

A SPECIAL MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 2ND DAY OF FEBRUARY IN THE YEAR TWO THOUSAND ELEVEN OF OUR LORD IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 4:00 P.M., HAVING BEEN CONTINUED FROM JANUARY 26, 2011.

IN RE: CALL TO ORDER

Chairman Evelyn called the meeting to order.

IN RE: ROLL CALL

Thomas W. Evelyn	Present
David M. Sparks	Present
James H. Burrell	Present
Stran L. Trout	Present
W. R. Davis, Jr.	Present

All members were present.

IN RE: HISTORIC SCHOOL

General Services Director James Tacosa provided additional information regarding the Historic School renovation project. He estimated that should the Board choose to move forward with a solicited Public Private Education Act (PPEA) process, then renovations could be underway in about 105 days, compared with 61 days under the current unsolicited process, a difference of about 44 days if "everything went smoothly".

It was confirmed that the next step in the unsolicited process would require a vote by the Board to move into the detailed phase with one or more of the bidders, at which time the County's scope for the project could be discussed with the bidders and a review fee in the amount of 1% of the project value would be due from each, with any unused funds being refundable. The Board was reminded that it could choose to do the project in phases but if it decided to substantially change it from what was advertised in the initial unsolicited proposal, then the project would have to be re-advertised. They were advised that their evaluation and decision should be based upon whether the proposals were responsive and responsible. Mr. Tacosa indicated that in his opinion, all of the competing proposals received were as responsive as the original proposal.

At the request of the Board members, Mr. Tacosa went over his scope of work for each of the buildings. It was confirmed that the restrooms near the gymnasium were not included, but could be renovated as a separate project.

All of the Board members were in agreement that the auditorium/stage area in the 1930s building should be available for community use, but there was debate as to whether that area should be a part of the Library space. Mr. Lawton pointed out that the scope just defined that as flexible space but did not designate a use. Mr. Tacosa confirmed that his scope did include some work in the four basement classrooms (painting, new ceilings, fire suppression) as well as waterproofing. He reviewed that his proposal (broken down into phases) which included installing view panels in some of the walls but did not include removing the back wall of the auditorium. He reported that there was 7,000 square feet of space in the back portion of the building which could be closed off from the front portion with some locking doors. He confirmed that the renovation work would be the same, no

matter how much space was allocated to the Library, except in areas that might need to be shored up in order to support book stacks.

He indicated that his proposal for the South building was developed from a sketch received from the School Board, and was laid out by functions, explaining that the partitions between the offices might have to be moved as details were finalized. He confirmed that there were three independent, separate portions of the building that could be renovated individually as the needs were identified, which would not result in any significant increase in cost. He explained that the electrical upgrades would entail running separate feeds to each area anyway, and that each area would need its own air conditioning unit.

There was debate as to whether it would be best to do the whole building at one time or wait until the economy improved and/or there were defined uses for the different areas.

There was consensus that spaces for the Library and the School Board offices were the priorities.

There was also continued discussion regarding whether the Board should proceed with the unsolicited PPEA process or move forward with its own design.

Mr. Sparks moved that the Board "throw out" the unsolicited PPEA and start over. There was more discussion about how much of the buildings the Board was comfortable with renovating, and there seemed to be consensus to move forward with renovating the 1930s building and only the front portion of the South building for School Board offices at the present time, along with the improvements in the courtyard between the buildings.

Mr. Sparks then amended his motion to move that the Board had determined that the four proposals did not meet a public need, did not favorably compare on cost, or did not result in faster project delivery.

Mr. Trout voiced his concerns that he wanted some kind of assurance that the Board would move forward with the project before he could support Mr. Sparks' motion. Following additional discussion, the members were polled on Mr. Sparks' amended motion:

David M. Sparks	Aye
James H. Burrell	Aye
Stran L. Trout	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye

The motion carried.

The Board asked, if it advertised the project under a solicited PPEA for renovations to only the 1930s building and the front portion of the South building, whether it could add portions of the building into the project once it had been advertised. The County Attorney advised that additions could be made.

The Board directed that any new advertising should be sent to those companies who submitted proposals under the prior solicited PPEA process and also discussed the refunding of the initial fees paid by those companies.

Mr. Davis moved that the County refund or return the initial fee to all firms in full. The members were polled:

James H. Burrell	Aye
Stran L. Trout	Aye
W. R. Davis, Jr.	Aye
David M. Sparks	Aye
Thomas W. Evelyn	Aye

The motion carried.

Mr. Davis moved to direct staff to issue a solicited Public Private Education proposal for the Historic School and the South Building as discussed during the February 2, 2011 meeting. The members were polled:

Stran L. Trout	Aye
W. R. Davis, Jr.	Aye
David M. Sparks	Aye
James H. Burrell	Aye
Thomas W. Evelyn	Aye

The motion carried.

Mr. Tacosa indicated it would take him a couple of days to ready the project for advertising but felt it should be able to be "put on the streets" within two weeks. He confirmed that details of the pre-proposal conference would be included in the advertising.

IN RE: CLOSED SESSION

Mr. Sparks moved to go into Closed Session to discuss a personnel matter pursuant to Section 2.2-3711A.1 of the Code of Virginia involving performance. The members were polled:

W. R. Davis, Jr.	Aye
David M. Sparks	Aye
James H. Burrell	Aye
Stran L. Trout	Aye
Thomas W. Evelyn	Aye

The motion carried. The Board went into closed session.

Mr. Burrell moved to return to open session. The members were polled:

David M. Sparks	Aye
James H. Burrell	Aye
Stran L. Trout	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye

The motion carried.

Mr. Sparks made the following certification:

Whereas, the New Kent County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by the Board that such closed session was conducted in conformity with Virginia law;

Now there be it resolved that the Board hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open session requirements by Virginia law were discussed in closed session to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Board.

The Chairman inquired whether there was any member who believed that there was a departure from the motion. Hearing none, the members were polled on the certification:

James H. Burrell	Aye
Stran L. Trout	Aye
W. R. Davis, Jr.	Aye
David M. Sparks	Aye
Thomas W. Evelyn	Aye

The motion carried.

IN RE: CONTINUATION OF MEETING

Mr. Sparks moved to continue the meeting until 5 p.m. on February 14, 2011, when it will meet jointly with the School Board. The members were polled:

Stran L. Trout	Aye
W. R. Davis, Jr.	Aye
David M. Sparks	Aye
James H. Burrell	Aye
Thomas W. Evelyn	Aye

The motion carried.

The meeting was suspended at 5:40 p.m.