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**NEW KENT COUNTY BOARD OF SUPERVISORS**

**August 13, 2012, 6:00 p.m.**

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

**ACTION**  
**AGENDA**

**CALL TO ORDER** (at 6:00 p.m.)

**INVOCATION and PLEDGE OF ALLEGIANCE** (led by Mr. Tiller)

**ROLL CALL** (all present)

**CONSENT AGENDA**

**Action:** Mr. Evelyn moved to approve the Consent Agenda as presented and that it be made a part of the record. Vote was 5:0, motion carried.

**RESIDENCY ADMINISTRATOR'S REPORT** – Mike Cade, Residency Administrator,  
Va. Dept. of Transportation

**CITIZENS' COMMENT PERIOD** (3 minutes/person)

**ADDED ITEM: FUNDS FOR VOTING MACHINES**

**Action:** Mr. Davis moved to appropriate \$5,820 from General Fund contingency for the Electoral Board to purchase M100s so that we will have the same voting machines in every precinct. Vote was 5:0, motion carried

*Public Hearings to be held at 7:00 p.m. or as soon thereafter as possible. Speakers are limited to three minutes each, should come to the podium and state their name and address*

**ITEM 1 PUBLIC HEARING** – consideration of Ordinance O-09-12, amending the Rock Creek Planned Unit Development ordinance to allow single family detached units and change the time at which proffers are collected to comply with the State Code – Planning Manager Kelli Le Duc

**Action:** Mr. Davis moved to adopt Ordinance O-09-12, which changes the Rock Creek Villas PUD. Vote was 5:0, motion carried

**ITEM 2** Historic School & South Building Renovation Project, Phase I – Acting County Administrator Rodney Hathaway

**Action:** Mr. Evelyn moved that the Board of Supervisors hereby finds that the unsolicited PPEA proposal from Marengo Management Corporation for renovations of the South Building and Courtyard on the Historic School Campus (Phase I) fulfills a public need and benefit to be derived from the project, its cost is reasonable and it will result in timely delivery, furthermore, the proposal is likely to be fiscally advantageous because of the scope, complexity and risk sharing of the project, and the Board hereby directs the Acting County Administrator to

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proceed with the detailed phase of the PPEA review process as established by the County's PPEA policy with Marengo Management Corporation. Vote was 5:0, motion carried

**ADDED ITEM: REGIONAL CAREER AND TECHNICAL CENTER**

Action: Mr. Davis moved to authorize the Acting County Administrator to execute the necessary documents for the lease with Bridging Communities Regional Career and Technical Center. Vote was 5:0, motion carried

**ELECTED OFFICIALS' REPORTS**

**STAFF REPORTS**

**APPOINTMENTS**

Non-District Appointments:

Mr. Burrell moved to appoint David Bednarczyk as New Kent's alternate representative to the Central Virginia Waste Management Authority Board of Directors, to complete a term ending December 31, 2014.

Mr. Burrell moved to appoint Kenneth Vaughan as a New Kent voting alternate to the Metropolitan Planning Organization to complete a term ending December 31, 2015.

Mr. Evelyn moved to appoint Kelli Le Duc as New Kent's representative to the STIR Advisory Board to serve a term ending December 31, 2012.

Vote was 5:0, motions carried.

**MEETING SCHEDULE:** The next regularly scheduled meeting of the Board of Supervisors will be held at 6:00 p.m. on September 10, 2012, in the Boardroom of the County Administration Building. The August 29, 2012 work session has been cancelled.

**CLOSED SESSION** pursuant to Section 2.2-3711A.1 of the Code of Virginia for discussions regarding prospective candidates for employment involving the Departments of Fire-Rescue and Social Services.

Action: Mr. Davis moved to go into Closed Session pursuant to Section 2.2-3711A.1 of the Code of Virginia for discussions regarding prospective candidates for employment; pursuant to Section 2.2-3711A.3 of the Code of Virginia for discussion or consideration of the acquisition of real property for a public purpose; and pursuant to Section 2.2-3711A.7 of the Code of Virginia for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body and consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel. Vote was 5:0, motion carried.

Action: Mr. Tiller moved to return to Open Session. Vote was 5:0, motion carried.

Action: Mr. Tiller made the certification of Closed Session. Vote was 5:0, motion carried.

**ADJOURNMENT**

Action: Mr. Davis moved to adjourn. Vote was 5:0, motion carried. The meeting was adjourned at 8:06 p.m.

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**CONSENT AGENDA**

*(Matters included hereunder may be the subject of one motion to approve provided no Board member requests an item to be separated.)*

- 1. **Approval of Minutes**
  - a. June 27, 2012 work session

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- b. July 9, 2012 business meeting
- c. July 11, 2012 special meeting
- d. July 23, 2012 special meeting

**2. Miscellaneous**

- a. Award and execution of contract with ECC, LLC for \$42,606 to provide HDPE hollow floating balls for the Parham Landing wastewater treatment plant
- b. Award and execution of contract with Radio Communications of Virginia for maintenance, service and equipment purchase for the communications centers, 911 and radio systems
- c. Acceptance and authority to execute Deed of Dedication from Brian & Patricia Grubbs for a right-of-way for public use
- d. Award of contract to Shaw Construction for construction of the Kentland No. 8 Pump Station in the amount of \$422,000.00

**3. Refunds**

- a. \$185.62 to Pristine Pools for cancelled permit

**4. FY12 Supplemental Appropriations**

- a. Law enforcement services provided at Colonial Downs for the Strawberry Hill races – June 2, 2012 (\$12,100.46), overtime for deputies who worked at Colonial Downs in June 2012 (\$9,638.73), reimbursement for CPR class for Black Creek Vol. Fire Dept., Inc. on June 21, 2012 (\$10.00)
- b. Animal Shelter donations, \$1.00
- c. Program income received for FY12 from CDBG Plum Point grant participants, \$25.00
- d. Funds received from insurance proceeds, \$12,178.40
- e. Funds for connection fee refunds to Best Industries, \$267,547.50
- f. Additional funds received in FY12 for Four For Life grant funds, \$11,252.92

\$ 312,754.01	Total
\$( 45,206.51)	Total In/Out
\$(267,547.50)	From Fund 98 fund balance

**5. FY12 Supplemental Appropriations**

- a. To un-appropriate FY12 funds for grant no. 12-N1160LO11; Asset Forfeiture funds originally requested will be reduced and funds will be used to purchase different equipment in FY13, \$8,500.00

\$ (8,500.00)	Total
\$ 2,028.00	Total In/Out
\$ 6,472.00	From Fund 210 fund balance

**6. FY13 Supplemental Appropriations**

- a. Funds to cover the local cost of issuance fees for the Financial Consultant and Bond Counsel – Interest Rate Modification of the County's 2007 Lease Revenue Bond, \$22,050.00

\$ 22,050.00	Total
\$(22,050.00)	From Fund 40 fund balance

**7. FY13 Supplemental Appropriations**

- a. FY13 CIP proffer funds that were intended to be adopted as part of the FY13 budget, \$202,112.00
- b. Adjust FY13 Victim Witness budget to award amount, \$1,948.00

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\$ 200,164.00	Total
\$ ( 886.00)	Total In/Out
\$ 2,834.00	From General Fund fund balance
\$(202,112.00)	From Fund 7 fund balance

**8. FY13 Supplemental Appropriations**

- a. FY13 funds for grant no. 12-N1160LO11; grant was originally requested in FY12. Now less funds requested from Asset Forfeiture and funds used to purchase different equipment in FY13

\$ 3,279.09	Total
\$(2,028.00)	Total In/Out
\$(1,251.09)	From Fund 210 fund balance

**9. FY13 Supplemental Appropriations**

- a. Animal Shelter donations, \$565.50  
b. Program income received for FY12 from CDBG Plum Point grant, \$1,602.35  
c. Funds received from insurance proceeds, \$1,413.00  
d. Extension program sponsorship revenue, \$220.00

\$ 3,800.85	Total
\$(3,800.85)	Total In/Out

**10. FY12 Interdepartmental Budget Transfers**

*Fire Rescue:* \$1,900 from Communication Lines to Communications – Wireless for repairs & maintenance

**11. Treasurer's Report:** Cash as of June 2012: \$33,510,560.63

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