

THE REGULAR MEETING OF THE BOARD OF SUPERVISORS WAS HELD ON THE 5th DAY OF AUGUST IN THE YEAR TWO THOUSAND TWO OF OUR LORD IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING AT 6:01 P.M.

IN RE: ROLL CALL

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

Chairman Davis called the meeting to order.

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

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

IN RE: CONSENT AGENDA

Mr. Ellyson presented the Consent Agenda, which consisted of the following: approval of the minutes of July 8, 2002, and work session of July 12, 2002; adoption of Resolution R-29-02, Requesting Children at Play signs on Woodland Circle; adoption of Resolution R-30-02, AFD Renewal: Pamunkey River Valley II and III, Springfield Natts Cardine, Ashland Farms, and Pamunkey Farms; adoption of R-31-02 AFD Renewal: Hamstead-Northberry-Shimokins; adoption of Resolution R-34-02 Declaring New Kent a crop disaster area; authorization for the County Administrator to execute contract with Rickmond Engineering, Inc.; adoption of Resolution R-35-02, approving the Community Services Board Performance contract; reimbursements to 14 applicants for septic tank pumpouts, totaling \$2,250.00; appropriations for FY2001-2002: to appropriate additional funds for purchase of jail space \$14,205.00; Total Supplemental Appropriation, \$14,205.00; \$-0- Money-in/Money-out; \$14,205.00 from General Fund Balance; appropriations for FY2002-2003: to appropriate funds for the sewer study at Providence Forge, Bottoms Bridge and Talleyville \$15,000.00; to appropriate DMV funds (Grant No. AL02-56-58956-7) New Kent Sheriff's Office DUI Strike Force \$1,500.00; to adjust Social Services Program budget to the amount allocated by the final State budget \$35,305.00, Total Supplemental Appropriation \$51,805.00; \$56,930.00 Money-in/Money-out, \$10,125.00 from General Fund balance and \$5,000.00 from Fund 98; appropriations for FY2002-2003: to carry forward funds for Mass Appraisal System \$58,905.97; to carry forward funds for Dog & Cat Sterilization \$370.70; to carry forward funds for updating workstation \$3,300.00, Total Supplemental Appropriation \$62,576.67; \$-0- Money-in/Money-out; \$62,576.67 from General Fund Balance; budget transfers for the month of July, 2002; monthly revenues during July 2002 \$1,740,826.94; monthly expenditures during July 2002 - \$1,889,800.93; Treasurer's Report - total cash as of June 2002, \$15,072,245.49.

Mr. Burrell moved to approve the Consent Agenda, as presented. The members were polled:

Julian T. Lipscomb	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye
Dean E. Raynes	Aye

W. R. "Ray" Davis, Jr.

Aye

The motion carried.

Mr. Ellyson introduced James W. Stewart III from Henrico Area Mental Health and Retardation Services, who thanked the Board for their approval of Resolution R-35-02.

Chairman Davis introduced Gary F. Christie who will become the new County Administrator on September 16, 2002. Mr. Christie stated that he was looking forward to becoming a part of the community and working with the Board of Supervisors. Mr. Lipscomb moved that the Employment Agreement entered into with Gary F. Christie on July 23, 2002, be ratified, and that he be officially appointed as County Administrator for New Kent County effective September 16, 2002. The members were polled:

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

The motion carried.

IN RE: CITIZENS COMMENT PERIOD

Chairman Davis opened the Citizens Comment Period.

Tracy Cheatham Rae, a 26-year resident of District 3, thanked the Board for its efforts and hard work. She expressed concern about the future of the County's children and urged the Board to support construction of the new high school. She asked Mr. Burrell, supervisor of District 3, to join the Steering Committee for the bond referendum, as Mrs. Ringley and Mr. Raynes have. She described the County as a "comfort community" that is expanding rapidly. She reminded the Board that New Kent has been designated as the third fastest growing community in the Richmond metropolitan area, and that the population increased by 28% between 1990 and 2000 and continues to grow at all levels. She insisted that the proposed school construction was needed and that failure to move forward with these projects would put a ceiling on the advancement of the students, and would endanger the health and welfare of the entire County.

Blythe Tabor, of District 5 in Providence Forge, next addressed the Board. She described her disappointment when the school bond referendum failed in 1999. She indicated that the current school construction proposals have been changed to better meet the needs of the County. She mentioned reasons why residents might choose to vote against the upcoming referendum, which included that many have already raised their children, the fear of increase in real estate tax, and fear that new schools will encourage too much new growth. She stated that these projects will result in a stronger work force, a decrease in the crime rate, an increase in property values, and a decrease in need for long term social services. She also cited more immediate advantages, including the Physical Fitness Center which will be open to the public, and the ability to use the generator-equipped high school as an emergency shelter. By supporting the bond referendum, the citizens can choose how their taxes are spent, and there is no better way to spend taxes than on the future of our children. She urged the Board to support the upcoming school bond referendum.

Sheriff F. W. Howard Jr. addressed the Board, both as a parent and as the Sheriff, in support of the school bond referendum. He cited the success of the schools in both academics and athletics and represented that both of his children were successfully educated in the school system. He feels it is important for the schools to keep up with population growth. As Sheriff, he expressed his thankfulness for his department's good relationship with the schools and the school's open door policy. Through his two full-time school resource officers, he is aware of the current over-crowded halls and classrooms, and the "blind areas" that currently exist at the middle and high schools. In the post-Columbine era in which we now live, he has safety concerns which he feels will be addressed with the construction of the new facility which will be designed for learning and safety. Currently the middle school has 40+ entry points and is "unlockable". The high school has 2 entrances, with the rest being lockable. He urged the Board to support the bond referendum.

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

IN RE: ELECTED OFFICIALS REPORTS

Sheriff Howard reported that Deputy Todd Landrum had completed the VCPI and is now the Crime Prevention Officer for the County.

Commissioner of the Revenue John Crump reported that his office mailed out approximately 14,000 personal property tax notices and has received 1,700 responses, mostly dealing with adjustments for mileage.

Mr. Lipscomb expressed his concern with the continuing drought. He represented that the southern branch of Black Creek has been "bone dry" for three weeks, and urged all residents, especially shallow-well users, to conserve water.

Mrs. Ringley reminded all about the upcoming New Kent County Fair which will be held on the evenings of August 15 and 16, and all day on August 17 and 18. There will be new and bigger rides, as well as an antique tractor pull.

Mr. Burrell reported that he had attended a recent meeting of the Richmond Metropolitan Convention and Visitors' Bureau and that the completion date is still on target.

Mr. Burrell, concerned about the effects of the school bond referendum on real estate tax rates (\$.16 to \$.25 per hundred), suggested that the County use funds from the Capital Fund to pay to install sewer in the Bottoms Bridge area to attract revenue-producing industry to New Kent. Mrs. Ringley suggested that the study that has been started is the first step in this direction in order to determine the true cost. Mr. Lipscomb suggested that staff bring more information to the next meeting regarding the best way to proceed, including the creation of a Public Service Authority, to bring sewer to all of the interchanges, so that the County can be prepared once results of the study are received. There was discussion concerning the current sewer study that is being conducted in Bottoms Bridge, Talleyville and Providence Forge. Mr. Ellyson indicated that he has an upcoming meeting with a representative from Resource International, who is conducting the study, and he believes their report will be available in approximately 60 days. He also indicated that officials from Henrico County would not discuss the Bottoms Bridge sewer issue until New Kent County has a permanent administrator in place. He reported that staff is looking into options and alternatives, and had recently met with representatives from HRSD. He also reminded the Board that as soon as any agreement is signed with Henrico County to bring sewer to Bottoms Bridge, the County is immediately liable for 600,000 gallons per day, which will require at least 4 more staff to meet the inspection and reporting requirements. Mr. Burrell indicated that he thought those items could be negotiated. There was discussions about fees and credits. Chairman Davis reminded the Board that if

the County had had to pay for the two sewer systems it has now, he doubts they would have paid for themselves yet, and that is what a public utility is supposed to do. He agrees that those areas need sewer, but does not think the County should pay to build this to benefit a few and that it needs to pay for itself. Mr. Ellyson agreed that staff could have a report on this by the September meeting, and will confirm how long the study will take.

Chairman Davis reminded the County about the voluntary water conservation asked of the residents, and asked Chuck Loving, Public Works Director, to report on the contingency plan that is now in place to provide potable water for those whose wells run dry. Mr. Loving reported that spigots would be attached to domestic fire hydrants in the western, central and eastern parts of the County. Residents can fill containers with whatever water they need and can transport. Those in need should contact the County for assistance.

IN RE: STAFF REPORTS

Mr. Ellyson reported that staff is working on the Requests for Proposals for the reassessment.

Regarding the Chickahominy Wastewater Treatment Plant, Mr. Ellyson reported that there was a bubble in the liner of the expansion, and the contractor had been called in for inspection and that part of the plant had been shut down.

Regarding the generators, staff is working on plans for installation of three more generators. Delay in construction of new wells at Woods Edge has in turn delayed the generator plans, which may result in a change of plans in which a generator will be installed in The Colonies instead of in Woods Edge.

Mr. Ellyson reported installation of a fire hydrant to serve the County complex.

Regarding the fire station, site clearing has started and it is estimated that completion will be in 330 days. He described its location for those interested.

Mr. Ellyson reported that a pre-painting inspection had been made of Fire Engine 2 in Nebraska, and that delivery was expected before the end of September.

Regarding irrigation credits, he reported that the Ordinance would be presented to the Board for adoption at the September meeting. The Board directed that users, whether residents or builders, would be eligible for the credits. Mr. Ellyson reported that the credits will be retroactive to January 1, 2001, and would have no limit.

Mr. Ellyson reported that the auditors will be in for an interview on September 16, 2002, and are preparing for an early audit as a result of the records being in such fine shape.

IN RE: RESIDENT ENGINEER'S REPORT

Robbie Prezioso, Resident Engineer from VDOT, reported on the 3 major projects presently under contract in the County. Clearing and grubbing work is being completed for the turn lane projects on Route 249. The Route 60 project has not yet been started as there has been a delay in receiving the traffic signal equipment, and is expected to begin in mid-September. Work is continuing at the I-64 rest areas. The eastbound area is expected to be closed for 12 - 18 months while that facility is being rebuilt.

Maintenance crews have been mowing, cutting brush, patching potholes, and removing dead trees along Route 249.

Mr. Raynes mentioned the garbage problems along Terminal Road, which is not VDOT's fault. He believes that people are dumping large items along the roads rather than taking them to the 618 site. He asked for everyone's cooperation in reporting trash dumping to the Sheriff.

Mr. Burrell asked about the progress on the Cooks Mill Bridge work. Mr. Prezioso reported that the new bridge is in and that they are waiting to install the safety features (guardrails). The job is still on schedule.

Mr. Prezioso also reported a shoulder stone project along Route 60 and selected sites along Route 249. After the contract is complete, VDOT is going to rent the piece of equipment from the contractor and try to complete a large portion of the rest of Route 249, within this same fiscal year, to try to address some of the low shoulders.

Mr. Lipscomb asked if the trash signs along Waterside Drive had been installed by the State. Mr. Prezioso indicated that VDOT had not.

Mr. Lipscomb brought to Mr. Prezioso's attention potholes on Peace Road.

Mr. Davis complimented the crews that are pulling the ditches, and noted that the new mower is doing a good job on the back roads.

Mr. Davis inquired as to when the westbound I-64 rest area is expected to re-open. Mr. Prezioso reported an anticipated re-opening date of September 30. The contractor is still working on a physical way to have a force main for the sewer lines to go from the westbound to the eastbound rest area; a direction drill has been run, and the contractor is waiting to receive the pumps, which have been delayed by the manufacturer. The only other thing left to do is clean up.

Mr. Burrell inquired whether the transportation bond referendum in Hampton Roads will affect construction in New Kent. Mr. Prezioso indicated that the plans to widen I-64 through New Kent have been abandoned due to the change in revenue projections. The only I-64 widening planned in this area is the increase to 4 lanes from Airport Drive to Bottoms Bridge. He reported that any funds resulting from the Hampton Roads bond referendum will remain in that area.

IN RE: PRESENTATION - W. Ted Tweel, M.D., M.P.H., District Director of the Hanover Public Health District: power point presentation outlining Virginia's state and local public health efforts in preparation for a possible bioterrorism event.

Dr. Tweel addressed the current drought, and recommended that those with shallow wells obtain a permit for a deep well from the Health Department, in order to have all paperwork done in case their shallow well goes dry. The permit is valid for 54 months and costs approximately \$70.00. He reported that this condition will not be solved with a few rainfalls. Basically, the aquifer originates in the western part of the state, which has had even less rainfall than we have. He indicated that those who are putting water down into their wells are wasting their time and money, and recommended against removing well covers during rain showers, as this will result in contamination. He commended the County for its contingency plan to supply potable water to those in need.

Mr. Burrell asked how long it would take a substantial rainfall in the western part of the state to improve our water supply. Dr. Tweel did not have that information but indicated that what we needed was a

good winter snowfall in the mountains.

Dr. Tweel then began his presentation. He prefaced his report by stating that Public Health is primarily concerned with those behaviors that result in the most years of productive life lost, which include obesity, undiagnosed or untreated high cholesterol and high blood pressure, lack of cancer screening, drinking and driving, non-use of seatbelts, and smoking. They also have to be concerned about biological warfare because of its potential to affect so many lives. Many people believe the next attack will be primarily guns and bombs, but biological agents have to be considered as well. He summarized what has happened since September 11. He reviewed the Secure Virginia Initiative as well as House Bill 664 passed by the 2002 General Assembly which requires health professionals to report to the Health Department any cases they think might be related to a biological agent. He also reviewed Section 44-146.23 in the Code of Virginia which provides immunity from liability to individuals and organizations who render aid, shelter or services necessary during an emergency associated with terrorism. Dr. Tweel reviewed those Federal Acts that provide the bulk of the appropriations to prepare for bioterrorism. The first, the Emergency Supplemental Act, provides a contract with cities for a Metropolitan Medical Response System, which is in effect with Richmond, and includes New Kent County and other counties within the health district. It coordinates with 16 hospitals in the area and includes planning to provide early recognition, mass immunization/prophylaxis, patient care, and fatality management. The most pressing objective is to prepare for the receipt, security and distribution of a national pharmaceutical stockpile and administer vaccine and/or antibiotics to the entire at-risk population in 3 - 5 days.

The second is the Depts. of Labor, Health & Human Services, and Related Agencies Appropriations Act, which provides money to beef up the public health infrastructure. Dr. Tweel reviewed what the organizational structure would be during a biological event.

Dr. Tweel described the efforts in New Kent County, which include meetings with the county emergency management coordinator and health department staff, who are in the process of developing a bioterrorism response plan which will be an appendix to the current county emergency response plan, and will include designated levels of emergencies, detailed response procedures, staffing, supplies and recovery procedures. There have been announcements in the local paper requesting health care professionals as volunteers, and money has been recently offered during the surgeon General's office to establish a Medical Reserve Corps. Training for biological events and also Red Cross Shelter Training have been provided to all staff and they are looking at blast fax machine capability.

Mr. Burrell inquired about the status of the West Nile virus in the State. Dr. Tweel's words were "watch out". The mosquito responsible for this virus reaches its peak reproductive capacity by the second of August. The percentage of mosquitoes that were tested for West Nile virus in the west Richmond/Henrico area was high compared to that in New York when it had its outbreak of human cases. Rural areas are susceptible as well, as in Louisiana. He thinks that with the drought, water levels are very low in some places and mosquitoes like very low, shallow areas of water, particularly those that are temporary, such as water standing in old tires. He suggested that people be diligent in removing these potential breeding areas. Most times, West Nile virus is mild or asymptomatic. It can be fatal for the elderly or those who are immune-compromised in some way. 34 states have now reported positive test results in birds and horses.

IN RE: PUBLIC HEARING - Resolution R-37-02 - Old Dispatch AFD - removal of a 5-acre parcel and renewal

Courtney Jones from the Planning Department made a brief presentation on Agricultural and Forestal Districts in general. She then reported that John and Mary Peace wished to remove a 5-acre parcel from the Old Dispatch AFD and give same to one of their children upon which to build a home. Their acreage

in the AFD totals 82.44 (not 244.33 acres as contained in the report nor the proposed Resolution). Furthermore, the Resolution calls for renewal of the District after removal of the 5-acre parcel. This removal and renewal has been approved by the AFD Advisory Committee, the Colonial Soil and Water Conservation District, the Virginia Tech Extension and the Virginia Dept. of Forestry, as well as by the Planning Commission. Planning staff joins in this request.

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

Mrs. Ringley moved to adopt Resolution R-37-02 as corrected regarding the acreage. The members were polled:

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

The motion carried.

IN RE: PUBLIC HEARING - Resolution R-38-02 - Slatersville AFD - addition

Courtney Jones explained that Milton Clarke has purchased 98.58 acres, part of tax map parcel 35-6, former Chesapeake Corporation land, which is contiguous to other parcels owned by him in the Slatersville AFD. This addition will increase the Slatersville AFD to a total of 485.20 acres. This addition has been approved by the AFD Advisory Committee, the Colonial Soil and Water Conservation District, the Virginia Tech Extension and the Virginia Dept. of Forestry, as well as by the Planning Commission. Planning staff joins in this request.

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

Mr. Burrell moved to adopt Resolution R-38-02-02, as presented. The members were polled:

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

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.

Regarding the vacancy in the Capital Area Health Advisory Council, Mr. Ellyson was asked to obtain information about the length of the term.

IN RE: MEETING SCHEDULE

The next regularly scheduled meeting of the Board of Supervisors will be held at 6:00 p.m. on September 9, 2002.

IN RE: ADJOURNMENT

There being no further business, the meeting was adjourned at 7:35 p.m., with the reconvening of the earlier work session after a 10-minute break.