capital Improvement Plan) funds. The waterline project was progressing and they were ready to begin easement acquisition. The waterline would follow existing roadways and it was preferred that it be placed within VDOT right-of-ways whenever possible. In this particular case, the VDOT right-of-way was very narrow and relatively crowded with other underground utilities. Approximately 7,250 linear feet of waterline would need to be placed in permanent easements on private property and temporary construction easements would also be necessary. Approximately ten parcels would be impacted. Public Utilities was requesting a change order/contract amendment for Dewberry Engineers to begin the easement appraisal, negotiation and acquisition process. Mr. Lang noted that although the provided proposal suggested the cost for the specified services in the amendment would be \$91,120, the proposal had been amended through further negotiations and the cost reduced to \$78,575.

Mr. Davis asked for the width of the waterline easement. Mr. Lang indicated the easement would be ten feet wide. Mr. Evelyn asked if the Route 618 waterline would mean less maintenance. Mr. Lang indicated less maintenance would be required and this improvement would streamline future operations.

Mr. Davis moved to authorize the County Administrator to approve the change order for easement acquisition and execute the First Amendment to a contract Dated April 11, 2017 not to exceed \$78,575. The members were polled:

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

The motion carried.

Mr. Davis asked for an update on the County's surface water withdrawal permit application. Public Utilities Director Larry Dame reported the process continued moving forward. An advertisement announcing a thirty day public comment period had run in the Richmond Times Dispatch on October 12<sup>th</sup>. Comments were to be submitted to the Department of Environmental Quality (DEQ) by November 10<sup>th</sup>. Mr. Dame indicated he believed DEQ would issue the permit in December or early next year. Mr. Evelyn asked for the duration of the permit. Mr. Dame indicated the permit would be good for fifteen years but noted approval from the VMRC (Virginia Marine Resources Commission) and the Army Corps of Engineers would also be needed. Mr. Stiers asked if an exact location for the withdrawal point had been selected. Mr. Dame indicated an area on Northbury Farm had been selected and there would be minimal impact to the farm. Mr. Stiers asked what would be next. Mr. Dame indicated the next step would be to start land acquisition.

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IN RE: DRAFT 2019 NEW KENT COUNTY LEGISLATIVE AGENDA

County Administrator Rodney Hathaway noted the Legislative Agenda was a policy statement by the Board that would be used to communicate to members of the General Assembly the Board's position on various bills and proposals that may arise during the legislative session. It was normal practice for the Board to adopt an annual legislative agenda to be forwarded to the County's representatives. Mr. Hathaway reported there had been six items on the 2018 Legislative Agenda and there had been some success in getting movement on two of those items. One of those successes had been the allocation of over \$3 million for Route 60 improvements and the other had been the adoption of a resolution recognizing the 50<sup>th</sup> anniversary of the Green vs. County School Board of New Kent County Supreme Court Case. Mr. Hathaway noted some of the items included in the draft 2019 Legislative Agenda were new items while others were being carried forward from previous years. He provided an overview of the proposed agenda.

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

- 1-1 Broadband – The General Assembly was being asked to assist private providers in their efforts to deploy affordable access to high speed internet services in underserved and rural areas. Mr. Hathaway noted the need for broadband was not just a New Kent issue but a rural America issue. He reported the Governor had doubled funding from \$2 million to \$4 million this year but when distributed across the state, this was a very small amount.
- 1-2 Interstate 64 Widening – Mr. Hathaway noted this request was to make the widening of I-64 from I-295 to the Lightfoot Exit (Exit 232) a priority. He reported a SMART SCALE request for \$40 million to extend the widening project from Exit 205 to Exit 211 had been submitted. This item had been on the County's list for several years.

- 1-3 Transient Occupancy Tax – New Kent was requesting an amendment to Section 58.1-319.A (Transient Occupancy Tax) of the Code of Virginia to include New Kent County in the list of localities that may levy a Transient Occupancy Tax not to exceed five percent. Mr. Hathaway noted the Code allowed localities to levy a two percent Transient Occupancy Tax and for those localities that were permitted to go beyond the two percent cap, any excess over two percent was to be designated and spent solely for tourism and travel, marketing of tourism or initiatives that, as determined after consultation with the local tourism industry organizations, including representatives of lodging properties located in the county, attract travelers to the locality, increase occupancy at lodging properties, and generate tourism revenues in the locality. Mr. Hathaway indicated he believed New Kent County was the only locality in the Richmond Metro area that was not included on the list of localities allowed to levy higher than two percent. Charles City County had been added the previous year. Mr. Hathaway noted there were no hotels in the County yet but indicated he believed they would come and would like to be able to implement an increased Transient Occupancy Tax before they did.
- 1-4 Primary Elections – New Kent was requesting that the General Assembly direct the appropriate sub-committee to study the impact of changing Virginia’s June primaries from the second Tuesday to the third Tuesday of June so that elections would be held when most schools were closed. Mr. Hathaway reported New Kent Schools had also requested that the County Board of Elections find a suitable place other than George Watkins Elementary School to hold June primaries.
- 1-5 Funding for Alternatives to Groundwater – This request was for the creation of an Alternative Water Supply Fund to assist businesses and communities with meeting the new groundwater withdrawal requirements. Mr. Hathaway noted this request had also been on the legislative agenda for several years.
- 1-6 Emergency Services Assistance – The General Assembly was being asked to provide financial aid to localities to assist with the provision of emergency services on Interstate Highways. Approximately 25% of all transports in New Kent County were the result of incidents on Interstate 64 and New Kent Fire-Rescue often went NUA (No Units Available) while responding to these incidents. The request suggested funding be formula-based taking into account the highway miles, population and a locality’s ability to support such services.

Part II of the agenda included the following County Position Statements:

- 2-1 This statement was in regard to the Compensation Board’s workgroup examining the effects of body-worn cameras on workloads in Commonwealth Attorneys’ offices for the purpose of developing recommendations for possible budget or legislative action for the 2019 legislative session. New Kent was opposed to unfunded mandates for localities to fund new Assistant Commonwealth’s Attorney positions. Localities were currently expending significant funds supplementing salaries and positions funded by the Compensation Board in Constitutional offices. New Kent was suggesting that providing additional staff should be a decision made at the local level and each locality should be able to consider other solutions to the issue of reviewing body camera footage. Mr. Hathaway reported New Kent had hired a part-time employee to assist with reviewing camera footage.
- 2-2 Support for full funding for all legislation mandated for localities by the General Assembly that would have any associated cost. Also, in the event that funding was no longer provided by the Commonwealth at a future time, the mandate would sunset and no longer be binding on the localities.

- 2-3 Support for legislation that incentivizes regional cooperation and service delivery to promote efficiency, mitigate inequities, and overcome barriers that result from Virginia's unique local government structure.
- 2-4 Support for legislation providing adequate funding for secondary road maintenance.
- 2-5 Support for the Virginia Association of Counties 2019 Legislative program.

Mr. Stiers indicated he was okay with including Emergency Services Assistance but noted if the state did this for New Kent, they would have requests from many other counties with similar situations. He indicated he didn't think this was something the state would fund. Mr. Davis noted interstate highways were federal and suggested Emergency Services Assistance should come from the federal government. He asked Fire Chief Rick Opett how frequently his department was responding to calls on the interstate. Chief Opett suggested they responded to 400 to 500 interstate calls a year and reported the cost of each call was approximately \$1,000. Mr. Evelyn asked if insurance covered any of this cost. Chief Opett reported the maximum insurance payment was \$475 per transport.

Mr. Hathaway indicated no action was needed now and he encouraged Board members to provide him with any input they may have for the Legislative Agenda. The 2019 Legislative Agenda would be scheduled for approval as a part of the November 14<sup>th</sup> Consent Agenda.

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IN RE: VOTING CREDENTIALS FOR THE VACo ANNUAL BUSINESS MEETING

County Administrator Rodney Hathaway reported the VACo Bylaws provided for each county to designate a representative of its governing body to cast its vote at the VACo Annual Business Meeting. The Annual Business Meeting was scheduled for 9:00 a.m. on Tuesday, November 13, 2018. He asked for volunteers. Mr. Davis suggested it had been the Board's practice to designate Mr. Hathaway to cast the County's votes. Mr. Hathaway reported he had not been able to secure a motel reservation and would not be attending the conference this year. Supervisors attending included Ms. Paige, Mr. Tiller and Mr. Evelyn. After some discussion, Mr. Evelyn indicated he would be willing to cast votes for the County.

Mr. Davis moved to designate Thomas W. Evelyn as a representative of the New Kent County Board of Supervisors to cast the County's votes at the Annual VACo Business Meeting. The members were polled:

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

The motion carried.

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IN RE: PROCUREMENT OF PROFESSIONAL SERVICES FROM SILVERCORE LAND DEVELOPMENT CONSULTANTS

County Administrator Rodney Hathaway reminded Board members they had approved an amendment to the County's Procurement Manual at their previous meeting which required Board approval of any procurement of professional services over \$30,000. Before the Board for consideration was a services agreement with SilverCore Land Development Consultants totaling \$58,500 for Pine Fork Park engineering. Mr. Hathaway noted the County was currently under contract with SilverCore to develop the site plan for Pine Fork Park but

would like to expand the scope of services to include coordination with VDOT and reviewing agencies, development of construction plans for concession stand/restroom facility, preparation and submission of SWPPP (Stormwater Pollution Prevention Plan) and VSMP (Virginia Stormwater Management Program) submittal package and construction administration for site work. Mr. Hathaway asked the Board to consider approving the proposed professional services contract with SilverCore Land Development Consultants in the amount of \$58,500.

Mr. Stiers asked for the cost of services prior to the addition of expanded services. Mr. Hathaway reported the original cost had been approximately \$38,000. He reported this firm had done a "tremendous job" for the County and was generally under budget. Mr. Stiers suggested this expansion of services would put the project over budget. Mr. Hathaway noted this was not the case. He indicated the coordination of engineering services was a component of the budget for this project and this request was to contract with SilverCore to provide those services.

Mr. Tiller moved to approve the proposed professional services contract with SilverCore Land Development Consultants for engineering services related to the design of Pine Fork Park. The members were polled:

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

The motion carried.

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IN RE: OTHER BUSINESS – PUBLIC UTILITIES YEAR-END BUDGET TRANSFERS

County Administrator Rodney Hathaway distributed copies of a budget transfer request from the Public Utilities Department. He reported this transfer was requested as a part of the FY18 year-end closeout. The documents provided indicated there was a negative cash flow of \$455,177.41 in the Bottoms Bridge Service District (BBSD) account (Account 1515). BBSD connection fees had come in under budget and was the cause of this account's negative status. The FY18 budget had included a \$218,684 transfer but this account still had a negative balance of \$236,493.41. This proposed transfer would be between two utility line items and would not impact the Public Utility Fund's overall cash balance.

Mr. Evelyn suggested the Board would probably see more of this in the future as projects in the BBSD were being built out. Public Utilities Director Larry Dame agreed. He reported less than twenty lots remained to be connected in Patriots Landing. He further reported twenty connections had been projected for the previous year but there had been only thirteen. Projections for this year had been thirty and there had been seven to date. He also reported there had been a small number of commercial connections but suggested these were much harder to project. He noted some decisions would need to be made in the upcoming budget cycle to determine how the BBSD debt service would be paid.

Mr. Tiller moved to approve the transfer of \$236,493.41 from Public Utilities to the Bottoms Bridge Service District accounts as presented. The members were polled:

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

The motion carried.

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IN RE: OTHER BUSINESS – AUTO RENEWAL OF OPERATIONAL MEDICAL DIRECTOR AGREEMENT

Fire Chief Rick Opett reported the County had an agreement with Operational Medical Director Dr. Stephen Kramer which was scheduled to automatically renew on December 7, 2018. He indicated he was very pleased with Dr. Kramer and if there were no objections, would like to allow the agreement to automatically renew.

The general consensus was to allow the agreement to automatically renew.

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IN RE: OTHER BUSINESS – CITIZEN GROUP REQUEST FOR STRATEGIC PLAN DISCUSSIONS

Mr. Evelyn reported a group of citizens had expressed an interest in working with County Staff and the Board on a strategic plan. He asked if everyone (Board members) had had an opportunity to talk with some of the members of this group and indicated he was not clear as to what this group wanted to do. He asked Board members if they were interested in meeting with this group to get a better understanding of what they were proposing. Mr. Davis suggested members of the group could come to a regular meeting and speak. Mr. Stiers reported he believed this group was more interested in the Comprehensive Plan. He suggested a couple of Board members should meet with them to discuss what they were proposing and then bring the information to the full Board. Mr. Evelyn agreed and suggested several staff members should also be included in this discussion. County Administrator Rodney Hathaway indicated he felt this group was more interested in a strategic plan which would be more general and not the Comprehensive Plan which involved land development specifically. Ms. Paige noted she had suggested several months ago that a strategic plan was needed and the zoning ordinance should be reviewed/revise. She indicated discussion at the previous meeting had suggested the zoning ordinance should be addressed first and she stressed the importance of making sure these ordinances were "cohesive." Mr. Evelyn reported he had talked with several of the members of the group and he didn't think they were interested in discussing the zoning ordinance. He also suggested it was debatable as to which should be addressed first. Ms. Paige also noted the importance of getting input from a variety of citizens and not just a particular group. Mr. Hathaway suggested most localities used consulting services when developing a strategic plan. He too noted he was not sure what this group was proposing. Mr. Stiers again suggested a couple of Board members should meet with them first and then bring the information to the Board. Mr. Hathaway indicated he would be happy to set this up. Mr. Stiers indicated he would like to meet with the group and suggested Chairman Evelyn also be included. The general consensus was to move forward with arranging a meeting with members of the group.

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IN RE: OTHER BUSINESS – COALITION AGAINST BIGGER TRUCKS

Mr. Evelyn reported he had received an email from the Coalition Against Bigger Trucks which he believed was advocating for bigger trucks on local roads. He suggested interstate

roads were better and this was where the bigger truck should be traveling. He indicated he was concerned that the email had suggested the Coalition had the support of VACo (Virginia Association of Counties), VML (Virginia Municipal League) and the Virginia Association of Chiefs of Police. County Administrator Rodney Hathaway indicated he could reach out to VACo and VML to get a better understanding of their position.

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IN RE: OTHER BUSINESS – PERSONAL PROPERTY TAX RELIEF AND DISABLED  
VETERANS

Mr. Stiers distributed information he had requested from Commissioner of Revenue Laura Ecimovic regarding personal property tax relief for veterans. The summary information reported five of the eight localities reviewed were offering some degree of personal property tax relief to veterans who were 100% and permanently disabled. Tax relief rates varied from 50% to 100%. Mr. Stiers suggested disabled veterans should be given tax relief for one "normal" vehicle – no motor homes, etc. He suggested 100% relief was estimated to cost \$50,000 the first year and increase approximately \$4,000 each year thereafter.

Ms. Paige reminded everyone that she was a retired veteran with 21 years of service. She reported individuals from Mr. Stiers' district had also approached her asking for personal property tax relief for disabled veterans. She agreed that it was important to show respect and honor to our veterans and suggested New Kent County was already doing this through real estate tax relief. She suggested that while it was important to be sure veterans had a place to live, personal property was a different issue. She noted our personal property (what we own and drive) was a decision we made as an individual. She suggested no other localities were doing this and that it may be more appropriate to look at tax relief for the elderly and disabled. She also noted a proposed Constitutional Amendment would be on the November 6<sup>th</sup> ballot which would extend the existing property tax exemption for certain veterans contained in Article X, Section 6-A to their surviving spouses. Mr. Stiers noted the information from Ms. Ecimovic showed several localities were offering personal property tax relief to disabled veterans. Mr. Evelyn suggested this may be something to be considered during the budget process.

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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 November 14, 2018 and the next work session at 9:00 a.m. on November 28, 2018, both in the Boardroom of the County Administration Building.

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

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

The motion carried.

The meeting was adjourned at 10:27 a.m.