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



## **NEW KENT COUNTY BOARD OF SUPERVISORS**

**February 9, 2015, 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** (Invocation led by Mr. Burrell – Pledge of Allegiance led by Christopher Martell and Rick Wood with Scout Troop 562)

**ROLL CALL** (All members were present.)

#### **CONSENT AGENDA**

**Action:** Mr. Davis moved to amend the minutes of the January 28, 2015 work session. Vote was 5:0, motion carried.

**Action:** Mr. Burrell moved to approve the Consent Agenda and that it be made a part of the record, including those previously approved amendments to the January 28, 2015 minutes. Vote was 5:0, motion carried.

**PRESENTATION** of Resolution R-05-15 to Ms. Josephine Pemberton upon the occasion of her retirement as a Heritage Public Library Volunteer  
**Mr. Burrell presented Ms. Josephine Pemberton with a Resolution adopted by the Board on January 12, 2015 recognizing her thirty-three and one half years as a Heritage Public Library volunteer.**

**RESIDENCY ADMINISTRATOR'S REPORT** – Chad Baker, Maintenance Superintendent, 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.29 of the Code of Virginia for discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board involving a public safety county wide radio system and 2.2-3711A.7 of the Code of Virginia for consultation with legal counsel employed by the Board regarding specific legal matters requiring the provision of legal advice by such counsel involving contract negotiations and the airport obstruction removal project. Vote was 5:0, motion carried.

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

**Action:** Mr. Davis made the certification of Closed Session. 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*

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**ITEM 1 PUBLIC HEARING** – Resolution R-08-15 allowing Colonial Downs to host accessory events and uses at the facility whether or not the facility holds a pari-mutuel horseracing license from the Virginia Racing Commission – *Planning Manager Kelli Le Duc*

**Action:** Mr. Davis moved to adopt Resolution R-08-15 (R1), amending an existing CUP to allow Colonial Downs to host accessory events at the facility without a horseracing license. Vote was 5:0, motion carried.

**Action:** Mr. Davis indicated he had misspoken in his previous motion and moved that the Board reconsider the previous motion. Vote was 5:0, motion carried.

**Action:** Mr. Evelyn moved to adopt Resolution R-08-15, amending an existing CUP to allow Colonial Downs to host accessory events at the facility without a horseracing license for a period of one year. Vote was 5:0, motion carried.

**ITEM 2 PUBLIC HEARING** – Ordinance O-03-15 approving amendments to Sections 91-128 and 98-871 of the New Kent Code modifying the exception process for commercial and industrial subdivisions from an administrative procedure to a legislative procedure – *Community Development Director Matthew Smolnik*

**Action:** Mr. Evelyn moved to adopt Ordinance O-13-15, in order to address, protect, and promote public convenience, necessity, general welfare, and good zoning practices in the County and the health, safety, and general welfare of the citizens in the County. Vote was 3:2, (Ayes: Davis, Burrell & Evelyn; Nays: Stiers & Tiller), motion carried.

**ELECTED OFFICIALS' REPORTS**

**STAFF REPORTS**

**OTHER BUSINESS**

**APPOINTMENTS**

District Appointments:

Mr. Evelyn moved to appoint Fred Kuester, Jr. as District One's representative to the Airport Advisory Commission to serve a four-year term beginning January 1, 2015 and ending December 31, 2018.

Mr. Burrell moved to appoint Patricia Paige as District Three's representative to the Clean County Commission to complete a term and ending December 31, 2016.

Mr. Stiers moved to appoint Kenneth Hislop as a District Four representative to the Transportation Safety Commission Board to complete a term ending December 31, 2015. Vote was 5:0, motion carried.

Board Member/Staff Appointments:

Mr. Davis move to appoint James H. Burrell as the Board representative to the Historic Commission to serve a one year term beginning January 1, 2015 and ending December 31, 2015.

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, March 9, 2015, and the next work session at 9:00 a.m. on February 25, 2015, both in the Boardroom of the County Admin Building.

**ADJOURNMENT**

**Action:** Mr. Evelyn moved to continue the meeting until February 23, 2015 at 7:30 a.m. starting at New Kent Courthouse and traveling to Lynchburg, Virginia. Vote was 5:0, motion carried. The meeting was suspended at 7:54 p.m.

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