



NEW KENT COUNTY BOARD OF SUPERVISORS

June 25, 2024, 9:00 AM

Boardroom, County Administration Building, 12007 Courthouse Circle, New Kent, VA
23124 - WORK SESSION

AGENDA

CALL TO ORDER AND ROLL CALL

Times are approximate

- 9:00 a.m. ITEM 1 **Update from Cox on New Kent County Broadband Expansion Project**
Erin Rice, Cox Communications
- 9:20 a.m. ITEM 2 **EPA Mandated Lead Service Line Inventory**
Thomas Corner - Utility Engineer
- 9:30 a.m. ITEM 3 **Presentation/Update on New Animal Shelter Project**
County Administrator Rodney Hathaway
- 9:45 a.m. ITEM 4 **Authorization for Closure of County Offices on July 5, 2024**
County Administrator Rodney Hathaway
- 9:50 a.m. ITEM 5 **Other Business**
- 10:00 a.m. ITEM 6 **Adjournment**

MEETING SCHEDULE: The next regularly scheduled meeting of the Board of Supervisors will be held at 6:00 p.m. on Monday, July 8, 2024, and the next work session will be held at 9:00 a.m. on Tuesday, July 30, 2024, both in the Boardroom of the County Administration Building.

If a meeting cannot be held because of the closing of State and/or County offices, the meeting will be held on the next business day that the County offices are open.

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 6/25/2024

Agenda Item

Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)	No action is required at this time.
Subject	Update from Cox on New Kent County Broadband Expansion Project
Issue	Cox representatives will provide an update on the progress of the New Kent County Broadband expansion project.
Recommendation	No action is required at this time.
Fiscal Implications	The total project cost for this project was \$33 million dollars. Of that amount the County paid \$16,102,500. \$4.4 million of the County's share was funded with American Rescue Plan Act (ARPA) funding.
Policy Implications	NA
Legislative History	In August 2022 New Kent County signed an agreement with Cox for the expansion of Broadband services to over 3,000 unserved residents, and for the upgrade of services to existing Cox residents so that every household in the County will be served with high speed fiber optic broadband service.
Discussion	

Time Needed:	9:00 a.m.	Person Appearing:	Erin Rice, Cox Communications
Request prepared by:	Rodney Hathaway, County Administrator	Telephone:	(804) 966-9683
Copy provided to:			

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Hathaway, Rodney	Approved	6/17/2024 - 7:39 AM
Administration	Hathaway, Rodney	Approved	6/17/2024 - 7:39 AM
Attorney	Everard, Joshua	Approved	6/17/2024 - 2:13 PM

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 6/25/2024

Agenda Item

Motion: "Mr.
Chairman, I move to
(not required for Consent
Agenda items)

N/A

Subject

EPA Mandated Lead Service Line Inventory

Issue

EPA has mandated that all public water supplies generate an inventory of service line materials on both the utility and customer's side of the water meter to screen for and detect water service lines constructed from lead pipe. The inventory must be complete and made publicly available by October 16, 2024.

Recommendation

N/A - information only

Fiscal Implications

In FY24 funds were allocated from DPU's existing GIS management system CIP to develop an application for reporting and tracking. Some additional funds may be allocated from DPU's advertising budget to help get the word out in early FY25.

Policy Implications

none - lead-containing materials are already banned in potable plumbing by EPA and building code

Legislative History

N/A

Discussion

DPU is requesting customer assistance in identifying material of construction on their side of the meter, as required by EPA. The use of lead pipes were banned in 1978 by building code on the customer's side, and in 1986 by the Safe Drinking Water Act on the utility's side. An additional 2-year "grace period" is factored in to ensure old pipe stock was removed from circulation. New Kent's oldest water systems and customers date back to the early 1970's. Subdivisions constructed in this timeframe include sections of Five Lakes, The Colonies, Whitehouse Farms, Sherwood Estates and Kenwood Farms. Certain historic structures which may have subsequently connected to public water must also be investigated. Where lead piping cannot be excluded through date-of-construction or project details/specifications, physical verification must be performed.

Time Needed:

9:20 a.m.

Person Appearing:

Thomas Corner -
Utility Engineer

Request prepared by:	Mike Lang	Telephone:	966 9625
Copy provided to:			

ATTACHMENTS:

Description	Type
2023 Water Quality Report insert	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Public Utilities	Lang, Mike	Approved	6/12/2024 - 10:00 AM
Administration	Hathaway, Rodney	Approved	6/13/2024 - 10:47 PM
Attorney	Everard, Joshua	Approved	6/14/2024 - 2:07 PM

Take our Water Service Line Survey

To help protect customers, the Environmental Protection Agency (EPA) has established a rule - the Lead and Copper Rule Revision (LCRR). As part of the LCRR, [New Kent County](#) must develop an inventory of pipe material on public (county owned) and private (customer owned) service lines. This pipe material inventory, although not required to be completed, must be submitted to the EPA by October 2024.

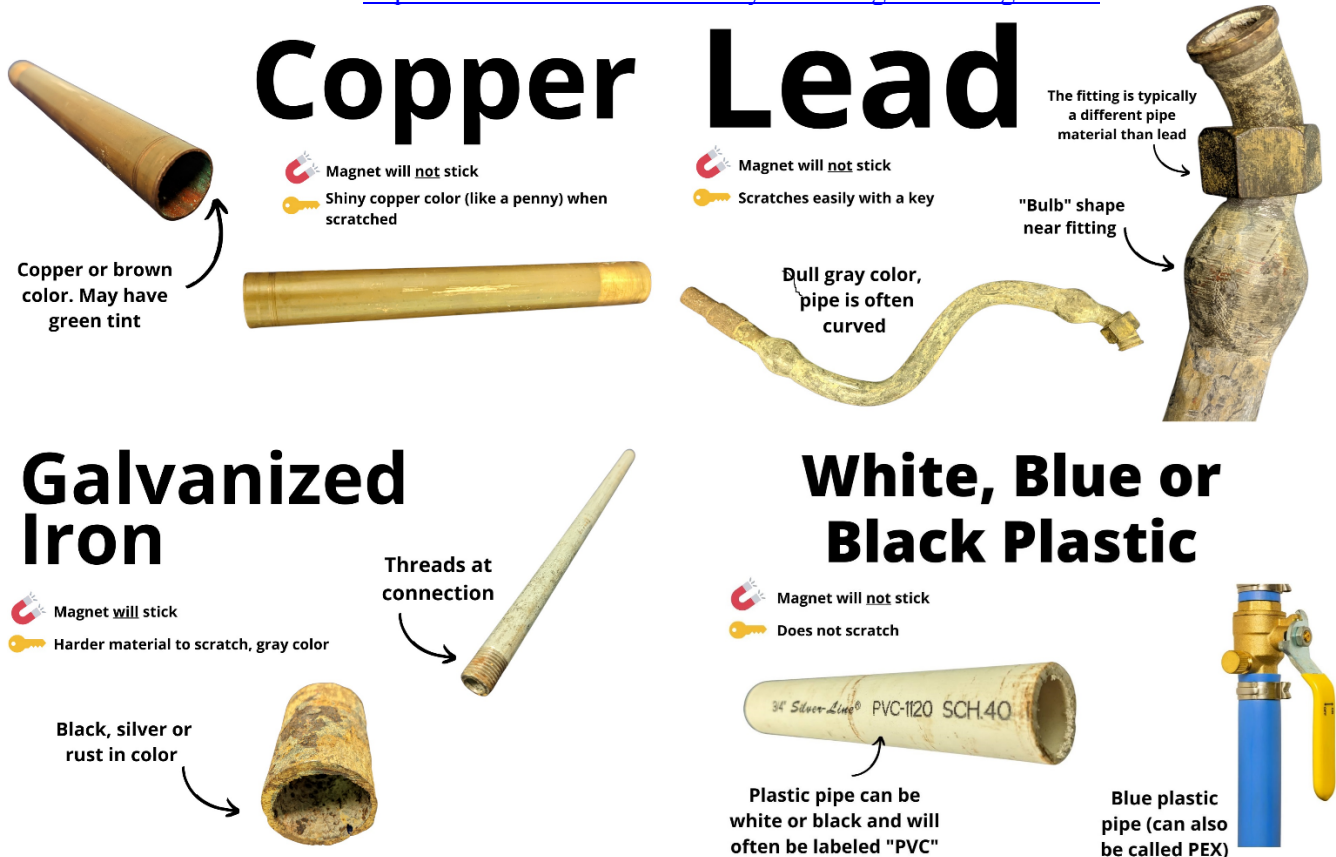


We invite you to participate in our [online survey](#) to help us identify your home's water service line material. We will use the results in an effort to replace all lead service lines that may exist in New Kent County.

How Do I Check My Service Line's Material?

- **Find the water service line entering your property.**
Your drinking water enters your home through a pipe that connects the water meter to your home's plumbing in your basement (if you have one) or a utility closet where your water heater and/or washing machine are located.

If you don't know where your water enters your house, find the water meter located on your property next to the road. The meter is covered by a metal or plastic cover. Typically, the water line will follow a straight line from that meter to your house. If you have a basement, look for the water line where it comes through the exterior wall closest to the location of your meter. If you don't have a basement, your water line will enter your house where your water heater and/or washing machine are located.
- **Scratch the pipe with a metal object**, such as a key, to reveal the metal. You may need to scratch through paint.
- **Try to attach a magnet** by sticking it to the pipe. Refer to diagram below to determine pipe material.
- **Take a photo.** Create an account and [complete survey](#) using QR code (see above).
- **For more information...** <https://lead-service-line-inventory-newkentgis.hub.arcgis.com/>



Copper

- Magnet will **not** stick
- Shiny copper color (like a penny) when scratched

Copper or brown color. May have green tint

Lead

- Magnet will **not** stick
- Scratches easily with a key

Dull gray color, pipe is often curved

The fitting is typically a different pipe material than lead

"Bulb" shape near fitting

Galvanized Iron

- Magnet will **stick**
- Harder material to scratch, gray color

Threads at connection

Black, silver or rust in color

White, Blue or Black Plastic

- Magnet will **not** stick
- Does not scratch

Plastic pipe can be white or black and will often be labeled "PVC"

Blue plastic pipe (can also be called PEX)

New Kent County Board of Supervisors
P O Box 150, 12007 Courthouse Circle
New Kent, VA 23124

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 6/25/2024

Agenda Item

Motion: "Mr.
Chairman, I move to
(not required for Consent
Agenda items)

--

Subject

Presentation/Update on New Animal Shelter Project

Issue

--

Recommendation

--

Fiscal Implications

--

Policy Implications

--

Legislative History

--

Discussion

--

Time Needed:

9:30 a.m.

Person Appearing:

County Administrator Rodney Hathaway
--

Request
prepared by:

W. Watkins, Deputy Clerk of the Board
--

Telephone:

8049669687

Copy provided
to:

--

REVIEWERS:

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	6/18/2024 - 8:00 AM
Administration	Hathaway, Rodney	Approved	6/18/2024 - 8:05 AM
Attorney	Everard, Joshua	Approved	6/18/2024 - 8:13 AM

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 6/25/2024

Agenda Item

Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)	adopt resolution R-XX-24 to authorize the closure of County offices on Friday, July 5, 2024.
Subject	Authorization for Closure of County Offices on July 5, 2024
Issue	Consideration of office closure on July 5, 2024 for the Independence Day holiday.
Recommendation	Staff recommends adoption of the proposed motion.
Fiscal Implications	NA
Policy Implications	The Code of Virginia requires the adoption of a resolution for the closure of County offices and Court facilities.
Legislative History	NA
Discussion	Please see the attached resolution.

Time Needed:	9:45 a.m.	Person Appearing:	County Administrator Rodney Hathaway
Request prepared by:		Telephone:	
Copy provided to:			

ATTACHMENTS:

Description	Type
Resolution R-18-24 (PDF)	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Hathaway, Rodney	Approved	6/18/2024 - 8:04 AM
Administration	Hathaway, Rodney	Approved	6/18/2024 - 8:06 AM
Attorney	Everard, Joshua	Approved	6/18/2024 - 8:09 AM

**BOARD OF SUPERVISORS
COUNTY OF NEW KENT
VIRGINIA**

R-18-24

At the regular meeting of the Board of Supervisors of the County of New Kent, in the Boardroom of the Administration Building in New Kent, Virginia, on the 25th day of June, 2024:

Present:

Vote:

John P. Moyer
Amy M. Pearson
Ronald P. Stiers
Jordan T. Stewart
Thomas W. Evelyn

Motion was made by _____, which carried ____: ____, to adopt the following resolution:

**RESOLUTION AUTHORIZING THE CLOSURE
OF COUNTY OFFICES ON FRIDAY
JULY 5, 2024**

WHEREAS, the New Kent County 2024 holiday schedule designates Thursday, July 4, 2024 as a holiday in observance of Independence Day and Friday, July 5, 2024 as a full work day; and

WHEREAS, the New Kent County Board of Supervisors in appreciation of the work and dedication of staff seeks to grant additional time off for County employees during the Independence Day holiday.

NOW THEREFORE BE IT RESOLVED, by the Board of Supervisors of New Kent County, Virginia that Friday, July 5, 2024 will be a full holiday, therefore County offices will be closed.

Adopted this 25th day of June, 2024.

Rodney A. Hathaway
County Administrator

Thomas W. Evelyn
Chairman

New Kent County Board of Supervisors
 P O Box 150, 12007 Courthouse Circle
 New Kent, VA 23124

AGENDA ITEM REQUEST
 (TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
 THE MEETING)

Meeting Date: 6/25/2024

Agenda Item

Motion: "Mr.
 Chairman, I move to
 (not required for Consent
 Agenda items)

--

Subject

Other Business

Issue

--

Recommendation

--

Fiscal Implications

--

Policy Implications

--

Legislative History

--

Discussion

--

Time Needed:

9:50 a.m.

Person Appearing:

--

Request prepared by:

W. Watkins, Deputy
 Clerk of the Board

Telephone:

804-966-9687

Copy provided to:

--

REVIEWERS:

Department
 Clerk

Reviewer
 Watkins, Wanda

Action
 Approved

Date
 6/18/2024 - 8:03 AM

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 6/25/2024

Agenda Item

Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)	adjourn
Subject	Adjournment
Issue	
Recommendation	Approval
Fiscal Implications	
Policy Implications	
Legislative History	
Discussion	The next regularly scheduled meeting of the Board of Supervisors will be held at 6:00 p.m. on Monday, July 8, 2024, and the next work session will be held at 9:00 a.m. on Tuesday, July 30, 2024, both in the Boardroom of the County Administration Building.

Time Needed:	10:00 a.m.	Person Appearing:	
Request prepared by:	W. Watkins, Deputy Clerk of the Board	Telephone:	804-966-9687
Copy provided to:			

ATTACHMENTS:

Description	Type
Closed Session Motion (PDF)	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	6/18/2024 - 8:03 AM

MOTIONS FOR CONVENING A CLOSED SESSION

- 1 I move to go into closed session pursuant to §2.2-3711A.1 of the Code of Virginia for *(discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or County employees)* involving _____.

- 3 I move to go into closed session pursuant to §2.2-3711A.3 of the Code of Virginia for *discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County)* involving _____.

- 4 I move to go into closed session pursuant to §2.2-3711A.4 of the Code of Virginia for *(the protection of the privacy of individuals in personal matters not related to public business)* involving _____.

- 5 I move to go into closed session pursuant to §2.2-3711A.5 of the Code of Virginia for *(discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community)* involving _____.

- 6 I move to go into closed session pursuant to §2.2-3711A.6 of the Code of Virginia for *(discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the County would be adversely affected)* involving _____.

- 7 I move to go into closed session pursuant to §2.2-3711A.7 of the Code of Virginia for *(consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel)* involving _____.

- 19 I move to go into closed session pursuant to §2.2-3711A.19 of the Code of Virginia for *(discussion of plans to protect public safety as it relates to terrorist activity and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such activity or a related threat to public safety; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure)* involving _____.

- 28 I move to go into closed session pursuant to §2.2-3711A.28 of the Code of Virginia for *(discussion or consideration of records excluded from this chapter pursuant to subdivision 11 of § 2.2-3705.6 by a responsible public entity or an affected local jurisdiction, as those terms are defined in § 56-557, or any independent review panel appointed to review information and advise the responsible public entity concerning such records)* involving _____.

- 29 I move to go into closed session pursuant to §2.2-3711A.29 of the Code of Virginia for *(discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board)* involving _____.
- 33 I move to go into closed session pursuant to §2.2-3711A.32 of the Code of Virginia for *(discussion or consideration of confidential proprietary records and trade secrets excluded from this chapter pursuant to subdivision 18 of § 2.2-3705.6.)* involving _____.

CERTIFICATION OF CLOSED SESSION

A. Motion

I move that the Board certify by roll call vote that to the best of each member’s knowledge only public business matters lawfully exempted from open session requirements of the Freedom of Information Act and identified in the motion to go into closed session were heard, discussed or considered in the closed session.

B. Vote taken on certification.

Present:

Vote:

Thomas W. Evelyn
 John P. Moyer
 Amy M. Pearson
 Ron Stiers
 Jordan T. Stewart