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*Approved minutes will be posted after the next regular business meeting*



## NEW KENT COUNTY BOARD OF SUPERVISORS

May 13, 2013, 6:00 p.m.

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

### **ACTION** **AGENDA**

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

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

**ROLL CALL** (all present after Mr. Tiller's arrival at 6:15 p.m.)

#### **CONSENT AGENDA**

Action: Mr. Evelyn moved to approve the Consent Agenda, with requested correction to the minutes, and that it be made a part of the record. Vote was 4:0:1 (Mr. Tiller had not yet arrived), motion carried. Mr. Burrell clarified that his approval of the minutes did not extend to those for the portion of the April 24 meeting at which he was not present.

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

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

#### **CLOSED SESSION**

Action: Mr. Evelyn moved to go into Closed Session pursuant to Section 2.2-3711A.7 of the Code of Virginia for consultation with legal counsel and briefings by staff members 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 involving a neighboring locality, the settlement of a lawsuit, and the CDA, as well as legal advice involving conditional use permits. Vote was 5:0, motion carried.

Action: Mr. Tiller moved to come out of Closed Session. Vote was 5:0, motion carried.

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

#### **ADDED ITEM**

Action: Mr. Burrell moved to recommend that the proposed Consent Order be entered into by the Board of Supervisors authorizing the Chairman to sign the Consent Order with Kenny Wilbourne and move to appropriate \$17,675.31 from the General Fund contingency fund to resolve this matter. 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-02-13 changing certain fees charged for County services and updating the content of Appendix A (Fee Schedule) in the New Kent County Code – County Administrator Rodney A. Hathaway

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- ITEM 2 PUBLIC HEARING** – Proposed Ordinance O-03-13 to impose tax levies on real and personal property for the 2013/2014 tax year – *County Administrator Rodney A. Hathaway*
- ITEM 3 PUBLIC HEARING** – Proposed FY14 budget – *County Administrator Rodney A. Hathaway*
- ITEM 4 PUBLIC HEARING** – Consideration of Resolution R-11-13 approving conditional use permit application CUP-02-13 filed by Wilco Hess LLC to develop a Travel Plaza on Emmaus Church Road, south of Interstate 64 at Exit 211 - *Planning Manager Kelli Le Duc*

**Action:** Mr. Tiller moved to direct staff to look at a comprehensive study of the feasibility of improvements at 106, and meeting with all potential businesses and owners, and further moved to defer action on the proposed CUP and revisit it at the June 10 meeting. Vote was 5:0, motion carried.

**ELECTED OFFICIALS’ REPORTS**

**STAFF REPORTS**

**APPOINTMENTS**

**MEETING SCHEDULE:** The next regularly scheduled meeting of the Board of Supervisors will be held at 6:00 p.m. on June 10, 2013, and the next work session at 9:00 a.m. on May 29, 2013, both in the Boardroom of the County Admin.

**ADJOURNMENT**

**Action:** Mr. Burrell moved to adjourn. The meeting was adjourned at 9:32 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. March 27, 2013 work session minutes
  - b. April 8, 2013 business meeting minutes
  - c. April 16, 2013 special budget meeting minutes
  - d. April 24, 2013 work session minutes
- 2. Miscellaneous**
  - a. First Addendum to the Special Project Service Agreement with Central Virginia Waste Management Authority for collecting, transporting and processing used electronic equipment
  - b. Contract with Jacosoft, LLC for Reverse 911 services
- 3. Refunds**
  - a. \$4,594.32 to Tim Bishop for erroneous assessment
  - b. \$53.62 to Simmons Electrical Services for canceled permit
  - c. \$61.87 to Simmons Electrical Services for canceled permit
  - d. \$1,317.54 to Eric Baker for 2013 BPOL renewal error

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**4. FY13 Carry Forward Appropriations**

- a. Parks & Recreation FY12 end-of-year balance, \$7,016.83

\$ 7,016.83	Total
\$(7,016.83)	From Gen Fund fund balance

**5. FY13 Supplemental Appropriations**

- a. Program income received for FY13 from CDBG Plum Point grant, \$977.36  
b. Funds received from insurance proceeds – fire, \$4,738.64  
c. Miscellaneous recovered costs – Sheriff, \$82.71  
d. Donations for the Animal Shelter, \$910.00  
e. Funds received by Extension from outside sources for sponsorship of programs, \$2,743.00  
f. Funds received for Parks & Recreation, \$5,968.00  
g. Funds reimbursed by the Commonwealth of Virginia for extradition, \$351.12  
h. Seller proceeds – property exchange funds, \$54,997.80  
i. School Textbook Fund fund balance, \$208,148.00

\$ 278,916.63	Total
\$( 70,768.63)	Total In/Out
\$(208,148.00)	From Fund 206 fund balance

**6. Interdepartmental Budget Transfers**

- a. *School Board Office:* \$6,012 from Appropriation of funds from prior years to Furniture  
b. *County Administration/Clerk of the Board:* \$700 to Parks & Recreation for printing of the newsletter as a part of the P&R Guide  
c. *Building Development:* \$1,151 from Books & Subscriptions to Vehicle Acquisition  
d. *School Board Office:* \$820 from Travel NKES – Reg Ed Elem to Mis Services NKES-Media Services  
e. *General Services:* \$3,500 from Electric Service to Salaries & Wages

**7. Treasurer's Report:** Cash as of March 2013: \$39,042,431.74

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