

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 14th DAY OF OCTOBER IN THE YEAR TWO THOUSAND THREE OF OUR LORD IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING AT 6:05 P.M.

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

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

IN RE: ROLL CALL

Rebecca M. Ringley	Present
James H. Burrell	Present
Dean E. Raynes	Present
W. R. "Ray" Davis, Jr.	Present
Julian T. Lipscomb, Sr.	Present

Chairman Lipscomb called the meeting to order.

IN RE: CHANGES TO THE AGENDA

County Administrator Gary Christie asked that the School items be moved to the top of the agenda. He also announced an addition to the agenda - a presentation on the Farms of New Kent by Keenan Rice of Municap. The Board consented to these changes.

IN RE: CONSENT AGENDA

County Administrator Gary Christie presented the Consent Agenda, which consisted of approval of the minutes for the September 8, 2003 regular meeting and September 24, 2003 work session; Resolution R-37-03 designating November 8, 2003 as Community & Regional Planning Day; approval of Special Project Service Agreement for the CVWMA's Agricultural Leaf Composting Program; Resolution R-38-03 declaring October as "Domestic Violence and Sexual Assault Awareness month; approval of an accounting entry to reverse a credit entry from 1998 that created Fund 246-School Capital Fund; Appropriations FY02-03: to appropriate additional State and Local Funds for CSA, \$74,893.00; to appropriate State Funds received for the VDEM Grant - Emer. Ops. Planning Contract, \$7,509.00; to appropriate additional funds from General Fund Fund Balance for departments that are overspent for FY03, \$13,415.00; Total (\$95,817.00); Money in/money out \$49,981.00; from General Fund balance \$45,836.00; Appropriations FY03-04: to appropriate Victim Witness Grant funds as approved by State, \$84.00; to appropriate the DCJS grant to fund Project Lifesaver through the TRIAD program and local match from FY04 budget appropriations, \$3,700.00; Total (\$3,784.00); Money in/money out \$3784.00; from General Fund balance -0-; to carry forward appropriations for VDEM Grant - Disaster Preparedness, \$25,588.57; to carry forward appropriations for the VDEM Grant - Emergency Operations, \$7,509.00; Total (\$33,097.57); Money in/money out -0-; from General Fund balance \$33,097.57.

Mr. Burrell requested a correction to the minutes of September 24, 2003 (page 3, third paragraph from the bottom) so that the sentence reads "...and *estimated that* debt service for that would..."

Mrs. Ringley moved to approve the Consent Agenda, with the requested change to the minutes. The members were polled:

Rebecca M. Ringley	Aye
James H. Burrell	Aye
Dean E. Raynes	Aye
W. R. "Ray" Davis, Jr.	Aye

The motion carried.

IN RE: CITIZENS COMMENT PERIOD

Chairman Lipscomb opened the Citizens Comment Period.

Douglas Dill, a resident of The Colonies, spoke of his concern with the County's lack of response after the recent hurricane. He reported that The Colonies went without water for five days and that without the initiative of the president of the homeowners association to locate a generator, they would have been without water until power was restored. He felt that this could have been prevented with some foresight on the part of the County. He suggested that the County take steps to establish an Emergency Operations Center with people from each department to come up with some plans to help support the neighborhood in future events. He suggested that each district have some representatives on this committee, and he feels that there are experienced people in the County who can help.

Chairman Lipscomb indicated that a generator for the well at The Colonies is under contract with Dominion Virginia Power that was approved in July and once that is installed, the subdivision should not have a problem with its water system.

Joe Fortner, a resident of The Colonies, spoke about storm debris removal. He described the damage in his neighborhood and the work of the residents to clear the roads and driveways. He was concerned that no county staff participated, other than a volunteer from the Providence Forge Volunteer Rescue Squad who had a winch on his truck to help move the trees. He indicated that the residents have done all that they can handle and want help to clean up the debris.

Chairman Lipscomb advised that all roads in The Colonies are owned by the state, and explained how the State prioritizes cleanup by primaries and secondaries, and that the neighborhood roads are the last ones to be cleared.

David Sisk, a resident of The Colonies, reported that the quality of life of those living in The Colonies was affected by the storm. He has been in contact with the VDOT office in Sandston, who advised him that clean up will "take a while". Mr. Sisk is concerned that the longer the debris remains and the drier it becomes, fire danger increases. He suggested that the county join one of the joint debris removal ventures or apply for help from FEMA. He indicated that FEMA will pay 75% of the clean up costs, and the State contributes on a sliding scale of 10-20%, leaving the County to pay the balance. He understands that the County may not have those funds in its contingency account. He urged the County to consider establishing an emergency contingency account of 1% of the tax revenues to be available to use for future emergencies. He stated that he would be agreeable to a 1-cent real estate tax increase in order to establish this fund.

George Slemp, a resident of The Colonies and President of the homeowners association, echoed the sentiments of the previous speakers. He stated that many of the residents cannot afford to hire a contractor to clean up the debris on their property, and many are elderly or otherwise unable to do it themselves. He indicated that the County needs to find a way to help the residents. He feels that the debris will be detrimental to property values, and also pose hazards and may cause vehicular accidents because it is blocking the visions of drivers. Surrounding localities are using FEMA funds to clear debris and he urged New Kent to do likewise.

Dale Russell, a resident of The Colonies, agreed with the comments of his neighbors. He is concerned that the County has not stepped forward to help alleviate these problems. He stated that New Kent needed to apply for help from FEMA and the State and find the funds to clean up the County. Residents should not have to look at the mess for the next 20 years.

Chairman Lipscomb reported that the County had received an estimate from Asplundh, but the County would like for the contractor to bring in enough workers to get the job done at one time, and at the present time, that company is working in other localities. He urged a little patience on the part of the residents. Clean up will be done, especially along the roads. He thanked the citizens for working together and helping each other out.

County Administrator Gary Christie indicated that if the Board wanted to provide curbside collection, either by competitive bid or through CVWMA, then he would ask for instructions to that effect.

Patrician Ankrom, of 7400 Airport Road, pointed out that Delegate Floyd Miles was in attendance. She also wanted to thank the hundreds/thousands of heroes in the County, most especially Richard Chandler, the manager of Winn-Dixie, who kept his store open for three days and nights in order that citizens could purchase necessities, medicine, and ice. She asked that the County recognize him and others.

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

IN RE: ELECTED OFFICIALS REPORT

John Crump, Commissioner of the Revenue, reported that it is the practice of his office to pro-rate taxes on properties that are razed or destroyed, for that period that the property is unavailable for use. There are three requirements: 1- destruction or damage to the building that decreases its value by \$500 or more; 2- the damage causes the building to be unfit for use or occupancy for 30 days or more; 3- the owner of the property must sign a tax abatement application within six months of the damage.

Mr. Crump also reported that the reassessment team completed most of its fieldwork before the storm and will have to certify that the information is correct as of January 1, 2004. The re-assessor has indicated that certain properties would need re-inspections, especially those along the waterways and those identified as damaged by County staff, to determine if adjustments should be made.

Mr. Crump suggested that ads be taken out in the newspapers and notices be included in the tax bills to be mailed out shortly, advising residents of what they need to do in order to apply for and/or qualify for abatements, and to make sure that assessment information is correct. He asked for help and guidance from the Board.

Mr. Crump thanked George Homewood and Marcy Durrer who coordinated damage assessment work after the storm as well as other staff who moved outside of their job descriptions to get the job done.

Mr. Burrell thanked all of the residents who helped each other after the storm, as well as Dominion Virginia Power and the out-of-state power crews. He asked for patience from the citizenry, and suggested that the County, at a Volunteer Appreciation event, recognize all of those that helped out. He stated that he wished the County had had a better way of communicating to the residents about the distribution of water and ice.

Mr. Burrell reported that the Colonial Community Criminal Justice Board will hold a retreat on October 29, and that their priority legislative item this year will be substance abuse treatment and prevention.

Mr. Raynes stated that the Board needed to instruct Mr. Christie to pursue FEMA funds for debris clean up. VDOT will only be picking up debris that has fallen into their right of way, and it will take a while before they are working in the neighborhoods. He stated that he had almost hit a child that he couldn't see because of the debris piles.

Mr. Davis thanked the members of the Volunteer Fire Departments and the Rescue Squad for their work during the hurricane and afterwards. He also acknowledged the county staff that worked around the clock, as well as the neighbors who helped each other.

Mr. Davis reported a community meeting held in Plum Point on September 26, 2003. He described the problems that Plum Point residents had when storm waters overflowed septic tanks and contaminated many of the shallow wells. He distributed copies of a petition from Plum Point residents asking for help fixing the roads. Mr. Davis reported that Quin Rivers has indicated that it may be able to obtain some grant money to help alleviate some of the problems in that neighborhood.

Mr. Burrell added that some Plum Point residents do not know if they will be able to use their wells again and thanked Quin Rivers for stepping in to help.

Mr. Davis agreed that the County needs a better way to communicate and asked for suggestions to improve, as the radio, television stations and newspapers are days behind.

Mrs. Ringley agreed that there is a problem with communications and media coverage, a topic being discussed by the Richmond Regional Planning District Commission, who is looking towards some kind of regional solution.

Mr. Lipscomb thanked the people in his neighborhood, and those from Waterloo Farms who help clear, and recognized June Macon and Floyd Miller for their hard work. He reported that the Board and Mr. Christie were working with FEMA to locate someone who can cut and grind the debris and do it all at one time so it doesn't linger. He indicated that this will happen - but not over night.

IN RE: RESIDENT ENGINEERS REPORT

R. E. Prezioso, Resident Engineer with VDOT, reported that crews were busy cleaning up after the hurricane. He thanked the VDOT employees as well as the residents who helped clear the roads.

Mr. Prezioso reported that when the Eltham Bridge is replaced, VDOT is considering saving a piece of its western leg for New Kent to use as a fishing pier and recreational point of interest. There is some question as to whether it is legal for the County to receive the savings that VDOT will realize in not having to remove the old bridge. New Kent will have to decide if they want to move forward with negotiations. This will not be a commitment on the part of the County, just a confirmation of interest in pursuing this possibility. He does not want this to delay construction of the new bridge and asked a decision from the Board before the end of the month.

Mrs. Ringley asked that staff provide figures as to what it will cost to staff and maintain such a facility and for some firmer figures from VDOT.

Mr. Christie indicated that staff has some of the information but may need a bridge specialist.

Mr. Davis described the efforts and negotiations with VDOT to date. He feels this would be good for the whole region and should be pursued so that the new bridge can be put out for bid.

Following discussion, Mr. Davis moved that New Kent County respectfully request VDOT to enter into negotiations for the County to assume ownership of an estimated 800 feet of the Eltham Bridge for recreational uses. Part of these negotiations would include the County's receiving the cost savings that VDOT would have by not removing that portion of the bridge. New Kent County expects that it will review access options over the next several months and therefore New Kent County does not expect to seek VDOT changes to the upcoming construction contracts. The members were polled:

James H. Burrell	Aye
Dean E. Raynes	Aye
W. R. "Ray" Davis, Jr.	Aye
Rebecca M. Ringley	Aye
Julian T. Lipscomb, Sr.	Aye

The motion carried.

Mr. Prezioso reported that VDOT is holding a Public Hearing at New Kent Middle School on October 15, 2003, from 4 p.m. - 6 p.m. to provide information on the work to be performed on Route 632 (Stage Road) and Route 686 (Terminal Road).

Mr. Prezioso indicated that the Board needs to start consideration of what revisions are to be made in the Six-Year Plan in anticipation of a Public Hearing next month. He provided a spreadsheet containing the current plan and will try to get recommendations to the Board for consideration. Mr. Christie warned Mr. Prezioso that November's meeting will be a week earlier than usual, and Mr. Prezioso indicated that he may have to put off the Public Hearing until December.

Regarding clean up of storm debris, Mr. Prezioso reported that VDOT has retained a contractor for this, who is currently working in the northwest corner of the County, but will move to other areas. This contractor is only removing roadway debris in the right of ways, and VDOT will only be reimbursed for roadway debris removal by FEMA. He indicated that FEMA monitors the work daily. The contractor has until December 31, 2003, to complete the project, and is working seven days a week. He will try to determine where the contractor will be working each week and get that information to the County Administrator for distribution to the Board.

Mr. Burrell asked if chips would be available to the residents. Mr. Prezioso reported that the debris belongs to the contractor and that would be the contractor's decision. Charles Loving, Public Works Director, reported that an abundance of chips will be available at the landfill.

IN RE: STAFF REPORT

Larry Gallaher, Fire Chief, introduced his new secretary, Becky West.

IN RE: RENOVATIONS TO THE ELEMENTARY AND PRIMARY SCHOOLS

School Board member, Terri Lindsay, introduced Don Whitesell and Larry Simerson, from Shriver Holland architects, who presented the plans to renovate the primary and elementary schools that was approved by the School Board and Board of Supervisors.

Mr. Whitesell reported that the topography behind the Elementary School is not conducive to the suggestion of the Board to dog-leg the bus loop and he recommended that it would be better to extend that lot across flatter land.

Estimated cost for renovations of the Primary School is \$2,487,946 and \$6.8 million for the Elementary School. He estimates construction to take 19 months (over 2 summers, a full school year and 2-3 months of a second school year) and assured that safety of the students would be a priority.

Mr. Davis suggested that the plans for the new sidewalk in front of the Primary School be shared with Mr. Whitesell and his staff.

Mr. Burrell congratulated the School Board and the architects on the plans and feels that the proposals are safe and functional. He stated that the County is saving a little over \$20 million by not building a new school. The public was urged to review this presentation daily on Channel 48 at 9 am.

Mrs. Ringley reminded Mr. Burrell that these renovations in no way address the needs of the middle school or high school, and that the County is continuing to look at renovations of the middle school. Terri Lindsay confirmed that these plans do not help the middle or high schools, except helping with the athletic needs.

IN RE: LITERARY FUND LOANS

Mr. Burrell read aloud proposed Resolution R-39-03 approving the School Board's application for literary loan funds for improvements to the Primary School for \$2,487,946 and for improvements to the Elementary School of \$6,912,054, to be paid in 20 annual installments at 4% interest. Mr. Burrell moved to adopt Resolution R-39-03 as presented. The members were polled:

Dean E. Raynes	Aye
W. R. "Ray" Davis, Jr.	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye
Julian T. Lipscomb, Sr.	Aye

The motion carried.

IN RE: 350th COMMEMORATION

Rebecca Wagar, chair of the 350th Commemoration Committee, described the work of the committee and the events that are being planned. Events being planned by the committee are a Good Luck Kick Off event in January at the Grubb's barn; a First Ladies Tea in March; a family festival at Marengo in September; and a Gala Ball on November 20, 2004, at Colonial Downs. She described the efforts to involve annual events hosted by civic and community organizations, as well as fundraising, publicity, plans for a newsletter, and sponsorship levels.

IN RE: HURRICANE RESPONSE AND RECOVERY UPDATE

Larry Gallaher, Fire Chief, reported that a mobile Disaster Recovery Center is located in the parking lot of the Old Courthouse through Thursday for those who want to apply for assistance from FEMA.

Mr. Gallaher reported that on Wednesday, September 17, the Governor declared a state of emergency in the state. On Thursday morning, September 18, a declaration of emergency was made by Mr. Burrell. Rain started Thursday morning and by mid-afternoon, most of the County was without power. By late in the afternoon, all roads were closed. The Emergency Operations Center opened at noon on September 18 and was open until noon on September 19, when it closed because of no phones and no power. He described the efforts to get food to those staffing the EOC during the storm. He reported one storm related death and no injuries. Mr. Gallaher stated that he was in contact with FEMA and the State Department of Emergency Management throughout the ordeal. He reported that crews from the US Forest Service and the State Dept of Forestry held to clear the roads (private) in Woodhaven. New Kent served as a regional distribution center for ice and water, and assistance was received from over 100 National Guard Troops and 16 Forest Service crews. He described the problems in receiving and distributing the ice shipments, and will welcome suggestions on how to improve communications with the residents. He commended the volunteer fire and rescue squad members for their help in distributing ice and water after the storm and reported that water is still being distributed from Fire Station 1 to those whose wells have been contaminated. He reported that the fire stations and rescue squad fed work crews and the public, and provided hot showers to anyone who wanted them. Mr. Gallaher reported that the County was unable to open a shelter because New Kent was abandoned by the Red Cross. The County did receive permission to send evacuees to shelters in Henrico County. He thanked his wife, as well as the hundreds of volunteer firemen, EMTs, Sheriff Department staff and the National Guard, as well as the people in the County who helped out their friends and neighbors. Power was out in the County for 12 - 14 days, and he reported that this was different from the 1998 ice storm because the power system had to be rebuilt rather than repaired. He stated that the power companies did a great job but he did find that Dominion Virginia Power has some problems with its reporting system. He thanked the Board of Supervisors and Mr. Christie for their support during this ordeal and feels that there have been some lessons learned. He plans on having a critique during the next week or so.

Mr. Lipscomb asked for the critique as soon as possible.

George Homewood, Director of Community Development, described the physical damage assessment performed by staff. Although they are still refining the numbers, it is estimated that the County has just short of \$12 million in physical damage to residences, businesses, public buildings, and agriculture. This figure does not include damage to roads, public or private. He described the new category of repair and restoration permits, issued at no cost, of which only 9 have been issued to date. He believes a lot of work is waiting for insurance adjusters, and his department may be coming back to the Board asking to extend the period of time these permits can be issued.

Al Smith and David Searles of Dominion Virginia Power thanked the customers for their patience, as well as the Board of Supervisors, county staff and emergency services. They described their company's preparations for the storm. They reported that 1.8 million of their 2.2 million meters lost service (translating to 5.5 million people). Their company has never experienced that level of damage before and employed a work force of 12,000 in the repair/rebuild efforts. They reported that New Kent was a major rebuild/repair area. They described their efforts following the storm, and how the work is prioritized. Power was restored to all customers by October 3, just two weeks following the storm. They commended their workers, who came from many different states and Canada. They reported that restoration of power was their priority, and that now crews will be returning to make permanent repairs and to clean up. They asked citizens to report any equipment that was left on their property so that it can be picked up. He also reported that the cost of clean up will not result in higher electric bills because their rates are capped through 2007.

In response to Mr. Davis' inquiry, Mr. Smith reported that there had been no deaths and just one injury to electrical workers during the recovery, to which he attributes their attention to safety. They reported that their out of state crews were impressed with the hospitality of Virginians.

Marianne Powell, Social Services Director, reported that New Kent participated in the Disaster Food Stamp Program, and that during the seven days it was in effect, over 600 people applied, and all but 100 received some kind of assistance. Thanks to a large donation, their food pantry is full, and everyone who came in received canned goods and water to take with them. She described their efforts in contacting their elderly and disabled clients after the storm to determine if they needed assistance.

County Administrator Gary Christie commended Marianne Powell and Connie Nalls for spending the night in the EOC on the night of the storm. He also presented the Board with a proposed Resolution recognizing the efforts of volunteers and others during and following the storm. There was discussion on having an event to thank all of these people, and the Board decided to continue these discussions until their next work session.

Mr. Christie asked that any County residents who are still without cable service through Cox Communications, let the County know.

IN RE: RENOVATIONS TO THE COURTHOUSE

Randy Vaughan with Wiley & Wilson, Architects, reported on proposed renovations to the HVAC system, which are estimated to be \$363,300 which includes \$70,100 for condensing boiler option; \$102,600 for option 1 - make up air unit on second floor; \$132,800 to replace all existing heat pumps in the building; and \$15,000 to connect the fire pump to the emergency generator, for total construction costs of \$320,500. The remainder of the estimate consists of architectural/engineering fees and expenses.

Mr. Vaughan reported that the existing generator is sufficient for serving the finished second floor, but there is a question as to whether it has sufficient capacity to handle the voltage drop associated with starting the fire pump. Engineering fees of \$1,500 have been included to conduct this study, and the estimate does not include the cost of a generator upgrade if the study determines that the existing generator is unable to meet the code requirement.

County Administrator Gary Christie requested the Board's authorization to negotiate the A&E fees with Wiley & Wilson and to move forward with design work so that the project can be put out to bid. Furthermore, before the project can be put out to bid, there will need to be a determination on whether or not a new generator will be required. Water/sewer funds can be used to pay for a new generator. In response to an inquiry from Mr. Lipscomb, Public Works Director Charles Loving reported that the generator will not be large enough to run both the water and wastewater treatment systems, and that he is looking for a new generator with a larger fuel capacity for the wastewater treatment system.

It was the consensus of the Board that it was time to move forward with this project. Mrs. Ringley moved to authorize the County Administrator to contract with Wiley & Wilson for services related to improvements of the HVAC system at the Courthouse in an amount not to exceed the proposed budget dated September 23, 2003. The members were polled:

W. R. "Ray" Davis, Jr.	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye
Dean E. Raynes	Aye
Julian T. Lipscomb, Sr.	Aye

The motion carried.

Mr. Vaughan reported on the results of his space study for the second floor of the Courthouse. He has worked with staff from the Juvenile & Domestic Relations District Court, Court Services, Commonwealth Attorney, Sheriff's Dispatch and Investigators to determine their needs over the next 5 - 10 years. Total combined space needs for all of those departments have been determined to be 6,685 and with a 20% circulation, total 8,022. Unfortunately, there is only 4,800 square feet available on the second floor. Mr. Vaughan presented two options, the first being to locate the Juvenile & Domestic Relations Court, Court Services and Commonwealth's Attorney on the second floor, at 4,813 square feet. Option 2 would be to locate only the dispatch center and investigators at 3,209 square feet, having 1,591 square feet available for expansion.

Mr. Vaughan reported that Option 1 did not include a hearing room (was not requested by either the Judge or the Commonwealth's Attorney, but did include a JDR Judge's Chambers - Judge currently shares chambers with General District Court Judge). He also warned that construction will cause major disruption in the lobby of the Courthouse, and has included an estimate of \$114,500, more or less, for restricted site/restricted work time premium.

Mr. Christie reported that \$500,000 is currently in the budget for this project, and Mr. Vaughan's preliminary estimate is \$572,500. He suggested further negotiation on the A&E fees.

Mr. Raynes indicated that he needed more time to digest the information. Mrs. Ringley and Mr. Davis agreed. It was the consensus of the board to continue this discussion to a future work session.

Mr. Christie recommended that all other items on the agenda related to office space needs also be postponed.

IN RE: FARMS OF NEW KENT

Pete Johns, principal in Farms of New Kent, introduced Keenan Rice, from Municap, who explained the allocation of the proposed special assessments to be made in the Farms of New Kent CDA. He indicated that in a CDA, the cost of improvements are allocated by special assessments that property owners can either pay up front or over time. Most commercial owners typically want to invest their capital in the business and choose to pay over time. There is a higher percentage of residents who prefer to pay the assessment up front, although many do opt to pay over time, or pay the assessment off 4 - 5 years after purchase (typically at the time of a re-finance).

He explained that improvements are divided into two categories: those that benefit all and those that benefit specific owners. Once the assessment is set, the amount will not change. If an owner fails to pay his assessment, that does not affect any of the other property owners, and property can be sold to satisfy an unpaid assessment, although he reported that this has never happened in Virginia. Normally in an event of non-payment, the mortgage holder will pay the assessment in order to protect the mortgage. Additionally, the bondholders are capable of taking that kind of risk in return for the higher interest the bonds pay. There is also a debt service reserve fund of 10% of the bond to cover any shortage in funds needed to make the bond payments.

Mr. Johns reviewed the revised proffers being proposed by the Farms of New Kent:

1. all homes in Land Bay V will be age restricted - these homes make up over 62% of the homes in the project; no permanent resident under 18 years of age is permitted and the owner must be at least 55 years of age
2. a \$2 million cash payment within 18 months after approval of the project, together with \$1,500 cash for each non-age restricted unit, which they estimate to be an additional \$1,950,000, for a total of \$3,950,000
3. a fire and rescue building, similar to fire station one, to include a med-evac heliport as well as a sheriff's substation, estimated at over \$1,600,000, together with \$800,000 for furnishings and equipment
4. 10,000 square foot library and land for a 5,000 square foot expansion, at a cost of \$1,200,000
5. construct and dedicate a community building at the site of the Old Baltimore Store at a cost of \$150,000 which the County will be able to use for whatever purpose
6. a shell medical building at a cost of \$600,000
7. regional water system costing \$5,000,000 providing 2,500,000 gpd
8. regional wastewater treatment system at a cost of \$25,000,000, providing 1,500,000 gpd up front with an adjacent pad site for expansion
9. an affordable home program providing \$100,000 cash contribution for 200 homes to be constructed by another entity
10. 20-25 acre park site together with \$75,000 to equip and/or construct park facilities
11. road improvements at I-64, Route 106 and Route 249
12. reduction of project density

There was some discussion about what sections of the project are proposed to be included in the CDA.

IN RE: CDA GUIDELINES

County Attorney Phyllis Katz reported that the proposed CDA Guidelines were modeled after those in other jurisdictions, and have been reviewed by the County Administrator and Davenport & Associates, as well as by the subcommittee appointed by the Chairman.

There was discussions regarding the required attested signatures, the syntax, ways to capture staff time and costs, eligibility criteria for CDA Board members, refunds of unused initial submission fee and letter of credit/surety for anticipated future costs.

Mrs. Ringley moved to adopt the proposed CDA Guidelines with the following changes:

Under I. a. vi. delete the words "*enter into arrangements or agreements for legal and financial services or agree to any reimbursements*"

Under I. a. ix, last sentence should read *Only residents of the County of New Kent may serve on the Board.*

II. b. iii, should read "A detailed summary of the CDA's proposed financing structure, including a schedule of the proposed CCDAs financing and debt service, *legal and financial services*"

II. b. vii will be moved to Section III and become item d.

And that all references to the Board of Supervisors say *Board of Supervisors* and all references to the CDA Board say *CDA Board*.

Mr. Raynes asked Mrs. Ringley if she would accept an amendment to her motion, including in I. b. a provision that amounts not expended will be refunded to the petitioner, which Mrs. Ringley accepted.

The members were polled:

Rebecca M. Ringley	Aye
James H. Burrell	Aye
Dean E. Raynes	Aye
W. R. "Ray" Davis, Jr.	Aye
Julian T. Lipscomb, Sr.	Aye

The motion carried.

IN RE: OTHER BUSINESS

Mr. Davis suggested, in light of the lateness of the hour, that the remainder of the items on the agenda, Report from Utility Rebates Committee, Report on Plum Point, Providence Forge Utility Study, be postponed until a future work session. Mr. Burrell suggested a postponement of the Closed Session as well.

IN RE: APPOINTMENTS

The Board will continue to make appointments to various committees.

There were no appointments for Districts 1, 2, 3, 4 or 5.

Board and Commissions not delegated by Districts:

Mrs. Ringley moved to appoint Lester Wingrove as a New Kent representative to the Colonial Community Criminal Justice Board to complete a three-year term ending December 31, 2005.

Mr. Davis moved to appoint Rebecca Ringley as New Kent's voting representative to the VACo business meeting with an uninstructed proxy, and appoint Gary Christie as alternate.

The members were polled:

James H. Burrell	Aye
Dean E. Raynes	Aye
W. R. "Ray" Davis, Jr.	Aye
Rebecca M. Ringley	Aye
Julian T. Lipscomb, Sr.	Aye

The motion carried.

Following discussion the Board agreed to hold a special work session on Wednesday, October 22, 2003, at 6:30 p.m. to complete the unfinished business from tonight, as well as on the issue of debris removal. Mr. Christie suggested that the work session on October 27 be primarily focused on the Farms of New Kent.

Mr. Homewood reported that staff has estimated approximately 160,000 cubic yards of debris resulting from the storm, 50% to 60% of which is on private property where there is some degree of difficulty with disposal. The remainder is on private property of sufficiently large size where disposal on the property

itself is feasible and likely to be the preferred alternative. He urged the Board to consider what the County will do with the very long private roads off which there may be 3 - 5 residential units. He reported some discussion with FEMA and is expecting a response as to whether or not collection off of private roads will be an eligible activity for FEMA reimbursement.

Mr. Homewood reported that under FEMA guidelines, collection vehicles are not to leave the public right of way. Collection on private property is not an eligible activity for reimbursement. Mr. Raynes agreed that any guidelines should be compatible with what is eligible for FEMA reimbursement, and the County should also consider what is going to be collected by VDOT. Mr. Lipscomb suggested that the County schedule any debris collection to follow VDOT's.

Mr. Homewood reported that FEMA wants contracting for debris removal to be based strictly on cubic yards, not based on time and materials, which will limit the way the County does business and is not the way that our contract with Central Virginia Waste Management is structured.

Staff was instructed to come to the work session on October 22 with information on debris removal, including suggested guidelines of what the County will do, an estimate of cost, quantity of debris to be removed, and whether collection of debris along private roads would be eligible for reimbursement under FEMA.

County Attorney Phyllis Katz stated that the Code of New Kent does not provide for any tax abatement, as mentioned by the Commissioner of the Revenue, and the Board asked that she provide advice on that. Ms. Katz reported that an ordinance will probably be required, and there will be some advertising requirements.

IN RE: MEETING SCHEDULE

The next regular meeting of the Board of Supervisors will be held at 6:00 p.m. on Monday, November 3, 2003, in the Boardroom of the County Administration Building. There will be a work session on Wednesday, October 22, 2003, in the Courtroom of the Old Courthouse, and a regularly scheduled work session on Monday, October 27, 2003, at 6:30 p.m. in the Courtroom of the Old Courthouse.

IN RE: ADJOURNMENT

Mr. Burrell made a motion to continue this meeting until October 22, 2003, at 6:30 p.m. in the Courtroom of the Old Courthouse. The members were polled:

The meeting was suspended at 11:00 p.m.
