

A SPECIAL MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 20<sup>TH</sup> DAY OF DECEMBER IN THE YEAR TWO THOUSAND SEVEN OF OUR LORD IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 3:00 P.M.

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IN RE: ROLL CALL

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

The Chairman called the meeting to order. It was reported that Mr. Sparks was not feeling well and would not be able to attend.

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IN RE: CLOSED SESSION

Mr. Hill moved to go into Closed Session for consultation with legal counsel pursuant to Section 2.2-3711A.7 of the Code of Virginia involving actual or probable litigation. The members were polled:

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

The motion carried. The Board went into closed session.

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

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

The motion carried.

Mr. Hill made the following certification:

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

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

Now there be it resolved that the Board hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open session requirements by Virginia law were discussed in closed session to which this certification

resolution applies and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Board.

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

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

The motion carried.

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IN RE: UTILITY RIGHTS OF WAY

Before the Board for consideration were requests for approval of right of way agreements with Virginia Electric and Power Company.

County Attorney Jeff Summers explained that these were agreements required by the power company to run utilities across County-owned property to County projects, and were needed before the power company would schedule the work. He confirmed that no public hearings were needed.

Mr. Hill moved to approve the Right of Way Agreement with Virginia Electric and Power Company for a 15-foot utility easement across Tax Map Parcel 24-15 to service the Sheriff's Annex. The members were polled:

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

The motion carried.

Mr. Hill moved to approve the Right of Way Agreement with Virginia Electric and Power Company for 15-foot utility easements across Tax Map Parcels 24-46A and 24-46B to service the Sheriff's Annex and Pump Station 1A. The members were polled:

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

The motion carried.

Mr. Hill moved to approve the Right of Way Agreement with Virginia Electric and Power Company for a 15-foot utility easement across Tax Map Parcel 24-45A to service Pump Station 1A. The members were polled:

David M. Sparks	Absent
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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: UTILITY EASEMENT

Before the Board for consideration was a request for approval of a Deed of Easement to Virginia Electric and Power Company.

County Attorney Jeff Summers explained that this involved the provision of power to the new hangars at the New Kent Airport.

Mr. Hill moved to approve a Deed of Easement granting Virginia Electric and Power Company a 30-foot overhead easement and 15-foot underground easement across Tax Map Parcel 21 20 C to service facilities at the New Kent Airport. The members were polled:

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

The motion carried.

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IN RE: GENERAL REASSESSMENT EXTENSION

Before the Board for consideration was a request to authorize the filing of a petition to extend the deadline for completion of the general reassessment in New Kent.

Mr. Summers explained that the reassessment would not be completed by December 31 and unless the deadline was extended, the new assessed values would not be able to be used in the upcoming budget. He indicated that the petition would ask for a 90 day extension.

County Administrator John Budesky commented that apparently this was not an uncommon situation.

Mr. Hill moved to authorize the filing of a petition to extend the time for completing the general reassessment.

Mr. Davis asked if this would interfere with the work and schedule of the Board of Equalization. Mr. Budesky advised that they were two separate processes and timelines.

The members were polled:

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

The motion carried.

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IN RE: NON-DISTRICT APPOINTMENTS

Mr. Hill moved to appoint James H. Burrell as New Kent's Board representative to the Colonial Community Criminal Justice Board to serve a four year term beginning January 1, 2008 and ending December 31, 2011. The members were polled:

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

The motion carried.

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IN RE: OTHER BUSINESS

Mr. Trout advised that the Library Board had invited the Board to consider the Library as a potential site for its January retreat. The Board also discussed dates for the retreat and the possibility of holding the retreat during the week rather than on the proposed date of Saturday, January 19, which was in the middle of a four-day holiday weekend.

Mr. Davis inquired whether the office of the Commissioner of the Revenue was still willing to handle future reassessments. Mr. Budesky reported that Commissioner Ecimovic was preparing to review the more than 40 applications she had received for the open positions and he felt certain that her office was still planning to assume these responsibilities.

Mr. Budesky also reported that he had spoken with the new Charles City County Administrator who advised that Charles City would be amenable to a new library site and had planned for such in its CIP. Mr. Trout stated that he had conversations as well and he believed a site in Providence Forge would be acceptable to Charles City.

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IN RE: ADJOURNMENT

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

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

The motion carried.

The meeting was adjourned at 3:59 p.m.