

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 11<sup>th</sup> DAY OF OCTOBER IN THE YEAR TWO THOUSAND SEVEN OF OUR LORD IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 6:00 P.M.

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IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

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

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IN RE: ROLL CALL

Mark E. Hill	Present
David M. Sparks	Present
James H. Burrell	Present
Stran L. Trout	Present
W. R. Davis, Jr.	Present

The Chairman called the meeting to order and introduced George Russell, a member of Boy Scout Troop 513 working on his "Citizenship in the Community" merit badge.

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IN RE: CONSENT AGENDA

The Chairman presented the Consent Agenda as follows, noting that the distributed copy mistakenly reflected Resolution R-40-07 when it should have been R-41-07:

1. Approval of Minutes
  - a. Regular meeting of September 10, 2007
2. Miscellaneous
  - a. Consideration of Resolution R-41-07, approving the FY08 Community Services Board Performance Contract between the Dept. of Mental Health, Mental Retardation and Substance Abuse Services and the Henrico Area Mental Health & Retardation Services Board
  - b. Consideration of Resolution R-48-07 to join coalition of localities to formulate recommendations regarding problems of illegal aliens
  - c. Extension of the agreement with Cox Communications
  - d. Road Name Additions
    - i. Kimball Lane
    - ii. Daydream Lane
    - iii. North Franklin's Lane
    - iv. South Franklin's Lane
    - v. G. W. King Boulevard
    - vi. George Dean Highway
    - vii. Tom Stuart Road
    - viii. Ray Marler Avenue
    - ix. John Hertzell Lane
3. Refunds
  - a. \$750- to Custom Maintenance & Remodeling Inc. for zoning variance fee
4. Appropriations FY2007/2008
  - a. Funds for DMV Grant #SC-2008-58023-2960, *Safe, Smart & Sober* program for Oct 1 07 – Sep 30 08, \$40,000.00
  - b. Additional funds from the Va. Dept. of Fire for the State Fire Programs grant for FY08, \$2,834.00

- c. Funds received from Colonial Downs for Sheriff's personnel coverage for Jul 07, \$889.00
  - d. Funds received from Richmond Volleyball Club for Sheriff's personnel coverage for Sep 07, \$360.00
  - e. Funds received from Colonial Downs for Fire-Rescue ambulance standby Aug 6 – 9 07, \$1,650.00
  - f. Funds donated by Basic Construction to Fire Station #1, \$300.00
  - g. Funds donated by Daprosystems, Inc. to Fire Station #1, \$200.00
  - h. Funds donated by Jim & Glenn's Auto Service to Fire Station #1, \$250.00
  - i. Funds donated at the County Fair by the Girl Scouts to Fire Station #1, \$10.00
  - j. Funds donated by the Rotary Club of New Kent for the Sheriff's Honor Guard, \$500.00
  - k. Funds donated by Michelle Philbates to the New Kent Animal Shelter, \$100.00
  - l. Miscellaneous funds donated to the New Kent Animal Shelter, \$2.00
  - m. Funds donated by Brenda & Thad Roberson to the New Kent Animal Shelter, \$50.00
  - n. Funds reimbursed by the EDA for various economic development reimbursable expenses, \$29,206.00
  - o. Funds for sponsorship of the Grand Opening at the Visitors Center, \$2,000.00
  - p. Funds received for the Godspeed Festival, \$1,520.00
  - q. Insurance proceeds received for tree removal at the Airport for incident that occurred on Jul 19 07, \$300.00
  - r. Refund received from Virginia Tech for career development funds, \$1,465.00
  - s. Funds received fro co-sponsorship for Parks & Rec new programs, \$1,195.00
- |                                   |                |                    |
|-----------------------------------|----------------|--------------------|
| Total Supplemental Appropriation: | \$ (82,831.00) | Total              |
|                                   | \$ 82,831.00   | Money-in/Money-out |
5. Carry Forward Appropriations FY08
- a. Additional economic development funds for the completion of the Visitors Center in FY08, \$10,932.46
  - b. Additional capital funds for the E-Board packages/boardroom technology upgrades project not completed in FY07, \$3,185.21
  - c. Capital funds for Parks & Recreation master and construction plans not completed in FY07, \$5,836.59
  - d. Additional *Four for Life* grant funds not used in FY07, \$225.00
  - e. Capital funds for Sheriff-mobile data/in car mapping not completed in FY07, \$46,075.57
  - f. Capital funds for the Rt. 618 refuse site entrance refurbishment not completed in FY07, \$2,246.56
  - g. Clean County Committee/litter control funds for projects not completed in FY07, \$1,426.56
  - h. Funds for General Services projects not completed in FY07, \$171,597.90
  - i. DMV *Operation Buckle Up* grant funds not used in FY07, \$4,316.96
  - j. Funds for Information Technologies projects not completed in FY07, \$2,498.00
  - k. Utility funds for relocation of offices not completed in FY07, \$17,356.00
  - l. Utility funds for the utilities master plan not completed in FY07, \$6,319.35
  - m. Utility funds for the Farms of New Kent construction inspections not completed in FY07, \$51,666.03
  - n. Utility funds for DEQ reports not completed in FY07, \$71,532.40
  - o. Utility funds for professional services not completed in FY07, \$16,403.79
  - p. Utility funds for the Parham Landing Jail PS grinder project not completed in FY07, \$12,640.44
  - q. Utility funds for the Chickahominy flow meter valve install not completed in FY07, \$38,000.00
  - r. Utility funds for the radio meter system project not completed in FY07, \$6,151.34
  - s. Utility funds for the Parham Landing septage screen replacement project not completed in FY07, \$164,579.00
  - t. Utility funds for the Parham Land sewer PS flow meters project not completed in FY07, \$156,992.55
  - u. Additional utility funds for the Courthouse utilities project not completed in FY07, \$432,746.89

- v. Utility funds for the Parham forcemain Phase II project not completed in FY07, \$8,686,323.79
- w. Utility funds for the Parham Landing wastewater treatment plant expansion not completed in FY07, \$3,356,418.89
- x. Bottoms Bridge utility funds for the elevated tank project not completed in FY07, \$12,866.80
- y. Bottoms Bridge utility funds for the trunk forcemain I and II project not completed in FY07, \$733,366.54
- z. Bottoms Bridge utility funds for Bottoms Bridge construction project not completed in FY07, \$187,001.00
- aa. Bottoms Bridge utility funds for Chickahominy wastewater treatment modifications not completed in FY07, \$9,818.68

Total Supplemental Appropriation:	\$ (14,208,524.30)	Total
	\$ 8,709.46	Money-in/Money-out
	\$ 180,860.86	Fund 1 – Gen Fnd Bal
	\$ 57,343.93	Fund 7 – Capital Fnd Bal
	\$ 1,426.56	Fund 15 – Litter Control Fnd Bal
	\$ 13,017,130.47	Fund 98 – Utility Fund Fnd Bal
	\$ 943,053.02	Fund 198 – BB Fund Fnd Bal

- 6. Inter-Departmental Budget Transfers
  - a. \$8,000 from Grant Contingency to DMV *Smart, Safe & Sober* Grant
- 7. Treasurer’s Report: Cash in Bank as of August 2007: \$27,479,910.04

Mr. Sparks moved to approve the Consent Agenda, noting the correct number of Resolution R-41-07, as presented and that it be made a part of the record.

There was discussion regarding the requested extension of the agreement with Cox Communications. County Administrator John Budesky advised that Cox had requested an extension of the current agreement until December 31, 2007, indicating that a new agreement had been drafted and staff was meeting with Cox representatives later in the week and hoped to soon have the agreement in final form to bring to the Board.

Mr. Trout noted that the current agreement expired October 11, 2007, and it was necessary to extend it in order to keep it in place until the new agreement was accepted.

Mr. Davis advised that he had some concerns regarding cable services in the County which he would like to address, and asked about the changes in State law.

County Attorney Jeff Summers confirmed that State law had changed and cable providers no longer were required to enter agreements with localities in order to offer service to its residents; however, they retained the right to enter agreements as in the past, and those agreements would not be superseded by State law. He pointed out that the requested extension was for the current contract only and he advised that it would be in New Kent’s best interest to continue negotiations with Cox Cable.

Mr. Davis reported that he felt some residents were receiving misinformation from the cable providers. Mr. Summers explained that providers were covered under different sections of federal law, depending upon whether they were a telephone company or a cable company. He also advised that should the current contract not be extended, then the County could lose its cable access as well as franchise fees.

Mr. Budesky indicated that a new agreement was close to being complete and he did not anticipate any problem with having that process finalized by December 31, noting that the recent retirement of Thom Prevette, Vice President of Government and Regulatory Affairs for Cox, had added to the delay in negotiations.

The members were polled on Mr. Sparks' motion to approve the Consent Agenda:

Mark E. Hill	Aye
D. M. Sparks	Aye
James H. Burrell	Aye
W. R. Davis, Jr.	Aye
Stran L. Trout	Aye

The motion carried.

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IN RE: CITIZENS COMMENT PERIOD

Chairman Trout opened the Citizens Comment Period.

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

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IN RE: RESIDENT ADMINISTRATOR'S REPORT

Lezlie Ellis, Interim Resident Administrator with the Sandston Residency of the Virginia Department of Transportation, reported on issues raised at previous meetings as well as work recently performed, and remarked on several items contained in her written report.

She noted that asphalt leveling had been performed on Routes 627 and 632 to restore the contours of the roadways damaged by heavy truck traffic. She advised that they were in the process of contracting for mechanized patching of the remaining rough areas.

Mr. Hill noted that there was pavement breakdown along south Route 106 that needed attention.

Ms. Ellis reported that they had completed the year's secondary road resurfacing, which included portions of Routes 627, 632 and 639. She advised that Hydra-Tite seals were applied to faulted joints on a long section of concrete drainage pipe in the Chickahominy Shores area and that ditching was currently underway along the perimeter of the subdivision. She indicated that they were waiting for the completion of an environmental review before they brought in heavy equipment to clean the ditches. She stated that they would also be conducting a survey to determine what could be done in the interior roads to help alleviate flooding problems and they would be notifying the affected property owners by letter that survey work was being done.

Regarding safety concerns at the intersection of Kentland Trail and Courthouse Road, she reported that a study had been requested and the results would be communicated as soon as they were received.

Regarding dead tree removal along Stage Road, she advised that two of the three leaning dead trees were within the VDOT right-of-way and would be removed, and they would be contacting the property owner regarding the third tree to obtain permission to take it down.

Ms. Ellis reported that curbs, gutters and scuppers on Route 249 in the area of the interstate had been cleaned and all bridge potholes repaired.

She advised that final paving on the New Kent side of the Eltham Bridge and striping in West Point would occur in the upcoming week. She indicated that training of the bridge tenders would also be underway and that they were still on schedule to open all four lanes by November 1.

She reported that she had received a telephone call from the developer regarding Quaker Woods Drive, who had agreed to meet with VDOT staff upon his return to the country regarding the work remaining to be done on the road.

Ms. Ellis advised that VDOT was current on all reviews due on projects in the County.

She indicated that the required letter and check from the County had been received for the Revenue Sharing projects on Routes 602, 647 and 648, and the next step would be the environmental review process which could take anywhere from 45 – 60 days. She advised that it was their intent to order the necessary materials and have them in place in order to pave the roads in the spring.

She reported that Torrence Robinson had been selected as the new Sandston Residency Administrator effective October 25. She indicated that Mr. Robinson previously served in the Traffic Engineering Department in the City of Richmond. She assured the Board members that she would remain at the residency during the two-week transition before returning to her normal duties at the District Office.

Mr. Davis asked about the traffic study at Kentland Trail and Courthouse Road, commenting that he thought that the study would be conducted during the busy season. Ms. Ellis indicated that two studies would be done, one now and a second one at a time during the summer. She advised that she would contact the Sheriff to determine the best date for the second study.

Mr. Davis advised that accidents were occurring on Farmers Drive because of a hump in the road that could cause vehicles to leave the roadway and end up in the ditch. Ms. Ellis indicated that they would check on that.

Mr. Davis asked when the County could expect to see work begin on the Mt. Pleasant Road project. Residency Engineer Keith Rider confirmed that Mt. Pleasant was the next priority on the Secondary System Six Year Plan and advised that engineering, right-of-way acquisitions, and utility relocations had been completed and they were waiting for sufficient funding to start construction.

Mr. Davis advised that residents along Homestead Road had reported that someone had been in the area marking utilities. Ms. Ellis advised that she was not aware of any work being done on Homestead but would check and try to find out.

Regarding the Stage Road project, Mr. Burrell advised that he had spoken with someone working on the project who had advised that only one guardrail was going to be installed. He noted that guardrails were needed in several areas where there were steep drop-offs and soft shoulders.

He also noted that drivers of vehicles traveling from the paved to the non-paved section of Stage Road might lose control and he suggested that "Pavement Ending" signs and rumble

strips might be of some help. He commented that loose rocks (resulting from recent projects) at intersections throughout the County also posed a hazard to braking vehicles. Lastly, he requested that dust control be applied to Mt. Pleasant Road before the weekend at the request of one of the churches on that road who was holding homecoming activities.

Mr. Sparks thanked Ms. Ellis for recent efforts and asked about the speed study on Route 60. She advised that she hoped to have something by the next meeting.

Mr. Sparks noted that the previous Assistant Resident Administrator had indicated that there would be an attempt to re-pave portions of Dispatch Road where large chunks of pavement were coming up. Ms. Ellis advised that when they brought in their pavement contractor, they would try to take care of that.

Regarding late comments on projects, Mr. Hill pointed out that although some of the reviews had been submitted, there were still others that were overdue and close to being overdue. He indicated that he appreciated that there seemed to be an interest in remedying the situation but VDOT's tardiness continued to hold up projects and keep the County from meeting its obligations.

After confirming with Mr. Homewood that the County was not holding any bond on Quaker Woods Road, he commented that the developer really had no incentive to fix the road. Mr. Homewood advised that it was his understanding that VDOT reported months before that the road was acceptable. Ms. Ellis indicated that there was nothing in VDOT's files to that effect and that Permit and Subdivision Specialist Supervisor Bobby Campbell was no longer with VDOT. Residency Engineer Keith Rider advised that the Residency had been "out of the loop" on those conversations and that VDOT staff needed to sit down with the developer to see what he had done and what needed to be done; however, when asked what needed to be done, Mr. Rider admitted that he did not know. Mr. Hill reminded that the situation was an inconvenience for the families living on that road who needed to have their children picked up by the school buses and he expressed his frustration that VDOT staff did not even know what was making the road unacceptable. Mr. Rider advised that it was his understanding that there were some drainage issues and it was unclear whether or not the work had been done. Ms. Ellis promised to have someone look at the road and determine what was needed.

Mr. Trout thanked Ms. Ellis for the work being done in Chickahominy Shores regarding flooding and drainage issues as well as pavement repairs at the CSX crossing. Ms. Ellis reported that CSX had not returned her phone calls to provide an update.

The Board members expressed their appreciation for Ms. Ellis' work and efforts during her tenure as Interim Resident Administrator, as well as for her submittal of a written report prior to the meeting.

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IN RE: GENERAL RE-ASSESSMENT UPDATE

Andy Lankford of Tri-County Appraisers reported to the Board on the General Re-assessment project, noting that William Coalson was out of town. He advised that over 8,000 parcels had been inspected, and they were still working in Brickshire and working towards the Lanexa area. He confirmed that the project remained on schedule.

He was asked how their inspectors were being received by the residents. Mr. Lankford advised that he was not one of the inspectors but had not heard of any concerns expressed by Mr. Coalson in that regard.

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IN RE:            APPROPRIATIONS

Before the Board for consideration was a request for approval of an additional carry-forward appropriation which was not submitted in time to be included on the Consent Agenda.

Financial Services Director Mary Altemus asked for approval of a carry forward of funds remaining in Fund 3 (School Capital) for the primary school renovations totaling \$71,919.32. She confirmed that this was not new money but were FY06 funds that should have been appropriated in FY07.

Mr. Hill moved to approve the carry-forward of funds remaining in Fund 3 (School Capital) for the primary school renovations in the amount of \$71,919.32. The members were polled:

David M. Sparks	Aye
James H. Burrell	Aye
W. R. Davis, Jr.	Aye
Mark E. Hill	Aye
Stran L. Trout	Aye

The motion carried.

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IN RE:            FINANCING FOR THE HUMAN SERVICES BUILDING

Before the Board for consideration was Resolution R-51-07 approving financing for the Human Services Building and accepting the proposal of C&F Bank to issue, offer and sell lease revenue notes or bonds through the Economic Development Authority for up to \$2.8 million with a 20-year amortization at 3.98%.

Financial Advisor Ted Cole of Davenport & Company and Bond Counsel Dan Siegel of Sands Anderson were present to answer questions.

County Administrator John Budesky recounted that the project had originally been budgeted for \$3.2 million but the bids had come in at a lower amount.

Mr. Cole advised that the County had been involved in other lease revenue transactions in the past, and that the funds would remain subject to appropriation by the Board on an annual basis to repay the debt. He explained that a Request for Proposal had been sent out and bids had been solicited from fifteen banks, five of which had submitted firm proposals. He noted that all of the proposals had been fairly close to one another in terms of interest rates, and that a recommendation was being made to accept the proposal from C&F Bank at a rate of 3.98% because of its flexibility to prepay at any time without penalty. He indicated that a few of the other banks had offered slightly lower interest rates but had more strict prepayment terms and conditions, and if it was the County's desire or need to prepay, the penalty would more than offset a very slight increase in debt service cost. He also noted that C&F offered a lot of flexibility on a closing date.

He reminded the Board that the County was in the process of closing on a Literary Loan through the Virginia Public Schools Authority (VPSA) and the final loan amount was close to being set and would be somewhere between \$7.1 and \$7.5 million. He recommended that the County size this loan to take advantage of borrowing the maximum \$10 million from C&F Bank, which would result in a borrowing of between \$2.5 and \$2.8 million for the

Human Services Building project. He explained that \$10 million was the cap for borrowing in a calendar year to remain eligible for the "bank qualified" designation. He noted that the cap reset on January 1 of every year.

Mr. Cole pointed out that C&F provided a 3.98% interest rate for both a 15- and 20-year loan; however, with the 20-year loan, the bank reserved the right to reset the rate one time between year 15 and year 20. He explained that the new rate would have to be in excess of 7% to break-even with the proposals from the other bidders. He noted that with the flexible pre-payment ability offered by C&F, the County could take out a loan with another bank if it chose to do so. He advised that a 20-year pay back with a 15-year rate made a lot of sense.

The Board members thanked Mr. Cole and Mr. Siegel for the work that they provided to the County.

Mr. Davis moved to adopt Resolution R-51-07, as presented. It was clarified that the Resolution approved a 20-year financing. The members were polled:

James H. Burrell	Aye
W. R. Davis, Jr.	Aye
Mark E. Hill	Aye
David M. Sparks	Aye
Stran L. Trout	Aye

The motion carried.

Mr. Cole complimented the County on the improvements to the Boardroom.

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IN RE: ELECTED OFFICIALS' REPORTS

Mr. Davis spoke about the lack of rainfall and the increasing number of localities that had instituted water restrictions, encouraging New Kent citizens to voluntarily conserve water where possible.

Mr. Burrell spoke about the recent grand opening of the Visitors Center, advising that the citizens with whom he had spoken were very pleased, and that he himself was very impressed with the décor, layout and information available. He advised that he had recently attended a conference of the Citizens Planning Education Association of Virginia (CPEAV) which he recommended to all members of the Board and Planning Commission. He indicated that the representatives from New Kent had attended different sessions so as to get as much information as possible, which they would condense and bring to the Board at a future work session.

Mr. Hill commented about the City of Staunton's request of other jurisdictions to draft legislation to limit pay-day loan companies to an interest cap of 36%. He indicated that even though New Kent did not have any of these companies, it may have citizens who patronized them and he would suggest that New Kent draft a similar resolution to provide protection for its citizens.

Mr. Burrell agreed, indicating that he had discussed the issue with some members of the General Assembly, and he commented that even though 36% was high, it was preferable to "letting them have free reign", with some charging nearly 300%.

Mr. Trout asked that the County Administrator and County Attorney work together to draft something for the Board's consideration.

Mr. Hill gave details of an upcoming Providence United Methodist Church Fall Festival and St. Peter's Oyster Roast.

Mr. Trout announced details of an upcoming fall festival sponsored by the Heritage Public Library, the Ruritan Rib Ruckus at St. Elizabeth Ann Seton Church, the Parks & Recreation Harvest Picnic, and Ruritan Brunswick stew sale.

He reported that he had recently participated in an event commemorating Virginia Natural Gas' commencement of a project to provide natural gas services to some of the communities in New Kent.

He encouraged citizens to attend one of the upcoming performances of *West Side Story* being presented by students from New Kent High School and Astor College in Kent, England.

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IN RE: STAFF REPORTS

County Administrator John Budesky noted the resignation of Alan Harrison as Public Utilities Director, thanking him for his service to the County and wishing him well in his new position. He reassured the Board that the County had dedicated and capable staff in place to maintain the department while a search was made for a new director, and he would be working with staff and consultants to keep the utility process moving forward.

He reminded everyone of the upcoming Candidates Forum sponsored by the New Kent Chamber of Commerce, noting that prior to that event, staff and County officials would be meeting with Delegate Chris Peace to review and discuss New Kent's 2008 Legislative Agenda.

He announced details of the upcoming time capsule ceremony for the new high school.

He advised that he had just returned from an ICMA conference where there had been a strong emphasis on performance management. He also noted a countrywide concern about the sustainability of local government professions, noting that 60% of local government employees would become eligible for retirement over the next five years. He advised that New Kent was working on succession management plans.

He also indicated that affordable housing remained a struggle for all rural communities in the nation and there did not seem to be any immediate solution.

Mr. Budesky thanked the Board for the opportunity to attend the conference, noting that he had been able to obtain many contacts.

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IN RE: DISTRICT APPOINTMENTS

Mr. Hill moved to appoint Myran Walker as District One's alternate representative to the New Kent County Historic Commission to serve a term ending December 31, 2008.

Mr. Davis moved to appoint Padgett Evelyn as District Five's alternate representative to the New Kent County Historic Commission to serve a term ending December 31, 2010.

The members were polled:

W. R. Davis, Jr.	Aye
Mark E. Hill	Aye
David M. Sparks	Aye
James H. Burrell	Aye
Stran L. Trout	Aye

The motion carried.

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IN RE: NON-DISTRICT APPOINTMENTS

Mr. Burrell moved to appoint Stran Trout as the Board's representative to the newly-chartered Historic Commission to serve a term ending December 31, 2007.

The members were polled:

Mark E. Hill	Aye
David M. Sparks	Aye
James H. Burrell	Aye
W. R. Davis, Jr.	Aye
Stran L. Trout	Aye

The motion carried.

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IN RE: TRANSPORTATION ENHANCEMENT ACTIVITY GRANTS

Under consideration by the Board was Resolution R-50-07 approving the submittal of applications for Transportation Enhancement Activity (TEA) grants.

Planner Kelli Le Duc advised that the proposed resolution pertained to two TEA grant applications for FY08/09, which were being prepared by the Richmond Regional Planning District Commission (RRPDC).

She reported that the first application was for Phase V of the Courthouse area sidewalk improvement project and would complete the sidewalk, lighting and landscaping in the area and promote pedestrian travel. She advised that the estimated cost for the project was \$244,332, of which 80% would come from grant funds and the remaining 20% would be a County match.

She indicated that the second application was for the creation of a small historical wayside west of the Historic Courthouse, to consist of signage, bench and/or fence, landscaping, historical flags, etc., which would help to increase tourism as well as explain the historical role of New Kent County. She noted that New Kent had taken the leading role in obtaining a study of the Washington Rochambeau Revolutionary War Trails through Central Virginia that was currently underway and recently expanded to include locations to the east. She noted that the study was to be completed in early 2008. She reported that the cost of the wayside project was estimated at \$35,310, with 80% coming from grant funds and the remaining 20% from the County.

Ms. Le Duc advised that should either application or both be approved, then the County could determine how to provide the matching funds in the next budget cycle. She noted that in the past, matching funds had been included as a line item in the Capital Improvements Plan (CIP). She reported that the application would be accompanied by

letters of support from the schools, the Historic Commission, Historical Society, Delegate Peace and Senator Norment, and was due to be submitted no later than November 1, 2007.

Ms. Le Duc advised that there was no sketch yet of the proposed wayside, but they were envisioning something 20 x 20 feet next to the old road bed with signs similar to the Civil War Trail signs.

She indicated that the estimates for both projects had been provided by RRPDC.

The Chairman opened the Public Hearing.

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

Mr. Trout advised that he had been involved somewhat in the projects, having looked at the site and talked with RRPDC, and commented that they would complement and complete some improvements already in place.

It was confirmed that the Board's adoption of the proposed resolution was not committing any funds, just approving the submittal of the grant applications.

Mr. Sparks moved to adopt Resolution R-50-07 as presented. The members were polled:

David M. Sparks	Aye
James H. Burrell	Aye
W. R. Davis, Jr.	Aye
Mark E. Hill	Aye
Stran L. Trout	Aye

The motion carried.

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IN RE:            AMENDMENTS TO THE SUBDIVISION ORDINANCE REGARDING FAMILY  
                         SUBDIVISIONS

Before the Board for consideration was Ordinance O-17-07 amending the Subdivision Ordinance to remove the requirement that the Agent collect recordation fees and record plats, and provide clarity to the family subdivision requirements by modifying the approval block and owners certification required on family subdivision plats.

Community Development Director George Homewood advised that adoption of the proposed ordinance would primarily provide clarity to language in the ordinance. He noted that although the Planning staff no longer had anything to do with recording plats, the language had remained. He indicated that these changes had been requested by the Circuit Court Clerk. He advised that there were also some changes to the language dealing with family subdivisions that did not change the way a family subdivision could be done but clarified the language on the affidavit so that it would not appear that it was a deed. He reported that there was also some additional clarification to the language on the face of the plat so that it did not conflict with the language in the affidavit. He contended that he considered the changes to be "technical amendments" only. He reported that the Planning Commission, by a unanimous vote with one abstention, had recommended that the changes be approved, and that staff joined in that recommendation.

The Chairman opened the Public Hearing.

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

It was noted that these changes would hopefully satisfy the concerns of the Circuit Court Clerk.

Mr. Hill moved to adopt Ordinance O-17-07 as presented.

The members were polled:

James H. Burrell	Aye
W. R. Davis, Jr.	Aye
Mark E. Hill	Aye
David M. Sparks	Aye
Stran L. Trout	Aye

The motion carried.

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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 Wednesday, November 7, 2007, and the next work session at 5:00 p.m. on October 22, 2007, both in the Boardroom of the County Administration Building, New Kent, Virginia. There was discussion whether the meeting with Delegate Peace on October 17 would be considered a "meeting" and, if so, whether the current meeting should be continued until then. Chairman Trout advised that if three or more Board members were in attendance, a meeting would be called at that time and that it would be more appropriate to adjourn the current meeting.

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IN RE: ADJOURNMENT

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

W. R. Davis, Jr.	Aye
Mark E. Hill	Aye
David M. Sparks	Aye
James H. Burrell	Aye
Stran L. Trout	Aye

The motion carried.

The meeting was adjourned at 7:20 p.m.