

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 12<sup>th</sup> DAY OF JANUARY IN THE YEAR TWO THOUSAND NINE OF OUR LORD IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 6:02 P.M.

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IN RE: CALL TO ORDER

Chairman Burrell called the meeting to order.

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IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

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

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IN RE: ROLL CALL

Thomas W. Evelyn	Present
David M. Sparks	Present
James H. Burrell	Present
Stran L. Trout	Present
W. R. Davis, Jr.	Present

All members were present.

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IN RE: REORGANIZATION: ELECTION OF OFFICERS FOR 2009

Mr. Burrell reminded that the Board's annual reorganization was held at its January business meeting. He thanked the citizens and other Board members for allowing him to serve as Chairman for the past year. County Administrator John Budesky and the other Board members commented that it had been a pleasure to work with Mr. Burrell as Chairman. Mr. Burrell then turned the meeting over to Mr. Budesky.

Nominations were opened for the office of 2009 Chairman.

Mr. Sparks nominated W. R. Davis, Jr. to be the Chairman of the Board of Supervisors for a term of one year.

There were no other nominations.

Mr. Trout moved to close nominations for Chairman of the Board of Supervisors. There being no discussion, the members were polled:

Thomas W. Evelyn	Aye
David M. Sparks	Aye
Stran L. Trout	Aye
W. R. Davis, Jr.	Abstain
James H. Burrell	Aye

The motion carried.

Mr. Sparks moved to elect W. R. Davis, Jr. as Chairman of the Board of Supervisors for a term of one year. There was no discussion and the members were polled:

David M. Sparks	Aye
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Stran L. Trout	Aye
W. R. Davis, Jr.	Abstain
Thomas W. Evelyn	Aye
James H. Burrell	Aye

The motion carried.

Chairman Davis presented Mr. Burrell with a plaque in appreciation of his service as 2008 Chairman.

Nominations were opened for the office of Vice Chairman.

Mr. Burrell nominated David M. Sparks to be the Vice Chairman of the Board of Supervisors for a term of one year.

There were no other nominations.

Mr. Evelyn moved to close nominations for Vice Chairman of the Board of Supervisors. There was no discussion and the members were polled:

James H. Burrell	Aye
Stran L. Trout	Aye
Thomas W. Evelyn	Aye
David M. Sparks	Aye
W. R. Davis, Jr.	Aye

The motion carried.

Mr. Evelyn moved to elect David M. Sparks as Vice Chairman of the Board of Supervisors for a term of one year. There was no discussion and the members were polled:

Stran L. Trout	Aye
Thomas W. Evelyn	Aye
David M. Sparks	Abstain
James H. Burrell	Aye
W. R. Davis, Jr.	Aye

The motion carried.

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IN RE: REORGANIZATION: MEETING SCHEDULE FOR 2009

Before the Board for consideration was Resolution R-01-09 setting the Board's 2009 Meeting Schedule.

There was discussion regarding the options for work sessions and there was agreement to schedule 2009 work sessions at 3 p.m. on the fourth Wednesday of each month (with some exceptions) with the work sessions being no longer than four hours. It was also agreed to schedule a work session for August with the understanding that it could be cancelled if it was not needed. There was consensus to hold a Town Hall meeting following the February work session, to start around 7 p.m.

Mr. Trout moved to adopt Resolution R-01-09 approving the proposed 2009 Meeting Schedule with the following changes: that the regular business meeting would be held at 6

p.m. on the second Monday of each month, except for the September meeting which would be held on Thursday, September 10, the October meeting which would be held Tuesday October 13, and the November meeting, which would be held on Thursday, November 12; and that work sessions would be held at 3 p.m. on the fourth Wednesday of each month, with the exception of February which would be held on February 18; April which would be held on April 29, 2008; July which would be held on July 29; and November which would be held on November 18. There will be no work session in December and the Board may choose to cancel the August 26 work session if it is determined that it is not needed. The members were polled:

Thomas W. Evelyn	Aye
David M. Sparks	Aye
James H. Burrell	Aye
Stran L. Trout	Aye
W. R. Davis, Jr.	Aye

The motion carried.

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IN RE: REORGANIZATION: BYLAWS

The Board members reviewed the current bylaws for any proposed changes.

There were no changes requested.

Mr. Sparks moved to re-adopt the Bylaws, as presented. The members were polled:

David M. Sparks	Aye
James H. Burrell	Aye
Stran L. Trout	Aye
Thomas W. Evelyn	Aye
W. R. Davis, Jr.	Aye

The motion carried.

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IN RE: CONSENT AGENDA

County Administrator John Budesky presented the Consent Agenda as follows:

1. Approval of Minutes
  - a. Work Session of November 25, 2008
  - b. Special Joint Meeting with the School Board on December 2, 2008
  - c. Special Meeting with Senator Norment on December 8, 2008
  - d. Regular Business Meeting on December 8, 2008
2. Miscellaneous
  - a. Adoption of Resolution R-03-09, requesting VDOT to add Section R, Phases I and II, of the Brickshire Subdivision into the State system for maintenance
  - b. Approval of vending machines contract for County offices
3. Refunds
  - a. \$392.19 to Main Street Homes for cancelled permit
  - b. \$90.00 to Hirschler Fleisher for plat review fee
  - c. \$32,884.80 to New Kent Farms LLC for double-billing
  - d. \$6,803.88 to New Kent Farms LLC for erroneous billing
  - e. \$255.00 to W. V. McClure dba Main Street Homes for voided permit

- f. \$453.78 to Pete Sweet for cancelled permit
- 4. Appropriations
  - a. Funds for Fire-Rescue revenue recovery to cover bank fees, \$30.00
  - b. Funds for Fire-Rescue revenue recover to cover DAB service charges, \$3,159.00
  - c. Funds received to date for Fire-Rescue revenue recovery for Fire-Rescue personnel, \$11,097.00
  - d. Funds donated to the New Kent Animal Shelter, \$734.00
  - e. Funds donated for Fire-Rescue, \$70.00
  - f. Funds received for security for the Oct 31 football game and two Dec basketball games, \$662.00
  - g. Funds received for Fire-Rescue sale of surplus equipment, \$2,498.00
  - h. Program income received to date for FY09 from CDBG Plum Point grant participants, \$56,660.11
  - i. Funds for revenue received for extra security detail performed by the Sheriff's Office for Oct 3 and Nov 21, \$280.00
  - j. Funds for CSA parental co-payments, \$2,027.00
  - k. Funds received for insurance claims, \$2,787.00
  - l. Funds received from a builder for reimbursement of a 2006 Code Book purchased by the Building Development office, \$85.00
  - m. State/Federal Social Services funds for the IV-E Foster Care Program, \$2,400.00
  - n. Charge card fees collected in excess of budget for offsetting expenditures associated with charge card fees, \$2,032.00
  - o. Funds received for dividends and interest for the Human Services Building project, \$3,507.18

Total Supplemental Appropriation: \$ (88,028.29) Total  
\$ 88,028.29 Money-in/Money-out

- 5. Inter-Departmental Budget Transfers
  - a. *Schools*: \$5,300 from Transportation Office Equipment to School Bus Garage Non Loan exp
  - b. *Vehicle Maintenance Facility*: \$1,051.64 from Appropriation of funds from prior years to School Bus Garage Non Loan exp
  - c. *Community Development*: \$2,770 from Zoning to Environmental line items
  - d. *Circuit Court*: \$9,250 from Permanent Records to Unemployment Compensation
  - e. *Training*: \$13,345 from training contingency to Clerk of the Board, Board of Supervisors, Financial Services, Building Development, Judge Hoover, Fire-Rescue, Sheriff's Office, E-911, IT, Community Development, CSA and Social Services
- 6. Treasurer's Report: Cash in Bank as of November, 2008: \$24,540,793.40

Mr. Trout moved to approve the Consent Agenda as presented, and that it be made a part of the record. The members were polled:

James H. Burrell	Aye
Stran L. Trout	Aye
Thomas W. Evelyn	Aye
David M. Sparks	Aye
W. R. Davis, Jr.	Aye

The motion carried.

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IN RE: CITIZENS COMMENT PERIOD

Chairman Davis opened the Citizens Comment Period.

Doug Dill spoke in support of changing to a biennial assessment, and expressed his hope that the County staff who would be performing those assessments were well-qualified and certified, and not new employees that had to be hired and trained. He also spoke in support of the County's using the former middle school for School Board offices and other County uses and not building something new. He indicated that he supported the idea of a Town Hall meeting where citizens would have an opportunity to approach the Board and get answers to their questions. He ended by wishing the Board a Happy New Year and thanking them for their services.

William Hodges urged the Board not to change the zoning ordinance, commenting that it had worked well for years and was easily understood, and he felt that the proposed amendments would "leave room for misunderstanding" and lead to legal problems. He stated that he would like to see a change in the assessment process that would make it easier for citizens to contest assessments "without having to jump through so many hoops".

George Oden spoke in support of the upcoming Town Hall meeting and encouraged a special emphasis on "things coming up" and how the County stood on some of those issues so that the citizens could offer some different opinions. He spoke in support of changing to a two-year assessment for the next cycle so that the mistakes made in the last assessment could be remedied as soon as possible, but encouraged the Board to return to a four-year assessment cycle thereafter. He complained that the current laws regarding assessment and equalization were written to protect the government and not the property owners.

There being no one else signed up to speak, the Citizens Comment Period was closed.

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IN RE: RESIDENCY ADMINISTRATOR'S REPORT

Torrence Robinson, Residency Administrator with the Sandston Residency of the Virginia Department of Transportation, reported on issues regarding roads in New Kent County.

He indicated that routine maintenance during the month had included brush cutting, the monitoring of beaver dams, drainage reconditioning work in Plum Point, dead animal pickup, litter pick-up, sweeping of intersections, continuing ditch clean-up on St. Peters Lane, and regulatory sign maintenance.

He reported that another full-fledged speed study would be conducted on Route 249 in the area of the Quinton Food Lion shopping center, which would take about 45 days to complete. He explained that he had hoped to avoid having another study done, but that he was continuing to emphasize some of the factors that supported a lowering of the speed limit. Mr. Sparks asked that he be advised when the study was taking place.

Mr. Robinson advised that they had inspected reported areas on Henpeck Road and would remove any trees deemed to be dangerous.

He indicated that they were working with CSX to repair the railroad crossing on South Waterside Drive.

Mr. Trout asked if New Kent had any "shovel ready" projects, notably the work needed on South Waterside Drive at Fannies Creek, which would qualify for some of the federal economic stimulus programs anticipated with the inauguration of the new President. Mr. Robinson indicated that the Fannie's Creek project would not qualify as "shovel ready" in that there had only been some engineering estimates done on various options, but no

detailed analysis of what could or should be done. Mr. Trout indicated that the funding may "come about in a hurry" and it would be best to be prepared with some projects that would qualify.

Mr. Evelyn reported a large tree located in the VDOT right-of-way on Old Church Road that was obscuring the line of sight and should be removed. He indicated that he would be in touch with Mr. Robinson regarding some documents he had shared with him on Lockwood Road.

Mr. Davis spoke about the numerous missing street name signs around the County. It was confirmed that it was the County's responsibility to maintain the street signs and that there was E-911 funding available. Residents were encouraged to report missing or damaged signs so that they could be replaced.

Mr. Davis commended Mr. Robinson for the work being done in Plum Point.

Mr. Sparks asked Mr. Robinson to look at the placement of speed limit signs along Route 60 in the area of the new Bloom supermarket in Bottoms Bridge.

Board members thanked Mr. Robinson for his consistent prompt attention to issues in New Kent.

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IN RE: DISTRICT APPOINTMENTS

The Board continued to make district appointments to various boards and commissions.

Mr. Evelyn moved to appoint Debbie Downs as District One's representative to the Historic Commission to serve a four-year term ending December 31, 2012.

Mr. Sparks moved to appoint Jefferson Ellet as District Two's representative to the Historic Commission to serve a four-year term ending December 31, 2012.

Mr. Sparks moved to appoint Clarence Tiller as a District Two representative to the Planning Commission to serve a four-year term ending December 31, 2012.

Mr. Sparks moved to appoint Claude Baldwin as District Two's representative to the Board of Road Viewers to serve a one-year term ending December 31, 2009.

Mr. Sparks moved to appoint Pete Sweet as a District Two representative to the Transportation Safety Commission to serve a four-year term ending December 31, 2012.

Mr. Burrell moved to appoint Vicki Sprigg as District Three's representative to the Clean County Commission to serve a four-year term ending December 31, 2012.

The members were polled:

Stran L. Trout	Aye
Thomas W. Evelyn	Aye
David M. Sparks	Aye
James H. Burrell	Aye
W. R. Davis, Jr.	Aye

The motions carried.

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IN RE:           NON-DISTRICT APPOINTMENTS

The Board continued to make non-district appointments to various boards and commissions.

Mr. Trout moved to appoint George Fisher as an at-large member of the Agricultural and Forestal District Advisory Committee to serve a four-year term ending December 31, 2012.

Mr. Trout moved to appoint Carolyn Ito as a New Kent representative to the Chickahominy Disability Services Board to serve a term ending June 30, 2009.

Mr. Trout moved to appoint Pete Sweet as New Kent's alternate representative to the MPO Citizens Transportation Advisory Committee to complete a term ending December 31, 2009.

Mr. Evelyn moved to appoint Thomas Garthwright as an at-large member of the Agricultural and Forestal District Advisory Committee to serve a four-year term ending December 31, 2012.

Mr. Evelyn moved to appoint Richard Ellyson as a representative to the Farms of New Kent Community Development Authority Board to serve a four-year term ending December 31, 2012.

Mr. Davis moved to appoint Diane Walls as at-large member of the Clean County Committee to serve a four-year term ending December 31, 2012.

The members were polled:

Thomas W. Evelyn	Aye
David M. Sparks	Aye
James H. Burrell	Aye
Stran L. Trout	Aye
W. R. Davis, Jr.	Aye

The motions carried.

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IN RE:           BOARD APPOINTMENTS

After discussion on various boards and commissions on which Board members would serve, several appointments were made.

Mr. Burrell moved to appoint W. R. Davis, Jr. as the Board representative to the Agricultural and Forestal District Advisory Committee to serve a one-year term ending December 31, 2009.

Mr. Davis moved to appoint David M. Sparks as the Board representative to the Airport Advisory Commission to serve a one-year term ending December 31, 2009.

Mr. Evelyn moved to appoint Stran L. Trout as the Board representative to the Historic Commission to serve a one-year term ending December 31, 2009.

Mr. Davis moved to appoint Thomas W. Evelyn as the Board representative to the Parks & Recreation Advisory Commission to serve a one-year term ending December 31, 2009.

Mr. Davis moved to appoint James H. Burrell as the Board representative to the Planning Commission to serve a one-year term ending December 31, 2009.

Mr. Evelyn moved to appoint David M. Sparks as the Board representative to the Social Services Advisory Board to serve a one-year term ending December 31, 2009.

Mr. Trout moved to appoint James H. Burrell as the Board representative to the Transportation Safety Commission to serve a one-year term ending December 31, 2009.

Mr. Trout moved to appoint James H. Burrell as New Kent's Director of Emergency Management to serve a one-year term ending December 31, 2009, as required by Virginia Code Section 44-146.19.

Mr. Davis appointed Thomas Evelyn as New Kent's Board representative to the consortium Board of the Capital Region Workforce Partnership to serve a one-year term ending December 31, 2009.

Mr. Davis moved to appoint David M. Sparks as New Kent's Board representative to the Chickahominy District Health Advisory Board to serve a one-year term ending December 31, 2009.

The members were polled:

David M. Sparks	Aye
James H. Burrell	Aye
Stran L. Trout	Aye
Thomas W. Evelyn	Aye
W. R. Davis, Jr.	Aye

The motions carried.

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IN RE: ELECTED OFFICIALS' REPORTS

Mr. Trout announced details about an upcoming production by a local theatrical group.

Mr. Davis recognized the larger-than-normal turnout and encouraged citizens to continue to be invested in their local government.

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IN RE: STAFF REPORTS

Mr. Budesky reported that earlier in the day, the County had dedicated its new Vehicle Maintenance Facility and he commended General Services Director James Tacosa and his staff for continuing to bring County projects in on time and under budget. It was announced that staff from another locality had been to visit the facility on a number of occasions and was so impressed that they planned to duplicate it.

Mr. Budesky also corrected information that had been given previously regarding the park and ride lot in Bottoms Bridge. He reported that VDOT had decided not to stripe the lot because it would result in only two additional spaces and would not be worth the cost; however, Community Development Director George Homewood had been working with RideFinders and both the Food Lion and Bloom had agreed to serve as park and ride sites.

The Board took a short break and then resumed the meeting at 7 p.m.

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IN RE:                    AMENDMENTS TO THE ZONING ORDINANCE AND ZONING MAP

Before the Board for consideration was Ordinance O-15-08 amending Chapter 98 of the New Kent County Code and the County zoning map, following a public hearing that was held on December 8, 2008, and continued to this meeting to afford opportunity for further comment from the public.

Planning Manager Rodney Hathaway explained that the amendments represented completion of the first phase of the zoning ordinance rewrite process and would establish three new zoning classifications to replace five existing business and industrial classifications. He indicated that the amendments included general lot requirements for each classification and a list of definitions, and would also amend the zoning map to incorporate those changes. He advised that staff had attempted to address all of the issues that were brought up at the last meeting and as a result had added to the proposed ordinance a list of the properties being reclassified as well as those that were being partially rezoned. He reported that staff had received some requests since the last notice of public hearing, copies of which had been shared with the Board. He indicated that staff was recommending adoption of Resolution R-04-09 which would waive the rezoning application fees for property owners impacted by the comprehensive zoning map amendment in order to deal with those late-received requests and would give all affected property owners an opportunity to request a different zoning without having to pay the normal fees, as long as they submitted an application by June 30, 2009. He confirmed that this would include those owners whose property had been up-zoned.

He reported that of the County's 16,000 parcels, 433 were being proposed for rezoning. He indicated that of the nine properties being down-zoned, three were owned by the County. He advised that County staff had heard concerns from only one property owner and that owner was comfortable with having until June 30 to try to work out their issues.

He indicated that there were some changes that were needed to the ordinance before it was adopted. The first was to remove Tax Map Parcels 28-27A and 28-43 which were not advertised, and to change Tax Map Parcel 26-105D from Industrial to Economic Opportunity.

There was also discussion regarding some confusion in the zoning classification of Tax Map Parcel 3-10-I. Mr. Evelyn indicated that the property owners and the Zoning Ordinance Rewrite (ZORC) Chairman were of the opinion that it was zoned as industrial. Mr. Hathaway explained that this issue was just recently brought to staff's attention and there was some confusion as to the actual zoning, and that additional time was needed to examine the records to determine the status and make a proper recommendation. Following discussion, it was agreed that the best way to handle that issue was to include the owner of that tax map parcel as eligible for the fee waiver granted by Resolution R-04-09, which would give them the ability to apply to the County for a rezoning through normal channels but without the fees.

Mr. Sparks asked if all owners of affected parcels had been notified of these proceedings. Mr. Hathaway advised that all had received multiple notices by first class mail. He also identified by tax map parcel numbers and owners name those properties proposed for partial rezoning:

19-52, Danfield, Inc.  
19-54, Milton Davis Estate  
23-15, Cedar Hill-New Kent LC  
24-4-B, New Kent Courthouse Village  
28-22J, Vranian Henry, Jr. et als  
46-4A, Lenoir Andrews L and Eliz T  
8-44A, John Richardson and Lillian L. Richardson

It was confirmed that the request from the owner of the SPF properties would be one of those that would be included in the fee waiver granted by the proposed Resolution.

The Chairman opened the Public Hearing.

John Jay Schwartz, a commercial real estate consultant for SPF Investments, spoke about an emerging theme of "buying American" and how manufacturers wanted to be close to their suppliers. He indicated that there was an increased need for industrial properties and he felt that his client's property on Route 106 was in a prime location. He indicated that the M-1 zoning classification was easily recognized and should be retained.

Alan Shaia spoke on behalf of SPF, indicating that he would prefer that the zoning on their property remain M-1 but if the Board proceeded forward with the new classifications, he had presented what he believed would be the better portion of the parcel to be Economic Opportunity, with the remaining large portion to remain Industrial.

William Walsh spoke on behalf of Cedar Hill-New Kent LC, indicating that his clients proposed to deal with the zoning on their parcel located east of the Route 249/Route 155 intersection during the period before June 30. He stated that he felt that offering rezoning fee waivers for those impacted was an excellent way to deal with the issues and he thanked the County for its cooperation.

Tom Waltz indicated that he was partners with his father and brothers in the ownership of some agriculturally-zoned property between Route 33 and Polish Town Road. He admitted that they just learned of the comprehensive rezoning process and had not yet talked with staff. He described the mixed uses in the area around their parcel and suggested that a more appropriate classification for their property would be Village rather than Agricultural.

Mr. Hathaway advised that Mr. Waltz and his partners would not be covered under the waiver of fees, but he felt that this was a good time for them to talk to staff and to look at the Comprehensive Plan and the vision for that area.

Mr. Summers agreed, but reminded that the classification of Village did not yet exist and until the ZORC completed the next phase of the process, there was nothing to address at this time; however, he did agree it was the right time for Mr. Waltz and his partners to begin discussions with staff.

There being no one else signed up to speak, the Public Hearing was closed.

Mr. Trout indicated that he had been contacted by owners of property not included in the comprehensive rezoning who wanted their property to be zoned Economic Opportunity but felt they had been left out of the process and that they didn't know enough about it. He indicated that this might be more widespread than indicated but it was obviously too late to address other than through the regular rezoning process. He went on to say that he felt

the County had given more notice on this process than usual and he felt that the opportunity had been there for anyone who wanted to take advantage of it.

Mr. Davis clarified that anyone not covered under the proposed resolution would have to go through the regular rezoning process. He noted that would give adjacent property owners the opportunity to be able to provide some input. He stated that he felt that the proposed amendments "looked good" from a County planning perspective and from a ZORC perspective, but he realized that "you are never able to make everyone happy all the time".

Mr. Evelyn agreed, noting that there was much less concern about this amendment in comparison to the previous attempt three years earlier.

Mr. Summers commented that the proposed amendment was three years' worth of work by staff and the ZORC, and everyone had spent a lot of time and focus on trying to "get it right" and even though it was fairly broad, it would not fit some and that was the reason for the proposed resolution. He stated that all of the ZORC meetings were noticed and open to the public, as well as the Board of Supervisors hearings, and that the process had received a lot of press coverage, and he did not know what more staff could have done to educate the property owners as to what was going on. He indicated that at some point, a decision had to be made.

Mr. Sparks agreed, stating that although the proposed changes were not perfect, they were "pretty good" and the Board could make changes in the future as problems surfaced.

Mr. Burrell moved to adopt Ordinance O-15-08(R1) with the following changes: removal of parcels 28-27A and 28-43 and changing the designation of parcel 26-105D from Industrial to Economic Opportunity. There being no further discussion, the members were polled:

James H. Burrell	Aye
Stran L. Trout	Aye
Thomas W. Evelyn	Aye
David M. Sparks	Aye
W. R. Davis, Jr.	Aye

The motion carried.

Mr. Davis read aloud proposed Resolution R-04-09 for the benefit of those in attendance.

Mr. Evelyn moved to adopt Resolution R-04-09, a Resolution waiving rezoning application fees for property owners impacted by the comprehensive zoning map amendment, with the following change: adding the owner of Tax Map Parcel 3-10-1. There was no further discussion and the members were polled:

Stran L. Trout	Aye
Thomas W. Evelyn	Aye
David M. Sparks	Aye
James H. Burrell	Aye
W. R. Davis, Jr.	Aye

The motion carried.

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IN RE: PHILBATES REZONING APPLICATION

Before the Board for consideration was Ordinance O-09-08, adoption of which would approve an application filed by George and Rebecca Philbates to rezone approximately four acres on New Kent Highway from A-1, Agricultural to B-2, Business Limited, in order to construct a mini-storage facility and an outside area for storage of recreational vehicles. The matter initially came before the Board at a work session on April 29, 2008, prior to public hearing, at which time the applicants requested a deferral in order to amend their application.

Planner Kelli Le Duc reported that in light of the action just taken by the Board, Mr. and Mrs. Philbates wanted to withdraw their rezoning application.

Mr. Summers advised that as the applicants had stated their intent to withdraw their application, the Board was prevented under State law from taking any action.

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IN RE: PARK USE ORDINANCE

Before the Board for consideration was Ordinance O-01-09 adopting a Park Use Ordinance to establish rules and regulations regarding the use of parks, trails and facilities owned by New Kent County.

Parks & Recreation Manager Kim Turner reviewed some of the comments that had been received regarding the ordinance, at which time it was discovered that the ordinance sent to the Board was the wrong version. Mr. Summers advised that because there was defective notice, the Board could not proceed with the public hearing.

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IN RE: BIENNIAL ASSESSMENTS AND EQUALIZATION

Before the Board for consideration was Ordinance O-02-09 to amend and re-adopt Chapter 66, Article II of the New Kent County Code to add Section 66-38 adopting biennial assessments and equalization, and Resolution R-02-09 to provide for the biennial assessment of real estate by the Commissioner of Revenue.

County Attorney Jeff Summers recounted that in previous years' budget discussions, the Board had decided to move assessments from being handled by outside vendors to the Commissioner of Revenue. He indicated that staff had been hired and trained and the process was ready to commence, but adoption of the proposed ordinance and resolution were needed in order to move forward.

It was noted that had this process been instituted earlier, the County would not have had the problems that it did with the last reassessment. Mr. Davis explained that some of the Board members had been in favor of this change for some time but that the last reassessment had spurred action.

The Chairman opened the Public Hearing.

There being no one signed up to speak, the Public Hearing was closed.

Mr. Burrell moved to adopt Ordinance O-02-09 as presented. There being no discussion, the members were polled:

Thomas W. Evelyn	Aye
David M. Sparks	Aye
James H. Burrell	Aye
Stran L. Trout	Aye
W. R. Davis, Jr.	Aye

Mr. Sparks moved to adopt Resolution R-02-09 as presented. There being no discussion, the members were polled:

David M. Sparks	Aye
James H. Burrell	Aye
Stran L. Trout	Aye
Thomas W. Evelyn	Aye
W. R. Davis, Jr.	Aye

The motion carried.

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IN RE: MEETING SCHEDULE

Chairman Davis announced that the next meeting of the Board of Supervisors would be held at 6:00 p.m. on February 9, 2009, and the next work session at 3:00 p.m. on January 28, 2009, both in the Boardroom of the County Administration Building, New Kent, Virginia.

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IN RE: ADJOURNMENT

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

James H. Burrell	Aye
Stran L. Trout	Aye
Thomas W. Evelyn	Aye
David M. Sparks	Aye
W. R. Davis, Jr.	Aye

The motion carried.

The meeting was adjourned at 7:47 p.m.