

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 11th DAY OF FEBRUARY IN THE YEAR TWO THOUSAND THIRTEEN 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. Tiller gave the invocation and led the Pledge of Allegiance.

---

IN RE: ROLL CALL

Thomas W. Evelyn	Present
C. Thomas Tiller, Jr.	Present
James H. Burrell	Present
Ron Stiers	Present
W. R. Davis, Jr.	Present

All members were present.

---

IN RE: CONSENT AGENDA

The Consent Agenda was presented as follows:

1. Approval of Minutes
  - a. Business meeting of January 14, 2013
2. Miscellaneous
  - a. Consideration of Resolution R-03-13 requesting Virginia Department of Transportation to accept streets in Patriots Landing (Parcel E portion and Marketplace Drive) into the State System for maintenance
3. Refunds
  - a. \$1,957.35 to James Claud Wall III for erroneous assessment
  - b. \$213.50 to Ryan Homes for permit changes
4. FY13 Supplemental Appropriations
  - a. Program income received for FY13 from CDBG Plum Point grant participants, \$942.36
  - b. Funds received from insurance proceeds, \$1,184.10
  - c. Miscellaneous recovered costs, \$3,102.38
  - d. Donations for the Animal Shelter, \$591.77
  - e. Funds received by Extension from outside sources for sponsorship of programs, \$1,510.00
  - f. Funds received for gifts and donations, \$500.00
  - g. Funds received for Parks & Recreation, \$600.00
  - h. State Fire Program funds, \$44,338.00
  - i. Additional FY13 funds needed for Hanover Health District, \$9,650.00
  - j. Additional FY13 funds for Social Services (appropriated based on a mid-year review of expenditures and may not be needed or used), \$191,486.00
  - k. Banks of America rebate for FY13 – Schools, \$26,144.49

\$ 280,049.10	Total
\$(122,168.72)	Total In/Out
\$(157,880.38)	From General Fund fund balance

5. Interdepartmental Budget Transfers
  - a. *School Board*: \$9,863.09 from Appropriation of funds from prior years to Elementary School Roof
  - b. *School Board*: \$2,000 from Matls & Supplies NKHS-Gifted Ed Sec to Matls & Supplies NKHS-Media Services
  
6. Treasurer's Report: Cash as of December 2012: \$45,830,127.40

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
James H. Burrell	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye

The motion carried.

---

IN RE: LITTER AWARENESS DAY

Before the Board for consideration was a request from Girl Scout Junior Troop 177 to proclaim April 13, 2013 as Litter Awareness Day in New Kent County. Present were Troop Leader Marcia Gardy and Assistant Leader Donna Mathis, and Troop members Annabelle Brame, Abigail Cowles, Jennifer Fowlkes, Catherine Gardy, Kayla Helt, Paige Hillis, Campbell Huber, Mikaela LoBosco, Sarah McGinley, Shelby Rowe, and Molly Wallace. Not able to attend were Assistant Leader Jennie Smith and Troop members Abagayle Mathis and Megan Smith.

Ms. Gardy reported that Junior Troop 177 consisted of thirteen fifth-graders who had been together since kindergarten, and she spoke about some of the many community service projects they had undertaken. She explained that they had been working on earning their Bronze Award for the past two years and their current project, which was their own idea and would be performed by them with a minimum of adult supervision, grew out of their concerns about the increasing amount of litter throughout the County. She indicated that if the Board approved of the request, the Troop intended to conduct a litter pickup in the Courthouse area on April 13 and would also advertise "Litter Awareness Day" in the local newspapers to encourage other civic groups to conduct similar activities. Troop members Catherine Gardy, Paige Hillis and Campbell Huber read aloud the letters they had previously sent to the Board regarding this request.

Mr. Burrell read aloud a proposed Proclamation and then moved to adopt the Proclamation designating April 13, 2013 as Litter Awareness Day in New Kent County and granting Girl Scout Junior Troop 177 permission to conduct litter pickup activities in and around the County complex and schools. The members were polled:

C. Thomas Tiller, Jr.	Aye
James H. Burrell	Aye
Ron Stiers	Aye
Thomas W. Evelyn	Aye

W. R. Davis, Jr.

Aye

The motion carried.

Board members congratulated and commended the Troop and posed for photographs with them.

---

IN RE: RESIDENCY ADMINISTRATOR REPORT

Mike Cade, Residency Administrator, Virginia Department of Transportation (VDOT) reported on road issues in New Kent.

He reviewed maintenance activities during the past 30 days that included asphalt patching, clean-outs of pipes, routine sign maintenance, maintenance of non-hard surface roads, inmate crew litter pickup, shoulder improvements, and completion of the mowing on all primary and secondary routes. He advised that work planned for the next month would include pothole repairs, non-hard surface road maintenance, shoulder repairs and improvements, sign maintenance, tree and debris removal, and inmate litter pickup. He did report that all permits had been received for the South Waterside Drive project at Fanny's Creek and work had begun.

He reported on plans reviewed and permits issued, and also reported an advertising date of April 2015 for the Route 13/Dispatch Road project; October 2013 for the Route 155 shoulder improvements project; July 2014 for the Route 249 roundabout construction project; December 2013 for the Route 627 drainage enhancement project; August 2013 for a pipe culvert replacement on Route 638; and December 2013 for additional jointed concrete patching along Route 60. He noted that design work for the Route 155 "Courthouse to Courthouse Connector" project had been completed and the Courthouse Pedestrian Improvements (sidewalk) project was halfway completed.

Mr. Stiers asked for clarification on the work proposed for Route 60. Mr. Cade explained that they were using a different method of advertising whereby instead of giving specific locations for concrete patching, they advertised the amount of available funding and awarded the project to the contractor who could do the most work for that amount.

Mr. Stiers reported there was still a problem with litter along Route 612 between Route 249 and the Refuse Center.

Mr. Burrell reported a dead tree posing a danger to motorists along Route 33 southbound near the interstate interchange.

Mr. Evelyn spoke about the effect from recent rains on St. Peters Road. Mr. Cade advised that VDOT was limited on what it could do with drainage ditches once they left the right-of-way, and that unless VDOT had permission from the landowner, its forces could not enter onto private property.

That prompted a conversation about similar situations along Farmers Drive and Mr. Davis asked if VDOT would work on private property if it had permission from the landowner. Mr. Cade explained that such work would be on a "very limited basis" as they did not have the resources to address all of the places where erosion was filling up the VDOT ditches, and had to look to the property owners and localities to control erosion off of the rights-of-way.

Mr. Evelyn pointed out that VDOT had permission from private landowners along St. Peters but did not do the work. There was discussion regarding how far onto private property VDOT could go, as well as the equipment that was used to clear the ditches.

Mr. Davis noted potholes along Farmers Drive and asked if those should be fixed before an upcoming "Ride the Roads" with the County's Commonwealth Transportation Board member. Mr. Cade advised that pothole repairs should not be delayed and spoke about new water-activated patching materials being used that lasted longer but cost more.

---

IN RE: CITIZENS COMMENT PERIOD

Chairman Davis opened the Citizens Comment Period.

David R. Pitts, Jr. of 5409 Jefferson Drive in Quinton, advised that he had been in New Kent for 43 years and had served as a volunteer firefighter for almost 30 years, and he wanted to thank the Board "for all the things that you do for us". He spoke about the unique relationship between the Board and the volunteers, explaining that had not always existed, and how the volunteers appreciated the fact that the Board understood and listened to them, attended their events, and provided them with support and "state of the art" equipment.

Chester Alvis of 3930 Quinton Road clarified that his comments would be his personal opinions, and not that of the New Kent Chamber of Commerce's political action committee of which he was a member. He complained about how the Planning Commission had handled the Comprehensive Plan and remarked that there were some commissioners who did not "understand the issues", read their material, or were otherwise "not capable of dealing with" some of the items that were brought before them. He suggested that five to seven members would be preferable to the current ten, and he stated that the Planning Commission was "far too important to have it consist of family and friends" and needed "people who have experience and common sense who will take time to read the material in order to arrive at the right decision". He spoke about how he represented several potential business prospects and he would "hate for New Kent to lose an opportunity" because of its Planning Commission.

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

---

IN RE: INTRODUCTION OF NEW STAFF

County Administrator Rodney Hathaway introduced the new Fire Chief, Richard Opett, whom the Board members welcomed. Chairman Davis encouraged his fellow Board members to meet with Chief Opett in order to provide him with their thoughts.

---

IN RE: ARTS ALIVE

Arts Alive Marketing Chair Tim Dice reviewed programs from the past year and provided the Board with a copy of their current budget. He noted that Arts Alive was operated with one part-time coordinator, 14 directors from the service areas of West Point, New Kent, King William and King and Queen, and approximately 100 volunteers. He explained that contributions from the localities were matched dollar-for-dollar up to \$5,000 through a grant from the Virginia Commission for the Arts. He reported a total of 337 subscribers for the 2012/2013 year, with 105 being from New Kent. He reviewed their programs, which included live performances, lecture demonstrations, scholarships, visual arts exhibits and workshops, and children's summer camps. He reported that two children's summer camps

would be held at New Kent Middle School in the summer of 2013, and also noted the support of several New Kent businesses.

Present in the audience was New Kent Arts Alive Board representative Betty Wallace, whom Mr. Dice credited with organizing and providing ushers for their performances, noting that she and most of the other directors had been serving since Arts Alive's inception.

He summarized by thanking the Board for its continuing support Arts Alive's mission to provide affordable arts programs to the community.

Board members thanked Mr. Dice for his presentation and recognized Ms. Wallace for her contributions, noting that Arts Alive provided opportunities for New Kent's children that many of them would not have otherwise.

---

IN RE:           CENTRAL VIRGINIA REGIONAL HOUSING REPORT

Kathy Diradour, Political Field Representative for the Virginia Association of Realtors, reported on the single family residential market in New Kent as well as in the Central Virginia Multiple Listing Service (MLS), which consisted of 16 jurisdictions including New Kent County.

Her report included comparisons between 2011 and 2012 sales and prices, as well as foreclosures and new construction, which reflected that although New Kent was comparable to neighboring localities in the number of sales, average prices were lower. She advised that there were signs that the market was beginning to turn around, and that New Kent was doing "okay" and particularly well with new construction, and things should continue to improve in 2013.

She spoke about national trends, which included predictions by the National Association of Realtors that there was no threat for inflation in 2013 but there may be inflation of 4% to 6% for 2015; mortgage rates would likely rise to 4% in 2013 and to 4.6% by 2014; that the national median home prices would rise by 5% in 2013 and another 5.1% by 2014; existing home sales would rise by 8.7% in 2013 and new home sales would grow as well as the number of housing starts; and that the market share of distressed properties would decline to 8% by 2014 from 25% in 2012.

She indicated that there were still legitimate concerns about continued "tight" mortgage financing and the uncertainty of regulatory reforms.

Mr. Davis asked about the mortgage interest deduction (MID). Ms. Diradour advised that she understood changes to the MID were "on the table" and there were proposals to either eliminate it on second homes and/or establishing a cap, but there were still a lot of questions and she did think that any action would likely affect the second home market.

Mr. Evelyn asked if Ms. Diradour's report reflected numbers from the Williamsburg MLS. She explained that she did not have access to the Williamsburg MLS but she felt that the majority of New Kent's development was in the Richmond MLS. She indicated that she would check to see if she could obtain that information.

She concluded by remarking that realtors were busy again, foreclosure sales were bringing home prices down, and that New Kent was about six months to a year behind the Richmond market.

Board members thanked Ms. Diradour for her presentation and report.

---

IN RE:            PROPOSED FY14 CAPITAL IMPROVEMENTS PLAN

County Administrator Rodney Hathaway gave a preliminary presentation on the Capital Improvements Plan (CIP) for 2014 through 2018, which was scheduled to be considered by the Planning Commission at its February 19 meeting for a recommendation to the Board. He noted that the Board would have an opportunity in the future to review the CIP in more detail along with any public input received.

He reviewed highlights of the proposed CIP, noting that there had been 67 non-utility requests totaling \$52,218,331 and 16 utility requests totaling \$3,439,000, for a grand total of \$61.6 million in requests. He advised that he was recommending a CIP of \$5.6 million, of which local funds would pay for \$3.88 million, with the other funding coming from proffers.

Mr. Hathaway's presentation reflected proffer amounts proposed to be allocated to help pay for certain projects, which included \$14,000 towards the George Watkins Elementary School playground project that will address erosion problems causing safety issues; \$66,833 towards a \$120,000 pre-engineering study of the radio system infrastructure to meet 2014 federal mandates; \$62,523 towards ambulance replacement; \$149,338 towards a \$450,000 project to replace the Courthouse HVAC system, which had passed its life expectancy; \$69,899 towards a mobile classroom for use at New Kent Elementary School; and \$39,917 towards a MDT computer (used by public safety personnel), for total proffer allocations in 2014 of \$402,510. Mr. Hathaway advised that after speaking with the new Fire Chief, the ambulance replacement might be changed to a fire engine replacement, and Mr. Evelyn asked for documentation supporting that request.

He reviewed the major County requests that included a new integrated financial software, explaining that staff was having more issues with the Bright system and was in the process of contracting to conduct a study that would look at the existing system to see if it could be modified or whether there was some other software that would better serve the County. He reminded that \$850,000 to purchase a new system had been on the CIP for a long time and kept being pushed back. There was discussion whether or not the study would be completed prior to the time that the Board would vote on adopting the CIP. Mr. Hathaway indicated that the contract for the study would come to the Board at its February work session and although it might take four to six months to complete, staff should know by June whether to keep this item in the CIP.

Another major request was \$200,000 for development of a new park on Pine Fork Road. Mr. Hathaway explained that the County had an opportunity to swap its Criss Cross park property for another parcel on Pine Fork Road and that the cash to be paid to the County as a part of that swap would go into the CIP for park development.

Another major request was \$370,672 for four new school buses and one driver's education car. He noted that school buses remained on a 15-year replacement schedule.

Also included was \$350,000 for a New Kent Elementary School renovation needs analysis. He indicated that the Schools had requested \$3 million for FY14 for the \$12 million project; however, he was recommending \$350,000 to take care of some immediate needs and to do the needs analysis, after which the County would have a better idea of what it would cost.

Other items proposed were \$342,223 for County vehicle replacement (mostly vehicles for the Sheriff's Office) and \$112,600 to maintain the County's five-year computer replacement program.

He reviewed County requests beyond FY14, which included \$250,000 for the remainder of the Integrated Software project; \$2 million for fire apparatus replacement and \$500,000 for ambulance replacement; \$4 million (an amount that would be fine-tuned after the study) of the radio system replacement; \$400,000 for additional Park development; \$200,000 for Kentland park facilities (to be funded with proffers); \$28.5 million for a new elementary school (needed within five years per School Board); \$11,650,000 for the New Kent Elementary School renovations; \$1.65 million for school bus/vehicle replacements; \$1,136,200 for County vehicle replacements; and \$1,165,000 for a new Animal Shelter, which may be state-mandated. Mr. Burrell asked that staff look at a regional animal shelter, and Mr. Hathaway indicated that he would be talking with surrounding localities about that possibility.

Mr. Burrell mentioned Ford's pilot program for all electric vehicles and Mr. Hathaway indicated that he was looking at that program to see if New Kent qualified.

Mr. Evelyn commented that he wanted everyone to understand that the County was required to balance its budget, had only so much money to spend, and was almost at its debt limit, and although all of these project were needed, the Board would have to decide which ones to approve. Mr. Hathaway agreed, but explained that he had encouraged departments to submit requests for their true needs in the out-years so that the County could be prepared.

Next reviewed were Public Utility requests for 2014, which included \$155,000 for a water supply planning feasibility study; \$120,000 to install diffusers in sludge holding tank #2; \$300,000 for ground level storage tank maintenance at The Colonies, Sherwood Estates and White House Farms; \$1.3 million for the Route 249 water line project to connect water systems in Kenwood/Greenwood with those at the Farms of New Kent and Quinton Estates. Requests within the next five years included \$225,000 for ground level storage tank maintenance and \$675,000 for Bottoms Bridge well replacement. Requests beyond five years were \$2.5 million for Parham Landing water and sewer expansion; \$4.185 million for reclaimed water line extension, and \$2.5 million for elevated tank storage in Brickshire, which might be paid for by the developer.

Mr. Hathaway reported that the estimated ending fund balance of \$2,165,479, after adoption of the proposed FY14 CIP and a \$1 million historical reserve, which balance would be carried forward as part of the CIP for future years.

Mr. Davis spoke about how New Kent didn't even have a CIP until 2004 or 2005 and it had worked very well for the County in planning and preparing for County needs. He thanked Mr. Hathaway for the work that he had done, noting that requests of \$68 million had been whittled down to \$3.1 million. He explained that the CIP would be presented to the Planning Commission and the Board would not have to vote on it except as part of the budget adoption process.

---

IN RE: ELECTED OFFICIALS' REPORTS

Mr. Stiers reported that he had participated in a tour of the schools with the Sheriff's Office and he was working on the idea of a volunteer organization that could help with security.

He advised that both the Superintendent and Sheriff were "on board with the idea" and all he was waiting for was approval by the School Board.

He also reported that a former barbeque restaurant would be returning to New Kent in a new location.

Mr. Evelyn reported that he had attended an awards banquet at the Quinton Volunteer Fire Department where it was noted that organization had provided about 12,000 volunteer to the County. He commented on how that organization had been in operation for 55 years and was a big part of Quinton and New Kent.

Mr. Davis noted that Virginia Natural Gas was getting ready to connect the Basic Asphalt plant. He also reported that he and Mr. Burrell would be "riding the roads" with the County's Commonwealth Transportation Board member.

---

IN RE: STAFF REPORTS

There were none.

---

IN RE: DISTRICT APPOINTMENTS

Mr. Tiller moved to appoint Jefferson Ellett as District Two's representative to the Historic Commission to serve a four-year term beginning January 1, 2013 and ending December 31, 2016.

Mr. Tiller moved to appoint Douglas Raynor as District Two's alternate representative to the Historic Commission to serve a four-year term beginning January 1, 2013 and ending December 31, 2016.

Mr. Tiller moved to appoint Joanne Panek as District Two's representative to the Purchase of Development Rights Advisory Committee to serve a three-year term beginning July 1, 2012, and ending June 30, 2015.

Mr. Burrell moved to appoint Vicki Sprigg as District Three's representative to the Clean County Committee to serve a four-year term beginning January 1, 2013 and ending December 31, 2016.

The members were polled:

James H. Burrell	Aye
Ron Stiers	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
W. R. Davis, Jr.	Aye

The motions carried.

---

IN RE: NON-DISTRICT APPOINTMENTS

Mr. Davis moved to appoint Stephanie D. Ripchick as an at-large representative to the Historic Commission to complete a term ending December 31, 2014.

The members were polled:

Ron Stiers	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
James H. Burrell	Aye
W. R. Davis, Jr.	Aye

The motion carried.

---

IN RE: REGIONAL APPOINTMENTS

Mr. Davis moved to appoint Nancy Goodman as New Kent's representative on the Quin Rivers Community Action Board to serve a four-year term beginning January 1, 2013 and ending December 31, 2016.

The members were polled:

Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
James H. Burrell	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye

The motions carried.

There was discussion whether or not the Chickahominy District Health Advisory Board was still meeting and staff agreed to check on it.

---

IN RE: MEETING SCHEDULE

The Chairman announced that the next meeting of the Board of Supervisors would be held at 6:00 p.m. on March 11, 2013, the next work session at 9:00 a.m. on February 27, 2013, and a special joint meeting with the Planning Commission at 6:00 p.m. on February 18, 2013, all in the Boardroom of the County Administration Building.

---

IN RE: ADJOURNMENT

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

The motion carried.

C. Thomas Tiller, Jr.	Aye
James H. Burrell	Aye
Ron Stiers	Aye
Thomas W. Evelyn	Aye
W. R. Davis, Jr.	Aye

The meeting was adjourned at 7:52 p.m.