

A REGULAR MEETING WAS HELD BY THE NEW KENT COUNTY BOARD OF SUPERVISORS ON THE 13TH DAY OF APRIL IN THE YEAR TWO THOUSAND TWENTY IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 6:00 P.M.

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IN RE: CALL TO ORDER

Chairwoman Patricia A. Paige called the meeting to order.

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IN RE: ROLL CALL

Thomas W. Evelyn	Present
C. Thomas Tiller, Jr.	Present
Patricia A. Paige	Present
Ron Stiers	Present
John N. Lockwood	Present

All members were present.

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IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Tiller gave the invocation and led the pledge of allegiance.

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IN RE: CONSENT AGENDA

The Consent Agenda was presented as follows:

- 1.** Minutes
  - a. February 26, 2020 Work Session Minutes
  - b. March 9, 2020 Regular Session Minutes
- 2.** Miscellaneous
  - a. Approval of New Development Street Names
  - b. Adoption of Resolution R-21-20 Recognizing May 2020 as Older Americans Month in New Kent County
  - c. Approval of March 3, 2020 Democratic Presidential Primary Abstracts of Votes
- 3.** Refunds
  - a. AmeriGas Propane – BP#3780-2019 - \$52.12
  - b. Phillips Energy Inc – BP#4637-2020 - \$52.19
- 4.** FY20 Supplemental Appropriations
  - a. Donations to the Animal Shelter, \$436.
  - b. Gifts & Donations to: Sheriff: NK Women's Club for Honor Guard, \$150 and Fire/EMS - United Way South Hampton Roads (\$106.17), Howard Kiser (\$100), Norman Hornberger (\$300), Mr. & Mrs. H.F. Coke (\$1,000), Lucy Sawyer (\$100) and Throckmorton (\$400), \$2,006.17.
  - c. Funds received from VML Insurance: General Services (\$875) and Fire (\$443.75), \$1,318.75.
  - d. Funds for Sheriff Security Detail Extra Duty -NKCPS Jan BBall/Football (\$1,248.74) Feb BBall (\$818.14) Colonial Downs (1/24-2/1 \$2,115.26 & 2/24-2/29 \$2,159.33), \$6,341.47

- e. CWA Asset Forfeiture Expenditures from Fund Balance for Computer Purchase, \$7,508.30.
- f. Youth Sports Scholarships: Maidstone Dental Inc (\$200), Brockwell's Septic (\$200), Quarles Petroleum (\$300), Vincent Funeral Home (\$200) and Holtzman Oil Corp. (\$300), \$1,200.
- g. FY19 Carryforwards to FY20 for the Capital Outlay Fund: \$120,256.43.
- h. Farmers Market Registration Fee: Charles City Fruit, \$45.
- i. Asset Forfeiture Funds for OCVapps upgrade, \$1,995.
- a. CDBG Loan Replay (\$900) and Extension Program Sponsorship (\$180)

\$142,427.12 - Total  
(\$12,667.39) - Total In/Out - General Fund (1101)  
(\$120,256.43) - Total In/Out - Capital Fund (1302)  
(\$1,995.00) - Total In/Out - Sheriff Asset Forfeiture (1150)  
(\$7,508.30) - Total In/Out - CWA Asset Forfeiture (1151)

- 5. Treasurer's Report: Cash as of February 2020 - \$57,904,377.22 including escrow funds.

Mr. Tiller moved to approve the Consent Agenda as presented and that it be made a part of the record. The members were polled:

Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye
John N. Lockwood	Aye
Patricia A. Paige	Aye

The motion carried.

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IN RE: CITIZENS COMMENT PERIOD

There were no citizen comments.

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IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION - RESIDENCY ADMINISTRATOR'S REPORT

Ms. Paige reported that due to COVID-19 social distancing suggestions, VDOT staff would not be present. A written report from Residency Administrator Marshall Winn had been provided. The report indicated a variety of work including trash pickup, mowing, tree removal/pruning/cleanup, pothole repairs and ditching and drainage work had been completed. 45 work requests had been received with 99 completed. Two after hours callouts involving a vehicle accident and debris in the roadway were also reported. The contract for the replacement deck over the Chickahominy River canal on Route 155 (Courthouse Road) had been awarded to Allan Myers and work was scheduled to begin in June. Results of a signal warrant analysis at Route 60 (Pocahontas Trail) and Market Place Drive were pending. Board members were encouraged to report any concerns directly to VDOT.

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IN RE: DIASCUND CREEK NO WAKE ZONE - RESOLUTION R-18-20

Before the Board for consideration was Resolution R-18-20, supporting James City County's request for the creation of a no wake zone on Diascund Creek. Ms. Paige reported more information was being gathered and this item would be brought back for consideration.

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IN RE: ELECTION OF HEALTH INSURANCE BENEFITS FOR BOARD OF SUPERVISORS  
RESOLUTION R-19-20

Before the Board for consideration was Resolution R-19-20 electing to participate in the New Kent County Employee Group Health Insurance Plan. County Administrator Rodney Hathaway reported this resolution which had been discussed at the Budget Retreat on March 13<sup>th</sup> would enable the Board of Supervisors to participate in the employee group health insurance plan. Anthem, the County's insurance provider, was requiring the Board to adopt this resolution containing information on available plans as well as employee and County contributions for each. As required by Code, these rates were the same as those offered to other County employees. Mr. Hathaway entertained questions.

Mr. Tiller moved to adopt Resolution R-19-20 allowing the New Kent County Board of Supervisors to participate in the County's group health insurance plan beginning in FY21.

Mr. Stiers asked if one member of the Board elected to participate would all five members be required to participate or would each member be given the option. Mr. Hathaway indicated the County had to offer all members the same options but each member would decide whether or not they wished to participate.

The members were polled:

C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye
John N. Lockwood	Nay
Thomas W. Evelyn	Aye
Patricia A. Paige	Aye

The motion carried.

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IN RE: GENERAL OBLIGATION SCHOOL BONDS FOR THE CONSTRUCTION OF A NEW  
ELEMENTARY SCHOOL – RESOLUTION R-15-20

Before the Board for consideration was Resolution R-15-20 regarding general obligation school bonds for the construction of a new elementary school. County Administrator Rodney Hathaway reported this topic had been discussed at several recent meetings. The new school would be built on property purchased by the County in the Quinton area. Mr. Hathaway turned the floor over to Davenport & Company Senior Vice President Ted Cole.

Mr. Cole provided a summary of previous presentations on new school financing and possible actions the Board may wish to consider. The County had made two funding applications to the VPSA (Virginia Public School Authority) and both had been approved. One application had been to participate in the spring pool program and the other for participation in a standalone program with timing at the Board's discretion. Mr. Cole reported the municipal bond market had struggled to find its footing for several weeks but had shown improvement over the past week. VPSA needed to know by March 15<sup>th</sup> if New Kent wished to remain in the spring pool with seven or eight other local governments and a decision would be needed at this meeting. No action was requested for the standalone

program as the timing would be at the Board's discretion. Mr. Cole reported VPSA had been very accommodating with the County's requests and targeting of annual debt service levels. The proposed loan would have a 25-year term with a "true interest cost" of about 3% and the bond would be sold on the public market around the middle of May. VPSA was also exploring the option of a bank financing for the pool. In that case, the term would drop from 25 to 20 years and the transaction could close quickly. If the Board wished to move forward with the pool, they would need to take action to approve a resolution now and set a "not to exceed" interest rate. VPSA would be deciding within the next week if financing would be with a bank loan or a public bond sale. VPSA had indicated if they went with the bond option and they had not sold by the time a local government's construction bid expired, the locality would be allowed to withdraw. Recapping his comments, Mr. Cole stated that by approving the resolution, the Board would be approving going into the spring pool with a "not to exceed" interest rate. This could result in a bank loan closing in a few weeks or a public bond sale expected to occur in mid-May. If the bond didn't sell by bid expiration, the County would have the ability to withdraw. He entertained questions.

Mr. Evelyn noted Mr. Cole had reported seven or eight other localities were approved for the spring pool. He indicated he had heard that one locality had pulled out and asked if any others had withdrawn. Mr. Cole confirmed one locality had pulled out but he was not aware of any others. He noted VPSA was reaching out to its clients letting them know they may be going with a bank loan rather than a public bond sale. He reported another of his clients (Mecklenburg County) had approved going forward with the pool earlier in the day.

Mr. Lockwood noted Mr. Cole had indicated if the bond did not sell and the County did not get the desired rate, they could opt out. He also noted that with the possibility of a mid-May bond sale, the bid could expire and New Kent could end up with no financing. Mr. Cole indicated it would be at VPSA's discretion to make a decision on whether to finance the pool as a bank loan or on the bond market and that decision would not be known until later in the week. Assuming the Board adopted a resolution to move forward, if VPSA chose bank financing, they would be ready to close in a few weeks with an interest rate of about 3% and the County could not opt out. If they chose the public bond market and the bonds did not sell by the construction bid expiration, the County could opt out. He noted the County would have no financial obligation to the contractor until the construction contract was signed and the construction contract should not be signed until the financing was in place. Mr. Lockwood asked for the bid expiration date. Mr. Hathaway indicated he did not have that date but reported conversations with School Superintendent Brian Nichols had suggested the contractor was confident he could meet the contractual schedule requirements and hold his pricing if construction was started by June 1<sup>st</sup>.

Ms. Paige noted Superintendent Brian Nichols was in the audience and invited him to the podium. Mr. Nichols provided copies of a New Kent Elementary School #3 handout. He thanked the Board for the opportunity to speak and reported the School Board had just finished their meeting prior to his arrival. He indicated a Board of Supervisors meeting ten months ago had been the first meeting he had attended in New Kent after having been named Superintendent and he had made some promises at that meeting. One of those promises had been that in order to lead the school division, he would need to live in New Kent County. That mission had been accomplished and had been one of the best decisions his family had made. He had also promised that New Kent Schools and New Kent County would work together and regardless of the Board's decision today, that would still be his promise. Drawing attention to the handout, Mr. Nichols shared information on recent enrollment trends. He reported figures from birth rate to Kindergarten enrolment indicated the "kid business" was great in New Kent. Figures indicated 164 children had been born in

New Kent in 2013 and 218 had enrolled for Kindergarten in 2018-2019. 192 had been born in 2014 with 242 enrolling in Kindergarten in 2019-20. This was further compounded by the fact that by the time the 242 kids advanced to 1<sup>st</sup> grade, the enrollment would have increased to 272 and by the time they reached 2<sup>nd</sup> grade the enrollment would be almost 300. Mr. Nichols reported the current freshman class was the largest in the history of New Kent. Next year as well as the year after that would also be the largest freshman class in the history of New Kent and enrollment at the high school would be almost 1,200 by then. The biggest growth had been at the elementary level. From 2015 to 2019 New Kent Elementary School (NKES) enrollment had increased by 10.57% and G. W. Watkins Elementary School (GWES) enrollment had increased by 6.3%. Both schools had an enrollment capacity of 700 and current enrollments of 765 and 750 respectively. Mr. Nichols suggested trailers could be added but noted those would come at a cost of \$125,000 for a two-classroom unit. The Capital Budget contained funding for two additional trailers but, knowing the new school would be built, the School Board had been working to avoid adding additional trailers. While classroom space could be increased by adding trailers, additional space could not be added to common spaces such as the cafeteria, gym and hallways.

Mr. Nichols noted New Kent Schools and New Kent County had been partnering together for this new school long before he had had become Superintendent. Testimony to this was a list of current expenses/contracted services totaling \$2,788,513. This list included:

• New School Consulting Services FY18	\$9,250
• Property Appraisal	\$3,000
• Land Purchase	\$375,000
• Prep of Ingress/Egress Access and Utility Easement	\$858
• Nutrient Credits for School Property	\$29,380
• A&E Contract – Mosely Architects	\$2,371,025

Mr. Nichols also noted if the Board’s decision was to postpone building the new school, there would be potential costs associated with the delay. A list of suggested costs totaling \$1,860,114 included:

• Budget for Two Trailers – Will Most Likely Increase	\$245,114
• Additional A&E Expense – Bidding	\$35,000
• Potential Inflation of Construction Cost	\$1,580,000

Mr. Nichols reported there were a number of other factors to consider when making the decision to move forward or delay. Large class sizes were a concern and he reported an additional 2<sup>nd</sup> grade teacher had been needed at GWES but there had been no space available. Average class size had been 28. He reported that some of the reasons teachers were coming to New Kent were that New Kent was a fantastic county, it had a fantastic school system and smaller class sizes than surrounding localities but it was becoming difficult to deliver on those promises. One of the biggest disappointments regarding capacity was that the school division could get funding through the Virginia Preschool Initiative to add three additional Pre-K classes to serve 60 students but there was no space available. This funding was being turned down each year. The new elementary school would include three Pre-K classrooms which would allow the division to double the number of Pre-K students served. Other factors noted included teacher retention and morale, teacher hiring, critical shortage areas and postponing updates at NKES and GWES.

Mr. Nichols expressed his appreciation for the opportunity to speak. He noted the new school was in the School Board's strategic plan and would continue to be a focus of their work. He also noted the promises he had made to the Board ten months ago would remain the same no matter the outcome of this meeting. The School Board and the Board of Supervisors would continue to partner together, continue to do great things for the County and moving to New Kent would continue to be one of the best decisions he had made. He stated he knew the Board had more than schools to consider and he appreciated the work they were doing. He thanked them for their time and entertained questions.

Mr. Stiers reported less than a year ago the School Board had discussed building the new school with the Board of Supervisors. At that time, the price had been \$24 million. It had since increased to \$27 million and was now \$38 million in less than a year. He asked Mr. Nichols if he could explain what had contributed to this additional cost. Mr. Nichols reported the additional costs were related to construction costs, contractor costs and design costs. Five bids had been received with four of the five being within \$300,000 of each other. Although the bids had been higher than anticipated, the closeness of the pricing suggested they were good bids. He suggested this was the cause for the concern about delaying the new school and the possibility of increasing prices. The bids were good for 90 days which would be just beyond the June 1<sup>st</sup> timeframe.

There being no further questions, Ms. Paige thanked Superintendent Nichols for speaking. She noted the Board had heard the financials regarding how the pool option would work, the standalone option and the banks. They had also heard from Superintendent Nichols on the work that had been done and she thanked him and the School Board for this information. Ms. Paige stated "we know that we need an elementary school" and "something we did not know was that we would now be faced with a pandemic" that was impacting our country and the world. She stated, "It is the feeling that because of those uncertainties and because of the uncertainty of what our future economic situation will be here in New Kent County ... we will defer this matter until a later date."

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IN RE: RESOLUTION RECOMMENDING DENIAL OF A VIRGINIA DEQ APPLICATION  
TO REISSUE VIRGINIA POLLUTION ABATEMENT PERMIT #VPA 0080 –  
RESOLUTION R-20-20

Before the Board for consideration was Resolution R-20-20 recommending denial of a Virginia DEQ (Department of Environmental Quality) Application to reissue an existing Virginia Pollution Abatement Permit #VPA 0080. County Administrator Rodney Hathaway reported this permit would allow the application of biosolids to a farm in the northwestern part of the County. Requests had been received from citizens asking the Board to consider taking the action before them. The concerns of those citizens had been expressed within the resolution for the Board's consideration. Mr. Hathaway entertained questions.

Mr. Evelyn reported the farm which was subject of this permit was located within his district and he had received no calls about this renewal. He noted he was not a fan of biosolid application to farmland throughout the County and reported this particular farm had not applied biosolids in many years. He expressed concerns with language in the resolution regarding the Coronavirus. He read the following from paragraph three of the resolution:

"... are responding to the Coronavirus pandemic and are focused on reducing exposure to this virus, and little is known about its ability to survive the treatment process for biosolids"

Mr. Evelyn suggested this sounded good but there was no science to back it up and it would be premature to put this information in a County resolution. He suggested the resolution would have no real meaning because the DEQ would have final say. He reminded everyone the County wastewater treatment plant was sending waste to Henrico County to be treated. He stated it was as though New Kent was saying we'll send you our waste but we don't want it back on our fields. Mr. Lockwood announced there had been reports in Europe indicating the Coronavirus had been found in water treatment facilities. He suggested this was a potential threat which should be taken seriously. This was especially concerning because these products would be spread on land surrounded by many waterways one of which was the Pamunkey River from which the County was proposing withdrawing water for residents.

Mr. Lockwood moved to adopt Resolution R-20-20 to recommend the denial of the Virginia DEQ application to reissue Virginia Pollution Abatement Permit #VPA 0080. The members were polled:

Ron Stiers	Aye
John N. Lockwood	Aye
Thomas W. Evelyn	Nay
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye

The motion carried.

Ms. Paige noted the next agenda item was a public hearing which could not begin before 7:00 p.m. (The time was 6:34 p.m.) She asked if the Board wished to recess until 7:00 p.m. or move on to Elected Officials Reports. The general consensus was to move on.

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IN RE:            ELECTED OFFICIALS REPORTS

Mr. Lockwood announced that with all the difficulties, lost jobs and financial worries people were experiencing, Proclaiming Grace Outreach (PGO) was still operating their food bank in Barhamsville. This food bank was serving all of New Kent County and upper James City County. PGO was also accepting monetary and food donations and Mr. Lockwood encouraged visiting their webpage or Facebook page for the most recent information.

Mr. Stiers indicated he had nothing to report at this time.

Mr. Tiller indicated he had nothing to report at this time.

Mr. Evelyn indicated he had nothing to report at this time.

Ms. Paige announced the New Kent Department of Social Services (NKDSS) was operating full speed ahead. (In response to COVID-19, NKDSS was overseeing an email address [NKCCOVID19HELP@newkent-va.us](mailto:NKCCOVID19HELP@newkent-va.us) and a call line (804) 966-1853 receiving inquiries from volunteers and those in need.) She reported that as of April 10<sup>th</sup>, 19 New Kent residents had reached out wishing to volunteer to assist members of the community who were considered high risk or could not get out to stores. These volunteers had been running errands such as picking up items from the grocery store and drug store and performing light yard work. DSS had received four requests for assistance and those who may be in need were encouraged to contact them. Ms. Paige noted she was sorry to report that New Kent Planning Commissioner Curtisa Thomas had lost her 22-year old son in a drowning the previous day. On behalf of the Board, Ms. Paige expressed heartfelt condolences to Ms.

Thomas and her family. Ms. Thomas had been recognized for heroism by the Board in October 2018 for her role in saved a young man involved in an automobile accident. Ms. Paige also thanked Colonial Downs and Rosie's for being a great community partner. These businesses had committed to provide 20,000 meals to essential workers not only in New Kent County but in all of the communities in which they were located.

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IN RE: STAFF REPORTS – PINE FORK PARK BOND REFINANCING – RESOLUTION  
R-22-20

Before the Board for consideration was Resolution R-22-20 for the refinancing of Lease Revenue Bond, Series 2018 for Pine Fork Park. County Administrator Rodney Hathaway reported Davenport & Company Senior Vice President Ted Cole was present with additional information on refinancing the bond on Pine Fork Park. Mr. Cole distributed handouts on the proposed refinancing and noted this had been discussed at the Board's March 25<sup>th</sup> meeting. He reported New Kent had borrowed from BB&T in the fall of 2018 to fund improvements at Pine Fork Park. This bond had been issued for \$3.2 million at 3.58% and a final maturity date of October 1, 2033. The current amount outstanding was \$3,021,000 and prepayment provisions included that the principal of the bond could be prepaid in whole at the option of the County, on a scheduled payment date with a 1% penalty. A March 24, 2020 proposal from BB&T indicated the requirement to prepay on a payment date had been waived and the prepayment penalty had been reduced to .5%. The proposed refunding terms and conditions for the new loan included a not-to-exceed amount of \$3,200,000, a final maturity date of October 1, 2033, an interest rate of 2.5%, up to \$5,000 in bank counsel costs and prepayment provisions including the ability to prepay in whole at any time with a 1% penalty in the first half of the term and no penalty in the second half. Mr. Cole indicated if the Board wished to move forward with this proposal, they would need to adopt the resolution before them at this meeting. A similar resolution would then be prepared for the Economic Development Authority (issuer of the debt) to consider with closing by May 11<sup>th</sup>. The term of the loan would not change, the interest rate would be reduced and incurred costs would be rolled into the transaction. The cost of issuance budget totaled \$66,491.16 and included \$30,000 in bond counsel fees and expenses, \$31,491.16 for financial advisory services and \$5,000 for lender's counsel fees. Total debt service savings for the life of the loan, taking into account the cost of issuance, would be \$156,253. These terms would be good through May 11<sup>th</sup>. Mr. Cole entertained questions.

Ms. Paige asked for confirmation that if the Board decided to pay this loan off in 2030, not only would they be saving the \$156,253, but also the principal and interest from 2030 to 2034. Mr. Cole indicated if the loan was paid off in 2030, the County would save all of the dollars listed as annual savings in prior years and the interest due on the remaining years. Noting the annual savings listed for the years beyond 2030 would not be realized, the \$156,253 savings would be reduced by four to five years of annual savings. Those savings would not be realized unless the loan ran to full term.

Mr. Evelyn suggested it was always a good thing when the Board could save taxpayers money. He moved to adopt Resolution R-22-20 for the refinancing of Lease revenue Bond, Series 2018 for Pine Fork Park. The members were polled:

John N. Lockwood	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye
Patricia A. Paige	Aye



The motion carried.

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IN RE: STAFF REPORTS – SUSPENDING THE AGRICULTURAL AND FORESTAL  
DISTRICT PROGRAM FOR FY 2019-20 – RESOLUTION R-23-20

Before the Board for consideration was Resolution R-23-20 proposing to suspend the processing of Agricultural and Forestal District (AFD) Applications for Fiscal Year 2019-20. County Administrator Rodney Hathaway reported that as a result of the Coronavirus pandemic, New Kent was anticipating reduced revenues for the next fiscal year. Staff had been reviewing the proposed FY21 budget in an effort to find areas where expenditures could be reduced. Mr. Hathaway reported he would like the Board to consider placing a one-year moratorium on the AFD program. The benefit of this action would be that the County would save losses associated with allowing new properties into the program. The deadline for application to the program had been March 1<sup>st</sup>, five new applications had been received and two districts (Diascund Creek and York River) were up for renewal. The Board would not be disbanding the two districts up for renewal by adopting this resolution. All parcels in those districts would remain in the program and the renewal date would be extended one year. He entertained questions.

Mr. Lockwood asked how many acres were involved in the five applications. Mr. Hathaway indicated he did not know the total acreage but could get that information. Mr. Stiers asked for confirmation that this resolution would not impact anyone who was already in the program. Mr. Hathaway confirmed and noted no one currently participating would be impacted. Noting concerns about the possibility of four districts being up for renewal next year, Mr. Evelyn asked if this would mean all AFD renewals would be pushed out a year. Mr. Hathaway confirmed. Mr. Evelyn reported the Board had taken a similar action a number of years ago. Mr. Hathaway agreed and reported the Board had adopted a resolution in 2012 which had been in effect for 2013 and 2014. Mr. Evelyn indicated there was a tremendous amount of work involved with administering this program and with the current modified work schedules not only in New Kent but also in other agencies (due to COVID-19), it would be difficult to coordinate with the Virginia Forestry Department and the Extension Office. He suggested the one-year moratorium was a good idea.

Mr. Evelyn moved to adopt Resolution R-23-20 suspending the processing of Agricultural and Forestal District applications for Fiscal Year 2019-2020. The members were polled:

Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye
John N. Lockwood	Aye
Patricia A. Paige	Aye

The motion carried.

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IN RE: APPOINTMENTS – DELEGATED BY DISTRICT

There were no appointments delegated by district.

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IN RE: APPOINTMENTS – NOT DELEGATED BY DISTRICT

There were no appointments not delegated by district.

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IN RE: APPOINTMENTS – REGIONAL BOARDS AND COMMISSIONS

Mr. Evelyn moved to appoint John Moyer as New Kent’s Planning Commission representative to PlanRVA to serve a one-year term beginning January 1, 2020 and ending December 31, 2020. The members were polled:

C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye
John N. Lockwood	Aye
Thomas W. Evelyn	Aye
Patricia A. Paige	Aye

The motion carried.

Noting it was still too early to begin public hearings, Ms. Paige called for a brief recess at 6:54 p.m. The meeting reconvened at 7:03 p.m.

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IN RE: PUBLIC HEARING – PROPOSED TAX LEVIES FOR FISCAL YEAR 2021

County Administrator Rodney Hathaway reported a copy of proposed FY21 tax levies advertised in local papers had been provided. He indicated no action was being requested and the purpose of this public hearing was to present the information and to receive input from citizens. Action was scheduled to be taken on tax levies at the May 27<sup>th</sup> work session. Mr. Hathaway pointed out the list of proposed levies was based on his pre-COVID-19 pandemic presentation (March) and staff was taking a hard look at the budget to find ways to reduce the \$0.82 real estate levy. He would be coming back to the Board in May with a new proposed rate. He also announced the Board would be meeting for a special budget work session at 9:00 a.m. on Friday to continue working on the numbers. He reviewed the various advertised tax levies including:

- Real Estate - \$0.82 per \$100 of assessed valuation – This was a reassessment year and the equalized tax rate was \$0.76. The proposed \$0.82 rate would be a \$0.06 tax increase.
- Vehicles without motive power, used or designed to be used as manufactured homes as defined in Section 36-85.3 of the Code of Virginia - \$0.82 per \$100 of assessed valuation – This was a reassessment year and the equalized tax rate was \$0.76. The proposed \$0.82 rate would be a \$0.06 tax increase.
- Public Service Corporation Real Property - \$0.82 per \$100 of assessed valuation – This was a reassessment year and the equalized tax rate was \$0.76. The proposed \$0.82 rate would be a \$0.06 tax increase.
- Tangible Personal Property not otherwise exempt or set out - \$3.75 per \$100 of assessed valuation. No change from the previous year.
- Public Service Corporation Tangible Personal Property - \$3.75 per \$100 of assessed valuation. No change from the previous year.
- Special Rate for Tangible Personal Property not otherwise exempt or set out for one vehicle per qualified Fire-Rescue Volunteer or Auxiliary Volunteer - \$1.875 per \$100 of assessed valuation. No change from the previous year. Mr. Hathaway noted this was a special rate offered to Fire-Rescue volunteers.
- Airplanes - \$0.75 per \$100 of assessed valuation. No change from the previous year.

- Machinery and Tools - \$0.75 per \$100 of assessed valuation. No change from the previous year.
- Bottoms Bridge Sewer/Water District *Ad Valorem* tax - \$0.13 per \$100 of assessed valuation. This was a \$0.02 decrease.

He entertained questions.

Ms. Paige noted the Board had also discussed another decrease in Public Utilities. Mr. Hathaway indicated she was correct and noted what was being considered now was the tax levies. The other change she referenced would impact water and sewer user rates. A 1% across the board proposed decrease for all users would be the first decrease in user fees since the establishment of those rates. The next public hearing would be on fees but this change had not been known in time to meet advertising deadlines. A public hearing for those changes would be scheduled for the May 11<sup>th</sup> meeting.

Referencing the special rate being given to Fire-Rescue volunteers, Mr. Tiller asked if this was or should be based on the number of hours volunteered. Mr. Hathaway indicated he did not believe this was based on the number of hours volunteered but those receiving this discount were current active members.

Ms. Paige opened the public hearing. Mr. Hathaway reported residents had been encouraged to view the meeting on Facebook Live and to send in their comments for consideration. He noted Board Members had received an email from William Francavilla of 19401 High Bluff Lane, Barhamsville in which he asked the Board to consider the impact of COVID-19 on the community and to take another look at the proposed budget and tax rate. Ms. Paige asked if any other Board members had received input from the community. There being none and no others wishing to speak, the public hearing was closed.

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IN RE: PUBLIC HEARING – PROPOSED AMENDMENTS TO APPENDIX A – FEES OF THE  
NEW KENT COUNTY CODE

County Administrator Rodney Hathaway reported staff reviewed the various fees charged by their departments each year to be sure they were consistent with the market and surrounding localities and that they were covering the County's actual cost of providing the service. As a result of this review, several fee amendments were being proposed to become effective July 1, 2020. No action was being requested at this time. Action was scheduled to be taken on fees at the May 27<sup>th</sup> work session.

Mr. Hathaway reviewed the various advertised fee changes including:

- New Burn Permit Fees for commercial uses – These fees would be one-time annual fees and included a Commercial Process Open Air Fire Permit for \$950 and a Commercial non-Process Open Air Fire Permit for \$1,250.
- Cost Recovery Fee for Emergency Response – These fees were driven by the level of reimbursement insurance companies were paying the County. Engine Company fees were increasing from \$85/hr. to \$125/hr., Tanker Company fees from \$60/hr. to \$100/hr., Brush Truck fees from \$50/hr. to \$70/hr. and Ambulance fees from \$55/hr. to \$95/hr.
- Fire Department Personnel at Private Event Requests – The current fee schedule for Fire Department personnel working private events included the Chief Fire Marshal at \$56.64/hr., the Assistant Fire Marshal at \$26.01/hr., the Deputy Emergency Manager at \$38.22/hr., the Fire Captain at \$26.01/hr., the Battalion Chief at \$42.99/hr., additional firefighters at \$19.76/hr. and crowd managers at \$19.76/hr. The

recommendation was that each of these fees be eliminated and a standardized fee of \$40/hr. be charged for Fire-Rescue personnel, Fire Marshal's Office personnel and Emergency Management personnel. Standardizing the fee would make planning easier for event hosts.

- The Planning Department was proposing to eliminate several fees which were no longer collected. The first fee was the subdivision plat endorsement and coordination fee at \$90. Mr. Hathaway reported the County had changed the process and as a result, this fee was no longer being charged. The second fee was the subdivision easements and rights-of-way fee at \$250 or \$10 per lot. Easements were no longer reviewed by the County so this fee was no longer needed. The third fee was the private road inspection fee/plan review at \$125. The process had been changed and the applicant was required to reimburse the County for any expenses associated with private road inspections. Mr. Hathaway suggested the cost of such an inspection could easily be greater than the \$125 currently charged and noted the applicant acknowledged this cost was their responsibility when they signed the application. The last fee was the road maintenance initial funding fee which was five percent of the gross sales price of all lots. Mr. Hathaway reported this was not a fee collected by the County. State Code required the developer of a new subdivision to fund the initial revenue for the HOA (Home Owners Association) road maintenance.

Ms. Paige opened the public hearing. There being no individuals wishing to speak, the public hearing was closed.

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IN RE: ANNOUNCEMENT OF UPCOMING MEETINGS/CONTINUATION

Ms. Paige announced this meeting would be continued until 9:00 a.m. on Friday, April 17<sup>th</sup> in the Boardroom of the County Administration Building. The next regularly scheduled meeting of the Board of Supervisors would be held at 6:00 p.m. on Monday, May 11, 2020 and the next work session at 9:00 a.m. on Wednesday, April 29, 2020, both in the Boardroom of the County Administration Building.

Mr. Evelyn moved to continue this meeting until 9:00 a.m. on Friday, April 17<sup>th</sup> in the Boardroom of the County Administration Building. The members were polled:

Ron Stiers	Aye
John N. Lockwood	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye

The motion carried.

The meeting was dismissed at 7:18 p.m.