

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 9th DAY OF FEBRUARY IN THE YEAR TWO THOUSAND NINE OF OUR LORD IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 6:00 P.M.

IN RE: CALL TO ORDER

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: 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: CONSENT AGENDA

Assistant County Administrator William Whitley presented the Consent Agenda as follows:

1. Approval of Minutes
 - a. January 12, 2009 regular business meeting
2. Miscellaneous
 - a. Resolution R-06-09 requesting acceptance of the streets in Brickshire subdivision, Belgreen, Sections 1 & 2 into the State system for maintenance
3. Refunds
 - a. \$13,604.28 to Brickshire Land Investor Partners, LLC – reduction in land value by Board of Equalization
4. Appropriations
 - a. Funds for Fire-Rescue revenue recovery to cover bank fees, \$23.00
 - b. Funds received to date for Fire-Rescue revenue recovery for Fire-Rescue personnel, \$13,509.00
 - c. Funds donated to the New Kent Animal Shelter, \$1,565.00
 - d. Funds donated to the Sheriff's Honor Guard, \$525.00
 - e. Funds donated to Fire-Rescue, \$1,335.00
 - f. Funds for security at several high school sport events for Dec and Jan, \$1,341.00
 - g. Program income received to date from CDBG Plum Point grant participants, \$327.00
 - h. Funds received from various builders for reimbursement of 2006 Code Books purchased by Building Development, \$86.00

- i. To un-appropriate funds for CSA parental co-payments (to be handled by journal entry instead), \$2,827.00
- j. State/Federal Social Services funds for adoption subsidy and special needs adoption, \$14,181.00
- k. State/Federal Social Services funds for fuel and crisis administration, \$824.00
- l. State/Federal Social Services funds for local facilities based on the needs identified in a local space study, \$37,012.00
- m. Fund awarded from the Department of Conservation and Recreation for the 2008 Chesapeake Bay Implementation grant, \$5,000.00
- n. Funds from the Department of Criminal Justice for the Virginia Sexual and Domestic Violence Victim Fund Grant to be used by the Commonwealth Attorney's Office for the personnel costs of a part-time attorney, \$20,000.00
- o. Funds awarded by the Virginia Department of Health – Office of Emergency Medical Services, \$36,476.50
- p. Funds awarded by the Virginia Sheriffs' Association for National Highway Transportation Administration for Motorcycle Safety Month, \$5,000.00
- q. Charge card fees collected in excess of budget for offsetting expenditures association with charge card fees, \$586.00
- r. Recovered revenue for tax collection to cover the legal expenditures associated with tax collections, \$491.00
- s. Funds received for dividends and interest for the Human Services building, \$1,539.62

Total Supplemental Appropriation:	\$ (136,994.12)	Total
	\$ 136,994.12	Money-in/Money-out

- 5. Inter-Departmental Budget Transfers
 - a. *Treasurer's Office*: \$5,000 from Part-Time Salary & Wages to Technical Support, Forms Printer Supplies and Overtime
 - b. *Historic School*: \$35,896 from Electric Services to Schools based on allocation of square footage
 - c. *Schools*: \$7,323.00 from Instruction-Replacement Tech Hardware and Technology Purchased Services to Admin-Replacement Tech Hardware and Technical Support Salaries
 - d. *Vehicle Maintenance Facility*: \$2,065 from Appropriation of funds from prior years to School Bus Garage-Non Loan Exp
 - e. *Vehicle Maintenance Facility*: \$2,464 from Appropriation of Funds from Prior Years to School Bus Garage-Non Loan Expend
 - f. *Public Utilities*: \$23,000 from Radio Read to Domestic Meter Supply
 - g. *Sheriff's Office*: \$35,000 from Jails to Full-time Overtime
 - h. *Training*: \$8,455 from Training Contingency to training line items in budgets of the Clerk of the Board, Board of Supervisors, IT, Human Resources, Financial Services, Legal, Fire-Rescue, Commissioner of Revenue, Community Development, Wetlands Board, Social Services and Public Utilities
 - i. *Fire-Rescue*: \$22,000 from Grant Contingency to RSAF Grants
 - j. *Fire-Rescue*: \$3,722 from Grant Contingency to VDH/OEMS Defib Grant
 - k. *Fire-Rescue*: \$3,658 from Salaries & Wages to Part Time Salaries
 - l. *Fire-Rescue*: \$10,406 from OSHA and Janitorial to Vehicle Repair/Maint and Turn Out Gear

- m. *Social Services*: \$151 from Reserved for Contingency to Fuel and Crisis Administration
- n. *IT*: \$60 from Admin-Technology software online content to Transportation-Technology software

6. Treasurer's Report: Cash in Bank as of December 2008: \$40,344,547.65

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

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

The motion carried.

IN RE: CITIZENS COMMENT PERIOD

Chairman Davis opened the Citizens Comment Period.

There being no one signed up to speak, the Citizens Comment Period was closed.

IN RE: RESIDENCY ADMINISTRATOR'S REPORT

Torrence Robinson, Residency Administrator with the Sandston Residency of the Virginia Department of Transportation, reported on issues regarding roads in New Kent County.

He advised that maintenance during the preceding month included grading graveled roads, monitoring beaver dams, dead animal pickup, regulatory sign maintenance, slope repair, routine maintenance of snow removal equipment, intersection sweeping, litter pickup, shoulder repairs, stone application, and hazardous tree removals.

He stated that the speed study on Route 249 was still ongoing.

He indicated that the hazardous tree on Old Church Road reported by Mr. Evelyn had been identified and would be taken care of.

Regarding the concern expressed by Mr. Sparks regarding speed limit signs on Route 60, he advised that the Residency had investigated and found the existing signage to be adequate.

Mr. Robinson reported that VDOT's Six Year Improvement Program for FY09 was expected to be adopted by the Commonwealth Transportation Board at its February 19 meeting, and that they anticipated a \$2 billion reduction in the overall Plan. He explained what that meant for New Kent was that there would be no unpaved road funds for FY10-14 in the current year. He added that once the current Plan was adopted, then they were expecting to start on development of the Plan for FY10-15.

Mr. Trout asked about shovel-ready projects in New Kent that might qualify for the anticipated federal stimulus program. Mr. Robinson indicated that their Engineering Office was reviewing all projects and making that determination from a VDOT perspective. Mr.

Trout asked if something could be done so that South Waterside could be among the projects considered.

Mr. Trout reported a continuing problem with developing potholes at various locations along Route 612.

Mr. Burrell reported a pothole and flooding problems on Route 618.

Mr. Sparks acknowledged that he had spoken with Mr. Robinson earlier about the speed study on Route 249.

Mr. Evelyn thanked Mr. Robinson and his staff for meeting with him and residents along Lockwood Road, as well as for quick response to a concern about a tree.

Mr. Davis reported a problem with litter along Route 273, and commented that New Kent and the Residency had been lucky that winter weather had caused little problems with the roads.

Board members thanked Mr. Robinson for his prompt attention to road issues in New Kent.

IN RE: RICHMOND METROPOLITAN CONVENTION & VISITORS BUREAU (RMCVB)

Chairman and Chief Executive Officer of RMCVB Jack Berry announced that the RMCVB was celebrating its 25th anniversary and thanked the New Kent Board for the County's participation and cooperation over the years. He acknowledged that Mr. Burrell had been New Kent's representative to their Board for the past ten years and it had been a pleasure to work with him.

Mr. Berry advised that FY08 had been a good year for RMCVB in that there were more tourists and more travel money spent in the region. He acknowledged that the current year would be a challenge, with a significant drop in corporate travel, but noted that convention business and the attractions were "holding their own".

He reminded that New Kent had been one of the founding members of Civil War Trails in 1994 when there were only 13 member jurisdictions between Fredericksburg and Petersburg. He reported that there were now 200 locality members in six states with over 800 sites. He spoke about the upcoming Sesquicentennial Commemoration (150th Anniversary of the Civil War) and how the Civil War Trails would be used to promote and educate the public, and that he looked forward to working with New Kent on that event.

Mr. Burrell spoke about how fortunate RMCVB was to have Mr. Berry as its director and referred to some recent national awards that had been received. Mr. Berry acknowledged that the RMCVB had been named the "Best Convention and Visitors' Bureau in the South" and had also received an award for Corporate Meetings and Incentive Travel and a "Gold Service Award" from *Meetings & Conventions*.

Mr. Trout thanked Mr. Berry for the assistance rendered to the County and commented that he hoped the tourist sites in New Kent would bring some benefit to the Richmond area as well. He also spoke about the Sesquicentennial events and asked about plans in other areas. Mr. Berry advised that he was working with groups from Chesterfield, Central Virginia and Hanover, and that they had been contacted recently by a group from Gettysburg, Pennsylvania, inquiring about the Civil War Trails program. Mr. Trout asked that New Kent be kept advised as to any meetings so that it might participate.

IN RE: ANNUAL REPORT OF THE SHERIFF

Sheriff F. W. Howard, Jr. presented his annual report to the Board. Along with Sgt. Lee Bailey, he reviewed the various functions and activities of his office, programs, and achievements for 2008. He reported that they were constantly searching for grants, and reported that grants in the Sheriff's Office for 2008 totaled \$334,905.00.

He indicated that they had decided, with the permission of the family, to name a motorcycle safety grant received after the late Elmo Whitehurst, who served for many years as a volunteer at Providence Forge Volunteer Rescue Squad, Providence Forge Volunteer Fire Department, and Quinton Volunteer Fire Department, and was also a long-time employee of the Richmond Fire Department. He related that Mr. Whitehurst had a passion for riding motorcycles and his office was happy to express this small token of gratitude to Mr. Whitehurst's widow, family and friends, some of whom were in attendance. There was a discussion regarding the increased deaths from motorcycle accidents and Sheriff Howard advised that there were several efforts on the national level to increase awareness of motorcycle safety. Mr. Trout commented fondly about the late Mr. Whitehurst and acknowledged family and friends in the audience.

Sheriff Howard thanked the Board members for the Sheriff's Annex and reported that a pleasant by-product of having the new facility was the frequent use by others of their training room. He reported that several of New Kent's deputies had been able to receive training at no cost because the trainings had been held in their training room, which had saved money as well as travel time and expense.

The Sheriff reported a 98.6% compliance rate in the high school seatbelt program. He indicated that in 2008, there had been 37 directed patrols, 1,350 property watch orders, and 1,146 criminal warrants served. He spoke about the Emergency Response Team which during its first year of full operation, had six missions and four call outs; had served seven search warrants, made 29 arrests, had 121 Grand Jury indictments, and confiscated 16 weapons. He advised that this Team trained 24 hours per month, had undergone court training, field extrication training, and active shooter training. He reported that they were in the process of obtaining blueprints of all County buildings and businesses, and also worked closely with some of the neighboring jurisdictions.

He described activities of the Motor Unit, the Marine Patrol, and the Motor Carrier Unit, reporting that the latter would be visiting all of the trucking companies in Eltham to provide training and improve truck safety. He added that the three-member team between August 1, 2008 and December 31, 2009, had made 216 truck inspections resulting in 93 trucks being placed out of service, with a total of 430 violations and 218 summons issued.

Sheriff Howard talked about successful efforts to improve safety with school bus stops in the Eltham area. He also described upcoming safety programs, including the "Click it or Ticket" campaign, the Child Safety Seat Program, and "Checkpoint Strike Force".

He reported that the work of their three-person Investigation team, which was sworn through the State Police and were members of the Twin Rivers Drug Task Force, had resulted in 33 arrests and 131 Grand Jury indictments. He warned that they were expecting increased drug activity with the worsening economy.

Sgt. Lee Bailey described the work of the School Resource Officers, as well as crime prevention activities.

Regarding Animal Control, it was reported that 821 animals had been received in 2008 with a 75% adoption rate, a steady increase in both statistics compared to previous years. He explained that as of November 2008, *Save Our Shelters* was no longer paying for euthanasia services because of a lack of funding, and that the County was now paying for those services, at an estimated cost of \$6,000 per year, even with an anonymous donor contributing \$150 per month. Sheriff Howard also reported that New Kent no longer had a game warden and that the Animal Protection Unit was also assisting with wildlife issues in the County.

Sheriff Howard then presented one of his employees, Cathy Talley, with an award for graduating at the top of her class in courtroom and civil process training at Crater Academy. He explained that everyone in Court Services had to go through eleven weeks of training, even if they were already law enforcement certified. He reported that in 2008, they had clocked 22,800 miles in transporting 908 prisoners, had served 26 eviction notices (10 in 2007), had served 5,109 civil court papers, 25 mental and 5 extraditions, with 74 Circuit Court days, 74 General District Court days, and 33 Juvenile & Domestic Relations Court days.

He reported that through May of 2008, their dispatchers had taken 107,282 calls; however, after the move to the new building, the current vendors had not been able to capture the call date for the remainder of the year, but were working to fix that problem.

Sheriff Howard reported that the annual cost for prisoner confinement was \$645,000, but that even though arrests had increased, New Kent was working well with Henrico Jail East to create programs to help people get out on work release, which substantially helped to reduce costs; however, he added that if the Department of Corrections closed down some of the alternative programs because of lack of funding, confinement costs would increase.

He advised that many of his staff were certified instructors in several areas. He noted that they had 62 driving under the influence arrests in 2008 and had issued 247 summonses. He reported that Joey McLaughlin had won the Mothers Against Drunk Driving (MADD) award again in 2008, and that the New Kent Sheriff's Office had won second place in both state and national highway safety competitions, and an award for the high seatbelt use in the region.

He reviewed upcoming events in which his office would be involved, which included the Strawberry Hill races, a motorcycle rally in conjunction with the Virginia State Police, and the Virginia Derby.

Mr. Burrell inquired about having a lower animal license fee for spayed or neutered animals. Sheriff Howard advised that he was not aware of that in any neighboring localities but added that it sounded like a good idea.

There was an inquiry about gangs. Sheriff Howard reported that there did not appear to be any organized gangs in New Kent but there had been some "look alike" instances.

IN RE: ELECTED OFFICIALS' REPORTS

School Board member Stacy Simmons reported that their Central Office staff and the School Board continued to work hard to reconcile the \$1.5 million shortfall in the Governor's budget, which had the potential to result in lay-offs of 15 staff members. She indicated that

they were searching for ways to save money because of the anticipated shortfall from the County and were looking forward to working with the Board at the upcoming joint meeting.

Mr. Trout reported on the recent Legislative Day, advising that funding continued to be the principal concern and that there were a number of bills that might affect New Kent.

Mr. Burrell reported that he had recently attended a climate summit in Washington, D.C. and that there was potential for some of the smaller jurisdictions to receive funding for "green" projects from the federal stimulus.

Mr. Sparks spoke about the "tough times" and wished everyone the best in trying to work through their difficulties.

Mr. Davis advised that he had met with legislators at the General Assembly and that "things did not look promising".

IN RE: STAFF REPORTS

Assistant County Administrator William Whitley reported that the Budget Team was continuing to work hard to meet the Board's goals and noted that it was anticipated that details of the federal stimulus package would be announced soon.

IN RE: DISTRICT APPOINTMENTS

Mr. Evelyn moved to appoint George Tate as District One's representative to the Board of Road Viewers to serve a one-year term ending December 31, 2009.

Mr. Sparks moved to appoint Douglas Raynor as District Two's alternate representative to the Historic Commission to serve a four-year term ending December 31, 2012.

As New Kent's Director of Emergency Management, Mr. Burrell moved to appoint Fire Chief Tommy Hicks as Coordinator of Emergency Management pursuant to Virginia Code Section 44-146.19.

Mr. Davis moved to appoint Donna Friend as District Five's representative to the Affordable Housing Advisory Committee to serve a term ending June 30, 2011.

The members were polled:

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

The motions carried.

IN RE: NON-DISTRICT APPOINTMENTS

Mr. Burrell moved to appoint the Rev. Barbara Allen as the ministerial association representative to the Affordable Housing Advisory Committee to serve a term ending June 30, 2011.

Mr. Sparks moved to appoint Chuck Emmons as the Quin Rivers representative to the Affordable Housing Advisory Committee to serve a term ending June 30, 2011.

The members were polled:

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

The motions carried.

IN RE: MEETING SCHEDULE

The Chairman announced that the New Kent County Board of Supervisors would meet with senior staff on February 13, 2009, at 12 noon at Fire Station No. 1; would hold its next work session on February 18, 2009, at 3 p.m. followed by a Town Hall meeting at 7:05 p.m. in the Boardroom; would meet with the School Board on March 2, 2009, at 4 p.m. in the Boardroom; and would hold its next regular business meeting on March 9, 2009, at 6 p.m., in the Boardroom of the County Administration Building, New Kent, Virginia.

IN RE: ADJOURNMENT

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

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

The motion carried.

The meeting was adjourned at 7:25 p.m.