

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 14<sup>th</sup> DAY OF SEPTEMBER IN THE YEAR TWO THOUSAND FIFTEEN IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 6:00 P.M.

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IN RE: CALL TO ORDER

Chairman Tiller called the meeting to order.

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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

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.

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IN RE: CONSENT AGENDA

1. Approval of Minutes
  - a. August 10, 2015 Business Meeting minutes
2. Miscellaneous
  - a. New Road Names for the Villas at Viniterra: Tempranillo Lane and Tempranillo Court
  - b. Sole Source Procurement – County Administrator authorization to enter into a contract with Verizon Business Network Services, Inc. for Network Service to Public Utilities Building
  - c. Second Amendment to Contract for GIS service with WorldView Solutions
3. Refunds
  - a. \$78.75 to Simmons Electrical Service – Canceled BP#20100-2015
4. FY15 Supplemental Appropriations
  - a. Funds to Sheriff’s Department for Security at Saude Creek Vineyards, LLC, \$479.72 and Rockahock Campgrounds, Inc., \$661.68
  - b. Funds from Vending Machine Sales to be used for Employee Functions for the County, \$390.65 and the Sheriff’s Office, \$73.31
  - c. Gifts & Donations to New Kent Fire Rescue – TRUIST, \$42.00
  - d. Kevlar Vest Grant Funds, (\$6,974.43)

\$8,621.79	Total
\$(3,779.92)	Total In/Out – General Fund (1)
\$(4,841.87)	From General Fund – Fund Balance (1)

5. FY16 Supplemental Appropriations
  - a. Program Income Received for FY16 from CDBG Plum Point Grant Participants – July, \$219.00 and August, \$912.67
  - b. Donations for the Animal Shelter, \$750.00
  - c. Extension Program Sponsorship Revenue for Carole’s Garden, \$25.00
  - d. Gifts & Donations to New Kent Fire Rescue – Archie & Paulette Crowe, \$200.00
  - e. Gifts & Donations to Parks & Recreation – Coastal Plains Environmental, \$200.00 and H.E. Fenner, \$227.50
  - f. Funds to the Sheriff’s Office from Celerity Cycling for the Hampton Roads Bike Race, \$4,722.74
  - g. Funds from VML Insurance – Spartan Engine Scraped Pickup of Volunteer at Station, \$2,951.90
  - h. Funds from the Commonwealth of Virginia to Sheriff’s Budget for Travel/Extradition of Prisoner, \$192.09
  - i. Funds from the Sale of Various Fire/Rescue Apparatus – Vehicles #918, 949 and 907, \$260,965.00
  - j. Funds for the VDH-RSAF Grant Program for the Fire/Rescue Department for Three (3) Ambulances, \$94,804.00
  - k. Funds for the 2014 FEMA Assistance to Firefighters Grant – Grant ID# EMW-2014-FO-04336 and CFDA Number 97.044, \$318,000.00
  - l. Funds for the FY16 Selective Enforcement Grants for Alcohol, \$28,300.00, Speed, \$10,500.00, and Occupant \$5,250.00
  - m. Funds from VML Insurance – Fire/Rescue Vehicle #948 Hitting a Stop Sign while Responding to an Accident, \$564.43
  - n. Funds to Parks & Recreation from New Kent Youth Association Football, \$888.00
  - o. Funds Received from Davenport & Company as a Donation in Support of New Kent University, \$1,400.00

\$(734,419.21) Total  
\$(13,253.33) Total In/Out – General Fund (1)  
\$(658,627.00) Total In/Out – Capital Fund (7)  
\$(44,050.00) Total In/Out – Grant Fund (6)  
\$(3,346.88) From Fund Balance – Gen Fund (1)  
\$(15,142.00) From Fund Balance – Capital (7)
6. FY16 Carry Forward Appropriations
  - a. Grants, Donations, Incomplete Project Funds for the Fire/Rescue Department:  
Virginia Power Funds, \$28,089.81,  
State Fire Programs \$35,595.57,  
Public Education Donations, \$765.64,  
Four-For-Life, \$28,396.94,  
Hazardous Materials Emergency Preparedness Grant, \$16,300  
SHSP Grant – Risk Assessment, \$12,500
  - b. Fund 7 (Capital Fund) Balances:  
Historic School Campus – Renovation, \$402,890.61,  
Brd Room Tech Upgrades – Sound Improvement, \$12,714.56,  
Vehicle Acquisition – Bldg Development, \$21,000.00,  
New Courthouse Steps & Sidewalk, \$40,000.00,  
Admin Building Kitchen Renovations, \$29,002.80,

- New Courthouse HVAC, \$608,068.22,
- County Facility Rehab Projects, \$38,421.82,
- MIS Upgrades, \$74,497.30,
- MIS Technology & Comm Master Plan, \$30,000.00,
- ISTEA/RSTP Bicycle Route Signage, \$2,000.00,
- CD-Purchase of Development Rights, \$87,456.00,
- Affordable Housing, \$16,968.00,
- P&R Wahrani Nature Trail, \$2,234.56,
- Park Dev-FNK Proffer – Receipt of Funds Uncertain, \$82,041.25,
- Park Development – County Funds, \$969,653.83,
- P&R – Historic Schools Fields/Bleachers, \$38,500.00,
- Finance-Upgrade Integrated Software, \$597,633.00,
- NKES Renovations, \$203,869.81,
- NKMS-HVAC Controls/Fire Alarm Panel, \$204,079.46,
- Elementary School Roof, \$10,000.00,
- School Buses, \$36,859.00,
- Schools Misc Improv/Equipment, \$12,200.00,
- Appropriation of Funds Frm Prior Years, \$194,367.75,
- Tennis Court Repair, \$1,826.59,
- NKES Grounds & Playground Land, \$6,795.53,
- Vehicle Acquisitions – Sheriff, \$86,912.66,
- E-911 Voice Recording System, \$508.68,
- Sheriff IT Security Upgrades, \$1,957.41,
- Pre-Engineering Radio Infrastructure System Study, \$5,899.75,
- Public Safety Radio System – 800 MHZ, \$4,410,541.60,
- Federal Engineering On-Call Tech Support, \$73,303.38
- c. FY15 Funds from the 100 Foot Ladder Truck, \$49,450.00  
FY15 Local Funds not used for the Burn Building, \$20,159.93 to provide partial FY16 funds for Ambulance Replacement
- d. Various Computer Replacement Funds (Fund 800):  
Sheriff, \$5,017.77,  
Radio Equipment – Sheriff and Fire, \$579.11,  
Economic Development, \$3,391.48
- e. Extension Office Funds that were received as Donations for Various Programs, \$11,312.29
- f. Selective Enforcement Alcohol, \$10,074.18, Speed \$2,449.04 and Occupant, \$1,403.49
- g. Kevlar Vest Grant Program Funds, \$5,861.60

\$8,533,550.42	Total
\$(2,930.80)	Total In/Out – General Fund (1)
\$(41,748.75)	Total In/Out – Grant Fund (6)
\$(107,091.05)	From Gen Fund (1) Fund Bal
\$(977.96)	From Grant Fund (6) Fund Balance
\$(8,371,813.50)	From Capital Fund (7) Fund Balance
\$(8,988.36)	From Computer Replacement Fund (800) Fund Balance

- 7. Interdepartmental Budget Transfers – FY15
  - a. Animal Protection:  
From Salaries & Wages to Overtime, (\$386.00),  
From Salaries & Wages to Medical Examinations, (\$863.00)
  - b. Buildings & Grounds:

- From Salaries & Wages (043020-1200) to Salaries & Wages (042030-1100), (\$5,544.00),
- From FICA/Medicare to Salaries & Wages, (\$549.00)
- c. Building Inspections:
  - From Gasoline to Salaries & Wages, (\$834.00),
  - From Gasoline to Retirement – VSRS, (\$84.00)
- d. Circuit Court Clerk:
  - From Reserved for Contingency to Salaries & Wages, (\$9,508.00)
- e. Circuit Court Judge:
  - From Travel (Convention & Education) to Judge’s Full Time Secretary, (\$836.00),
  - From Travel (Convention & Education) to Retirement - VSRS, (\$83.00),
  - From Travel (Convention & Education) to Hospital/Medical Plans, (\$204.00),
  - From Travel (Convention & Education) to ST/LT Disability Premium, (\$136.00)
- f. Clerk of the Board:
  - From Reserved for Contingency to Salaries & Wages (\$20,340.00),
  - From Part-Time Salaries & Wages to FICA/Medicare, (\$980.00),
  - From Part-Time Salaries & Wages to Retirement – VSRS, (\$785.00),
  - From Travel (Convention & Education) to Hospital/Medical Plans, (\$1,108.00)
- g. Commissioner of Revenue:
  - From Part-Time Salaries & Wages to Overtime, (\$34.00)
- h. Commonwealth Attorney:
  - From Maintenance Service Contracts to Salaries & Wages, (\$835.00),
  - From Maintenance Service Contracts to Grant Funded Wages, (\$1.00),
  - From FICA/Medicare to Retirement – VSRS, (\$86.00)
- i. E911 Systems:
  - From Part-Time Salaries to Salaries & Wages, (\$1,127.00)
  - From Part-Time Salaries to Overtime – Salaried, (\$4,747.00)
- j. Fire & Emergency Management:
  - From Reserved for Contingency to Part-Time Salaries & Wages, (\$16,321.00)
- k. Fire-Rescue:
  - From Mach & Equip-Life Safety Equip to Part-Time Overtime, (\$157.34),
  - From LODA to Special Duty-Colonial Downs, (\$539.18),
  - From Salaries to FICA/Medicare, (\$3,766.71),
  - From Furniture & Fixtures to FICA/Medicare, (\$101.15),
  - From Salaries to Overtime, (\$3,709.42),
  - From Retirement to Overtime, (\$1,152.64),
  - From LODA to Overtime, (\$146.82),
  - From Medical Plans to Overtime, (\$890.00),
  - From Life Insurance to Overtime, (\$1,485.75),
  - From Workers Compensation to Overtime, (\$6,156.17),
  - From Professional Services to Overtime, (\$1,795.39),
  - From Repairs & Maintenance to Overtime, (\$362.10),
  - From Building Project Upgrades to Overtime, (\$331.05),
  - From Repairs & Maintenance-EMS Equipment to Overtime, (\$273.98),
  - From Repairs & Maintenance-Dry Hydrant to Overtime, (\$129.00),
  - From Repairs & Maintenance-Hose & Nozzle to Overtime, (\$464.11),
  - From Repairs & Maintenance-SML Engine to Overtime, (\$289.37),
  - From Repairs & Maintenance-Light Shop, (\$90.00),

- From Maintenance Service Contracts to Overtime, (\$588.14),
- From Maint. Serv. Contracts-Extraction to Overtime, (\$990.00),
- From Maint. Serv. Contracts-Ladder, (\$7.50),
- From Advertisements to Overtime, (\$710.00),
- From Electric Service to Overtime, (\$1,877.98),
- From Heating Service to Overtime, (\$4,058.65),
- From Postage to Overtime, (\$103.89),
- From Telecommunications-Cellular to Overtime, (\$931.10),
- From Telecommunications to Overtime, (\$88.28),
- From Telecommunication Equipment to Overtime, (\$109.54),
- From Leased Wan Lines to Overtime, (\$405.00),
- From Motor Vehicle Insurance to Overtime, (\$.95),
- From Volunteer Insurance to Overtime, (\$66.00),
- From Lease/Rent of Equipment to Overtime, (\$334.60),
- From Lease/Rent Equipment-EMS Equip to Overtime, (\$61.50),
- From Lease/Rental of Buildings to Overtime, (\$50.96),
- From Mileage to Overtime, (\$223.52),
- From Travel (Convention & Education), (\$677.04),
- From Repair Personal Gear to Overtime, (\$14.90),
- From Repair Portable Equipment to Overtime, (\$115.05),
- From Dues & Association Memberships to Overtime, (\$267.00),
- From Office Supplies to Overtime, (\$1,052.38),
- From Janitorial Supplies & Services to Overtime, (\$103.08),
- From Repair & Maintenance Supplies to Overtime, (\$1,083.30),
- From Books & Subscriptions to Overtime, (\$142.92)
- From Operation Supplies-EMS Equipment to Overtime, \$(90.71),
- From Maint Serve Contracts-Small Eng to Part-Time Salaries, (\$500.00),
- From Operation Supplies-Small Engine to Part-Time Salaries, (\$837.12),
- From Operation Supplies-Extraction to Part-Time Salaries, (\$622.90),
- From Street Signs to Part-Time Salaries, (\$154.00),
- From Promotional Materials to Part-Time Salaries, (\$1.21),
- From Mach & Equip-All Fire Departments to Part-Time Salaries, (\$1,406.70),
- From Mach & Equip-EMS Equip to Part-Time Salaries, (\$919.83),
- From Mach & Equip-SCBA Shop to Part-Time Salaries, (\$8.30),
- From Mach & Equip-Life Safety Equip to Part-Time Salaries, (\$11.00),
- From Turn-Out Gear Replacement to Part-Time Salaries, (\$23.24),
- From Furniture & Fixtures to Part-Time Salaries, (\$11.71),
- From Haz Material Response Equipment to Part-Time Salaries, (\$411.48),
- From Operation Supplies-EMS Equipment to Part-Time Salaries, (\$429.95),
- From OSHA Compliance Expense to Part-Time Salaries, (\$508.67),
- From Mach & Equip-All Fire Departments to Part-Time Salaries, (\$4,915.96),
- From Maint Serve Contracts to Part-Time Salaries, (\$450.00)
- I. Economic Development:
  - From Repairs & Maintenance to Overtime, (\$210.00)
  - From Printing & Binding to FICA/Medicare, (\$422.00)
  - From Advertising to Part-Time Salaries & Wages, (\$2,100.00)
  - From Travel (Convention & Education) to Part-Time Salaries & Wages, (\$1,825.00)
  - From Office Supplies to Part-Time Salaries & Wages, (\$2,081.00)

- m. Receptionist/Switchboard:
    - From Reserved for Contingency to Salaries & Wages, (\$380.00)
  - n. Registrar:
    - From Part-Time Salaries & Wages to Salaries & Wages, (\$834.00)
    - From Part-Time Salaries & Wages to Retirement-VSRS, (\$85.00)
  - o. Schools:
    - From Instructional Materials – NKES to Improvement – Software/Online Content, (\$4,590.00)
    - From Instructional Materials – GWES to Improvement – Software/Online Content, (\$4,590.00)
  - p. Sheriff:
    - From Part-Time Salaries & Wages to Salaries & Wages – Overtime, (\$13,552.00)
  - q. Sheriff Courts:
    - From Part-Time Salaries & Wages to Salaries & Wages, (\$11,497.00),
    - From Part-Time Salaries & Wages to Health Insurance, (\$63.00)
  - r. Treasurer:
    - From Hospital/Medical Plans to Salaries & Wages, (\$7,153.27)
    - From Hospital/Medical Plans to Overtime, (\$108.37)
    - From Hospital/Medical Plans to FICA/Medicare, (\$257.12)
    - From Travel (Convention & Education) to Retirement – VSRS, (\$338.64)
  - s. Utility Administration:
    - From Gasoline to Salaries & Wages, (\$3,845.00),
    - From Gasoline to VRS/Retirement, (\$86.00)
  - t. Utility Fund:
    - From On-Call Pay to Salaries and Wages, (\$204.00)
    - From On-Call Pay to Overtime, (\$816.00)
8. Interdepartmental Budget Transfers – FY16
- a. Commissioner of Revenue:
    - From Reserved for Contingency to Commissioner of Revenue, (\$2,002.07)
  - b. Community Development:
    - From Full-Time Salaries to Part-Time Salaries, (\$29,700.00)
  - c. County Attorney:
    - From Salaries & Wages to Legal Professional Services, (\$60,000.00)
  - d. Schools:
    - From Tennis Court Repair to Tennis Court Construction, (\$1,826.59)
9. Treasurer’s Report: Cash as of July 2015, \$29,351,335.45

Mr. Burrell requested clarification regarding the new road names contained in Consent Agenda Item 2.a. Mr. Hathaway indicated the wording that had been struck through under the “Street Name” column of the Street Name Clearinghouse Request had originally been placed in the incorrect column and had been reentered in the “Street Type” column. Mr. Burrell then motioned 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
James H. Burrell	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
C. Thomas Tiller, Jr.	Aye

The motion carried.

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IN RE: SMALL BUSINESS CLOSE UP – DISTRICT FIVE – SURF & TURF OUTDOOR SPORTS

Community Development Director Matt Smolnik reported that Tonja Smith with Surf & Turf Outdoor Sports located in the Eltham area of District Five had been scheduled to appear for this month's Small Business Close Up. He noted Ms. Smith had contacted him earlier in the day indicating there was a family emergency and she unfortunately would not be able to attend. He reported Ms. Smith had requested an opportunity to come back to the Board at a future meeting and he suggested the Board invite her to return in October. The Board concurred.

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IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) – RESIDENCY ADMINISTRATOR'S REPORT

Bruce McNabb, Residency Administrator with the Virginia Department of Transportation (VDOT), reported on maintenance activities and construction projects on New Kent roads from the past thirty days as well as those planned for the next thirty days.

Mr. McNabb reported VDOT had been heavily involved in standard work activities including pothole repairs, mowing, litter pick-up, trimming tree limbs near signs and the removal of tree debris and dead animals from roadways. He also noted the removal of beaver dams had once again been a focus with fifteen having been removed during the past thirty days. He reported that construction on the Park-N-Ride facility located on Route 604 (Poindexter Road) had been completed with the exception of paving. He indicated a paving contract should be completed in the next few weeks and the Park-N-Ride would be completed soon thereafter. Plans for the next thirty days included additional standard work activities as previously described as well as snow removal dry runs for all snow removal equipment.

Mr. McNabb reported the surety for Fastbreak (contractor who had been declared in default on the Route 249/Route 612 roundabout project) was in charge of the Route 249/Route 612 roundabout project and VDOT was currently in the process of setting up a preconstruction conference with the surety. He indicated a new contractor (Jireh Construction Co., Inc.) had been chosen by the surety and a fixed completion date (January 31, 2016) and a fixed price would be included in the construction contract. He also noted the contract would include incentives for early/on time completion as well as disincentives for late completion. Mr. McNabb announced that alternative funding through federal and state grants would be used to complete the project and there would be no need for the \$165,000 originally requested from the Route 155 project funding.

Mr. McNabb reported a speed study had been conducted on Route 611 (Quaker Road) from Route 613 (Dispatch Road) to Route 638 (Cosby Mill Road) and the results of the study supported an increase in the speed limit from 35 mph to 45 mph. However, he noted the New Kent Sheriff's Office did not support a speed increase. The Regional Traffic Engineer would be making the final decision and Mr. McNabb welcomed the opportunity to share the Board's input with that individual.

Mr. Davis noted there had been a traffic fatality on Route 606 (Tunstall Road) over the weekend and there had also been a fatality on this road the previous year. He indicated he did not know the cause of either of these accidents and noted the road surface was in good shape but suggested the shoulders could use some improvement. He pointed out VDOT had previously improved shoulder conditions on other roads by applying a strip of gravel along

the edges of the pavement. He also cited Cooks Mill Road as another County road with conditions similar to Tunstall Road and pointed out these roads were both carrying a significant volume of traffic and suggested if one tire were to leave the road surface, it would be difficult for a driver to maintain control. Mr. McNabb indicated VDOT would review the reports for the Tunstall Road accidents. Mr. Davis noted the road surface on Farmers Drive had recently been widened which he felt had made a big difference and he thanked Mr. McNabb for the good work on this project.

Mr. Burrell thanked VDOT for the good work on recent litter pickup in the County. He also expressed his ongoing concerns in regard to potholes and patch work at various locations along I-64.

Mr. Evelyn reported he had spoken with Mr. McNabb earlier in the day regarding the Quaker Road speed study and asked Mr. McNabb if the speed on this stretch of road had not been 45 mph prior to recent construction. Mr. McNabb indicated he was not sure and would have to look into this. Mr. Evelyn asked Lieutenant Jamie Hamby, who was present as a part of the evening security detail, if he was able to provide an answer. Lieutenant Hamby indicated he had been working with the New Kent Sheriff's Office since 2002 and the speed limit on Quaker Road had always been 35 mph during that time period. Mr. Evelyn indicated that he supported the Sheriff's Office recommendation that the Quaker Road speed limit not be increased to 45 mph.

Mr. Evelyn also reported he continued to receive calls regarding the Route 249/Route 612 roundabout project and the unfinished paving on Cosby Mill Road. He indicated he had received emails suggesting the Cosby Mill Road paving should have been completed by now and he asked Mr. McNabb if he was able to provide any information on this project that could be shared with constituents. Mr. McNabb indicated he had spoken with Maintenance Superintendent, Chad Baker, and Mr. Baker had indicated VDOT was waiting for the paving contract and if the contractor could not make it to this project within two weeks, VDOT would complete the work. Mr. Evelyn asked Mr. McNabb if the amount of the surety on the Route 249/Route 612 roundabout project was public information and if so, would he share that figure. Mr. McNabb indicated he did not have that information readily available but would be glad to provide it if he could. Mr. Evelyn asked if the project was not completed by the end of January, would VDOT call the bond. Mr. McNabb indicated they would. Mr. Evelyn suggested some additional cleanup was needed in the project area as well as on Route 612 where ditches were backing up with heavy rains. Mr. Evelyn noted he had been very frustrated with VDOT regarding the two projects in his district (Route 249/Route 612 roundabout and Cosby Mill Road) and indicated he had communicated his frustrations to his delegate (Chris Peace). Mr. McNabb indicated he believed the issues with these projects had been an "unfortunate coincidence".

Mr. Stiers pointed out the written VDOT report provided to the Board indicated surface treatment was scheduled for Old River Road and Ashland Farm Road and reported he had several constituents living on Ashland Farm Road who had contacted him to report the grass had not been mowed in two years and the road was down to a single lane in some places. He also noted similar conditions on Carriage Road. Mr. Stiers pointed out he did not see anything on the VDOT report regarding the repaving of Rockahock Road which had previously been reported as scheduled to begin in October. Mr. McNabb indicated he was not familiar with the project and he would check on its status. Mr. Stiers also reported there had been four trucks restriping Rockahock Road three weeks ago which he felt was a waste of money. He had contacted Mr. Baker in an effort to determine why this was being done and had been told that once the project was in the system, it could not be stopped.

Mr. McNabb agreed this was a waste of money and suggested the cause had been poor communication.

Mr. Tiller noted Mr. McNabb had reported that paving remained to be completed at the Poindexter Park-N-Ride and asked if this pavement would be striped. Mr. McNabb indicated the lot would be striped. Mr. Tiller indicated he had been requesting that the Bottoms Bridge Park-N-Ride be striped for about three years. He suggested if the lot were striped, it could possibly accommodate more vehicles and be put to better use. Mr. McNabb indicated he would look into this and perhaps both Park-N-Ride facilities could be striped at the same time. Mr. Tiller also thanked VDOT for cutting brush on Route 665 (Henpeck Road).

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IN RE: CITIZENS COMMENT PERIOD

There were no citizen comments.

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IN RE: NATIONAL 4-H WEEK IN NEW KENT – OCTOBER 4-10, 2015 (RESOLUTION R-32-15)

Before the Board for consideration was Resolution R-32-15 recognizing October 4-10, 2015 as National 4-H Week in New Kent County.

Mr. Evelyn noted a resolution had been prepared on behalf of the Board recognizing October 4-10, 2015 as National 4-H Week in New Kent County and it was an honor to be able to present the Board's resolution to Extension Agent Carl Frick. He pointed out his oldest son had attended 4-H Camp at Jamestown this summer and it had been a wonderful experience. He also noted that in addition to 4-H Camp, he had been made aware of the many programs and community events offered through the Extension Office by his cousin, Patty Townsend, who was an Extension Office employee.

Mr. Evelyn moved to adopt Resolution R-32-15 recognizing October 4-10, 2015 as National 4-H Week in New Kent County. The members were polled:

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

The motion carried. Mr. Evelyn then read the resolution and presented a signed original to Mr. Frick.

Mr. Davis pointed out the Jamestown 4-H Education Center facilities were available at a reasonable price for other events such as wedding receptions, festivals and conferences and noted the facilities and setting were beautiful. Mr. Frick agreed and described the camp as a "treasure on the James River". He indicated the facilities were available for other events on weekends and throughout the fall, winter and spring during non-camping season. Mr. Burrell noted it was forward thinking on the part of our government over one hundred years ago when the Land Bank Colleges were established and he pointed out the Jamestown 4-H Camp had been made possible as a result of this program.

Mr. Frick thanked the Board for the resolution recognizing National 4-H Week and for recognizing the role 4-H played in the development of not only the youth in New Kent, but all youth across the nation. He pointed out as the 4-H motto states, the focus of 4-H is

“making the best better while teaching leadership, citizenship and life skills”. Mr. Frick provided an overview of 4-H over its one hundred plus year history and noted 4-H had impacted the lives of over two hundred youth in New Kent over just the past five and a half months. He also provided information on 4-H programs in three New Kent schools and pointed out that raised garden beds had recently been constructed at the middle school and would be utilized in ways that would coincide with the SOLs and extend the students’ learning. Mr. Frick thanked Sheriff Howard and his staff for their support transporting luggage to and from Junior Summer Camp, School Superintendent Dr. David Myers and the New Kent County School Board for providing bus transportation to and from camp and the New Kent Board of Supervisors and New Kent citizens for their continued support of 4-H and the Jamestown 4-H Education Center. As a gesture of appreciation, Mr. Frick presented each board member and County Administrator Rodney Hathaway with a framed summer camp group picture and also thanked Mr. Hathaway for coming to the camp and having lunch during the week New Kent campers were attending.

Mr. Davis asked Mr. Frick how many New Kent campers had attended summer camp. Mr. Frick indicated there had been sixty-three New Kent campers, eleven teen counselors and four staff members.

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IN RE: NEW KENT COUNTY PUBLIC SCHOOLS – TENNIS COURT CONSTRUCTION

New Kent County Public Schools Superintendent Dr. David Myers thanked the Board for the opportunity to present a request for tennis court construction funding. He indicated a location had been selected, engineering work had been completed and permits were in place. Dr. Myers drew attention to the “Tennis Courts for New Kent County Public Schools Request for Transfer of Funds – REVISED 9/10/15” document and noted the School Board was requesting an additional transfer from the school set-aside account in the amount of \$319,364.41. He also noted a carry forward request to transfer \$1,826.59 from tennis court repair to tennis court construction had been approved earlier in the evening as a part of the Consent Agenda and the Supervisors had previously approved the transfer of \$23,900 for engineering costs. Total cost for the tennis court project, including \$15,000 in contingency funding, was \$345,091. Dr. Myers stated that any funds remaining after completion of the project would be returned to the school set-aside account.

Mr. Davis asked if a contractor had been selected for this project. Dr. Myers indicated the School Board had voted to authorize him to enter into a construction contract with Tennis Courts, Inc. pending funding approval by the Board of Supervisors. Mr. Davis asked for the proposed construction time line for this project. Dr. Myers indicated the contract had been reviewed and approved by an attorney and, if funding was approved, he would be prepared to sign it the following day. He reported the contractor had provided a projected completion date of January 1, 2016, weather permitting. He noted the goal was to have the project completed in time for tennis season which would start near the end of February.

Mr. Evelyn asked if the funding would be handled in the same manner as the Bridging Communities funding or would it be handled as a lump sum. Dr. Myers indicated the funding for the project would be a lump sum. County Administrator Rodney Hathaway indicated an account would be established specifically for the tennis court construction project with all invoices being billed to that account and, as previously mentioned by Dr. Myers, any remaining balance would be returned to debt set-aside. Mr. Evelyn asked for confirmation that this project would be completed with funds already available in the set-aside account and would result in no tax increases to New Kent citizens. Mr. Hathaway confirmed this statement. Dr. Myers pointed out a plus would be that the new courts would also be available for use by residents. Mr. Evelyn asked Dr. Myers if he would, for the

record, describe the selected location for the new courts. Dr. Myers indicated the courts would be located on property in front of and to the left of the high school. He noted efforts were being made to keep the discus and shot put facilities in this area and he had worked with Parks and Recreation staff and the athletic directors at both the middle and high school to assure the location included sufficient space to accommodate existing state records for these sports. The middle school football team had been using this field for practice but an alternate practice site had been identified.

Mr. Evelyn indicated he had been listening to citizens, some with children playing on the tennis team and others who were playing tennis on the courts themselves, and pointed out the County had spent a significant amount of money repairing the courts over the years and he believed this would be money well spent. He noted he had talked to the tennis team coach and they were excited about getting the new courts and being able to once again host home matches. He indicated he had been working for some time with Dr. Myers, County staff and the other Supervisors in an effort to make this happen. He pointed out these new courts would not only benefit our students but also the community as a whole. Mr. Evelyn indicated he would like to make a motion if there was no further discussion.

Mr. Stiers indicated he wished to speak and noted he had been on the fence in regard to this project for a long time and was having a difficult time supporting the expenditure. He asked Dr. Myers, "do you honestly think this is what we need?" Dr. Myers indicated he felt we had to build the courts. He pointed out he had been around high schools for over twenty years and had yet to see a comprehensive high school that did not have tennis courts. He suggested the courts would receive frequent weekend use, provide another recreational opportunity for citizens and would be a win/win for both the schools and citizens. He admitted many needs existed in New Kent County schools but felt there was no way the current courts could continue to be used as they were way past their life span. He closed by stating, "yes, I whole heartedly believe we need to do this."

Mr. Evelyn pointed out the County had been spending forty to fifty thousand dollars every two years in an effort to repair the current courts. Dr. Myers indicated those repairs were no longer holding and the condition of the courts had become a safety issue.

Mr. Evelyn moved to approve the transfer of \$319,364.41 from the school set-aside account to the school CIP account for tennis court construction. The members were polled:

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

The motion carried.

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IN RE: ELECTED OFFICIALS' REPORTS

Mr. Davis announced that Ms. Rocket Johnson had served on the Social Services Advisory Board since 2004 and because she was retiring and moving from the area, would be stepping down from her position. On behalf of the Board, he expressed appreciation to her for her years of service and asked that she be sent a letter conveying the Board's appreciation.

Mr. Burrell reported the Richmond Regional Tourism Board was preparing for the UCI World bike race. He indicated this would be one of the biggest events to be held in Richmond and noted that tourism articles from the past year indicated that Richmond was one of the hottest tourist destinations on the east coast.

Mr. Evelyn had nothing to report.

Mr. Stiers reported Mr. Hathaway, Community Development Director Matt Smolnik and he had met recently with Colonial Downs owner Jeff Jacobs to discuss the future of the facility. He indicated Mr. Jacobs planned to submit a 2016 racing schedule in the next few weeks and wanted to get input from the County in regard to possible uses for the Colonial Downs facility in the event horse racing did not return. He also reported Mr. Hathaway and he had recently met with Paul Mauk who owned the Brickshire Clubhouse to discuss the dangerous condition of a pond located on the property. He reported New Kent County Animal Control had recently been called to rescue a deer that had fallen into the pond and there were concerns the pond was also dangerous for residents. He indicated some suggestions had been discussed during this meeting and he believed there would be further discussion on these suggestions in the Board's closed session.

Mr. Tiller reminded all individuals who were running for election or reelection to be sure they or others campaigning on their behalf obtained permission from property owners before placing campaign signs on the property.

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IN RE: STAFF REPORTS

County Administrator Rodney Hathaway reported the bike race previously mentioned by Mr. Burrell would begin this weekend and would be in the area for the next two weeks. He noted over 400,000 visitors from all over the world were expected to attend throughout the two week period. He reported New Kent County would have a booth in the Fan Fest Zone located in the Richmond Convention Center. He encouraged anyone who may be attending the bike race to stop by the Convention Center and visit New Kent's booth. He indicated the New Kent booth would be sponsored by the New Kent County Chamber of Commerce and the New Kent Economic Development authority and he thanked both organizations for allowing New Kent to have a presence at this event.

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IN RE: OTHER BUSINESS

There was no other business.

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IN RE: APPOINTMENTS – DELEGATED BY DISTRICT

There were no appointments delegated by district.

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IN RE: APPOINTMENTS – NOT DELEGATED BY DISTRICT

There were no appointments not delegated by district.

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IN RE: CLOSED SESSION

Mr. Tiller noted the Board had several items for Closed Session and pointed out the time was 6:45 p.m. and the advertised public hearing could not begin until 7:00 p.m. He asked the Board if they wished to take a fifteen minute recess or move on with the Closed Session.

Mr. Stiers moved to go into Closed Session pursuant to the following code sections of the Code of Virginia: Section 2.2-3711(A)(1) of the Code of Virginia for discussion of a personnel matter involving an employee of the fire department, Section 2.2-3711(A)(1) for discussion of a personnel matter involving the Deputy Director of Finance, Section 2.2-3711(A)(7) for consultation with legal counsel regarding contract terms contained in the County's agreement to provide reclaimed water to Legend's Golf Course and Section 2.2-3711(A)(29) involving the discussion of the award of a contract for the Historic School involving the expenditure of public funds where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the County. The members were polled:

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

The motion carried. The Board went into closed session.

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

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

The motion carried.

Mr. Davis 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
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye

C. Thomas Tiller, Jr.                      Aye

The motion carried.

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IN RE:                      PUBLIC HEARING – ORDINANCE O-13-15 – AMENDMENT TO CHAPTER 22  
AND APPENDIX A OF THE NEW KENT COUNTY CODE (ELECTRONIC SUMMONS  
SYSTEM FEE)

This public hearing had been canceled.

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IN RE:                      PUBLIC HEARING – NEW KENT CHAMBER OF COMMERCE LEASE

Before the Board for consideration was a Lease Agreement between The Board of Supervisors of New Kent County and The New Kent County Chamber of Commerce for office space in the New Kent Visitors and Commerce Center located at 7324 Vineyards Parkway, New Kent, Virginia.

Mr. Stiers read the following statement:

“I have been advised by the County Attorney that because I have a contract to serve as Executive Director of the New Kent Chamber of Commerce, I therefore have a personal interest as defined in the Virginia Conflict of Interest Act in the lease agreement between the County and the New Kent Chamber of Commerce for the property at 7324 Vineyards Parkway which is the subject of the lease. Therefore, I hereby disqualify myself from participating in the discussion concerning the lease or voting on the approval of the lease.”

County Administrator Rodney Hathaway presented an overview of the terms of the proposed lease agreement with the New Kent County Chamber of Commerce. He indicated the proposed lease was a three-year lease with an annual lease amount of \$1,200. He noted this was a relatively small amount and pointed out the space to be leased was a very small office which was not manned on a daily basis. Mr. Hathaway noted the existing lease would end this year and there were no changes in the terms recommended in the proposed lease. He asked the Board to consider authorizing him to execute a lease agreement between New Kent County and the Chamber of Commerce to use office space at the New Kent Visitors and Commerce Center. He reiterated that the lease was for office space and did include provisions which would allow the Chamber of Commerce to place a storage trailer to the rear of the Visitors Center and to have access to the facilities to conduct board meetings and regular monthly meetings. He also pointed out the Chamber had been leasing office space since the Visitors Center opened in 2009.

Mr. Tiller opened the public hearing. There being no individuals wishing to speak, Mr. Tiller closed the public hearing.

Mr. Burrell moved to authorize the County Administrator to execute a lease agreement between the County of New Kent and the New Kent Chamber of Commerce to use office space at the New Kent Visitors and Commerce Center. The members were polled:

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

C. Thomas Tiller, Jr.            Aye

The motion carried.

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IN RE:            MEETING SCHEDULE

Chairman Tiller announced the next regularly scheduled meeting of the Board of Supervisors would be held at 6:00 p.m. on Tuesday, October 13, 2015, and the next work session would be at 9:00 a.m. on Wednesday, September 30, 2015. Both meetings would be held in the Boardroom of the County Administration Building.

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IN RE:            ADJOURNMENT

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

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

The motion carried.

The meeting was adjourned at 8:03 p.m.