

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 10<sup>th</sup> DAY OF JANUARY IN THE YEAR TWO THOUSAND FIVE OF OUR LORD IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING AT 6:00 P.M.

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IN RE:            INVOCATION AND PLEDGE OF ALLEGIANCE

The Reverend Russell Smith of St. Elizabeth Ann Seton Catholic Church gave the invocation, followed by the Pledge of Allegiance. Chairman James Burrell issued a welcome and a wish for a happy new year.

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IN RE:            ROLL CALL

Mark E. Hill	Present
D. M. "Marty" Sparks	Present
Stran L Trout	Present
W. R. "Ray" Davis, Jr.	Present
James H. Burrell	Present

The meeting was called to order.

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IN RE:            REORGANIZATION

Richard Ellyson, Interim County Administrator, opened the floor for nominations for Chairman of the Board. Mr. Trout nominated W. R. Davis, Jr. as Chairman of the Board of Supervisors for a term of one year. There were no other nominations and Mr. Trout moved that the nominations be closed. The members were polled:

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

The members were polled on the election of W. R. Davis, Jr. as Chairman:

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

The motion carried. The meeting was turned over to Chairman Davis who opened nominations for Vice Chair. Mr. Hill nominated James H. Burrell as Vice-Chairman of the Board of Supervisors for the term of one year. There were no other nominations and Mr. Sparks moved to close the nominations. The members were polled:

James H. Burrell	Abstain
Stran L Trout	Aye
Mark E. Hill	Aye
D. M. "Marty" Sparks	Aye

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IN RE: CONSENT AGENDA

Interim County Administrator Richard S. Ellyson presented the Consent Agenda, which consisted of approval of the minutes of the work session on December 6, 2004; work session on December 8, 2004; regular meeting on December 13, 2004; and special work session on December 20, 2004; Abstracts of Votes from November 3, 2004, for recording in the Supervisors' Order Book; a temporary hourly pay increase to \$16.46 for Shannon Roth for additional duties assumed during the maternity leave of her co-worker; Appropriations FY2004-2005: \$8,338.50 received for reimbursement of professional services for Farms of New Kent; \$11,373.00 to the Dept. of Community Development to cover the costs of environmental engineering reviews due to the departure of the former Environmental Programs Manager; \$(19,711.50) Total; \$8,338.50 money in/money out; \$11,373.00 from General fund – fund balance; Carry Forward Appropriations FY2004-2005: \$15,000 for the payment of the Bottoms Bridge Analysis/Financial Modeling to RFC Associates (appropriated at the January 12, 2004 Board of Supervisors' meeting); \$(15,000.00) Total; \$ -0- Money in/money out; \$15,000.00 from Fund 98 - fund balance; Inter-departmental Budget Transfers: \$2,650 from Repairs & Maintenance (Volunteer Fire Dept: 4-1-32020-6007) to: \$1,800 to Repair Portable Equipment (Volunteer Fire Dept: 4-1-32020-5649) and \$850.00 to Communications Equipment (Dept of Fire, Rescue & Emergency Mgmt: 4-1-32100-8003); Treasurer's Report showing total cash as of November 2004 to be \$15,140,773.19.

Mr. Trout moved to approve the Consent Agenda as presented. The members were polled:

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

The motion carried.

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IN RE: CITIZENS COMMENT PERIOD

Chairman Davis opened the Citizens Comment Period.

Carter Perry congratulated the Board's new officers. He reminded the Board that April is Alcohol, Drug, Tobacco, and HIV/AIDS Prevention Month in New Kent County. He reviewed the program's past success and participation by students in the middle and high schools in an essay writing contest with prizes. He also announced that Mr. Burrell's leadership will be recognized at an event on January 16, 2005, at 3:00 p.m. at the Cumberland Community Center in honor of Rev. Martin Luther King's birthday.

Alease Christian asked for the Board's support of a County-wide project to collect funds through the month of February to help the Indian Ocean tsunami victims. She reported that her church had made a contribution last week to the American Red Cross but she would like to see the County businesses and citizens do something. She indicated that if there is already something organized, she would be willing to work on it. Mr. Hill responded that County employees were already taking up a collection of funds to be channeled through Habitat for Humanity and he would welcome some discussion among the Board about

broadening the project to enable citizens and business to contribute to the same effort. Mr. Burrell cautioned the public about scams and urged them to contribute only to those organizations that have been approved by the Better Business Bureau, and to take their time in making decisions on how to donate. Mr. Trout echoed Mr. Burrell's comments, indicating that it will take the affected area years to rebuild. Mr. Sparks suggested that citizens be permitted to make donations towards the employees' efforts. Mr. Hill agreed and asked for the County Attorney's comments. Ms. Katz advised that the contributions should be kept separate from the County's funds. The Board was in consensus that non-employees be allowed to make donations through the employees' effort.

There being no one else signed up to speak, the Chairman closed the Citizen Comment period.

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IN RE:           RESIDENT ENGINEER'S REPORT

Gary Jennings, Assistant Resident Engineer with Virginia Department of Transportation, reported that the bridge on Route 155 south of Providence Forge has been closed for replacement. The old bridge has been cut up and once a disposal site at the Charles City County landfill has been approved, they will start work on the abutment. The detour is Route 618 to Route 602 to Route 155.

He reported that permanent repairs on the Route 607 bridge are expected to start in February, and that bridge will be closed for 6 weeks. They will be meeting with affected citizens and landowners to discuss access once a contract has been awarded.

He reported that only about 2 days' worth of work is needed to complete road work in the Quinton Park subdivision in order to bring the roads into the State system. He also reported that a final inspection was done on roads in the Deerlake subdivision, and they are ready to accept a resolution from the Board to take those roads into the system.

Regarding the restriction of commercial truck traffic on Route 618, Mr. Jennings reported that the public comment period has ended, and only four comments were received. Those are being packaged up for transmittal to the Central Office for presentation to the Commonwealth Transportation Board. Hanover County is somewhat behind New Kent in adopting the necessary resolution, but they are hoping that the signs will be posted in February.

Mr. Jennings reported that he had received a proposal from the traffic engineer about the problem on Route 628 at the Church; he did not like the proposal and has sent it back to the traffic engineer to re-do.

He reported that ditching needed to be completed on Route 618 before the stone can be put down.

Mr. Jennings indicated that in the past month, headquarter crews have worked clearing snow, reporting that it cost \$20,000 to clear the roads in New Kent. Inmates are working on I-64, opening drains and picking up trash.

He reported a slope failure on Route 60 east of Route 106 – hence the barrels in the area. This problem began with Hurricane Floyd and was exacerbated by Hurricane Isabel and Tropical Storm Gaston. Their engineer is looking at a permanent repair.

Regarding the work at Henpeck and Quaker Roads, he reported that work has not yet been finished, in that they are having problems with getting Miss Utility to clear it.

There was a discussion regarding the Route 155 bridge. Mr. Jennings indicated that it will be re-opened by April 1. Mr. Trout inquired about incentives to get the project completed earlier, as the bridge closure is a hardship for Providence Forge businesses. Mr. Jennings stated that there are some incentives for early completion and "huge dis-incentives" if it is not finished by April 1.

Regarding the Terminal Road project, Mr. Jennings indicated that this is still scheduled for a June advertising date, and that the construction start date will depend on the contractor. They are looking at a completion date sometime in 2006.

Mr. Sparks thanked Mr. Prezioso and Mr. Jennings for their work in Quinton Park. He commented that roadside trash on Airport Road is getting worse and asked if inmates could be used there. Mr. Jennings stated that there may be some areas of Airport Road where inmates could be used but not on all of it because of the 500-foot limit in residential areas. However, they do have a contractor that they can use and he will send them down there.

Mr. Hill asked if VDOT staff had spoken with residents on Route 607 about the bridge closing. Mr. Jennings stated that they will wait until the plans have been set before speaking with the affected residents. He will keep Mr. Hill informed.

Mr. Hill thanked Mr. Jennings for the work done in Deerlake and asked about bringing the roads into the state system. He also asked about the truck restrictions on Route 618. Mr. Jennings indicated that as soon as the CTB has approved the restrictions, they will get the signs posted.

Mr. Hill expressed his concern about a drop off on Route 608. Mr. Jennings indicated that their guardrail contractor has it on his work list to install guardrails at Black Creek Swamp.

Mr. Davis asked about the timetable for the bridge replacement on Route 607, considering that the 350<sup>th</sup> Committee has its Family Festival scheduled at Marengo on April 30. Mr. Jennings promised that the project will be finished in time for the festival.

Mr. Davis thanked Mr. Jennings for the repair of the pothole on Route 600 but pointed out that there is another one further down, near the James City County line. He also reported that there were several wrecks on Farmers Drive during a recent rain and that the area needs ditching again. He thanked Mr. Jennings for fixing the ditch along Route 155 and indicated that he needs to meet with him soon to look at roads in Plum Point.

Regarding the roads in Deerlake, Mr. Hill commented that school buses are going in there every day. He asked that if, with the knowledge that the roads will be accepted into the State system at an upcoming meeting, the State would clear snow off those roads in the interim. Mr. Jennings indicated that they would perform snow/ice removal on those roads with an emergency resolution from the Board but would need a permanent resolution, with specific termini, at a future meeting. Staff will work on a proposed resolution for adoption tonight.

Mr. Burrell asked about the possibility of installing additional sets of rumble strips at the intersection of Route 249/33/30. Mr. Jennings indicated that rumble strips are difficult to maintain (hard to repair potholes) but that if the Board wants them, he can have them installed.

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IN RE: INTRODUCTION OF NEW EMPLOYEES

Social Services Director Phil Quinn introduced their newest Social Worker. Tina Shafer, who started work December 16, 2004.

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IN RE: NATIONAL CHIEFS' CHALLENGE AWARD

Bob Wall, Program Coordinator for the Virginia Chiefs of Police, was on hand to present the National Chiefs' Challenge Award to the New Kent Sheriff's Office. He indicated that this 15-year old program was designed to get law enforcement more involved in highway safety by trying to tap into the competitive nature in all of us. He reported that the New Kent Sheriff's Office has consistently performed well in its category, at both the state and national level. Robert Weakley of the Virginia Dept. of Motor Vehicles assisted in the presentation.

Sheriff Howard attributed his department's success to a total Sheriff's Office effort, and especially commended Corp. Lee Bailey, who was the coordinator for the project. Sheriff Howard reported that the addition of a new investigator will change the category in which they will compete next time.

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IN RE: INTERSECTION OF ROUTES 33, 30 AND 249

Sheriff Howard brought the Board up to date on patrols at this intersection. He reported that during the 30 days that ended on December 27, 2004, a total of 161 summonses had been issued, 17 of which were for failing to obey red light, 10 for reckless driving and 107 for speeding. He was happy to report that there were no accidents during that time period.

Mr. Burrell asked that the report be sent to the Resident Engineer. He also asked whether the speed indicator was helping. Corp. Bailey indicated that the speed indicator may have helped some, but many motorists are still exceeding the limit, and violations seem to be mostly in the early mornings and late afternoons. Sheriff Howard did note that he thinks the truckers have gotten the message and have improved their driving in the area. The Sheriff's Office will keep working at that intersection and keep the Board informed.

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IN RE: PATRIOT'S LANDING

Chris Corrada of East West Partners updated the Board on Patriot's Landing. Closing was held on June 15. Tropical Storm Gaston caused damage to some of the dams, but repairs have been made and they are now working very well. He explained that there was an ownership issue surrounding the lakes and dams, 90% of which has now been cleared up. He indicated that their preliminary plan for Phase I is scheduled to be heard by the Planning Commission at its February meeting, and once that has been approved, they will submit an engineering plan, hoping to start work in either March or April, having some lots ready by the fall. They have applied for wetland impacts and should be marketing the commercial component soon. They are trying to coordinate their efforts with the sewer project, still assuming that the sewer will be finished in January 2006 and they can hook up homes in February 2006.

Mr. Hill pointed out that the Board is scheduled to receive a report on the sewer project at its January 26 work session.

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Mr. Sparks thanked Mr. Corrada for the helpful update, and he indicated that he is very excited about the project. He asked Mr. Corrada for more detail on the commercial part of the project. Mr. Corrada indicated that at the present, there is only a preliminary layout, and there are a couple of prospects, but nothing definitive.

Mr. Trout asked about the plan for Phase I that has been filed. Mr. Corrada reported that it provides for 100 lots over about ½ of the property, which comprises the “meat” of the project.

Mr. Burrell thanked him for his report, which dispels many of the rumors that East West was stepping away from the project.

Community Development Director George Homewood showed the Board members the plan submitted by Patriot’s Landing, which will be considered for approval by the Planning Commission at its February meeting. Thereafter, full engineering drawings will be submitted by the applicant.

Mr. Davis asked Mr. Corrada to come back any time with updates.

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IN RE: ROADS IN DEERLAKE SUBDIVISION

Staff presented a proposed emergency resolution providing for emergency snow removal services by the State on the roads in Deerlake, should same be necessary before the roads are accepted into the State system. Mr. Hill moved to adopt Resolution R-04-05 as presented. The members were polled.

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

The motion carried.

Mr. Sparks pointed out that the roads in Quinton Park are nearly finished and will also be on the February agenda for acceptance by the State.

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IN RE: MEALS TAX

County Attorney Phyllis Katz reviewed proposed Ordinance O-01-05, resulting from the meals tax referendum approved by the voters in the November 2004 election. The ordinance contains definitions, the exceptions created by statute, and sets up how the tax will be levied and collected.

There was discussion surrounding the language under Sec.66-342 Exemptions, and acceptable language was agreed upon in order to cover tax-exempt organizations that might sell food at the County Fair or other civic or community events.

Ms. Katz explained that the language in the ordinance is similar to what is used in other localities.

Chairman Davis opened the Public Hearing.

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George Philbates expressed his approval of the meal tax, stating that he's been paying it in other localities and was willing to pay his fair share to New Kent. He also announced that he had three important events coming up: his 72 birthday, his 20<sup>th</sup> wedding anniversary, and his business' 50<sup>th</sup> anniversary, making his the longest operating business in the County. He was congratulated by the Board members.

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

Mr. Burrell moved to adopt Ordinance O-01-05 with the noted changes. The members were polled:

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

The motion passed.

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IN RE: GARTHRIGHT ADDITION TO THE CARDINE AFD

Planning Manager Rodney Hathaway reported that Thomas and Arthur Garthright had applied to add tax map parcels 33B11-5 and 33B12-2 totaling 54.46 acres to the Cardine AFD. He indicated that the Cardine AFD currently consists of two properties that total 272.5 acres, and would increase to 324.96 acres if the addition is approved. The subject parcels, which are all timber and zoned A-1, are currently assessed at a total of \$97,700, and if approved, the owner would receive a tax break of \$339.36. He reported that various state and local agencies and departments have reviewed the application and voiced no concerns. The AFD Advisory Committee conducted a public hearing on November 18, 2004, and voted 8:0 to send the application to the Planning Commission and Board of Supervisors with a favorable recommendation. The Planning Commission conducted its own Public Hearing on December 20, 2004 and voted 10:0:1 to forward the application to the Board with a favorable recommendation. Approval is also recommended by staff.

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

Mr. Hill moved to adopt Resolution R-02-05 as presented. The members were polled:

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

The motion passed.

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IN RE: WENTLING ADDITION TO PAMUNKEY RIVER VALLEY II AFD

Mr. Hathaway reported that Mr. and Mrs. David Wentling have applied to add tax map parcel 27-1-9 consisting of 87.27 acres to the Pamunkey River Valley II AFD. This parcel is a part of the Lee's Reach subdivision that was approved on January 24, 2003. He stated that the Pamunkey River Valley II AFD currently consists of four properties that total 703.92

acres. Of the 87.27 acres proposed for addition, 8 are devoted to pasture, 15 are marsh and wetlands, 2 are tilled cropland and 62.27 are timber. The parcel's current assessed value is \$185,200, and if the application is approved, the property owner will receive a tax break of \$828.40. The subject property is zoned A-1, and is part of a larger tract that was rezoned in 2001 from Conservation to Agriculture, and could theoretically be divided into four parcels through the large-lot subdivision process; however, the topography would make such divisions difficult.

He reported that none of the state and local agencies voiced any concerns about the application. He pointed out that although this parcel does qualify for addition to an AFD, it is different from most of the AFD applications in that it is a part of a large-lot subdivision and homes have been constructed on other lots in the subdivision. As such, the area has essentially been converted to residential use and there is a question as to whether the County should encourage active commercial or forestry operations on such parcels. AFD participation requires active and commercially-oriented agriculture, horticulture or forestry, which activities are, to a great extent, not compatible with peaceable residential occupancy.

He continued that very often the driving force for AFD participation is the motivation to reduce taxes. He stated that the AFD program should not be allowed to become a vehicle for a tax break for everyone who owns 20 or more acres, especially when there is no intent to engage in commercially-viable agricultural, horticultural or forestry operations. For landowners who want to save taxes rather than farm or timber their land, the use of conservations easements is a far better tax vehicle to achieve that goal.

Mr. Hathaway reported that the AFD Advisory Committed voted 8:0 to forward this application to the Planning Commission and Board with an unfavorable recommendation. The Planning Commission held its public hearing on December 20, 2004 and voted 8:2:1 to forward the application to the Board with a favorable recommendation. Staff believes that this parcel is an ideal candidate for the use of a conservation easement, which would afford far greater tax advantages to the owner and permanently preserve a large and environmentally-sensitive parcel in close proximity to the Pamunkey River. Staff is very concerned about the precedent of placing parcels in large lot subdivisions in the AFD program because the main impact of such action is to deprive the County of revenue for which little or anything is returned.

Mr. Hill inquired if staff had shared with the applicant its suggestions regarding conservation easements. Mr. Hathaway indicated that staff had offered to help the applicant with the process but there has been no further conversation with him.

Mr. Trout inquired why the AFD Advisory Board and Planning Commission had differing recommendations. Mr. Hathaway indicated that the applicant did not arrive in time to speak at the AFD Advisory Committee's meeting, but was present and able to explain his plans at the Planning Commission meeting.

Mr. Hill inquired what restrictions would be imposed with a conservation easement. Mr. Hathaway indicated that the owner could continue timbering, but would most likely lose development rights.

Mr. Burrell questioned why the Board should give a tax break when there is no potential development.

Mr. Hill inquired if the property was permitted to be added to the AFD, could the owner later ask for it to be removed. Mr. Davis stated that he could, although the criteria for

withdrawal have recently been toughened. Mr. Hill stated that it was important that the applicant understand all of his options.

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

The applicant indicated to the Board that he has purchased another 31 acres adjacent to the subject parcel and intends to do a boundary adjustment. He maintained that this property meets all criteria for addition to the AFD and none of the agencies have objected. He indicated that there is a pair of bald eagles nesting on the property and others are frequenting the area. He stated that he had no intentions of building on the property - it has been reforested and he intends to timber it again in 25 years or so.

Mr. Davis inquired if he had looked into a conservation easement. Mr. Wentling reported that he had finally received the information but has not yet had time to digest "this comprehensive procedure" and he still has a lot of questions. Mr. Burrell inquired if he'd like the Board to hold off on a vote on his application in order to give him time to look over the information. Mr. Wentling responded that he did not want a delay and wanted to proceed with the AFD process.

There was discussion. Ms. Katz stated that being in a conservation easement does not prohibit a landowner from subdividing, and New Kent does not have anything in place that would prohibit building on conservation easements. She went on to say that each conservation easement is different, and it depends on what a local Board has determined and often the grantee (foundation) sets its own requirements. Mr. Wentling stated that was one of the reasons he wanted to go with the AFD process, but did admit he'd like to look at Ducks Unlimited.

Mr. Davis stated that he knows the applicant, this was a "fine piece of property", Mr. Wentling had done the right things to preserve it for wildlife, and if it was anywhere else but in a large lot subdivision, he would not object. If this is approved, then there are many other parcels that would also qualify. He feels that the applicant has other options.

Mr. Trout stated that he had the same concerns and that other options were preferable. He then moved to postpone the vote on this application until the February regular meeting. The members were polled:

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

The motion carried.

Mr. Davis offered to meet with the applicant.

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IN RE: UNFINISHED BUSINESS

Accounting & Budget Director Mary Altemus indicated that the Board had, at its previous meeting, made an appropriation to the School Board of \$2,500 for Operation Uplift, as well as an appropriation of \$890 for Parks & Recreation to purchase a keypad; however, neither

of the motions indicated where the money was to come from. Following discussion, it was the Board's consensus that these both be paid from General Fund contingency.

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IN RE:            EQUALIZATION BOARD

Interim County Administrator Richard Ellyson indicated that the Board of Equalization has finished its hearings, having spent much more time than had been anticipated, and was asking for an additional payment of \$400 per member. The Board previously had directed that they each receive a total payment of \$400 for the year's work. BOE Chair Brenda Snyder reported that the BOE met on seven separate dates, and on most days, hearings ran from 9 a.m. until 2 p.m. and then again from 5 p.m. to 9 p.m. In addition, members visited some of the properties in question. She indicated that in years past, the Board paid the BOE members on an hourly basis and she felt that was preferable.

Mr. Burrell asked about the quality of the reassessment. Ms. Snyder indicated that the BOE had found a lot of inequitable assessments had been made.

Mr. Hill moved to appropriate from the contingency account an additional \$400 to be paid to each Equalization Board member. The members were polled:

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

The motion carried.

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IN RE:            PUMP & HAUL PERMIT

Brian Pitts, on behalf of owner Carroll Rose, was present to answer questions about Mr. Rose's request to extend the pump and haul at 7309 Pocahontas Trail, the site of B&B Seafood. Mr. Pitts explained the problems that had been encountered with the survey, buried cable lines and rights-of-way. Those problems have been resolved and the engineer is working with the health department. He emphasized that it is very costly to the owner to pump and haul and he is anxious to have the septic system installed as soon as possible. There are now two businesses at the location and it would be appreciated if the County will extend this pump and haul. Mr. Trout inquired if a six month extension would be sufficient, to which Mr. Pitts responded that it would.

Mr. Burrell moved that the County extend the Pump and Haul permit for Mr. Rose for six months, or 180 days, from today, and that the bond remain in place. The members were polled:

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

The motion passed.

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Mr. Hill thanked Mr. Pitts for bringing his seafood business to the County and congratulated him on its success. Mr. Pitts confirmed that business is good. He also shared some information about what would and would not be covered under the meals tax.

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IN RE: AFFORDABLE HOUSING

County Attorney Phyllis Katz reviewed the information that she had forwarded to the Board and indicated that staff needed direction from the Board whether or not to pursue affordable housing and if so, whether the Planning Commission should be asked to develop the requirements for a program for the County. This would require amendments to the County's zoning and subdivision ordinance. She reported that the Code of Virginia provides that in order to require a developer to include affordable housing within its project, the County must offer increased density bonuses and may allow the waiver or reductions in permit, development and infrastructure fees.

Ms. Katz pointed out that often the most difficult part of the process is defining affordable housing. Median family income is often used as a measure. In the 2000 census, New Kent's median family income was reported to be \$60,678, which would equate to a home valued at \$180,000 - \$220,000. This figure is considerably higher than what the average County employee earns (estimated at \$30,000). The average home price in New Kent is reported to be \$232,000 - \$255,000 (excluding mobile homes). 80% of the median income would result in a home valued at \$120,000 - \$160,000, of which there are few in New Kent. There are no products in New Kent at 60% of the median. With the starting salary of most classified County employees to be in the \$30,000 - \$35,000 range, there are few affordable homes for purchase, or for rent in the \$400 - \$500 monthly range.

Ms. Katz indicated that if the Board does want to pursue an affordable housing program, then an Affordable Housing Advisory Commission will need to be established. The Board could create this Commission and charge it to come up with ideas, or request the Planning Commission to develop an affordable housing ordinance or policy for the Board's consideration.

Mr. Burrell stated that Ms. Katz had done a good job of explaining the issue and suggested that it be sent to the Planning Commission for development of a policy. Ms. Katz explained that there were two different tracks: the Board and Commission could work on establishing the standards while the Planning Commission decides what mandates should go into the zoning regulations. She indicated that it could be simple or complicated.

Mr. Hill concurred with Mr. Burrell, but would like to have some discussions and recommendations for the Commission members at the work session. Ms. Katz stated that the Advisory Commission would have to be established by Ordinance. Mr. Davis asked if the Commission members would have to be paid and Ms. Katz responded that payment was not necessary. Mr. Sparks asked if this would be a permanent Commission. Community Development Director George Homewood stated that it would be permanent, but need for meetings would fluctuate. He stated that he would imagine that they would meet frequently at first and then later only on a case-by-case basis, depending on the projects coming in, probably 4 - 6 a year. They would initially advise the Board on set up and then later would make evaluations and recommendations on individual projects.

Mr. Trout inquired if there were any affordable housing requirements now. Ms. Katz reported that there are not. However, staff is currently working with a PUD applicant and is considering taking affordable housing out of the proffers and putting them in a development

agreement. She stated that the County needs some provisions in the zoning ordinance and the Board needs to define what is affordable.

Mr. Burrell inquired if the Advisory Board would operate as a non-profit. Ms. Katz stated that the County does not need a housing authority, but does need a definition of "affordable" and to decide on a time limit during which the property must remain affordable. Mr. Trout asked if that would be a form of price control, and Ms. Katz stated that it would.

Mr. Hill moved that the Board begin consideration of candidates that will sit on the first Affordable Housing Advisory Board and that the Board adopt a Resolution at its February meeting to establish this Board. The members were polled:

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

The motion passed.

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IN RE: ELECTED OFFICIALS REPORT

There were none.

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IN RE: STAFF REPORTS

Economic Development Director Andy Hagy and Jamestown 2007 Committee Chair Rebecca Wagar brought the Board up to date on New Kent's Jamestown 2007 Committee's activities and plans. They reported that activities with the visitors from Kent, England have been rolled over into Jamestown 2007. The Committee has had one meeting and its second is scheduled for this week. Ms. Wagar reviewed the committee's organization, the various subcommittees, and the ideas that are under consideration. They are asking for part time administrative support, which she estimates would cost \$7,200 for January through June, as well as a part-time person to write and administer grants at \$2,900 per month (based on 20 hours per week, but could also be used by the County to write other grants). She indicated that there are some grants under consideration that have deadlines in March and May. Lastly, the Jamestown 2007 Committee has estimated that it needs approximately \$10,000 for the remainder of the fiscal year to pay for marketing, office supplies, copies, printing and other expenses, including hosting the events for the Kent, England activities.

Mr. Hill commented that those items equate to \$70,400/year, and asked about the funding that was given to the 350<sup>th</sup> Commemoration Committee. It was reported that the Board had given the 350<sup>th</sup> Committee \$20,000 seed money, and provided some part time staff funding for the first year. It was confirmed that the Jamestown 2007 committee had received no funding when it was established, that there was no conversation about rolling any of the 350<sup>th</sup> funds over into Jamestown 2007, and that those 350<sup>th</sup> funds that are remaining after the last event are pledged to one or more legacy projects.

Concerning the request for a grants writer, Mr. Trout stated that the Board needs to know what grants are available before it could consider that request.

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Ms. Wagar stated that they are also looking to partner with some outside sources and that two of their members have volunteered to write grants, but what is needed is staff support to handle grants management.

Mr. Sparks admitted that this is going to be a big event for which the County is going to have to spend some money, but before he will agree, he'd like information on the specific grants that are available.

Ms. Wagar stated that they need administrative support now for only a few hours a week, but eventually will need 20 hours a week. There is a dinner coming up for Kent visitors for which they need funding.

Mr. Davis suggested that everyone should pay for their own dinner, and whoever issued the invitations should pay for it. Mr. Trout indicated that they are looking to do something to benefit the County in the area of economic development. Mr. Sparks suggested that perhaps the EDA should fund it.

Mr. Hill stated that he assumed the money given to the 350<sup>th</sup> Committee would be carried forward to Jamestown 2007. He suggested that the Board could give them \$5,000 for administrative support and \$10,000 for costs to get them through the first six months until the new budget year starts. Then they'll need \$20,000 per year plus admin support and a grants writer, all in efforts to convince more travelers to stop in New Kent to patronize its establishments and visit its historical sites.

Mr. Trout pointed out that this is different from the 350<sup>th</sup> celebration, which was a celebration of New Kent by New Kent residents. The Jamestown 2007 committee is focused on economic development based on a celebration by a neighboring County. The County may find that it needs a grant writer, and as far as administrative support, that could be left up to the County Administrator. The Committee does need some start up funds. Kent is looking at its relationship with New Kent as an economic development opportunity, and that needs to be explored.

Mr. Sparks asked if the Jamestown 2007 Committee had anything more concrete. Ms. Wagar reminded that the Committee had only had one meeting. Mr. Sparks stated that he wants to support it but also has to be a good steward of the taxpayers' money. Ms. Wagar stated that the Committee plans to submit a budget, but needs something to work with between now and June, and cannot wait until July for funding. Mr. Sparks repeated that the Board needs more specific information about what the money will be spent on and can make a decision at the work session on January 26. Ms. Wagar reminded that the dinner for the visitors from Kent, England was scheduled for January 24. Following discussion, Ms. Wagar was advised to approach the Economic Development Authority for funds for the dinner.

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IN RE:           DISTRICT APPOINTMENTS

The Board will continue to make appointments to various committees.

There were no appointments for Districts One, Two, Three or Five.

Mr. Trout moved to appoint Ronald Lang as District Four's representative to the Board of Road Viewers to serve a one-year term beginning January 1, 2005 and ending December 31, 2005.

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The members were polled:

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

The motions carried.

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IN RE: APPOINTMENTS TO BOARDS AND COMMISSIONS NOT DELEGATED BY DISTRICT

Mr. Trout moved to appoint Marty Sparks as the Board's Representative to the Airport Advisory Commission to serve a one year term ending December 31, 2005.

Mr. Trout moved to appoint Mark Hill as the Board's representative to the Planning Commission (replacing Mr. Davis).

Mr. Trout moved to appoint Paul Robinson as an at-large member of the Economic Development Authority to serve a four-year term beginning January 1, 2005 and ending December 31, 2008.

Mr. Hill moved to appoint Stran Trout as New Kent's Board representative to the Hanover Health Advisory Board to serve a two-year term beginning January 1, 2005 and ending December 31, 2006.

Mr. Davis moved to appoint Carter Perry as a New Kent representative to the Chickahominy Disability Services Board to serve a one-year term beginning January 1, 2005 and ending December 31, 2005.

Mr. Trout moved to appoint George Homewood as a New Kent representative to the Metropolitan Planning Organization to complete a four-year term ending December 31, 2007 (replacing Mr. Sparks).

Mr. Trout moved to appoint Richard S. Ellyson as one of New Kent's alternate representatives to the Metropolitan Planning Organization to complete a four year term ending December 31, 2007 (replacing Gary Christie).

Mr. Trout moved to appoint Rodney Hathaway as one of New Kent's alternate representatives to the Metropolitan Planning Organization to complete a four year term ending December 31, 2007 (replacing George Homewood).

Mr. Burrell appointed Carter Perry as New Kent's representative to the Board of the Tri-Rivers Alcohol Safety Action Program to complete a three-year term ending December 31, 2005.

The members were polled:

James H. Burrell	Aye
Stran L. Trout	Aye
Mark E. Hill	Aye
D. M. "Marty" Sparks	Aye

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The motion carried.

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IN RE: PERSONNEL MATTERS

Mr. Hill moved to authorize the County Administrator to approve payment of expenses for George Homewood, Community Development Director, to go on a County business trip to England. The members were polled:

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

The motion carried.

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IN RE: MEETING SCHEDULE

The next regular meeting of the Board of Supervisors will be held at 6:00 p.m. on Monday, February 14, 2005, in the Boardroom of the County Administration Building. A work session will be held at 6:00 p.m. on Wednesday, January 26, 2005 in the Board Room of the County Administration Building.

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IN RE: ADJOURNMENT

Mr. Burrell moved for adjournment. The members were polled:

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

The motion carried.

The meeting was adjourned at 11:01 p.m.

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