

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 10TH DAY OF DECEMBER IN THE YEAR TWO THOUSAND TWELVE IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 6:00 P.M.

IN RE: CALL TO ORDER

Chairman Burrell called the meeting to order.

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

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

IN RE: ROLL CALL

Thomas W. Evelyn	Present
C. Thomas Tiller, Jr.	Present
James H. Burrell	Present
Ron Stiers	Present
W. R. Davis, Jr.	Present

All members were present.

IN RE: CONSENT AGENDA

The Consent Agenda was presented as follows:

1. Approval of Minutes
 - a. Work Session of October 31, 2012
 - b. Special Meeting of November 8, 2012
 - c. Business Meeting of November 14, 2012
2. Miscellaneous
 - a. Abstracts of Votes from the November 6, 2012 General Election, for recording in the Board of Supervisors minutes book
 - b. Renewal of the lease for Lanexa Station 4
 - c. Resolution R-52-12 requesting acceptance of streets in Oakmont Villas, Phase III, into the state system
 - d. Resolution R-53-12 setting the January 2013 meeting date
 - e. Special Project Service Agreement with Central Virginia Waste Management for Vegetative Debris Processing and Removal Services during emergency disaster recovery
3. Refunds
 - a. \$3,124.41 to Marengo Management Corporation for balance of PPEA fee
 - b. \$90.00 to Mrs. Anne Davis for a withdrawn RPA modification application
 - c. \$2,861.68 to Virginia Concessions LLC for error in reporting meals tax receipts
 - d. \$2,435.42 to Golden Services, Inc. for overpayments on gross receipts
4. FY13 Supplemental Appropriations
 - a. Program income received for FY13 from CDBG Plum Point grant participants, \$1,674.18
 - b. Funds received from insurance proceeds, \$500.00
 - c. Miscellaneous recovered costs, \$5,488.22
 - d. Unsolicited PPEA funds from Harlan Construction, \$410.00

- e. Funds received from vending machine sales for employee Christmas parties, \$619.53
- f. Funds received from Extension from outside sources for sponsorship of programs, \$225.00
- g. Funds received for gifts and donations, \$200.00

\$ 9,116.93 Total
\$(9,116.93) Total In/Out

- 5. FY13 Interdepartmental Budget Transfers
 - a. *Schools*: \$85,338.00 from School Buses to Motor Vehicles-Schools
 - b. *Circuit Court Clerk*: \$20.00 from Professional Services to Overtime
 - c. *Schools*: \$6,375.00 from Appropriations of Funds from Prior Years to Schools Misc Improv/Equip
 - d. *Board of Supervisors*: \$112 from Sheriff's Office for PPEA advertising costs
- 6. Treasurer's Report: Cash as of October 2012: \$27,843,887.65

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

Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
James H. Burrell	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye

The motion carried.

IN RE: RESIDENCY ADMINISTRATOR REPORT

Mike Cade, Residency Administrator, Virginia Department of Transportation (VDOT) reported on road issues in New Kent.

He reviewed maintenance activities during the past 30 days that included asphalt patching, clean-outs of pipes and drop inlets, routine sign maintenance, maintenance of non-hard surface roads, inmate crew litter pickup, sight distance work, and continued mowing of the secondary routes. He advised that work planned for the next month would include pothole repairs, non-hard surface road maintenance, shoulder repairs, sign maintenance, tree and debris removal, inmate litter pickup, and completion of the last mowing cycle. He did report that all materials were in place to begin improvements on South Waterside Drive as soon as the needed permits from the Army Corps of Engineers were received.

He reported on permits under review, as well as traffic studies and special requests that had been received. He reported that a study of conditions at Interstate Exit 214 (Route 155) found no justification for the installation of rumble strips, as had been requested by the Transportation Safety Commission. Regarding a suggestion to convert Route 629 into a one-way street, he advised that a review showed no operational problems but they would install some additional signs. He indicated that 45 mph speed limit signs had been or would soon be posted on Adkins Road, between Route 60 and the Charles City County line, and that Plum Point Road had been found to be too narrow for centerline striping.

Mr. Burrell thanked Mr. Cade and VDOT staff for continued timely responses to requests.

IN RE: CITIZENS COMMENT PERIOD

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

IN RE: COMPREHENSIVE ANNUAL FINANCIAL REPORT

Anne B. Wall, Member, Robinson Farmer Cox Associates, presented the Comprehensive Annual Financial Report (CAFR) resulting from the recent audit of Fiscal Year 2012. She explained that local governments were required to undergo an audit each year, and that New Kent's report reflected "unqualified" or clean opinions in all three areas. The first opinion was that New Kent's financial statements were material correct and presented within generally accepted accounting standards; the second was compliance with internal controls; and the third was compliance with standards required in connection with federal program dollars received. She explained that certain programs had been selected for audit, which included two from the Schools, as well as a public assistance grant received after the Hurricane Irene and a SAFER grant, and it had been found that compliance requirements had been followed.

She reminded that New Kent had received a Certificate of Achievement from the Government Financial Officer Association for the past eight years and would again apply for that certificate for FY12.

She reported excellent cooperation from the staff, including but not limited to Financial Services, Treasurer's Office, School Board, Commissioner of Revenue, and Social Services. She noted that there had been a few suggested adjusting entries which had been posted, and that a comment had been made regarding the need for the Economic Development Authority to better formalize its accounting reports.

She indicated that there were no new accounting standards that were applicable to FY12, but spoke about new reporting requirements (GASB68) for FY15 that related to pensions, which could lead to negative asset reporting. There was discussion regarding information in a recent newspaper article.

She offered to answer questions after the Board members had an opportunity to review the final report.

Mr. Burrell commended Financial Services Director Mary Altemus and her staff for their hard work.

IN RE: ELECTED OFFICIALS' REPORTS

Treasurer Norma Holmes reported a quiet tax collection cycle and that her staff was still working on payments received by mail.

Mr. Burrell announced that earlier in the day Rodney Hathaway had been appointed County Administrator effective December 16, 2012, and welcomed him to his new post.

Mr. Hathaway thanked the Board as well as the community for the support, positive comments and words of encouragement, and expressed his intention to serve "to the best of my ability".

Mr. Burrell provided details on a substance abuse program being held at the high school later in the evening, and extended holiday wishes to the citizens.

Mr. Evelyn welcomed Mr. Hathaway to his new position, and shared how helpful he had been to him when he served on the Planning Commission. He expressed holiday wishes to the community, reminding citizens to remember the less fortunate.

Mr. Tiller also welcomed Mr. Hathaway, commenting that he felt appointing him as County Administrator was "good thing for New Kent".

Mr. Stiers shared information about events from the previous weekend, and also welcomed Mr. Hathaway, whom he remarked "had done a good job and deserved it". He also extended holiday wishes.

Mr. Davis welcomed Mr. Hathaway as well, commenting that "he's worked here long enough, knows what we want and what the County needs". He also expressed holiday wishes and asked citizens to remember those less fortunate.

IN RE: STAFF REPORTS

Mr. Hathaway reported that New Kent had just received notice that it would be receiving the distinguished budget presentation award from GFOA. He gave special thanks and congratulations to the Financial Services Department and indicated that a formal presentation would be made once the award had been received.

IN RE: APPOINTMENTS

The Board made district appointments as follows:

- Mr. Evelyn moved to appoint Patricia Townsend as a District One representative to the Planning Commission to serve a four-year term beginning January 1, 2013 and ending December 31, 2016.
- Mr. Evelyn moved to appoint George Tate as District One's representative to the Board of Road Viewers to serve a one-year term beginning January 1, 2013 and ending December 31, 2013.
- Mr. Tiller moved to appoint Katherine Butler as a District Two representative to the Planning Commission to serve a four-year term beginning January 1, 2013 and ending December 31, 2016.
- Mr. Burrell moved to appoint Eugene Williams as District Three's representative to the Airport Advisory Commission to serve a four-year term beginning January 1, 2013 and ending December 31, 2016.
- Mr. Burrell moved to appoint Charles Moss as District Three's representative to the Parks and Recreation Advisory Commission to serve a four-year term beginning January 1, 2013 and ending December 31, 2016.
- Mr. Burrell moved to appoint Charna Gregory as a District Three representative to the Planning Commission to serve a four-year term beginning January 1, 2013 and ending December 31, 2016.

- Mr. Burrell moved to appoint James Moody as District Three's representative to the Board of Road Viewers to serve a one-year term beginning January 1, 2013 and ending December 31, 2013.
- Mr. Stiers moved to appoint William O'Keefe as District Four's representative to the Economic Development Authority to serve a four-year term beginning January 1, 2013 and ending December 31, 2016.
- Mr. Stiers moved to appoint Bobby Weagley as District Four's representative to the Board of Road Viewers to serve a one-year term beginning January 1, 2013 and ending December 31, 2013.
- Mr. Davis moved to appoint Ronald Lang as District Five's representative to the Board of Road Viewers to serve a one-year term beginning January 1, 2013 and ending December 31, 2013.

The members were polled:

C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
James H. Burrell	Aye

The motions carried.

The Board made appointments to County boards and commissions not designated by district as follows:

- Mr. Evelyn moved to appoint Eric Randolph as an at-large member of the AFD Advisory Committee to serve a four-year term beginning January 1, 2013 and ending December 31, 2016.
- Mr. Evelyn moved to appoint Thomas Garthwright as an at-large member of the AFD Advisory Committee to serve a four-year term beginning January 1, 2013 and ending December 31, 2016.
- Mr. Evelyn moved to appoint Christine Bridge as an at-large member of the Clean County Committee to serve a four-year term beginning January 1, 2013 and ending December 31, 2016.
- Mr. Evelyn moved to appoint Richard Ellyson as a member of the Farms of New Kent Community Development Authority Board to serve a four-year term beginning January 1, 2013 and ending December 31, 2016.

The members were polled:

Ron Stiers	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
James H. Burrell	Aye

The motions carried.

The Board made citizen appointments to regional boards and commissions as follows:

- Mr. Burrell moved to appoint Barbara Moss as a New Kent representative to the Chickahominy District Health Advisory Board to serve a two-year term beginning January 1, 2013, and ending December 31, 2014.
- Mr. Evelyn moved to appoint Virginia Pauls as a New Kent representative on the Colonial Community Criminal Justice Board to complete a term ending December 31, 2015.

The members were polled:

W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye
James H. Burrell	Aye

The motions carried.

IN RE: LIBERTY LANDING

Before the Board for consideration was Ordinance O-16-12 approving rezoning application ZM-02-12 filed by David Rudiger and Kenneth Merner of Bridgewater Crossing, Inc. to rezone from *Business* to *R-3, Multi-Family Residential* approximately 100 acres of land in the Bottoms Bridge area in order to create a mixed use development with 100,000 square feet of business and commercial space, 344 townhouses and 264 apartments.

Chairman Burrell announced that the County had received a request from the applicant asking that the public hearing be deferred for 90 days; however, if the Board granted that request, it would take comments from anyone who wanted to speak.

Mr. Evelyn moved to grant the request for deferral dated December 7, 2012 on Rezoning ZM-02-12. The members were polled:

Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Nay
James H. Burrell	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye

The motion carried.

The meeting was then recessed until 7:00 p.m. when it was reconvened to take comments from anyone who had arrived late and signed up to speak at the Public Hearing. Several individuals had signed up but elected not to speak.

IN RE: MEETING SCHEDULE

The Chairman announced that the next meeting of the Board of Supervisors would be held at 6:00 p.m. on January 14, 2013, and that there would be no December work session.

IN RE: ADJOURNMENT

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

C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
James H. Burrell	Aye

The motion carried. The meeting was adjourned at 7:01 p.m.