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NEW KENT COUNTY BOARD OF SUPERVISORS
Wednesday, November 14, 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. Davis moved to approve the Consent Agenda as presented and that it be made a part of the record, with 2.c. removed. Vote was 5:0, motion carried.

PRESENTATIONS

- *Recycling – The Honorable James H. Burrell*

INTRODUCTION OF NEW STAFF

Vanessa Livingstone, Social Service Director
Jessica Marshall, Social Work Supervisor
Tiffany Elam, Benefit Program Specialist II
Danny Burns, Building Inspector

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

CITIZENS' COMMENT PERIOD (3 minutes/person)

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-15-12 amending Appendix A – Fee Schedule, of the New Kent County code to provide incentives for commercial development projects by temporarily suspending the collection of certain planning, environmental, and building permit fees for commercial applications – *Acting County Administrator Rodney A. Hathaway*

Action: Mr. Evelyn moved to adopt Ordinance O-15-12, as presented. Vote was 5:0, motion carried.

ITEM 2 PUBLIC HEARING – Consideration of a request to dispose of 0.298 acres of surplus real property in the Bottoms Bridge area identified as

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tax map parcel no. 19-66D, a former well lot that has been vacated and returned to its natural state - – *Acting County Administrator Rodney A. Hathaway*

Action: Mr. Tiller moved to approve the request to dispose of 0.298 acres of surplus real property by sale behind the Kentwood Shopping Center in Bottoms Bridge, identified as tax map parcel no. 19-66D. Vote was 4:0:1 (Mr. Evelyn recused and abstained), motion carried.

ELECTED OFFICIALS' REPORTS

STAFF REPORTS

APPOINTMENTS

Action: Mr. Evelyn moved to nominate Tony Wood for Circuit Court appointment as an alternate member of the Board of Zoning Appeals to complete a term ending December 31, 2015. Vote was 5:0, motion carried.

CLOSED SESSION

Action: Mr. Tiller moved to go into Closed Session pursuant to Section 2.2-3711A.6 of the Code of Virginia for discussion or consideration of the investment of public funds where competition or bargaining is involved where, if made public initially, the financial interest of the county would be adversely affected 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 come out of Closed Session. Vote was 5:0, motion carried.

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

ADDED ITEMS

Action: Mr. Evelyn moved to approve the contract with Sanders construction in the sum of \$731,166.54 for the Airport Obstruction Removal project. (Item 2.c. removed earlier from the Consent Agenda) Vote was 5:0, motion carried.

Action: Mr. Evelyn moved to accept the unsolicited proposal (for an addition to the Sheriff's Annex Impound Building) for the purpose of publication and conceptual-phase consideration. Vote was 5:0, motion carried.

MEETING SCHEDULE: The next regularly scheduled meeting of the Board of Supervisors will be held at 6:00 p.m. on Monday, December 10, 2012, and the next work session at 8:30 a.m. on Wednesday, November 28, 2012, both in the Boardroom of the County Administration Building.

ADJOURNMENT

Action: Mr. Davis moved to adjourn the meeting. Vote was 5:0, motion carried.

Meeting was adjourned at 8:04 p.m.

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. Work Session of September 26, 2012
 - b. Business Meeting of October 9, 2012

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2. Miscellaneous

- a. Change order in the amount of \$4,990 to the contract with Williamsburg Environmental Group for the sidewalk project
- b. PPEA Contract with Marengo Management Corporation in the sum of \$1,848,496 for renovations the South Building of the Historic School
- c. Contract with Sanders Construction in the sum of \$731,166.54 for the Airport Obstruction Removal project *(Note: This item was removed prior to vote on the motion to approve the Consent Agenda and voted on as a separate item at the end of the meeting)*

3. Refunds

- a. \$1,930.60 to Donald R. Roden for erroneous assessment

4. FY13 Supplemental Appropriations

- a. Animal Shelter donations, \$777.10
- b. Program income received for FY13 from CDBG Plum Point grant participants, \$738.43
- c. Funds received from insurance proceeds, \$5,361.51
- d. Funds received for gifts and donations, \$2,560.00
- e. Miscellaneous recovered costs, \$7,618.50
- f. Funds received for reimbursement, \$55.00
- g. Grant funds received for selective enforcement - alcohol, \$20,629.88
- h. Grant funds received for selective enforcement – speed, \$10,775.77
- i. Grant funds received for selective enforcement – occupant, \$5,651.63
- j. Asset forfeiture funds (Commonwealth’s Attorney) for computer, \$1,874.60
- k. Clean County/Litter Fund, \$7,216.00

\$ 63,258.42	Total
\$(59,011.54)	Total In/Out
\$ (2,372.28)	From General Fund fund balance
\$ (1,874.60)	From Fund 7 fund balance

5. FY13 Carry Forward Appropriations

- a. Various FY12 Funds for the Fire Department, \$435,063.35
- b. Donations for the Animal Shelter, \$14,217.29

\$ 449,280.64	Total
\$(449,280.64)	From General Fund (1) fund balance

6. FY13 Interdepartmental Budget Transfers

- a. *Planning*: \$278.00 from Reserved for Contingency to Richmond Regional Planning District Commission
- b. *Board of Supervisors*: \$2,000 from Reserved for Contingency to Professional Services
- c. *Schools*: \$1,305.94 FROM Appropriations of Funds from Prior Years to Furniture
- d. *Parks & Recreation/General Services*: \$30,000 from Park Development – County funds to Extension Bldg-Restroom Ren

7. Treasurer’s Report: Cash as of September 2012: \$26,682,567.24

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