

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 8<sup>th</sup> DAY OF OCTOBER IN THE YEAR TWO THOUSAND EIGHTEEN IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 6:00 P.M.

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IN RE: CALL TO ORDER

Chairman Thomas W. Evelyn called the meeting to order.

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IN RE: ROLL CALL

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

All members were present with the exception of Mr. Tiller. Mr. Evelyn thanked everyone for attending.

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IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

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

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IN RE: CONSENT AGENDA

1. Minutes
  - a. August 13, 2018 Business Meeting Minutes
  - b. August 20, 2018 Joint Meeting Minutes
  - c. September 4, 2018 Business Meeting Minutes
2. Miscellaneous
  - a. Approval of General Services Emergency Procurement – White Oak Equipment Inc., \$2,475.03
  - b. Approval of Fire-Rescue Emergency Procurement – Providence Forge Hardware, \$7,905.34.
  - c. Approval of Fire-Rescue Emergency Procurement – Rescue ONE Connector Boats, \$13,147.
  - d. Approval of Public Utilities Emergency Procurement – Tencarva Machinery Company, \$4,984.20.
  - e. Approval of Street Name – Red Sun Way
  - f. Approval of Change Order for Rt. 618 Waterline Project – Professional Services totaling \$10,570.
  - g. Approval of Community Services Board Contract – Resolution R-33-18
  - h. Approval of 2019 New Kent County Rabies Clinic – January 26, 2019.
  - i. Approval of Girl Scout Gold Award Proclamations for Paige Hillis, Abagayle Mathis and Sarah McGinley.
  - j. Approval of Domestic Violence Awareness Month Proclamation.
3. Refunds
  - a. Refund due to Ryan Homes – BP # 22180-2018, \$565.50.
4. FY18 Supplemental Appropriations for MUNIS

- a. Program Income Received for FY19 - CDBG Plum Point Grant Participants, \$78.
- b. Donations to the Animal Shelter, \$736.
- c. Extension Program Sponsorship Revenue for Margaret J Parker (\$30) and Judith McClenny Scott (\$30), \$60.
- d. Fire/Rescue - New Kent Winery 7/27/18 Vineyard Live, \$1,277.65.
- e. Gifts & Donations to Parks & Recreation - Anthem Lemon Aid Project (\$496).
- f. Funds received from VML Insurance; Sheriff's Dept - Veh #313 Totaled Due to Water Damage DOL 6/3/18 (\$8,893) and Veh #314 Deer Strike DOL 7/28/18 (\$396) and Airport - Property Loss to Fence due to Airplane Crash DOL 8/26/18 (\$2,650), \$11,939.
- g. Funds for Security Detail: Lee Hy Paving Corporation - Traffic Control Rte 60 Work Zone - 8/5-9/18(\$1,848.20) and New Kent Vineyard Live 7/27/18 (\$3,437.09), \$5,285.29.
- h. Youth Sports Scholarship Funds: New Kent Blast Inc., \$300.
- i. Funds Received for the Sale of a Surplus Fire Truck, \$25,000.
- j. FY19 LEMPG Grant Funds, \$21,731.98.
- k. FY19 State Fire Programs Grant, \$63,788.
- l. FY19 Selective Enforcement DMV Grant Funds, \$58,544.50.
- m. Additional Funds to Cover the Costs for a Laptop for the New Environmental Planner, \$2,200.
- n. Donations for Fire Station #4: Davenport & Company LLC, \$500.

\$191,946.42 - Total  
(\$128,041.92) - Total In/Out - General Fund (1101)  
(\$54,500.00) - Total In/Out - Grants (1106)  
(\$2,650.00) - Total In/Out - Airport (1210)  
(\$500.00) - Total In/Out - Capital Projects (1302)  
(\$4,054.50) - From Fund Balance - Grants (1106)  
(\$2,200.00) - From Fund Balance - Computer Fund (1106)

- 5. FY19 Interdepartmental Budget Transfers
  - a. General Services - From Reserved for Contingency to Bldgs & Grnds - Professional Services - \$35,000.
- 6. Treasurer's Report: Cash as of August 2018, \$34,281,541.51.

Ms. Paige requested the addition of a proclamation recognizing October 2018 as Domestic Violence Awareness Month. She noted domestic violence did not discriminate on the basis of race, age, gender or income and many were being impacted. She also reported a local organization would be hosting a masquerade ball the following weekend to raise funds for a shelter for those in domestic violence situations. She asked that recognition of Domestic Violence Awareness Month be included in this consent agenda.

Mr. Stiers moved to approve the Consent Agenda as presented and that it be made a part of the record, with the following change: A proclamation recognizing October 2018 as Domestic Violence Awareness Month be added as Item 2.j. The members were polled:

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

Thomas W. Evelyn

Aye

The motion carried.

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IN RE:           PRESENTATION OF CITIZEN LIFESAVING AWARD TO CURTISA BUCKNER  
                  THOMAS

Sheriff Joe McLaughlin and Deputy Fire Chief Brian Bennett presented a Citizen Lifesaving Award to Ms. Curtisa Buckner Thomas. Sheriff McLaughlin indicated it was his honor to recognize Ms. Thomas, a citizen of the County, for her actions at the scene of a motor vehicle crash on the morning of September 5<sup>th</sup>. He asked Deputy Chief Bennett to share details of that morning. Deputy Chief Bennett indicated he was honored to represent New Kent Fire-Rescue and to honor Ms. Thomas for her actions. He reported Ms. Thomas had been driving to work and had been the first to arrive at the scene of a motor vehicle accident on Cooks Mill Road. She found a badly damaged pickup truck with a single occupant. The engine compartment of the truck was on fire and the driver had suffered a significant lower extremity injury which had rendered him unable to rescue himself. Ms. Thomas, risking injury to herself, grabbed the driver, pulled him to safety and waited for first responders to arrive. He stated, "Ms. Thomas' actions undoubtedly changed the outcome of this accident." Sheriff McLaughlin also reported a recent conversation with the victim had revealed that because of Ms. Thomas' heroic actions, he was out of the hospital and expected to make a full recovery. Sheriff McLaughlin presented Ms. Thomas the Citizen Lifesaving Award on behalf of the New Kent County Sheriff's Department. Deputy Chief Bennett, on behalf of New Kent Fire-Rescue, also recognized Ms. Thomas for her selfless actions to save the life of an injured person. He noted her actions had shown true heroism and dedication to her fellow man and community.

Sheriff McLaughlin gave Ms. Thomas an opportunity to speak. She indicated she had forgotten her phone that morning, had returned home and when heading back out had come upon the accident. The accident had been only a minute from her home and when she had stopped, the first thing she had noticed was that the driver was about the age of her son. She knew she couldn't leave him in the car. She urged anyone in the audience who found themselves in a similar situation, to please help. She reported she had pulled him from the vehicle and when a second individual had arrived on the scene, she had asked them to assist with moving the victim further from the vehicle. The second individual had refused to render any assistance. She again urged everyone to do what that could if they saw someone in need of help and added, "It's the right thing to do." Sheriff McLaughlin asked God's blessing on Ms. Thomas and thanked her for what she had done to save this young man. He reported the young man and his family were interested in meeting Ms. Thomas and the Sheriff's Office would be happy to arrange this if she was interested.

Mr. Davis reported he had also come upon the accident about thirty minutes later. He noted that according to Fire-Rescue staff, Ms. Thomas had done exactly what she should have done. He reported her children were still in the car waiting to be dropped off at school and she had handled this situation as well as anyone could. He noted the vehicle had hit the tree very hard and he thanked Ms. Thomas for being the guardian she had been for this young man. Mr. Stiers asked if anyone had asked if she was interested in joining Fire-Rescue. Ms. Thomas laughed and suggested this instance had been enough for her. Mr. Stiers noted his appreciation. Ms. Paige thanked Ms. Thomas for caring enough that her caring had led to action and indicated she prayed for blessings on her and her family.

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IN RE:           PRESENTATION OF AGENCY LIFE SAVING AWARD TO DEPUTY PETER  
                  MENDOZA

Sheriff Joe McLaughlin called for all Sheriff's Office personnel who were present to join him in the presentation of an Agency Lifesaving Award to Deputy Peter Mendoza for his lifesaving actions on June 16, 2018. Deputy Mendoza had responded to an accidental shooting and upon arrival had found an individual suffering from a self-inflicted gunshot wound. The individual had accidentally shot himself in the lower leg, the projectile had gone through the leg, the femoral artery had been struck and the individual was bleeding severely. Deputy Mendoza had applied a tourniquet to the affected leg, called for an ambulance and the individual had been transported to a local hospital. Sheriff McLaughlin reported he had been told that if it had not been for Deputy Mendoza's actions, the individual would have likely bled to death prior to the arrival of the ambulance. He presented Deputy Mendoza with an award plaque and Chief Deputy Bailey presented him with a lifesaving ribbon to be worn on his uniform. Sheriff McLaughlin noted Sheriff's Office personnel were confronted with situations such as this on a daily basis and thanks to Deputy Mendoza's quick thinking, a life had been saved.

Sheriff McLaughlin gave Deputy Mendoza an opportunity to speak. Deputy Mendoza thanked everyone for the award and for supporting the Sheriff's Office. He suggested this was what officers were supposed to do and again noted his appreciation for the recognition.

Sheriff McLaughlin thanked the Board for allowing them to make these presentations to two heroes in New Kent County.

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IN RE: RECOGNITION OF GIRL SCOUT GOLD AWARD RECIPIENTS – PAIGE HILLIS,  
ABAGAYLE MATHIS AND SARAH MCGINLEY

Mr. Evelyn noted it was his honor to recognize three young ladies who had recently earned their Girl Scout Gold Awards. Recipients were as follows:

- Sarah McGinley, daughter of Mr. and Mrs. Sean McGinley of Providence Forge, had created a Calming Center at New Kent Middle School to provide a calming environment for students experiencing emotional stress.
- Paige Hillis, the daughter of Mr. and Mrs. Scott Hillis of Providence Forge, had built and placed benches at the New Kent High School bus loop so that those waiting for the activity bus would have a proper and comfortable place to sit.
- Abagayle Mathis, daughter of Mr. and Mrs. Leighton Mathis of New Kent had installed two benches and two picnic tables at a public pier in King and Queen County to provide a clean place for families to sit while visiting and fishing at the pier.

All three recipients were members of Girl Scout Troop #177 and were in the eleventh grade at New Kent High School. Mr. Evelyn read and presented a proclamation to each recipient. He asked all Board members to join him on the floor for a group picture. He also recognized Mr. Stiers for making the arrangements for these presentations. Mr. Stiers congratulated the recipients on this achievement and expressed his appreciation to the parents for their parenting and encouragement which had led these young ladies to pursue these awards.

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IN RE: SMALL BUSINESS CLOSE UP – BURKS FARM AND BURKS BARBER AND  
BEAUTY

Economic Development Director Matthew Smolnik announced the Board would be getting a two-for-one small business close up with David Burks from Burks Farm and Ann Burks from

Burks Barber and Beauty. Both businesses were operating at 9321 Bailey Lane, Providence Forge. Mr. Smolnik turned the floor over to Mr. Burks.

Mr. Burks thanked the Board for the opportunity to share information about Burks Farm. He reported he was a disabled retired veteran of the United States Navy. He shared some background on how Burks Farm had evolved. He indicated he had been serving in the Navy when he had received an injury at the age of 19 which had left him paralyzed for three years. When he had recovered to the point of being able to get out of the wheelchair, he decided to start a small farm raising a few pigs. He made a connection with a small slaughter house in a nearby county to process his pigs. Due to health reasons, the owner of the slaughter house had suddenly gone out of business and he had been left with pigs to be processed. He had purchased a book and had taught himself the process and had begun slaughtering the pigs in his garage as a hobby. Since then, the business had expanded to not only include slaughtering and processing pigs, but also beef, sheep, goats, deer and other wild game. The business had started in the garage attached to his home and had expanded into two additional garages. Mr. Burks also reported that after twenty years in business, he would be expanding again after this deer season ended. Customers could purchase domestic animals from his farm or bring their animals to him for processing. Deer season was one of the farm's busiest times with an average of 1,000 deer processed each season. Mr. Burks announced the farm would be introducing five varieties of summer sausage made with venison, breakfast sausage and cube steak this year.

Mr. Burks indicated he was very proud of several other aspects of the business.

- He reported Burks Farm was processing deer for Hunters for the Hungry which was a nonprofit organization providing food to local food pantries and churches for distribution to those in need. Hunters donated deer to Hunters for the Hungry who in turn paid Burks Farm to process the meat at half the general public rate. He reported Hunters for the Hungry had only four paid individuals on its payroll and retailer donations were coming up short this year. He suggested this was a great organization. He noted food banks were not getting a great deal of meat and Hunters for the Hungry was helping to meet this need. He encouraged donations of deer or funds to this program.
- Burks Farm was also heavily involved in research and development. Mr. Burks reported the farm worked closely with Virginia Commonwealth University supplying animal organs and tissue for research. He noted the farm was happy to provide this service and was doing so at no charge. He also reported on the farm's involvement in military research. He indicated pigs were used for live tissue training for medics and Special Forces. He reported this training was all done as humanely as possible.
- He also reported on providing animals for forensic departments at a number of colleges across the country. Animal corpses were buried and then recovered months or years later by students studying forensic pathology.

He invited Board members to come to the farm for a tour and see their products. He reminded everyone to support Hunters for the Hungry. He reported he had met his wife, Ann Burks who was a beautician, about four years ago and they had turned a bedroom in their home into a salon. She would also be sharing information on her business. He thanked the Board for the opportunity to speak and turned the floor over to Ms. Burks.

Ms. Burks provided an overview of services provided by Burks Barber and Beauty. Services included cuts, color and perms and she reported haircuts were \$10.00. She also reported she could go to the home to provide services for those with special needs or the elderly. Burks Barber and Beauty had a website and customers could call to schedule appointments. She also noted she provided hair and makeup services for wedding parties. Mr. and Ms.

Burks thanked the Board for having them and noted they had also brought Burks Farm t-shirts for the Board members. Price sheets and business cards were also provided.

Ms. Paige reported Mr. and Ms. Burks were big supporters of New Kent Relay for Life. Live auctions were a part of this annual event and Ms. Paige reported Ms. Burks had put her husband on the spot suggesting he could be the auctioneer. She noted she had been skeptical but suggested Mr. Burks was "the world's greatest auctioneer." She thanked them for their support and announced Relay 2019 would be April 27, 2019.

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IN RE: CITIZENS COMMENT PERIOD

Mr. Evelyn opened the citizens comment period and provided brief instructions on procedures.

Charles Karow of 4800 Windy Lane, Barhamsville – Mr. Karow applauded the Board's efforts to update the zoning laws as had been discussed at a recent work session. He encouraged Board members to include citizen participation from the beginning rather than only seeking comments on the completed changes. He also suggested administrative procedures could be improved and further suggested there were Virginia counties where community meetings were held in advance of rezoning cases, giving affected property owners and citizens an opportunity to participate in the review process. He indicated he understood these meetings were not required and would require extra staff time but suggested they could be a good way to share information with and gather input from citizens and increase the transparency of the County's activities. He also suggested these meetings could "reduce the fear, uncertainty and doubt" that could result in "considerable concerns and animosity" in controversial cases. He noted property values had been affected by the proposal of a combat range in Barhamsville. He suggested it was "considered incumbent upon the applicant to communicate with the community" but further suggested, "some applicants just may not have the capabilities to do a good job of community outreach." He also suggested "many citizens do look to the County officials to take the lead in protecting the rural character and quality of life in the County and in conducting the County's business in an open manner." He suggested Board members were "dedicated to the highest quality of government services and the concept of putting the good of the County first." He suggested the Board should consider "ways to increase the transparency and communication with the citizens without unduly complicating or delaying the process for applicants." He again urged the Board to seek ways to allow for citizen input early in the process and throughout the review and drafting of zoning laws. He thanked the Board for the opportunity to speak.

Heritage Public Library Director Chandra McPherson, of 7791 Invicta Lane, New Kent reported job resources were now available through the library in conjunction with the Resource Workforce Center and ResCare Workforce Services. Services including resume preparation and training were available for both adult and youth job seekers. Many of the training opportunities were free and those who were interested could also apply for transportation aid. Other services included career interest and skills testing and a number of training and GED preparation courses offered through the ResCare Academy. Ms. McPherson reported the library website had been updated to include information on these services. The State Library of Virginia would also be providing resume preparation and free online Universal Class training through the library in the near future. Those who were interested could access many of these services on their own. Signing up for some of the services would require the assistance of library staff but Ms. McPherson indicated that was a very easy process. She provided handouts on the various job resources, thanked the Board for the opportunity to speak and noted Ms. Paige was very familiar with these services and may be able to provide additional information.



Ms. Paige expressed her appreciation to Ms. McPherson and library staff for their time and effort in making these services available to citizens. She noted some services were more focused on displaced workers. Ms. Paige also reminded everyone that Ms. McPherson had spoken to the Board in August about the availability of passport services at the library. She reported she had applied for her passport through the library and had received it in seven days. She suggested Ms. McPherson may want to say something more about this service.

Ms. McPherson echoed Ms. Paige's comments regarding displaced workers and noted there were two components to the job services. One component was geared more to older job seekers and the other focused on youth between the ages of 17 and 24. She suggested great job skills training programs were available and reported instruction on how to dress and how to interview were also included.

In response to Ms. Paige's comments regarding passports, Ms. McPherson reported the library was a passport agent providing the same passport services as available through the United States Post Office. She indicated they received and verified the necessary documents and sent them in for processing. Applicants didn't have to wait in lines and turnaround times had been great. Mr. Evelyn asked if many citizens had taken advantage of this service. Ms. McPherson reported applicants were coming from many localities to take advantage of the services and approximately 30 applications had been processed in a slow month. She suggested applicants from other localities were coming to New Kent because the library had better hours (evening and Saturday) and they could get appointments quickly. Additional information on passport services was available on the library website.

Mr. Evelyn thanked those who had spoken. There being no others wishing to speak, the comment period was closed.

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

VDOT Resident Administrator Marshall Winn noted a written report had been provided on maintenance items completed over the past thirty days which had included a variety of work at various locations throughout the County including tree removal, drainage work, brush trimming and pothole repair. He asked if Board members had any questions regarding this report. There being none, he indicated he had several other updates to provide. He reported secondary mowing would be finished in a few weeks and the final cycle of primary mowing would start soon after that. The I-64 2/10 mile signs had been made and the contractor would start installation in a couple of weeks. Noting there were over 200 signs to be installed from exit 205 to the James City County line and back, he suggested installation would take three to four weeks. Paving and pavement marking on Route 60 were complete. He indicated he hoped everything was going well with the new pavement and noted he was anxious for next year when a new contract for additional Route 60 improvements would be awarded around April. He indicated he would keep the Board updated as this process moved forward. He also reported Ashland Residency staff would be going through snow removal dry runs for the next two days in preparation for winter weather.

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

Mr. Davis reported Mr. Winn and he were working on a project on which he hoped to be able to report at the next meeting. He also noted he had previously reported on the need for a hidden entrance sign at Lynn Lake Lane and indicated he had not realized until recently that a school bus was also picking up students at the end of this street. He suggested a "school

bus stop ahead” sign may be more appropriate. Mr. Winn indicated such a request would need to come from the School Board or school transportation. Once a request was received, he could have a sign technician review the request and if it was warranted, a sign could be installed. Mr. Winn also noted a concern with these signs was they remained in place when students were no longer being transported. VDOT would periodically check with the School Board to see if the signs were still needed. Mr. Davis expressed concerns regarding garbage cans sitting on VDOT roads. He reported he had hit two himself on Cooks Mill Road and asked who was responsible. Mr. Winn indicated he didn’t know the answer and suggested perhaps a litter charge could be filed. Mr. Davis also expressed concerns regarding trash trucks stopped in the middle of the road on Farmers Drive. This road was very curvy and he suggested it was common to round a curve and find a truck stopped in the road to service cans. He asked who would be responsible if this resulted in an accident. Mr. Winn noted that in his opinion the owner of the garbage can would be responsible. Chief Deputy Lee Bailey was present and suggested the responsibility would depend on the stage of the garbage service. He indicated if a citizen had put the garbage can in the road, it would be the citizen’s responsibility. If the can was in the road after being dumped by the service provider, the service provider would be responsible. Mr. Davis suggested that although most cans were put out on the day service was expected, some were left at the road 24/7. Ms. Paige noted Cooks Mill Road was in her district and suggested she would ride through to see if there was anything she could do.

Mr. Stiers thanked VDOT for their quick response (15 minutes) to the report of potholes at the entrance of a business in his district. He asked Mr. Winn if he would be at the New Kent County Transportation Safety Meeting on Wednesday. Mr. Winn indicated he would not be present but Assistant Resident Engineer Danny Baiden would be there representing VDOT. Mr. Evelyn questioned Mr. Stiers regarding the status of a pothole on Route 155 at the bridge into Charles City. Mr. Stiers indicated he had been called about this issue and reported he had driven over to the bridge but had not been able to determine the exact location of the concern. He also indicated this caller had suggested a beam across the CSX railroad track was split. Mr. Stiers indicated he had noted the split beam but reported it was not interfering with traffic. Mr. Evelyn suggested the complaint had been about the last bridge into Charles City which was not the Wakie Howard Bridge.

Ms. Paige reported she and Mr. Winn had been communicating through email regarding her list of concerns and she had nothing new to report at this meeting.

Mr. Evelyn reported he had contacted Jay Fread and Jack Tate with VDOT regarding several concerns all of which had been addressed.

Mr. Davis indicated he had something more to include in his comments. He noted VDOT had provided plans for the replacement of a bridge at Route 600 (Holly Fork Road) approximately six months ago. There had been three proposals for the bridge replacement and VDOT had noted their preferred option. Mr. Davis reported the Board had agreed with VDOT’s recommendation believing the work would be done faster. Mr. Winn indicated he didn’t believe anything had been done with this project. Mr. Davis agreed. County Administrator Rodney Hathaway reported the previous Resident Administrator Bruce McNabb had provided the three options to the County. Mr. Winn indicated he didn’t know any more other than there were three sets of plans but would look into this and report back.

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IN RE: PINE FORK PARK FINANCING – UPDATE AND ADOPTION OF RESOLUTION  
R-34-18



Before the Board for consideration was Resolution R-34-18 authorizing a lease revenue bond in the amount of \$3,200,000 to provide financing for a portion of the cost of Pine Fork Park construction.

Davenport and Company Senior Vice President Ted Cole and Sands Anderson Government Group Bond Counsel Dan Siegel were present to provide the Board with an update on financing for Pine Fork Park. Copies of an update memo from Davenport and Company had been provided. Mr. Cole indicated he was following up on the September 4<sup>th</sup> Board of Supervisor and September 20<sup>th</sup> EDA (Economic Development Authority) presentations. A Request For Proposals (RFP) for financing the Pine Fork Park project had been put out, proposals had been received and reviewed and bank financing as well as VRA (Virginia Resource Authority) financing options had been reviewed with the Board on September 4<sup>th</sup>. The Board had taken action to move forward with BB&T provided they would extend the terms of their proposal through late November. Mr. Cole drew attention to the memo and noted the recommendation was to move forward with approving BB&T with a fifteen year rate at 3.58% for up to \$3.2 million dollars. BB&T was requiring only the park property as collateral. Mr. Cole reported the EDA had taken action to move forward subject to the Board's final approval. He indicated they were waiting for more up to date cost information on the project and plans were for a closing on or before November 21<sup>st</sup>. He indicated if it was the Board's desire to move forward, a resolution (Resolution R-34-18) had been provided by Mr. Siegel for approval. He turned the floor over to Mr. Siegel.

Mr. Siegel indicated the resolution before the Board was similar to what had been used in past financing transactions. He pointed out provisions included a lease of the park property to the EDA. The EDA would then lease the property back to the County with the rental payments being equal to the debt service on the loan. Both leases would be assigned to the bank as security. Mr. Siegel summarized the contents of the resolution. He noted the loan would be approximately \$3.2 million dollars. Approval of the resolution would also approve the form of the ground lease, the lease agreement, the bond purchase agreement with BB&T, an assignment agreement for the leases to be used as security and the form of the bond. Mr. Siegel noted the second page of the resolution provided details on the "general ideas of approving the bond" and gave the Board Chairman, Vice Chairman and County Administrator the authority to move forward with executing the necessary documents. The resolution also clarified that the rate would be 3.58%. Mr. Evelyn drew attention to wording in provision four on page two which stated "subject to other terms as set forth therein with such changes, including but not limited to changes in the amounts, dates, payment dates and rates as may be approved by the officer executing them" and asked for confirmation that the Chairman could not approve the loan for more than \$3.2 million dollars. Mr. Siegel confirmed this was correct. He noted if more funding was needed, it would have to be brought back to the Board; the Chairman alone could not make this change. Mr. Siegel suggested this could be made even clearer by changing the wording, "Bond in the principal amount of up to \$3,200.000" to "Bond in the principal amount not to exceed \$3,200,000." He noted the bulk of the third page of the resolution covered tax issues to be addressed. He pointed out this would be a bank qualified loan and the language in that regard had been included at the bottom of page three. Page four contained "small issuer exception" information indicating the County would not be subject to rebate. Mr. Siegel suggested this wouldn't normally be an issue but with interest rates on the rise, it was more of a concern. He noted that with a fixed rate loan, if interest rates went above 3.58%, the County "could keep the difference." He also noted the resolution allowed the County to "utilize SNAP in connection with the investment of the proceeds of the bond." Mr. Davis asked the meaning of "SNAP", indicating he was familiar with SNAP in the Social Services context. Mr. Siegel noted SNAP was the State Non-Arbitrage Program which provided for short-term money market investments specifically for bond proceeds. Mr. Evelyn suggested the provisions of

the resolution were the same as previously adopted financing resolutions. Mr. Siegel agreed. County Administrator Rodney Hathaway indicated a motion would be needed to adopt the resolution presented by Mr. Siegel. The resolution had been given the number R-34-18 and he noted this should be included in the motion. Mr. Siegel also suggested the motion should include changing the wording in provision four as previously discussed.

Mr. Davis moved to adopt Resolution R-34-18 to obtain financing for a portion of the costs of the design, construction, installation and equipping of the Pine Fork Park recreation area with one amendment to Item 4, that being that the statement "in the principal amount of up to \$3,200,000" be changed to read "in the principal amount not to exceed \$3,200,000."

Mr. Evelyn called for any further discussion. Ms. Paige noted she was encouraged by the Board's decision to spend \$3.2 million dollars on the park and suggested it was the County's desire to have a park for all ages including seniors. She noted it was her desire to be sure the park's development would accommodate all ages and as the park moved forward, she keep this in the "forefront." She stated, "It is to be a park and not a sports complex" and indicated she would "be watching over this very carefully."

The members were polled:

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

The motion carried.

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IN RE: AMENDMENT TO THE NEW KENT COUNTY PROCUREMENT MANUAL

County Administrator Rodney Hathaway presented a proposed amendment to the New Kent County Procurement Manual which would increase the threshold in which the County would procure professional services in accordance with Section 2.2-4301(G) of the Code of Virginia. Specific professional services set out under this section included accounting, optometry, pharmacy, professional engineering, law, architecture, medicine and land surveying. Mr. Hathaway reported that under current policy, it was not necessary to issue an RFP (Request For Proposals) for any purchase of professional services below \$30,000. These purchases could be handled through the County's small purchase policy which required four price quotes. Any purchase that could not be handled as a small purchase would require an RFP. Purchases of services outside of the listed professions which were above \$20,000 also required an RFP or an Invitation For Bid (IFB). Professional services contracts up to \$30,000 would require County Administrator approval. Contracts greater than \$30,000 would require Board approval and four written quotes. Contracts from \$2,000 to \$30,000 currently required three quotes. The State Code's criteria required an RFP for the purchase of professional services above \$80,000. New Kent's current policy suggested an RFP was required for purchases above \$30,000 in one section and for purchases above \$50,000 in another section. Staff was recommending both sections be updated to increase the threshold from \$30,000/\$50,000 to \$80,000 in accordance with the Virginia Procurement Act.

Mr. Davis noted that Board approval had not been required in either of the two sections where amendments were proposed. Mr. Hathaway agreed and noted if the Board approved these recommendations, Board approval would be a requirement for anything above

\$30,000. He reported the current threshold was significantly impacting construction projects by adding additional time to the process for multiple RFPs. Mr. Evelyn pointed out the proposed amendments would give the Board oversight. Ms. Paige also noted the amendments would bring New Kent's policy in line with the State Code.

Ms. Paige moved to amend the New Kent County Public Procurement Manual as presented by the County Administrator. The members were polled:

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

The motion carried.

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IN RE: PUBLIC HEARING – FISCAL YEAR 2018-2019 BUDGET AMENDMENT

Before the Board for consideration was Resolution R-32-18 amending the fiscal year 2018-2019 budget by approving supplemental carry forward appropriations in the amount of \$11,732,645.14.

County Administrator Rodney Hathaway reported that State Code required a public hearing whenever a locality's budget was amended by more than one percent. The amendment before the Board which totaled \$11,732,645.14 represented carryovers from the previous year's budget to the current budget. He reported the majority of the carry forward amount represented three items including \$2,166,273.55 (grant funds from the FAA and the State Department of Aviation) for capital projects including a ramp at the New Kent Airport, \$8,121,872.38 for various multi-year capital projects approved in FY18 which had not been completed (purchase of fire apparatus, new fire station, Tyler Munis financial software and Pine Fork Park) and \$1,017,264.98 in Public Utility capital funds.

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

Mr. Stiers asked for the total capital projects budget once the \$8.2 million was carried forward. Assistant Finance Director Larry Clark reported the capital projects budget currently contained approximately \$4 million in unallocated funds and the addition of the carry forward funds would bring the total to approximately \$12 million.

Mr. Davis asked for the timeline on the airport ramp project. Mr. Hathaway reported the project was currently out for bid and a preconstruction meeting had been held.

Ms. Paige moved to adopt Resolution R-32-18 amending the fiscal year 2018-2019 budget by approving supplemental carry forward appropriations in the amount of \$11,732,645.14. The members were polled:

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

The motion carried.

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IN RE: ELECTED OFFICIALS' REPORTS

Mr. Davis indicated he had nothing to report.

Mr. Stiers reported he had met with Senator Tommy Norment for assistance on a project he had been working on for some time. He also reported this had been his eighteenth year of judging the photography entries at the New Kent County Fair. He announced he would be holding a town hall meeting at Brickshire for new residents moving into the community since last year.

Ms. Paige reported she had recently met with the New Kent Clergy Association and noted the churches were very interested in what was going on in New Kent County and how they may be able to be of assistance. She also reported on the Clergy Association's desire to be engaged wherever needed and to have representatives present at Board meetings. She had also promised the clergy to be involved actively with their group and to make sure they were aware of any needs the County may have. She also thanked Mr. Evelyn for wearing pink in support of Breast Cancer Awareness Month.

Mr. Evelyn complimented County, Sheriff's Office and Fire-Rescue staff as well as New Kent County Schools for coming together in preparation for Hurricane Florence in September. He suggested they had been very prepared for some of the worst scenarios. He noted he had been proud to be present at a planning meeting and watch staff do what they do and to help out where he could. He suggested citizens should be very proud to know they were in good hands. He thanked all staff for a great job and noted he was glad the storm had not been as bad as predicted and that none of this planning had to be put to use. He also reported there had been a ground breaking ceremony for the new fire station in Talleyville the previous Thursday. This was the first new fire station ground breaking since 2002. He reported this had been an exciting day and a great turnout. He thanked the citizens who had come out for this event.

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IN RE: STAFF REPORTS – BUDGET TRANSFER FOR GENERAL DISTRICT COURT  
FURNITURE AND FIXTURES

County Administrator Rodney Hathaway reported he had received a request from the General District Court to replace two tables in the courtroom and to add a book shelf in the judge's chambers. He noted the existing tables were original to the courtroom and in need of replacement. He reported the General District Clerk had received several quotes for the construction of these furniture pieces. He was recommending \$2,500 be transferred from Reserved for Contingency to the General District Court Furniture and Fixtures line item.

Mr. Stiers moved to appropriate \$2,500 from Reserved for Contingency to General District Court/Furniture and Fixtures. The members were polled:

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

The motion carried.

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IN RE: OTHER BUSINESS

There was no other business.

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IN RE: APPOINTMENTS – DELEGATED BY DISTRICT

There were no appointments delegated by district.

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IN RE: APPOINTMENTS – NOT DELEGATED BY DISTRICT

There were no appointments not delegated by district.

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IN RE: 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 Wednesday, November 14, 2018, and the next work session at 9:00 a.m. on Wednesday, October 31, 2018 both in the Boardroom of the County Administration Building. Mr. Evelyn thanked everyone for attending and entertained a motion to adjourn.

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IN RE: ADJOURNMENT

Mr. Stiers moved to adjourn. The members were polled:

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

The motion carried. The meeting was adjourned at 7:28 p.m.