

A REGULAR WORK SESSION WAS HELD BY THE NEW KENT COUNTY BOARD OF SUPERVISORS ON THE 29TH DAY OF SEPTEMBER IN THE YEAR TWO THOUSAND TWENTY-ONE IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 9:00 A.M.

IN RE: CALL TO ORDER

Chairman Thomas W. Evelyn called the meeting to order.

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. Mr. Evelyn welcomed everyone including those joining virtually. He announced County Administrator Rodney Hathaway would be presenting an item prior to the scheduled agenda items. He turned the floor over to Mr. Hathaway.

IN RE: AGREEMENT WITH SPF INVESTMENTS

County Administrator Rodney Hathaway presented a request for authorization to enter into an agreement for the County to partner with SPF Investments for the construction of an industrial access road off of Route 106 to serve an economic development project. This project, which the Board had previously discussed (in closed session) was moving forward and a big component was the infrastructure to facilitate a business coming into the County. With the Board's authorization, the County would be agreeing to seek state funding for the construction of the road. The County would also be agreeing to commit up to \$800,000 for road construction whether or not grant funding was received. County staff had been in constant communication with the state and felt good about the prospect of receiving funding in excess of the \$800,000 commitment. In the event funding was not received, a portion of the County's CVTA (Central Virginia Transportation Authority) funds could be used to fulfill the \$800,000 commitment. He did not believe CVTA funding would be needed but noted the importance of planning for the worst. A motion requesting authorization for the County Administrator to execute an agreement with SPF Investments to construct an industrial access road off of Route 106 had been prepared. He asked County Attorney Brendan Hefty if he had anything to add. Mr. Hefty noted agreement with the proposed motion and indicated the agreement would be in a form approved by the County Attorney.

Ms. Paige moved to authorize the County Administrator to execute an agreement with SPF Investments in a form approved by the County Attorney for the construction of an industrial access road off State Route 106. The members were polled:

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

The motion carried.

IN RE: PRESENTATION AND DISCUSSION ON THE RECENTLY COMPLETED LOWER CHICKAHOMINY WATERSHED COLLABORATIVE MEMORANDUM OF UNDERSTANDING

PlanRVA Environment Program Planning Manager Sarah Stewart thanked the Board for the opportunity to present and provided an overview of the project and process thus far. The Lower Chickahominy Watershed (LCW) Project, funded by the Virginia Coastal Zone Management Program, had been initiated in 2016 by PlanRVA. This had been a five-year collaborative planning process to study and capture the value of the LCW which was recognized as the home of some of the most biologically diverse and ecologically significant areas along the coast of Virginia. Many partners and stakeholders had worked toward identifying and establishing an overarching vision for land use, land conservation, and economic priorities for the watershed. The effort supported improving coordination between three local governments within the LCW (James City County, New Kent County, and Charles City County), two Planning District Commissions (PlanRVA and the Hampton Roads Planning District Commission), three sovereign tribes of the LCW (the Chickahominy, Chickahominy Indians Eastern Division, and the Pamunkey), and natural resource agencies. PlanRVA had created webpages introducing the general public to the LCW and had also conducted an ecotourism inventory, much of which was GIS information. They were currently working on an analysis to identify gaps and opportunities for access to waterways as well as other infrastructure that may support the agritourism industry.

Ms. Stewart noted this was year five of the project and provided an overview of what had been accomplished during each year.

Year 1 – Data gathering and updating. The bulk of funding had gone to state resource agencies to conduct field work. DCR (Department of Conservation and Recreation) – Natural Heritage and the DEQ (Department of Environmental Quality) had been involved in the field work which had identified 39 occurrences of specific species or natural communities of ecological significance. Excerpts from their reports noted five sites were designated as having outstanding ecological significance (top 20% of all sites in Virginia) and “ecologists and botanists conducting field work noted that the tidal freshwater wetland communities were among the highest quality remaining along Virginia’s tidal rivers.”

Year 2 – Economic Study. The study was seeking answers to questions such as “do conserved lands have a negative impact on the locality’s bottom line because they are not developed as a commercial or industrial site? and could they, in a more natural or conserved state, provide any support for the local or regional economy?” PlanRVA had worked with the Center for Regional Analysis at George Mason University as well as Urban Analytics Inc. to conduct an analysis. The 2017 CAFRs (Comprehensive Annual Financial Reports) for the involved localities had been reviewed and Ms. Stewart reported that for every dollar spent on providing public services to lands with conservation easements in New Kent County, \$1.21 had come in as revenue. Direct jobs linked to the conserved lands as well as indirect jobs supported by the conserved lands were also considered. Approximately 100 direct jobs were supported in 2018 and had generated almost \$8.4 million in regional economic impact including \$2.5 million in salaries, wages and benefits. Some funding had also been used for George Mason University to conduct a Value Chain Analysis related to ecotourism industries. Some areas considered had included traveler accommodations, amusement and recreation industries, tour operators and sightseeing transportation. They had looked both up and down the chain to identify who they were supplying products and services to as well as who they were buying from.

Year 3 – Thought Leader Interviews, Focus Groups and Public Survey. The University of Virginia Institute for Engagement and Negotiation had interviewed County staff, Chickahominy Tribal Leaders and representatives of the Capital Region Land Conservancy as well as other state agencies such as Forestry, Tourism and the Virginia Institute of Marine Science. Focus groups on natural resources, history, government and business were developed and participants from New Kent included but were not limited to Economic Development Director Matthew Smolnik, Assistant County Administrator Justin Stauder and Randy Caldwell with Rockahock Campground. Feedback suggested there would be many opportunities related to ecotourism and the federal recognition of tribes in the area was changing the landscape for how tribes and government entities would interact.

Year 4 – Local Government – Tribe Workshop, Regional Summit and Ecotourism Infrastructure Inventory. The University of Virginia Institute for Engagement and Negotiation started the fourth year intending to conduct a workshop devoted to the local government and tribal relationship. Believing this relationship would be the cornerstone upon which many of the policy and program ideas would be built, the workshop would focus on facilitating a working relationship. Due to COVID, this had all been done virtually. Discussions had included topics such as federally recognized tribes, introductions including orientation to tribes and orientation to local government and collaboration strategies for tribes and local governments. A summit to discuss policy and program ideas was also held. This had included small group discussions on specific topics as well as identifying actions to advance identified priority strategies supporting the goals of natural resource conservation and economic development. One idea that had come from many focus groups had been the need for a forum where stakeholders, local governments and tribes could come together to discuss ideas. It was from this idea that the development of a MOU (Memorandum Of Understanding) and the LCW Collaborative had evolved. Other ideas included:

- Improving physical recreational infrastructure (trails, water access, etc.).
- Supporting sustainable economic development (ecotourism opportunities such as bike tours, paddle tours, etc.).
- Enhancing river advocacy, education and marketing.
- Promoting land conservation and landowner education.
- Ensuring protection of sites and traditions that are sacred and historic to the tribes.
- Increasing ecological restoration and stewardship to keep what makes this area unique intact.

Year 5 – Lower Chickahominy Watershed Collaborative and Ecotourism Infrastructure Plan. The MOU would facilitate enhanced cooperative/collaborative efforts to increase sustainable ecological and economic activity in the LCW. It would also establish a solid foundation among the signatories and the cooperative partners. The signatories would include the three localities, the three tribes and the two Planning District Commissions. They recognized state agencies, land conservancies, businesses and non-profits would be interested in supporting this effort and had created an opportunity for Supporting Cooperative Partners. These partners would sign a Supporting Cooperative Partner Statement indicating support for the agreement statements and they would support the MOU signatories through actions customized for their specific organization.

Statements of agreement in the MOU included:

1. Only by working together can we achieve goals of enhanced natural resources conservation, environmental and cultural protection and economic opportunities.
2. The LCW is an area of critical and important natural and cultural resources.

3. Agree to support the conservation and protection priorities of the LCW and to build on the community engagement ideas and concepts.
4. The Local Government and Planning District Commission Signatories will seek to build equitable relationships with the Tribes of the LCW.
5. We can work together to leverage funding from various sources to advance the LCW goals. Ms. Stewart noted there was no requirement for locality funding and signing the MOU was simply agreeing to work together in seeking possible grant funding.

Ms. Paige noted the parties would be working to leverage funding and asked who the funding would come to or through. Ms. Stewart indicated it would depend on the situation. Ms. Paige provided the following example. She noted New Kent County was surrounded by water but had limited access for canoe or kayak launching. She asked if they engaged in a project to provide more access, would it qualify under advocacy, education and tourism and would they work together to secure funding. Ms. Stewart confirmed they would. She noted one reason they were seeking Supporting Cooperative Partners was to get state agencies which could provide access to various funding streams involved. Ms. Paige asked if the funding would come through PlanRVA. Ms. Stewart indicated it could. County Administrator Rodney Hathaway offered the Crawfords State Forest property in Providence Forge which had water access presenting a lot of potential opportunities as an example. Ms. Stewart noted this was a good example. Mr. Lockwood stated the Ware Creek Wildlife Management Area in Barhamsville was another example and noted a map in Ms. Stewart's presentation indicated almost the entire parcel was considered "outstanding" in ecological value. Ms. Stewart noted both were very good examples.

Ms. Stewart reported plans were to form a steering committee constituted by staff from the localities, the tribes and the Planning District Commissions. Three work groups would also be created and some individuals had already volunteered to be a part of these groups. Other individuals who would be strongly encouraged to join had also been identified. The start date for work group meetings would be the end of October or early November. Plans included having a large meeting for the steering committee to gather to discuss the work of the work groups every 12 to 18 months. These meetings would be open to stakeholders including locality representatives. She thanked the Board for the opportunity to present and noted her contact information was included in the presentation. She entertained questions.

Mr. Evelyn stated he had reviewed the MOU and noted it appeared 12% of the impacted area was covered by water and 60% was in trees. He stated trees were a natural resource and he had not noted any restrictions on what could be done on the properties. Ms. Stewart reported the question of restricting what could be done on properties had come up several times during the process. The focus had been on identifying areas where efforts could be concentrated to find opportunities supporting natural resource conservation and economic development. She reported they kept coming back to ecotourism and noted you couldn't have ecotourism without the trees and the water. Mr. Evelyn asked if she was saying the trees could not be removed. Ms. Stewart reported that was not the case and noted the intention had never been to restrict landowners' use of their properties. She also reported that if at any point New Kent County had any concerns about where the collaborative was going, they could exercise the 30-day notice provision and withdraw. Mr. Evelyn noted he had not seen anything suggesting restricting property owners' activities but wanted to be sure this was not a topic for a focus group. Ms. Stewart noted the message had been clear from the beginning that this would not be about restricting land owners and would not be about regulations but would be about finding opportunities. Mr. Lockwood suggested the question of restricting land owners would be a concern for the Board and they wanted to be sure this would not restrict what a farmer or logger could do with land in the watershed. He

noted that as stated, this all sounded good but cautioned this should not morph into something more restrictive. Ms. Stewart thanked him for his comments.

Mr. Evelyn thanked Ms. Stewart for her presentation. This item would be scheduled for a public hearing and possible action at the Board's October 12, 2021 meeting.

IN RE: REVIEW NEW PRE-TREATMENT ORDINANCE FOR CONSIDERATION

Public Utilities Director Larry Dame reported Arcadis Principal Engineer Kris Edelman had been involved with the Parham Landing Wastewater Treatment for many years and had consulted with the County on the development of a proposed pretreatment ordinance. Meeting materials indicated the County was operating a two million gallon per day wastewater treatment plant. The plant was primarily handling domestic waste from households but was receiving some commercial waste. The Code of Virginia contained prohibitions on types of wastes being discharged to sewer systems and each plant in Virginia had their own treatment standards. The proposed ordinance would allow the plant to accept industrial waste while complying with State and Federal regulations.

Mr. Dame reported any individual, whether domestic or industrial, with discharges of 25,000 gallons or more per day would be subject to the pretreatment ordinance. This ordinance would allow the County to have controls beyond provisions in the Code of Virginia and he noted it was important to make sure nothing harmful to the plant was discharged. Requests from prospective businesses regarding pretreatment requirements were becoming more frequent and concerns about the lack of an ordinance and future implications had been expressed by a business who had been considering locating in New Kent. He also reported the bio-diesel plant in Eltham was also interested in the pretreatment ordinance. He added that the County had denied some requests largely due to the lack of standards and stressed the importance of protecting the County and the plant. He reported the plant was also selling reclaimed water and noted anything coming into the plant could affect this and the revenue generated. Public Utilities had received over \$500,000 from the Nutrient Exchange over the past ten years and if the County didn't control what was coming into the plant, they could potentially lose that revenue. There had been no violations and therefore no fines or costly upgrades but the addition of a large industrial discharger could change that if standards were not in place. He asked that this be placed on the Board's November 8, 2021 agenda for a public hearing and possible action. He entertained questions.

Mr. Lockwood asked what types of industries would a pretreatment ordinance restrict and what would New Kent essentially be saying "no" to. Mr. Dame reported that based on a study conducted by Arcadis, the big concerns were zinc and copper and the plant would not be able to take anything discharging these elements. He reported the rest areas had hit the plant hard because their flushing used almost no water resulting in almost pure urine coming to the plant. County Administrator Rodney Hathaway noted the proposed ordinance would not be saying "no" to any particular business or industry but depending on what would be discharged, could require some additional treatment before coming to the plant. Mr. Dame concurred. Mr. Lockwood asked if the business/industry would be pretreating before discharging to the plant. Mr. Dame confirmed and noted pretreatment was present throughout the industry with many localities having ordinances in place.

Mr. Edelman noted Mr. Hathaway was correct in that the pretreatment ordinance would not limit the types of business. It would mean if the discharge did not meet established limits, it would be necessary to pretreat to comply with those limits. This would be at the expense of the business and they would also be responsible for ensuring discharge entering the

system did not interfere in any way with the treatment process. Compliance would mean no impact on the sale of reclaimed water and nutrient credits as well as no fines or costly upgrades. Mr. Dame noted this ordinance would ultimately protect the County. Mr. Lockwood asked if he would also say he didn't see anything on the horizon impacting existing users. Mr. Dame agreed and noted the information was based on current flows.

Mr. Tiller asked if a business required to pretreat would have a residual or byproduct to address or haul away. Mr. Dame reported Virginia Bio-Diesel was currently hauling away some of their excess waste. Staff at the plant had indicated they felt they could reduce the waste to be hauled by pretreating. Mr. Tiller asked if a prospective business would go through the Public Utilities Department for review so they would know in advance they may need to pretreat or haul waste. Mr. Dame confirmed and reported dischargers would have to apply for a permit and discharge limits would be constantly reevaluated.

Mr. Evelyn confirmed this item would be on the November 8, 2021 agenda for a public hearing and possible action.

IN RE: AMEND SECTION 38-15 OF THE NEW KENT COUNTY CODE (DELINQUENT UTILITY BILLS) TO REFLECT CHANGES IN THE CODE OF VIRGINIA

Public Utilities Director Larry Dame reported discussions on delinquent utility bills had started in 2019 when County Attorney Brendan Hefty had noted a conflict between County Code and the Code of Virginia. Nothing had changed since the initial discussions other than a change in Board membership with Mr. Lockwood now representing District 5. The proposed changes would mirror the Code of Virginia which gave public utilities users a longer period of delinquency before service could be disconnected. Due to COVID and the moratorium on disconnections, there had been no disconnections since 2019. The moratorium had ended on August 30, 2021. Mr. Dame asked Mr. Hefty if he had anything to add. Mr. Hefty indicated he did not and noted agreement with Mr. Dame's comments.

Mr. Evelyn asked if this would also be on the November 8, 2021 agenda for a public hearing and possible action. Mr. Dame confirmed and noted this was more of a housekeeping issue. His department had been preparing for this and billing cycles had been adjusted to meet the State Code. They had been preparing to move forward with this until the COVID pandemic.

IN RE: DISCUSSION ON RESUMPTION OF WATER AND SEWER DISCONNECTS

Public Utilities Director Larry Dame reviewed the implications of the resumption of Water and Sewer disconnections. The Governor's executive order banning utility service disconnections and the charging of interest or late fees had been lifted on August 30, 2021. This had impacted citizens and Public Utilities did not want to resume disconnections without first sharing their perspective with the Board. There were currently 185 customers with a total of \$132,000 outstanding who could be disconnected. County Administrator Rodney Hathaway and he had sent letters notifying them that this would be coming and offering an opportunity to set up payment arrangements. Twenty customers had worked out payment plans and all COVID funds for utility assistance had been exhausted. Plans were to resume disconnections the second week of November and another letter would be sent announcing the impending disconnection, offering an opportunity for payment arrangements and encouraging them to call. Mr. Dame noted if customers would speak with staff, they could work something out but many elected to not call until service was disconnected.

Since this item had been submitted for the agenda, the state had authorized more funding for COVID relief with the application being due October 22nd. Very little guidance had been provided and all indications were that the guidance would come out after an application was submitted. This would give time to see if more funding was available and he reported they did have some customer applications which had not received COVID assistance but may qualify with the new funding. He also reported customers making payment arrangements were required to stay up to date on current billings to keep from falling further behind.

Mr. Lockwood noted he understood letters had been sent and plans were to send another letter and asked if staff was able to call or use some other means of contact than by mail. He suggested another mailing from New Kent County may end up in the trash. Mr. Dame indicated they did not have phone numbers for all customers and they were only required to provide a mailing address when establishing service. They did have phone numbers and email addresses for some and would reach out to the customers any way they could. Due to the moratorium, no late fees had been applied since 2019 and plans were to not apply late fees again until January 1, 2022. Those making payment arrangements would not be subject to any late fees. Mr. Evelyn stated this sounded reasonable to him. Mr. Dame indicated his department would move forward and keep Mr. Hathaway informed.

Mr. Tiller asked if this item would also be brought back to the November 8, 2021 meeting. Mr. Hathaway noted no motion was needed and a general consensus to proceed would be sufficient. The general consensus was to proceed with disconnections in November.

Mr. Stiers expressed appreciation to Mr. Dame for his handling of delinquent accounts and for how he was working with the customers. Mr. Dame stated they didn't want to hurt anyone but when 95% of customers were paying on time, it was necessary to ask the others to step up and cover their accounts. Mr. Evelyn stated that based on the numbers provided, the average delinquent account was \$750. Mr. Dame reported some customers had not paid since January 2020. Some of these customers had COVID issues and had lost jobs and some had called to make payment arrangements before the first letters were sent. He wanted Board members to know they were planning to resume disconnections well in advance so they could be prepared for any calls they may receive. Mr. Stiers asked how COVID funding was applied. Mr. Dame noted customers were required to complete an application and a W-9 and relief funding was applied directly to their accounts.

IN RE: CONTRACT FOR EMPLOYEE COMPENSATION AND CLASSIFICATION STUDY

Before the Board for consideration was a draft contract with McGrath Human Resources Group to conduct an employee compensation and classification study. County Administrator Rodney Hathaway reported this had been discussed during the budget process and \$100,000 had been budgeted to fund the study. A Request for Proposals (RFP) had been advertised on June 14, 2021 for consultant services to perform an employee compensation and classification study. He had hoped for at least five proposals and was pleased that ten had been received by the July 15, 2021 due date. Proposals were reviewed by a team consisting of the County Administrator, Assistant County Administrator, Human Resources Director, Payroll Specialist, and Deputy Fire Chief. The team had selected four firms to interview and had unanimously selected McGrath Human Resources Group as the most responsive proposal. McGrath was currently working with Montgomery County and had worked with various other Virginia localities. They had prepared plans for public safety, counties, schools, jails and other public organizations, their experience stood out and their proposed price was well under budget at \$69,750. Mr. Hathaway entertained questions.

Mr. Tiller asked how long the study would take. Mr. Hathaway reported the study was estimated to take seven months. Mr. Stiers asked if numbers would be available before the next budget was set. Mr. Hathaway indicated he was hopeful but if not, plans were to have a reserve set aside so the Board would have dedicated funding to address the findings.

Mr. Lockwood moved to authorize the County Administrator to execute the proposed contract with McGrath Human Resources Group for an Employee Compensation and Classification Study. The members were polled:

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

The motion carried.

IN RE: REQUEST TO SOLICIT PROPOSALS FOR AN INTERNET SERVICE PROVIDER

County Administrator Rodney Hathaway provided a brief update on the County's broadband efforts and noted it had been some time since RiverStreet Networks had last reported. A copy of their final plan had been placed at each Board member's seat. He reported this process would be a little different due to timing constraints for the VATI (Virginia Telecommunications Initiative) grant applications and the amount of funding available. A joint application had been submitted to the Department of Housing and Community Development for a VATI grant for a \$9,768,000 project. The County would be responsible for \$2,243,826, RiverStreet Networks would be responsible for \$3,548,870 (mostly from federal RDOF (Rural Digital Opportunity Fund)), and the VATI grant would provide \$3,775,304. This project would provide access to 1,272 homes and businesses which was far different from the original plan to provide service to 270 homes in the first three years. The Board had not found this timing to be acceptable and they had worked to condense that plan. The 1,272 homes would include a good portion of Barhamsville, Talleyville Road, Old Church, the northwest corner of the County and some of Lanexa. The Bottoms Bridge area was not touched because much of that area was served by Cox and the priority had been to get service to unserved and underserved areas. Mr. Hathaway noted moving forward with a grant application before an agreement was in place was not the normal process but the VATI grant deadline was pushing that. He stressed the importance of getting an application in this cycle because there would be \$700 million in the grant program. This was unheard of and he suggested it was not likely this opportunity would ever be seen again. He reported the \$700 million was unspent federal CARES (Coronavirus, Aid, Relief and Economic Security) Act and ARPA (American Rescue Plan Act) funding.

The next step would be to work on a contract and an agreement. He passed out copies of a draft Request for Proposals (RFP) and asked Board members to review the RFP and provide him with comments. Once the RFP had been out for a month and proposals had been received and reviewed, a recommendation for consideration would be presented to the Board. He noted if the firm selected was not RiverStreet Networks, New Kent County could potentially be disqualified from VATI but further noted if this did happen, it would not be a showstopper. New Kent would be able to move forward even without VATI grant funding. Once a firm was selected, County Attorney Brendan Hefty and he would work closely with the firm to develop a contract to bring to the Board. The goal was to complete this before December when the VATI grant awards were expected to be announced and prior to it being

necessary for the Board to make a decision on whether or not to accept a grant. Given the amount of funding available, he was very optimistic New Kent would receive an award. He believed the application submitted with RiverStreet Networks was a much more thorough application than those submitted in prior years. He again noted that even without a VATI grant, funding was available to move forward with this plan of serving 1,272 homes in the first phase. He entertained questions and noted no action was needed at this time.

Mr. Lockwood noted he had previously expressed concerns regarding the timeline and those concerns appeared to have been addressed. He remained concerned about being offered a timeline that would appease concerns and RiverStreet's ability to fulfill that timeline. He suggested penalties should be included in the RFP if the firm did not hit the mark and there needed to be an incentive to get the project completed in a manner others had said could be done. He noted RiverStreet's timeline had been condensed from three years to 17 to 18 months. He also noted he had asked RiverStreet specifically if more funding would make it happen quicker and they had indicated it would not. Now they were saying if we have more money, we can achieve the timeline and he was concerned this was "double speak." He stated the VATI grant was great but noted he felt applying for a grant before having an agreement reduced the Board's ability to negotiate a contract. He added that certain issues also needed to be addressed in the RFP including the type of revenue sharing available. The County would be making a huge investment and he felt there should be some return on that investment and the revenue sharing RiverStreet had previously offered was minimal. He couldn't identify a single project where the County would invest \$25 million and have no residual ownership and he felt there should also be a discussion on what percentage of ownership the County would retain. He was hoping some respondents to the RFP would come back with something better. Mr. Hathaway thanked him for his comments and noted these were good points some of which had been discussed with RiverStreet. He had also spoken with RiverStreet and they had seemed open to the County having a right of first refusal if the company ever went under or wanted to sell as well as the County's investment counting toward the purchase price. Mr. Lockwood noted it was not uncommon for smaller companies to build and then be bought by a larger company. He felt the County should have more than a right of first refusal and should have a vested interest in the return on any sale. He added the County should share RiverStreet's profit and it should not come at the expense of the customer by increasing rates.

Mr. Stiers noted RiverStreet Business Development Manager Lon Whelchel had stated that antennas could be placed on towers throughout the County for some customers to be able to have temporary service and he didn't see anything about this in the plan. Mr. Hathaway reported that had been in the initial study but RiverStreet had since determined a wireless option was not feasible and was recommending fiber optic to the home/business for the entire county. Mr. Stiers stated some service was better than no service. Mr. Hathaway also noted service would be available sooner with the expedited schedule and the temporary wireless solution would not be necessary.

IN RE: OTHER BUSINESS – 2020 CENSUS

Mr. Evelyn noted County Administrator Rodney Hathaway had provided information on the 2020 Census in a recent "Weekly Update" and had indicated the County would be expected to adjust district lines as needed by the end of the year. He stated he had been through this process before and felt this timeline was unrealistic. Mr. Hathaway agreed this was an unrealistic goal but noted it was a state mandate. He reported the state had not redrawn lines for representatives and if the County moved forward without the state lines in place, it could be necessary to come back and redraw the County's lines. He reported the Virginia

Municipal League and the Virginia Association of Counties were both pushing for an extension. Plans were to present summary census information at the Board's October regular meeting. A resolution establishing the goals for local redistricting would be presented and several redistricting options and plans would be brought back at the October work session. Public comment on the options would be received during the month of November and outreach efforts would include various groups such as political parties, the School Board, the Clergy Association, the NAACP as well as other groups. Advertised community meetings would also provide another opportunity for public comment. Comments would be reviewed in December and a plan selected to take to public hearing. Mr. Evelyn asked if the population requirement was for all districts to be within 1% of each other. Mr. Hathaway reported the state regulation was to be within 5% but New Kent had historically kept the number at approximately 2% and would try to stick to that. Mr. Stiers asked who would make the final decision. Mr. Hathaway indicated the Board would make the final decision and the plan would then be submitted to the Attorney General.

IN RE: OTHER BUSINESS – BOARD OF ROAD VIEWERS – APPOINTMENTS

Mr. Lockwood requested an update on the Board of Road Viewers and where things stood with moving forward. He stated he had some projects he wanted to move forward with and they would need to be run through this committee. County Administrator Rodney Hathaway noted there were still a number of pending appointments to this committee and Board members would be provided with a list of vacancies. Once the membership was established, the group would begin meeting. He also reported the Transportation Planner position had been advertised and several applications had been received. This individual would be heavily involved in the project review and planning process. Mr. Lockwood asked Mr. Hathaway if he would like to mention which seats were vacant. Mr. Evelyn and Ms. Paige both indicated they were seeking individuals to fill their respective district seats.

IN RE: ANNOUNCEMENT OF UPCOMING MEETINGS/ADJOURNMENT

Mr. Evelyn announced the next regularly scheduled meeting of the Board of Supervisors would be held at 6:00 p.m. on Tuesday, October 12, 2021 and the next work session would be held at 9:00 a.m. on Wednesday, October 27, 2021, both in the Boardroom of the County Administration Building. The Board would also meet for a Budget Retreat on Friday, October 29, 2021 from 9:00 a.m. to noon. Mr. Evelyn asked if a location for this meeting had been set. County Administrator Rodney Hathaway reported plans were being finalized for this meeting to be at the New Kent Forestry Center (11301 Pocahontas Trail, Providence Forge).

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

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

The meeting was adjourned at 10:20 a.m.