

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 23RD DAY OF JULY IN THE YEAR TWO THOUSAND EIGHTEEN IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 6:00 P.M.

IN RE: CALL TO ORDER

Chairman Thomas W. Evelyn called the meeting to order.

IN RE: ROLL CALL

Thomas W. Evelyn	Present
C. Thomas Tiller, Jr.	Present
Patricia A. Paige	Present
Ron Stiers	Present
W. R. Davis, Jr.	Present

All members were present.

Mr. Evelyn thanked everyone for coming out for the meeting.

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Paige gave the invocation and led the pledge of allegiance.

IN RE: CONSENT AGENDA

1. Approval of Minutes
 - a. May 24, 2018 Town Hall Meeting Minutes
 - b. June 11, 2018 Business Meeting Minutes
2. Miscellaneous
 - a. Approval of Public Utilities Department Contracts for Electrical, Mechanical & Instrumentation On-Call Services
 - b. Approval of June 12, 2018 Primary Election Abstracts of Votes
 - c. Approval of Resolution R-26-18 Requesting the Acceptance of Grand Oak Subdivision into the State System for Maintenance
 - d. ~~Adoption of Resolution R-27-18 - Convention of States~~
3. Refunds
 - a. REFUND due to Ryan Homes - Canceled Building Permit BP# 21981-2018, \$570.00.
 - b. REFUND due to Lifestyle Builders - Canceled Building Permit BP# 21910-2018, \$613.50.
4. FY18 Supplemental Appropriations for MUNIS
 - a. Program Income Received for FY18 - CDBG Plum Point Grant Participants, \$153.
 - b. Donations to the Animal Shelter, \$260.
 - c. Funds for FY18 Grand Illumination: Burks Farm, Burks Barber & Beauty Shop (\$100), Gary L. Green, LLC (\$100), Saude Creek Vineyards, LLC (\$100), Hefty Wiley & Gore P.C. (\$100), Baylands Family Credit Union (\$500), Shore to Shore LaSertoma Club (\$100), Gracefield Hall, LLC/Gracefield Hall Bed & Breakfast (\$100), \$1,100.

- d. Funds Received From VML Insurance: Sheriff's Dept - Collision Reimbursement for 2010 Yukon Van (\$500), Supplemental Payment for 2013 Dodge Charger (\$8.70), Total Loss Settlement 2016 Dodge - DOL 6/3/18 (\$20,100), Collision Loss 2017 Ford Expedition DOL 5/10/18 (\$3,332.38); Buildings and Grounds - Reimbursement for Replacement Sign at 17343 Eltham Road (\$686.15), Light Pole Damage Repair Cost \$1,085 less \$250 Deductible DOL 4/28/18 (\$835), \$25,462.23.
- e. Funds Received From VML Insurance: Airport - Repair of Awning - DOL 5/14/18, \$1,015.
- f. Gifts & Donations to Fire/Rescue - Alan M. Bernstein, \$50.
- k. Security Detail to Sheriff - Metropolitan Richmond Sports Backers - Traffic Control During Uncorked Half Marathon (\$3,707.42), New Kent Chamber of Commerce - 5/5/18 NK Wine Festival (\$2,162.66), Green vs. County School Board of New Kent - 5/27/18 Security Detail (\$819.27), \$6,689.35.

\$34,729.58 - Total
(\$33,714.58) - Total In/Out - General Fund (1101)
(\$1,015.00) - Total In/Out - Airport (1210)

- 5. FY18 Interdepartmental Budget Transfers
 - a. Information Technologies - From Reserved for Contingency to ADP Equipment, \$36,092
- 6. Treasurer's Report: Cash as of May 2018, \$41,756,390.04.

Mr. Stiers requested that Consent Agenda Item 2.d. Adoption of Resolution R-27-18 – Convention of States be pulled from the Consent Agenda and deferred to the August meeting.

Mr. Stiers moved to approve the Consent Agenda as presented and that it be made a part of the record with the following change: Resolution R-27-18 was removed and deferred to the August meeting. The members were polled:

C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye

The motion carried.

IN RE: SPECIAL PRESENTATIONS – FAMILY OF JOHN LAWRENCE GALLAHER –
RESOLUTION R-24-18

Mr. Evelyn asked members of the family of John Lawrence Gallaher to come forward for this special presentation. He indicated the Board had adopted Resolution R-24-18 recognizing the service of John Lawrence Gallaher on June 27, 2018. Mr. Gallaher had served as New Kent County Fire Chief and had also served in a number of other capacities during his over 25 years of employment. Mr. Evelyn indicated Mr. Gallaher had meant a lot to him especially when he had first run for the Board of Supervisors. He noted Mr. Gallaher, his wife Janet and his family had always been very supportive and indicated this was only the second resolution he had requested since being elected to the Board. Mr. Evelyn read

Resolution R-24-18 and presented a framed original to Mrs. Gallaher and the family. Mrs. Gallaher thanked the Board for recognizing her husband's service.

IN RE: APPROVAL OF JUNE 27, 2018 WORK SESSION MEETING MINUTES

Ms. Paige had not been present at the June 27, 2018 work session and the minutes for this meeting had not been included in the Consent Agenda. The Board was asked to take a separate action to approve these minutes.

Mr. Tiller moved to approve the June 27, 2018 work session minutes as presented. The members were polled:

Patricia A. Paige	Abstain
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
C. Thomas Tiller, Jr.	Aye
Thomas W. Evelyn	Aye

The motion carried.

IN RE: SMALL BUSINESS CLOSE UP – B AND B NEW BEGINNINGS

Economic Development Director Matthew Smolnik indicated he wished to make an announcement before he introduced the Small Business Close Up. He reported several New Kent County businesses had been nominated in the Richmond Times Dispatch annual "Best of Richmond" competition. Shaggy Paws Spa had been nominated in the Best Pet Groomer category and the Club at Viniterra and the Club at Brickshire had both been nominated in the Best Golf Course category. He encouraged those who were interested to go to the Richmond Times Dispatch website and support their favorites. Votes would be received through August 5th. He noted he had taken a quick look at the list of nominees and suggested other New Kent businesses may have also received nominations. He indicated that if others were found, he would bring them to the Board's attention.

Mr. Smolnik introduced Babbitt Belcher, owner of B and B New Beginnings located at 18920 Polish Town Road, as this month's Small Business Close Up. He invited Ms. Belcher to the podium to share information on the various services offered by B and B.

Ms. Belcher thanked Ms. Paige for inviting her to "come and share my energy." She reported she was an artist, fashion designer and a board certified healing arts practitioner. She offered reflexology and ear coning under the umbrella of healing arts and also had her own product line. She encouraged those who were interested to visit her virtual website and noted she had left business cards at the front desk. She believed what she was doing was her ministry and a gift and she enjoyed dressing and enhancing the appearance of women as well as men. She was from Boston, Massachusetts and although she had lived in New Kent for almost 11 years, still had clients from Boston as well as other states. She offered workshops and encouraged those interested in any of her services to contact her. She thanked the Board for the opportunity to speak and entertained questions. Mr. Evelyn thanked Ms. Belcher for sharing her business information. Ms. Paige reported she had been having problems with her sinuses and ears and had gone to B and B for ear coning. She admitted her skepticism but noted she had been feeling much better and thanked Ms. Belcher for what she had done. Ms. Belcher indicated she had found many people were not aware of alternative methods to support health and wellbeing and this lack of awareness

had made starting the business a challenge. She reported she was very involved in the community, had raised substantial funds for scholarships and loved what she was doing.

IN RE: CITIZENS COMMENT PERIOD

Mr. Evelyn opened the citizens comment period and provided brief instructions on procedures. He called John Lockwood of 20251 Triangle Road, Barhamsville to the podium. Mr. Lockwood thanked all of the Supervisors who had met with the Barhamsville citizens group to review their concerns regarding the Curtis Security Consulting application for a Conditional Use Permit (CUP). He specifically thanked Ms. Paige and Mr. Stiers who he suggested had gone above and beyond to reach out to the residents to better understand their concerns. He also thanked the "Curtis Group for scaring the hell out of our community." He suggested their "outrageous proposal" had "immediately forged a unified opposition coalition that was energized and determined to defeat them." He further suggested, "This community will never be the same. We will never be caught off guard again. We will never accept anything less than what is best for our area and our county." He suggested the community had found its voice and they would be using it from this point forward. He also reported this proposal had provided the Barhamsville citizens with an opportunity to meet neighbors and to find new friends. He suggested the citizens would be ready and better prepared if the Curtis Group brought this proposal back and "we will be victorious." He suggested defeating this proposal would not only be the will of the citizens and be consistent with the County's Comprehensive Plan and Zoning but would also be consistent with the nature and character of the community.

Joseph Davis of 4220 Windy Knoll Road, Barhamsville also spoke in opposition to the Curtis CUP. Mr. Davis thanked the Board for the opportunity to speak and indicated this was his first time speaking as an "engaged member of the community." The recent submission of the Curtis CUP had spurred him to become more active in the community where he had lived all his life. He noted that while he was pleased the Curtis application had been withdrawn, he and his neighbors were concerned they may reapply. He stated the community remained "vigilant and organized" and the orange signs would remain until their concerns were resolved. He questioned how this application could move through the review process and cause the "expense and anxiety we have suffered as a community." He indicated his understanding of the CUP was to assure compatibility with surrounding properties, to support the Comprehensive Plan and to "protect the health, safety and general welfare of the public." He noted the parcel in question was zoned A1 and suggested the applicants "self-described use" did not meet any of the 27 permitted uses. He noted there were 37 other uses permitted by CUP but the Curtis request "does not fit." He suggested the closest use allowed by CUP was a pistol range and pointed out that Article XIX included a specific condition of, "no combat type ranges shall be permitted" for pistol ranges. He suggested it was reasonable to assume that if combat type ranges were not permitted in pistol ranges, they could not be allowed in a facility matching that same description. He suggested if an applicant challenged the spirit and intent of the Zoning Ordinance, staff should be able to require independent or third-party data. He further suggested the data provided in this case was a result of the "applicant's self-assessment." He stated, "In my opinion, this application was not complete nor valid." He noted his appreciation of the Board's time and indicated he would be back to share more on this topic at future meetings. As a side note, Mr. Davis reported that Larry Gallaher had supported him in his early career and he found the Board's recognition of Mr. Gallaher's service to be very appropriate. He indicated he had known Mr. Gallaher since the mid-80s and had served as a volunteer Assistant Fire Marshal under his tutelage.

Sandi Gauthier of 19665 High Bluff Lane, Barhamsville and an owner of Gauthier Winery also spoke in opposition to the Curtis CUP. She suggested that one of the consequences of the Curtis CUP had been a negative impact on property values. She noted "the people in orange shirts" had been booed when they had asserted the proposed facility would directly impact real estate values. She reported this assertion had been confirmed when the property of a lifelong Barhamsville resident who had passed away in December had been appraised by two separate appraisers several weeks apart. The second appraiser had given a report indicating the value was \$80,500 less than the first appraiser and had specifically stated the lower value was due to the Curtis CUP. Ms. Gauthier noted this was a 24% loss in value and the property was located on Polish Town Road approximately two miles from the Curtis property. She reported there were 636 properties within two miles of the Curtis property and suggested if the value of all 636 properties decreased by only 24% (she suggested it would be much higher the closer the property was to the Curtis property), the County would experience a loss of approximately \$32,000,000 in assessed value for a revenue loss of \$262,000. She suggested developments such as this did have a big impact and property values around Barhamsville had already been impacted. She suggested, "it's not right and it's not fair" and "a proposal like Curtis' should be scrubbed before it comes to you." She thanked the Board for the opportunity to speak.

Charles Karow of 4800 Windy Lane, Barhamsville expressed gratitude to the Supervisors and staff for all they had gone through in regard to the Curtis proposal. He noted there had been many emails, messages and phone calls and thanked Board members for taking the stewardship of the community seriously. He suggested it was "hard to express how difficult the past six weeks have been for all of us" and suggested it had been especially difficult for those who were trying to sell property. He urged the Board to make "a quick resolution to the whole affair" so that stability and confidence could be restored in the County. He indicated he had prepared a "virtual tour" depicting the quality and character of the Barhamsville community. He began reviewing slides displaying a variety of settings and activities including several pictures taken at Dream Catchers in neighboring James City County. He thanked photographer Thomas Moore for assistance with the presentation.

Amy McGinley of 4176 Gadwell Court, Providence Forge addressed the Board regarding Route 60. She indicated she had lived in New Kent for 11 years and reported on a recent experience returning home from Williamsburg on Route 60 after heavy rain. She had slowed her speed to 35 MPH and water had continued spraying from the tires and the car had hydroplaned. She decided to continue on straddling the two lanes of the roadway. She reported visibility was good and there was no water standing in ditches. The water was all on the road. Ms. McGinley reported she was a school teacher and not an engineer but suggested the road seemed to be too flat and was not allowing for proper drainage. She pointed out VDOT's report included details about the improvements to be done on Route 60 and noted her appreciation for this work as well as the work in progress. She indicated she was concerned that the VDOT report included repaving in Contract 4 and indicated this contract had been executed but the start date remained TBD. She suggested, hydroplaning was a significant safety issue that needed to be corrected now. She indicated she realized these things took time to resolve and noted she would like to see the problem resolved permanently rather than "band aid approaches" taken. She expressed her appreciation to the Board and thanked them for listening to her concerns.

Russell Beyer of 5771 Tyshire Parkway, Providence Forge addressed the Board regarding his request for a resolution supporting a Convention of States. Mr. Beyer thanked the Board for any future consideration they may give to Resolution R-27-18 encouraging the General Assembly to debate the Virginia Convention of States resolution on the floor of the General Assembly. He reported Virginia had passed the Convention of States application in the

House in 2016 but the application had been stalled in Senate committees. He also reported 12 states, or one third of what was needed, had passed applications. He noted Article V of the U.S. Constitution provided two methods of proposing constitutional amendments. He suggested most were aware Congress could propose amendments but were not aware states could also do so. He indicated 34 similar applications would be required for the states to meet under an Article V convention. Proposed amendments coming from such a convention would require ratification by 38 states in order to become constitutional amendments. Only 13 states would have the power to "kill" any of the proposed amendments. He indicated this effort was nonpartisan and there were over 3.5 million supporters in the U.S. He reported there were 31,000 supporters in Virginia and Senator Norment had over 1,300 supporters in his district. Delegate Peace had been a Co-Patron and had over 600 supporters in House District 97. He suggested there were just under 300 supporters in New Kent County. He indicated he was available to answer any questions the Board may have and stressed that what was being requested at the County level was "a simple request for the state to follow through with allowing debate and get a vote at the General Assembly floor." He thanked the Board for their consideration and noted his appreciation for all they were doing.

Mr. Evelyn thanked those who had spoken for their comments. There being no other citizens wishing to speak, the comment period was closed.

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

VDOT Resident Administrator Marshall Winn reported the second cycle of primary mowing had been completed. He also indicated he would like to meet with Ms. McGinley who had spoken earlier to express her concerns regarding Route 60. He reported the paving on Route 60 from Route 249 to Toe Ink had been completed and striping would soon be completed. Work on latex modified sealing at Route 60 and Route 155 was also complete and concrete patching planned for the year was complete. Paving of these sections was scheduled to begin the middle of August and should be completed by Labor Day, weather permitting. Referencing Ms. McGinley's comments regarding the 2019 and 2020 Route 60 construction schedule, Mr. Winn indicated much work remained to be completed. He reported the areas where concrete repairs had been made would have a "typical section" with a crown which would bring the pavement up several inches and allow for better drainage. He suggested shoulders should be graded or "weap holes" cut in areas where the work had not been completed to improve drainage until all of the repair work was complete. 39 citizen requests had been received during the month and 97 had been completed. A special project on North Waterside Drive (Route 627) was scheduled to begin July 30th. This road would be closed and a five-mile detour in place for the duration of the project. This project included the replacement of a 36" pipe approximately eight feet in the ground at Pond Creek. Once this project was complete, work crews would move to Gammon Well (Carriage Road - Route 629) and begin work on the installation of a 38" x 24' concrete pipe and paved ditch. Both projects were scheduled to be completed by August 3rd, weather permitting. Mr. Winn also reported he had found a way to get the "two-tenths of a mile" signage on I-64 which should help with fire, rescue and police activity. These signs were in fabrication and would be installed as soon as they were completed. The written report provided on maintenance items completed over the past thirty days described a variety of work at various locations throughout the County including mowing, brush trimming, drainage work, road and bridge sweeping and blading dirt roads.

Board members provided the following comments and reported the following road concerns:

Mr. Davis reported an area along westbound Route 33 near Eltham Auto where there had been a recurring issue with potholes was in bad shape again. Operations Manager Bruce Puffenbarger indicated crews were already scheduled to begin work on this the following day. Mr. Davis also reported another pothole on the opposite side of Route 33 near Clean Harbors. Mr. Puffenbarger indicated this had also been marked for repair.

Mr. Stiers thanked Mr. Winn for talking with Ms. McGinley and noted her concerns were the concerns of many citizens. He indicated he knew Route 60 didn't get in its current condition overnight and it wouldn't be corrected overnight but noted it was good to see progress being made. He also reported Mount Pleasant Road had not been mowed and tall grass was causing visibility issues especially in curves.

Ms. Paige indicated she had nothing new to report.

Mr. Tiller asked if concrete patching in the Bottoms Bridge area was complete. He reported there were several areas of concern on westbound Route 60 near the Quinton Food Lion and Taco Bell. Mr. Winn indicated VDOT would look at these. Mr. Tiller also reported another pothole on westbound Route 60 between Longview and Brook Boulevard and thanked VDOT staff for their recent work on Pinehurst.

Mr. Evelyn reported he had spoken with New Kent VDOT Supervisor George Tate regarding a number of calls he had received regarding brush trimming along Quaker and Dispatch Roads. He thanked VDOT staff for addressing this issue and indicated he had received much positive feedback. He noted he had previously brought up the need for landscaping at the Route 612 roundabout. He reported there was a group of citizens willing to volunteer to work on this and he would be willing to donate mulch. Mr. Winn indicated a Land Use Permit would be required for such a project. Mr. Evelyn indicated he would like VDOT to work with a few of the citizens and County Administrator Rodney Hathaway to develop a plan. Mr. Winn indicated he would call Mr. Hathaway to arrange this meeting.

IN RE: FIRE STATION 5 CONSTRUCTION CONTRACT

County Administrator Rodney Hathaway noted a proposed contract with Henderson Inc. for the construction of Fire Station 5 on Route 106 near I-64 Exit 211 was before the Board for consideration. The total contract price was \$2,518,692 and the budget had been \$2.8 million. This price did not include furniture and fixtures which would be purchased independent of the contract. Removing these from the contract would save some money and avoid additional markups. Mr. Hathaway reported the total cost should still be within the \$2.8 million budget. The construction period was estimated to be one year and a groundbreaking date had not yet been determined. He reported there were several things keeping the groundbreaking date on hold. A waiver request for the entrance off of Route 106 had been submitted to VDOT and architectural, engineering and site plans were approximately 80% complete. An informal waiver approval had been received from VDOT but staff was waiting for written approval. Once this was received, the aforementioned plans could be completed. Mr. Hathaway reported the waiver request was for an emergency vehicle median for vehicles to be able turn left onto Route 106 from the station. Groundbreaking would also be determined by the actual conveyance of the ten acres of land proffered to the County by the Farms of New Kent. Mr. Hathaway reported several attorneys were working on this and CDA (Community Development Authority) assessments on the ten acres needed to be redistributed to the remaining property so the County would not be responsible for payment. The attorneys had determined a petition should be filed with the court, documents had been prepared and the CDA would be meeting on Wednesday for final approval. Once approved, the petition would be filed with the court.

Mr. Evelyn asked if a final document would be ready in time for the CDA meeting. Mr. Hathaway reported CDA Bond Counsel Dan Siegel had indicated a document was ready and all parties were in agreement. Ms. Paige asked if a traffic light would be needed at the crossing. Mr. Hathaway indicated VDOT was not requiring a light but had requested an access gate to keep Visitors' Center traffic from using the crossing. Mr. Evelyn noted a 5% contingency was included and asked if staff was comfortable with this. Mr. Hathaway and Fire Chief Rick Opett both indicated they were. Chief Opett reported working with Henderson had been a wonderful experience. The contractor's team had been meeting with staff every-other-week since they had been given the "go ahead" by the Board. He felt the County had a clear idea of what they would be getting and noted he didn't expect any surprises. Mr. Evelyn noted it had been suggested that site work on the ten acres would be less expensive than at the original proposed location behind the Visitors' Center. He asked if any reductions in site work costs were reflected in the contract price. Chief Opett reported the site work costs had not been reduced. He also reported soil borings had indicated footings would need to be dug deeper but agreed there should be less site work which should result in some savings.

Ms. Paige moved to authorize the County Administrator to execute the proposed construction contract for Fire Station 5 in a form approved by the County Attorney. The members were polled:

Ron Stiers	Aye
W. R. Davis, Jr.	Aye
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
Thomas W. Evelyn	Aye

The motion carried.

IN RE: COMMUNICATIONS TOWER FACILITY PURCHASE FROM CLEARVIEW TOWER COMPANY

County Administrator Rodney Hathaway reported Clearview Tower Company had recently purchased several communication towers from Shentel, Inc. The subject tower was located on County property on Olivet Church Road behind the trash transfer station and the County had leased the land to Shentel for many years. Clearview had no plans to utilize this tower and had offered to sell it to New Kent County for \$1. Mr. Hathaway indicated the tower could possibly be utilized in the County's efforts to provide broadband service. He also indicated if the County did not purchase the tower, Clearview would have to remove it at an approximate \$20,000 cost. He reported the tower had been examined and was structurally in good repair. He suggested it would be in the County's best interest to purchase the tower and recommended the Board accept Clearview's offer.

Mr. Davis asked for the height of the tower. Mr. Hathaway suggested it was 290 feet tall. Mr. Davis asked could the County make the tower higher and did the FCC (Federal Communications Commission) have to approve the transfer. Mr. Hathaway indicated the FCC did not have to approve the transfer but would have to approve any increase in height. Mr. Davis suggested this tower was located near the center of the County and with the County's plans for broadband it could be beneficial to increase the height. There was some discussion regarding what equipment was currently on the tower and who was using tower space. Mr. Hathaway reported the tower was actually 215 feet tall and no equipment was currently on the tower. Mr. Davis asked if the tower was required to have lights. Mr.

Hathaway indicated lights were required. Ms. Paige asked if the County would be responsible for maintaining the lights. Mr. Hathaway indicated light maintenance would be the County's responsibility. Mr. Davis suggested the County could lease space on the tower and asked Mr. Hathaway how many tenants could be located on the tower. Mr. Hathaway suggested the number of tenants would be determined by the type and weight of any equipment they would be placing on the tower. Mr. Davis asked how many tenants had been on the tower. Mr. Hathaway indicated Sprint had been on the tower but was not sure if there had been others. Mr. Evelyn asked for confirmation that the tower was currently generating no income. Mr. Hathaway indicated this was correct. Mr. Davis asked if other localities owned towers. Mr. Hathaway indicated other localities did own towers and gave Charles City County as an example.

Mr. Davis moved to authorize the County Administrator to execute the proposed Bill of Sale and Assignment document, and the termination of lease memorandum of lease agreement with Clearview Tower Company to purchase a communications tower located at 6301 Olivet Church Road, Providence Forge, Virginia for a price of \$1.00. The members were polled:

W. R. Davis, Jr.	Aye
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
Ron Stiers	Aye
Thomas W. Evelyn	Aye

The motion carried.

Mr. Evelyn noted it was still too early to begin public hearings and moved on to other agenda items.

IN RE: APPOINTMENTS – DELEGATED BY DISTRICT

There were no appointments delegated by district.

IN RE: APPOINTMENTS – NOT DELEGATED BY DISTRICT

There were no appointments not delegated by district.

IN RE: APPOINTMENTS – REGIONAL BOARDS AND COMMISSIONS

Ms. Paige moved to appoint Lelia Mckee as District Three representative to the Heritage public Library Board of Trustees to serve a four-year term beginning July 1, 2018 and ending June 30, 2022. The members were polled:

C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye

The motion carried.

IN RE: ELECTED OFFICIALS' REPORTS

Mr. Davis, Mr. Stiers and Mr. Tiller indicated they would give their time to Ms. Paige.

Ms. Paige indicated she had a number of items to report.

- She was excited to report that she had recently attended the NACo (National Association of Counties) conference in Nashville. It had been a very worthwhile and meaningful trip with over 300 vendors present. She had brought back a great deal of information and suggested there had been something for almost every County department. There had been many informational and educational sessions running from 9:00 a.m. to 5:00 p.m. on a daily basis. Many of the sessions had centered on small rural localities.
- She indicated she had not commented during the VDOT report because she had been in contact with VDOT Resident Administrator Marshall Winn and would be riding with him around the County to look at areas of concern such as Clarke and Slatersville Roads.
- She reported on a recent RRTPO (Richmond Regional Transportation Planning Organization) meeting where it had been announced that RRTPO Secretary Barbara Nelson would be leaving for a position with the Richmond Port Authority. She was pleased to report that New Kent County was back on the recommendations list for I-64 widening down to Exit 211. She reminded everyone that this work could not be done without traffic backups. She noted the push was to continue moving forward with widening I-64 through New Kent in 6 to 12-mile increments and eventually projects coming from the east would meet in the middle with projects coming from the west.
- She thanked all citizens who had supported Relay for Life. She pointed out John Stump who was one of the event's annual sponsors was in the audience and noted her appreciation for his support. She reported \$46,000 had been raised at the 2018 event which was \$11,000 more than in 2017. She announced there would be an appreciation celebration on Saturday, July 28th at the Quinton Community Center and all were welcome to come out and celebrate life and fight the battle against cancer.
- She closed her comments by noting her appreciation to her fellow Board members for allowing her to give this report.

Mr. Evelyn reported that he and several other Board members had attended the June 22nd bill signing at Colonial Downs where Governor Northam had signed HB 1609. This had been a great ceremony and he noted appreciation to staff for their input in planning this event along with Colonial Downs representatives. He also noted appreciation to the citizens who had come out for the event and indicated he was excited to have Colonial Downs back in New Kent. He closed by indicating there were some minor issues in the General Assembly and he would provide updates as they moved forward. He noted he had not had an opportunity to stop by the track recently but suggested they were steadily working to get the facility ready to reopen. He suggested Mr. Stiers may know more in this regard. Mr. Stiers agreed that work was progressing and he also reported the Virginia Racing Commission would be meeting the following Tuesday and he would be attending.

IN RE: PUBLIC HEARING – ORDINANCE AMENDMENT OA-02-18 REGARDING
CHANGES TO THE NEW KENT COUNTY CODE TO INCLUDE DEFINITIONS
RELATING TO HORSE RACING

Before the Board for consideration was Ordinance O-22-18 to amend Section 98-2 of the New Kent County Code to reflect recent definitions in the Virginia Code relating to horse racing.

Planning Director Kelli Le Duc reported that due to the recent passing of House Bill 1609, several definitions relating to horse racing had been added to the Code of Virginia as of July 1, 2018. In order to remain consistent with the Code of Virginia, the following two definitions were being recommended for inclusion in Section 98-2 of the County Code:

"Historical horse racing" means a form of horse racing that creates pari-mutuel pools from wagers placed on previously conducted horse races and is hosted at (i) a racetrack owned or operated by a significant infrastructure limited licensee or (ii) a satellite facility that is owned or operated by (a) a significant infrastructure limited licensee or (b) the nonprofit industry stakeholder organization recognized by the Commission and licensed to own or operate such satellite facility.

"Horse racing" means a competition on a set course involving a race between horses on which pari-mutuel wagering is permitted and includes historical horse racing.

Ms. Le Duc reported staff was recommending approval and the Planning Commission had considered these amendments at their meeting on June 18, 2018 and were also recommending approval.

Mr. Davis asked if historical racing would be simulcast at the same time to the OTBs (Off Track Betting). Mr. Evelyn directed this question to Community Development Director Matthew Smolnik and County Administrator Rodney Hathaway. Mr. Smolnik indicated he was not sure he could answer this question and indicated he would seek an answer at the Virginia Racing Commission meeting the following Tuesday. Mr. Davis suggested if the historical races were to be simulcast, they should be done at the same time. He also asked would it be simulcast to other states with historical racing. Mr. Smolnik indicated he would look into this and get some answers.

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

Ms. Paige moved to approve Ordinance O-22-18 regarding changes to the New Kent County Code to include definitions relating to horse racing. The members were polled:

Patricia A. Paige	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
C. Thomas Tiller, Jr.	Aye
Thomas W. Evelyn	Aye

The motion carried.

IN RE: PUBLIC HEARING – CONDITIONAL USE PERMIT CUP-01-18 CAMPBELL/BIG DADDY'S TOWING STORAGE LOT – RESOLUTION R-25-18

Before the Board for consideration was Resolution R-25-18 to approve Conditional Use Permit application CUP-01-18, Big Daddy's Towing storage lot (Michael and Lauren Campbell) on a portion of Tax Map 10, Parcel 38 (GPIN #012-1907-1886).

Planning Director Kelli Le Duc noted Mr. and Mrs. Campbell were present to answer any questions. She reported the Campbell's with Big Daddy's Towing and Recovery LLC had requested a Conditional Use Permit to construct a vehicle storage lot on a portion of their property located at 11001 Old Church Road. The applicants were proposing to fully fence and gravel an area for the short-term storage of vehicles. Big Daddy's Towing was currently working for the Virginia State Police and the New Kent County Sheriff's Office providing assistance with towing and recovering vehicles across the County. The business

was currently operating out of a location on Route 60 near Providence Forge. The subject property was zoned A-1 and was in an area designated as "rural lands" in the Comprehensive Plan. The application had been sent to all County and State reviewing departments and comments from each were found in the staff memo. Ms. Le Duc reported staff had reviewed this application in the same manner as other zoning change applications and upon evaluating the proposal, "it is staff's opinion that the proposed storage lot would be "prejudicial to the character of the neighborhood" and also would "adversely affect the general plans for the physical development of the County as embodied in the comprehensive plan." Staff was recommending that "CUP-01-18 be denied." The Planning Commission had considered this application at their June 18th meeting and after making a number of amendments to the draft conditions, had forwarded a favorable recommendation to the Board. Ms. Le Duc noted proposed Resolution R-25-18 contained all of the amendments recommended by the Planning Commission. She invited the Campbells to speak and indicated she would also be present to answer any questions.

Mike Campbell introduced himself and reported he had moved his family business out to New Kent a number of years ago. He suggested the current location was in such a "desolate" area that business had become slow to the point he felt he needed to "downsize." He was requesting he be allowed to move the business to the property where his home was located. He pointed out the lot would be very small and would have minimal impact on the area. He noted his property was "very beautiful" and he "wouldn't do anything to taint that." The decision to move the business had been in an effort to sustain the business.

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

Mr. Evelyn asked Ms. Le Duc if this property was in the AFD (Agricultural and Forestal District) program. Ms. Le Duc indicated this was a good question and she did not know the answer. Mr. Evelyn indicated he believed the property had been put in the program when it had belonged to Wayne Taylor. Mr. Davis agreed and noted he didn't know if it had been removed. Ms. Le Duc asked Mr. Campbell if he knew if the property was in this program. Mr. Campbell suggested that it wasn't and indicated he was not receiving any discount on taxes. Ms. Le Duc suggested this would have been discovered during her research. Mr. Davis indicated properties could come out of the AFD program if the owner passed away. Mr. Hathaway also noted properties could come out of the program at renewal. Mr. Evelyn called for a brief recess at 7:14 p.m. during which he asked Ms. Le Duc to find out the AFD status of the Campbell property. Ms. Le Duc returned and the meeting was called back to order at 7:26 p.m. She reported she had found that the property had been in the Pamunkey River AFD but had not been renewed when the AFD had expired in 2014. The floor was opened to Board member questions.

Ms. Paige indicated she would like the definition of "short-term" storage of a vehicle. Ms. Le Duc noted Condition 7 in the Resolution indicated short-term was no longer than 60 calendar days. Ms. Paige asked for clarification as to where the business was currently located. Mr. Campbell reported the business was located on property close to Brother's Restaurant. He was renting a shop facility and storage lot for \$2,500 a month but didn't really need the building. He was not doing any repairs and only needed a small office space. He suggested he could save some money and better his business. He would not be keeping any vehicles at his home any longer than it would take for the insurance companies to settle their claims. He did not tow large vehicles, work on any vehicles or do any scrapping so it would be in the best interest of his business to get the vehicles processed and moved from his property as soon as possible. He indicated most of the vehicles would be State Police or New Kent County Sheriff's Office tows. Ms. Paige asked if the State Police

and New Kent Sheriff's Office were "tearing up that many cars." Mr. Campbell noted the vehicles were not police vehicles and he was responding to State Police and New Kent Sheriff's Office calls to remove vehicles involved in accidents. Ms. Paige asked if there was a time limit on the CUP. Ms. Le Duc reported a five-year expiration had originally been requested but the Planning Commission had changed this to a two year timeframe to get the business moved and operational at the new location.

Mr. Stiers noted one of the conditions was that vehicles would not be on the lot in excess of 60 days. He asked Mr. Campbell how he could guarantee this and how would the County know if he was complying. Mr. Campbell suggested the only way the County would know would be to come onto his property. He also suggested most insurance companies would settle quickly and he would have the vehicle title within 30 days. The lot would be small and he would need the space to bring in new tows. An unidentified man believed to be an employee of the Campbells spoke. He indicated it was necessary to get rid of the vehicles quickly or they would run out of space. He also noted vehicles that were not going to be repaired were either taken away for disposal or were picked up for auction. Mr. Stiers asked where vehicles were taken for disposal. The unidentified man reported they were taken to be salvaged in Richmond. Mr. Campbell indicated he wouldn't keep cars any longer than he had to because he couldn't make money if there was no space in the lot. Mr. Stiers suggested there would be sufficient room in a 10,000 square foot lot. The unidentified individual noted the square footage had been reduced to 2,500 by the Planning Commission. Mr. Stiers noted only a few cars could fit into a 2,500 square foot lot. Mr. Campbell suggested he wouldn't be able to store more than 10 to 15 cars at a time. Mr. Stiers indicated Mr. Campbell was leasing land for vehicle storage in Charles City and asked why he could not take the cars to that property. The unidentified man suggested a provision of their contracts with the State Police and New Kent County Sheriff's Office was that vehicles towed in New Kent had to be stored in New Kent. Chief Deputy Lee Bailey was present and confirmed State Code required that the tow company have a storage lot within the county. Mr. Stiers suggested the proposed storage lot would be turning a "pristine" area into a junk yard. Mr. Campbell suggested it would not be a junk yard. The lot would be fenced in and located on the back of his property and no one would be able to see the vehicles without coming onto his property. He noted his yard wasn't visible from the road.

Mr. Davis suggested State Law was requiring the vehicles be kept no longer than 60 days. He gave an example of a situation where an insurance company may not immediately decide if a vehicle was totaled and asked would an insurance company be able to come to a decision within 60 days. Mr. Campbell indicated he had not seen such a case in the eight years he had been in business. The unidentified man also suggested it was unheard of for an insurance company to not reach a decision in less than 60 days because they didn't want to pay any more storage fees than necessary. Mr. Davis asked what Mr. Campbell would do with a totaled vehicle. Mr. Campbell indicated he would obtain the title and then dispose of the vehicle. Mr. Davis asked if the business had a storage yard in New Kent, could they pick up vehicles in New Kent and take them to Charles City. The unidentified man indicated the answer was no. Chief Deputy Bailey confirmed this was correct.

Mr. Evelyn noted the proposed storage lot would be located within his district. He reported he had received numerous calls regarding this application. He noted the provisions of the resolution allowed the owners to come back after two years and request modifications. He indicated he was concerned approving this application would set a precedent and questioned the advisability of having a storage yard in A-1 zoning. He suggested storage yards in New Kent did not have a good reputation for keeping their places clean. Mr. Evelyn again stated he was concerned about setting a precedent. He noted his concern was that the CUP would run with the land and suggested that while Mr. Campbell may keep his lot in good order,

there was no guarantee another owner would do the same. He reported residents in the area had expressed the same concerns. Mr. Campbell indicated he didn't understand how a storage yard on the back of his property would impact any other residents. He again noted insurance companies would want to settle quickly and have the cars removed from his lot to avoid additional storage fees. Mr. Evelyn suggested he was aware of other storage lots in the County where cars had been left for years. Mr. Campbell indicated he was aware of these situations too and that was what those businesses were choosing to do. He indicated it should not take more than 60 days for an insurance company to settle. The unidentified man noted there were several other storage lots operated by other businesses on the property in Providence Forge and he agreed that some of them were holding vehicles much longer than 60 days. Mr. Campbell agreed and suggested what other businesses were doing at the location in Providence Forge was actually hurting his business. He again noted someone would have to be up into his property to be able to see the yard and if they were there, he would "be out there wondering what they are doing." He noted the other properties mentioned were on main roads where they were easily visible. Mr. Evelyn asked Mr. Campbell if he was saying the County would not be allowed on the property to check on the business operation. Mr. Campbell indicated the County would have permission to come on his property any time they wanted. He also indicated there would be no sign advertising the business and he again stressed that no one would know it was there.

Mr. Davis indicated he agreed with Mr. Evelyn that approving this application for a storage yard in A-1 zoning would set a precedent. He pointed out there was a large amount of A-1 property in the County and he didn't think the Board should set that precedent.

Mr. Davis moved to deny Resolution R-25-18 for a Conditional Use Permit for Big Daddy's Towing. The members were polled:

Ron Stiers	Aye
W. R. Davis, Jr.	Aye
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
Thomas W. Evelyn	Aye

The motion carried.

IN RE: STAFF REPORTS – PINE FORK PARK PLAYGROUND EQUIPMENT

County Administrator Rodney Hathaway noted that because there would be no work session this month, he had several items to be discussed during Staff Reports. The first item of discussion was Pine Fork Park. Mr. Hathaway distributed copies of a purchase contract for playground equipment for the new park. He pointed out the total contract price was \$135,899.84 and funding was available. He indicated County procurement policy required Board approval for any contract over \$50,000. He noted Parks and Recreation Director Kim Turner was present to answer any questions the Board may have.

Ms. Paige asked if any of the equipment was "senior citizen compatible." Ms. Turner indicated the equipment was mostly for children but there were "intergenerational pieces." She reported this equipment was being purchased through a matching grant program. What staff had been considering for senior adults was not included in the matching grant program and would be a separate purchase to be made later. Ms. Paige asked Ms. Turner if she was saying funding was available for this purchase. Ms. Turner indicated there should be sufficient funding and reported the County was getting over \$115,000 of playground equipment through the matching grant program. She indicated this had been a very

competitive grant process and New Kent had been fortunate to be awarded a grant. She reported the original cost of the playground had been over \$400,000 but several items had been removed. The purchase of playground mulch would be contracted locally as another cost-saving measure. Ms. Paige asked if this equipment was to be installed as a part of Phase 1 and suggested there was other equipment to also be installed in Phase 1. Ms. Turner confirmed this equipment was a part of Phase 1 and asked for clarification regarding "other equipment." Ms. Paige clarified indicating she had given Ms. Turner some information and Ms. Turner confirmed this other equipment would be a part of Phase 1 but was not associated with the matching grant. Ms. Turner indicated she believed that equipment would be under \$50,000 and again noted it was not covered in the matching grant program. Mr. Davis asked for details on what was covered by the matching grant. Ms. Turner noted installation was not included but the County did want the equipment to be installed by a professional. Some parts of the park could be built by volunteers but for insurance purposes the playground installation should be done by professionals. Ms. Paige noted there had been some laughter when she had asked if the equipment was "senior citizen compatible" and indicated she wanted everyone to know that she was very serious about Pine Fork Park being a park with something for every age group. She also noted that she and several of her fellow Board members were seniors.

Mr. Evelyn announced that Ms. Turner was currently serving as Vice President of the Virginia Recreation and Park Society. He suggested this was evidence that she was very well respected among her peers. Board members congratulated Ms. Turner on this achievement.

Mr. Tiller moved to authorize the County Administrator to execute the proposed contract with Playcore Wisconsin, Inc., in a form approved by the County Attorney for the purchase of playground equipment at Pine Fork Park in the amount of \$135,899.84. The members were polled:

W. R. Davis, Jr.	Aye
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
Ron Stiers	Aye
Thomas W. Evelyn	Aye

The motion carried.

IN RE: STAFF REPORTS – NEW KENT AIRPORT MOWER PURCHASE

County Administrator Rodney Hathaway distributed information on the proposed purchase of a zero turn mower for the New Kent Airport. The airport's existing Great Dane mower was no longer operable and staff relied heavily on this mower to maintain airport grounds. Several price quotes had been included in the handout and Deere & Company had come in with the lowest quote of \$9,073.91. The Virginia Department of Aviation would pay 50% of the purchase price and the vendor had offered \$1,000 as a trade in on the old mower. The Virginia Department of Aviation would reimburse the County once the mower was purchased therefore the full purchase price was being requested. Mr. Hathaway asked the Board to consider allocating funds for this purchase from the County's Capital Fund.

Ms. Paige moved to allocate \$9,073.91 from the County's Capital Fund for the purchase of a zero turn lawn mower for the Airport property. The members were polled:

C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye

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

The motion carried.

IN RE: STAFF REPORTS – CIRCUIT COURT RECORDS ROOM DRY HYDRANT SYSTEM

Country Administrator Rodney Hathaway distributed copies of a letter and price proposal from Circuit Court Judge B. Elliott Bondurant regarding the need for a fire suppression system in the Circuit Court Record Room. Mr. Hathaway reported Judge Bondurant was requesting a dry hydrant system be installed in this room. He suggested this was something that should have been considered in 1992 when the courthouse had been built. He noted the room currently had a water-based sprinkler system which could damage records if activated. The lowest price quote had been \$25,426. He pointed out the low price quote included a list of exclusion that were mainly electrical in nature. He requested that the Board allocate up to \$35,000 from the Capital Fund for the purchase of this system.

Mr. Davis asked if the dimensions listed at the top of the proposal were only the records room. Mr. Hathaway indicated the given dimensions were for the entire Clerk's suite. Ms. Paige questioned if there was a similar need in the other two courts housed in the building. Mr. Hathaway indicated the Circuit Court was the only Court responsible for the storage and safekeeping of recorded records such as deeds and wills. Mr. Davis suggested if records were damaged by water, they would be irreplaceable. Mr. Tiller asked how long the dry hydrant system would last in the event of a fire. Fire Chief Rick Opett indicated it would depend on the size of the system. Mr. Tiller asked if the courthouse was on fire and the dry chemicals were dispersed, would it save the contents of the record room if the remainder of the building burned. Chief Opett suggested it would depend on the size of the system and the fire. Mr. Evelyn suggested the system would buy some time for the Fire Department to arrive. Chief Opett agreed and indicated he assumed the files were in fireproof cabinets. Several individuals noted the files were stored on open shelves not in fireproof cabinets. Ms. Paige asked if the chemical would damage the books. Mr. Hathaway indicated this had been researched by the Judge and by the proposed vendor (Johnson Controls) and the dry chemical system was the best option for preserving the records.

Mr. Tiller moved to allocate up to \$35,000 from the County's Capital Fund for the purchase and installation of a dry hydrant system in the Circuit Court Clerk's record room. The members were polled:

Patricia A. Paige	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
C. Thomas Tiller, Jr.	Aye
Thomas W. Evelyn	Aye

The motion carried.

IN RE: STAFF REPORTS – RAPPAHANNOCK COMMUNITY COLLEGE LEASE

County Administrator Rodney Hathaway reminded the Board that Rappahannock Community College (RCC) was leasing approximately 8,000 square feet in the east wing of the Historic School. The County had entered a five-year lease with RCC three years ago with the first three years of lease payments being deferred. The first monthly payment would be due

August 1, 2018. He had received a request from RCC Finance Director Bill Doyle asking that the monthly lease payments be deferred for one additional year. Mr. Doyle had indicated RCC was very pleased with the space and, although the offered programs were growing, they did not feel they were at the point where it was feasible to begin lease payments. Mr. Hathaway indicated he could attest to the fact that the programs were growing and they were providing a real service to the community. He recommended the Board defer lease payments for one additional year. RCC was currently responsible for paying one half of the monthly utilities (approximately \$2,000) for the east wing. Bridging Communities was paying one quarter and the County was paying one quarter. Mr. Hathaway reported the monthly lease payment would be approximately \$5,400 per month which included utilities. The deferral of payment would result in the loss of approximately \$3,000 in monthly revenue. Mr. Evelyn indicated he had thought the lease payments were to begin in the third year and the Board had deferred the third year payments. Mr. Hathaway indicated the original agreement had been for RCC to begin making payments in the fourth year. Mr. Tiller asked what if they came back again asking for payments to be deferred the following year. Mr. Hathaway suggested that may be a possibility. Mr. Stiers noted that in his opinion what RCC was doing for the community was "awesome" and he supported deferring the payments for another year. Mr. Evelyn noted his agreement.

Ms. Paige moved to amend Section 4 of the Deed of Lease with Rappahannock Community College to defer the first monthly payment until August 1, 2019.

Mr. Davis noted his wife was a member of the RCC Board and asked if he should abstain from voting. County Attorney Brendan Hefty asked if Ms. Davis was compensated for her service. Mr. Davis indicated she was not. Mr. Hefty suggested that with no remuneration, there was no conflict.

The members were polled:

Ron Stiers	Aye
W. R. Davis, Jr.	Aye
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
Thomas W. Evelyn	Aye

The motion carried.

IN RE: STAFF REPORTS – NEW KENT FARMERS’ MARKET

County Administrator Rodney Hathaway reported Mr. Davis and he had recently attended a Farms of New Kent Community Development Authority meeting where the owners of the New Kent Winery had expressed concerns regarding the County’s plans to establish and operate a farmers’ market. The owners had suggested the County’s market would be competing with the New Kent Winery farmers’ market which was open one Sunday a month for four to five months a year. The owners had suggested the County’s efforts to establish a farmers’ market across the street from their winery would be in direct competition with their operations. Mr. Hathaway indicated he had shared with them that not moving forward with the farmers’ market was not a decision he could make but he would relay their concerns to the Board. He suggested an option that could be considered would be posting signs indicating that the New Kent Farmers’ Market was closed on the dates the New Kent Winery would be hosting their market. He indicated he was concerned that a once a month farmers’ market wasn’t enough for people wishing to purchase fresh vegetables. Mr. Davis noted this was also his concern and noted the reason for proposing a farmers’ market was

to be able to provide people with an opportunity to get fresh vegetables. Mr. Evelyn noted the County would not be making any money on the farmers' market and suggested the facility would be similar to what was in place in Mathews and Saluda. Mr. Davis noted some markets were doing very well and suggested New Kent's market would be open only a few days a week. Mr. Evelyn asked if the PUD (Planned Unit Development) would have to be reopened if the Board decided to not go forward with the market. Several Board members asked if the farmers' market had been a part of the original PUD. Mr. Hathaway indicated it had been included in the original PUD and the only thing that had changed was that they had proffered to expedite the plans by building the market now. Mr. Davis indicated the proffers called for the market to be a 3,600 square foot covered pavilion. Mr. Hathaway agreed and noted there had been no changes to what had been proffered for the farmers' market other than expediting the process. Mr. Tiller pointed out plans for this farmers' market had been in place when the winery had been sold. Ms. Paige noted the County would be surrendering an opportunity for citizens to have a gathering place to market their goods in lieu of a business offering a farmers' market four or five days a year. She indicated she agreed with the suggestion to close the County's market when the New Kent Winery market was open. She suggested the market would be a service to the County, it had been in the original PUD, it would not be a competition and the County would not be making any money. She also pointed out it would be at the County's expense to clean and maintain the market as well as mow the grass. Mr. Davis agreed the County wouldn't be making any money and maintenance would be at the County's expense but pointed out the County would not be paying to have the facility constructed. He asked if the County would be allowing food trucks to sell at the market and noted he had seen a food truck selling barbeque at the market in Saluda. Mr. Hathaway indicated that once a site plan was approved, he would share a list of proposed rules and conditions for the facility with the Board. The general consensus was to move forward with what was already planned and to not consider the option of being closed when the New Kent Winery market was open.

IN RE: STAFF REPORTS – NATIONAL NIGHT OUT

County Administrator Rodney Hathaway reminded everyone that the County's National Night Out event would be held from 6:00 p.m. to 8:00 p.m. on Tuesday, August 6th at the Historic School ball fields. He encouraged the community to come out and attend. He noted the Sheriff's Office, Fire-Rescue and Parks and Recreation Department had been working together to put together an awesome event.

IN RE: OTHER BUSINESS

There was no other business.

IN RE: CLOSED SESSION

Mr. Tiller moved to go into closed session pursuant to section 2.2-3711A.1 of the Code of Virginia for discussion regarding the performance and salary of the New Kent County Fire Chief. The members were polled:

W. R. Davis, Jr.	Aye
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
Ron Stiers	Aye
Thomas W. Evelyn	Aye

The motion carried.

Mr. Evelyn thanked all of the citizens who had come out to the meeting. He noted the Board members represented the citizens and worked for them and assured them their voice had been heard. He indicated the Board would take no further actions when they returned from closed session. Board members went into closed session.

Mr. Tiller moved to come out of closed session. The members were polled:

C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye

The motion carried.

Mr. Tiller moved to certify by roll call vote that to the best of each Board member's knowledge only public business matters lawfully exempted from the open meeting 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. The members were polled:

Patricia A. Paige	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
C. Thomas Tiller, Jr.	Aye
Thomas W. Evelyn	Aye

The motion carried.

IN RE: ANNOUNCEMENT OF UPCOMING MEETINGS

Mr. Evelyn announced the next regularly scheduled meeting of the Board of Supervisors would be held at 6:00 p.m. on Monday, August 13, 2018, and the next work session at 9:00 a.m. on Wednesday, September 26, 2018, both in the Boardroom of the County Administration Building. There would be no August work session.

IN RE: ADJOURNMENT

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

Ron Stiers	Aye
W. R. Davis, Jr.	Aye
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
Thomas W. Evelyn	Aye

The motion carried. The meeting adjourned at 8:53 p.m.