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NEW KENT COUNTY BOARD OF SUPERVISORS

July 6, 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 (led by Mr. Burrell)

ROLL CALL (All members were present.)

CONSENT AGENDA

Action: Mr. Burrell moved to approve the Consent Agenda as amended and that it be made a part of the record. Vote was 5:0, motion carried.

SMALL BUSINESS CLOSE UP

SPECIAL RECOGNITIONS – Recognition of Jennifer Murray, President of LaSertoma International by Board Chairman C. Thomas Tiller, Jr.

- Recognition of Sheriff F.W. "Wakie" Howard, Jr. by Third District Senator Thomas K. Norment

RESIDENCY ADMINISTRATOR'S REPORT – Chad Baker, Maintenance Superintendent, Virginia Department of Transportation

CITIZENS' COMMENT PERIOD (3 minutes/person)

ITEM 1 **New Kent Parks and Recreation Presentation** – Director of Parks and Recreation Kim Turner, Park Operations Supervisor Jason Baldwin and Recreation Programmer Robyn Smith

ITEM 2 **Addition of the Bottoms Bridge Corridor Overlay District to the New Kent County Code** – Consideration of Ordinance O-07-15 - Community Development Director Matthew J. Smolnik

Action: Mr. Burrell moved to adopt Ordinance O-07-15, with recommended amendments to Section 98-1069(b)(2) regarding roof signs, 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 of the County. Vote was 4:1, (ayes – Burrell, Stiers, Evelyn and Tiller, Nays – Davis), motion carried.

ITEM 3 **New Kent County Public Schools – Tennis Courts Engineering** – New Kent County Public Schools Superintendent Dr. David Myers

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Action: Mr. Evelyn moved to authorize the expenditure of \$23,900 in Capital Funds for engineering services to be provided by SilverCore in preparation for tennis courts to be built at New Kent High School. 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 4 PUBLIC HEARING – Consideration of Parent Child Development Corporation Lease – *County Administrator Rodney A. Hathaway*

Action: Mr. Davis moved to approve the proposed lease between New Kent County and Parent Child Development Corporation for the purpose of leasing space at the New Kent County Historic School to operate the New Kent Head Start program. Vote was 5:0, motion carried.

ITEM 5 PUBLIC HEARING – Consideration of Rappahannock Community College Lease – *County Administrator Rodney A. Hathaway*

Action: Mr. Burrell moved to approve the proposed lease between New Kent County and Rappahannock Community College for the purpose of operating a community college facility at the New Kent Historic School building and the approval of the deletion of the provision allowing either party to terminate the lease at any time for convenience by providing a minimum of six months' notice. Vote was 4:0:1 with Mr. Davis abstaining, motion carried.

ITEM 6 PUBLIC HEARING – Consideration of New Kent Aviation Lease – *Airport Manager Duane B. Goss*

Action: Mr. Evelyn moved to approve the proposed lease between New Kent County and New Kent Aviation, LLC for the purpose of operating a business providing a variety of aviation services in the specified facilities located at the New Kent Airport. Vote was 5:0, motion carried.

ITEM 7 PUBLIC HEARING – Consideration of Ordinance O-12-15, Rezoning Tax Map Parcel 31-12F from A-1, Agricultural to R-1, Single Family Residential – *Planning Manager Kelli Le Duc and Mrs. Sharon Traylor, Applicant*

Action: Mr. Davis moved to not approve Ordinance O-12-15. Vote was 5:0, motion carried.

ITEM 8 PUBLIC HEARING – Consideration of Resolution R-21-15 approving application AFD-001-15 filed by Christopher S. Schultz to add tax map parcel 25-32, approximately 51 acres, to the Cooks Mill AFD – *Environmental Planning Manager Matt Venable*

Action: Mr. Evelyn moved to approve Resolution R-21-15, AFD-001-15 filed by Christopher S. Schultz to add 51 acres to the Cooks Mill AFD. Vote was 5:0, motion carried.

ITEM 9 PUBLIC HEARING – Consideration of Resolution R-22-15 approving application AFD-002-15 filed by Allen D. Schultz to add tax map parcel 25-33, approximately 96.5 acres, to the Cooks Mill AFD – *Environmental Planning Manager Matt Venable*

Action: Mr. Evelyn moved to approve Resolution R-22-15, AFD-002-15 filed by Allen Duane Schultz to add 96.5 acres to the Cooks Mill AFD. Vote was 5:0, motion carried.

ITEM 10 PUBLIC HEARING – Consideration of Resolution R-23-15 approving application AFD-003-15 filed by Timothy and Rebecca Salavejus to add tax map parcels 37-18, approximately 11 acres, and 37-18A, approximately 10 acres, to the Mill Creek AFD – *Environmental Planning Manager Matt Venable*

Action: Mr. Davis moved to defer action on Resolution R-23-15, AFD-003-15 filed by Timothy and Rebecca Salavejus to add 22 acres to the Mill Creek AFD until such time as definitive evidence of the property use as pasture is provided. Vote was 5:0, motion carried.

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ITEM 11 PUBLIC HEARING – Consideration of Resolution R-24-15 approving application AFD-004-15 filed by James and Regina Talley to add tax map parcel 31-16-A, approximately 47 acres, to the Schiminoe Creek AFD – *Environmental Planning Manager Matt Venable*

Action: **Mr. Burrell moved to approve Resolution R-24-15, AFD-004-15 filed by James and Regina Talley to add 48 acres to the Schiminoe Creek AFD.** Vote was 5:0, motion carried.

ITEM 12 PUBLIC HEARING – Consideration of Resolution R-25-15 approving application AFD-005-15 filed by Kevin Culpepper, Jr. to add tax map parcels 36-4-7, approximately 12 acres, and 36-4-11, approximately 21 acres, to the Wahrani Swamp AFD – *Environmental Planning Manager Matt Venable*

Action: **Mr. Evelyn moved to approve Resolution R-25-15, AFD-005-15 filed by Kevin L. Culpepper, Jr. to add 34 acres to the Wahrani Swamp AFD.** Vote was 5:0, motion carried.

ITEM 13 PUBLIC HEARING – Consideration of Resolution R-26-15 approving application AFD-006-15 filed by Timothy and Rebecca Salavejus to add tax map parcel 37-18B, approximately 27 acres, to the Wahrani Swamp AFD – *Environmental Planning Manager Matt Venable*

Action: **Mr. Davis moved to approve Resolution R-26-15, AFD-006-15 filed by Timothy and Rebecca Salavejus to add 27 acres to the Wahrani Swamp AFD.** Vote was 5:0, motion carried.

ITEM 14 PUBLIC HEARING – Consideration of Resolution R-27-15 approving application AFD-010-15 filed by Susan O. Harwood to add tax map parcel 36-37, approximately 84 acres, to the Wahrani Swamp AFD – *Environmental Planning Manager Matt Venable*

Action: **Mr. Davis moved to deny approval of Resolution R-27-15, AFD-010-15 filed by Susan O. Harwood to add 84 acres to the Wahrani Swamp AFD.** Vote was 3:2 (ayes – Burrell, Davis and Evelyn, Nays – Stiers and Tiller), motion carried.

ITEM 15 PUBLIC HEARING – Consideration of Resolution R-28-15 approving application AFD-007-15 to recreate/continue the Higgins Swamp Agricultural and Forestal District for a period of ten years – *Environmental Planning Manager Matt Venable*

Action: **Mr. Davis moved to approve Resolution R-28-15, AFD-007-15, to recreate the Higgins Swamp Agricultural and Forestal District with the exception of 30.6 acres of nonqualified agriculture in tax map parcel 8-31 and 6.3 acres of nonqualified timber in tax map parcel 19-31F.** Vote was 5:0, motion carried.

ITEM 16 PUBLIC HEARING – Consideration of Resolution R-29-15 approving application AFD-008-15 to recreate/continue the Pelham Swamp Agricultural and Forestal District for a period of ten years – *Environmental Planning Manager Matt Venable*

Action: **Mr. Stiers moved to approve Resolution R-29-15, AFD-008-15, to recreate the Pelham Swamp Agricultural and Forestal District.** Vote was 5:0, motion carried.

ITEM 17 PUBLIC HEARING – Consideration of Resolution R-30-15 approving application AFD-009-15 to recreate/continue the Putney Creek Agricultural and Forestal District for a period of ten years – *Environmental Planning Manager Matt Venable*

Action: **Mr. Davis moved to approve Resolution R-30-15, AFD-009-15 to recreate the Putney Creek Agricultural and Forestal District.** Vote was 5:0, motion carried.

ELECTED OFFICIALS' REPORTS

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STAFF REPORTS

OTHER BUSINESS

APPOINTMENTS

Action: Mr. Burrell moved to appoint Sharon Jordan as District Three's representative to the Social Services Advisory Board to serve a term beginning on July 1, 2015 and ending June 30, 2019. 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, August 10, 2015, and the next work session at 9:00 a.m. on Wednesday, July 29, 2015, both in the Boardroom of the County Administration Building. There is currently no work session scheduled for August.

ADJOURNMENT

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

Meeting was adjourned at 9:31 p.m.

CONSENT AGENDA

- 1. Approval of Minutes**
 - a. June 8, 2015 Business Meeting minutes
 - b. June 24, 2015 Work Session Meeting minutes

- 2. Miscellaneous**
 - a. Acceptance of Clear Stone Drive into the Secondary System of State Highways – Resolution R-19-15
 - b. Emergency Procurement – Robert W. Hayes Co. Inc. – HVAC equipment - \$2,681.43
 - c. Sole Source Procurement – Aqua-Aerobic Systems, Inc. – maintenance services - \$22,530.00
 - d. Approval of Winter Wheat Lane as a new street name

- 3. Refunds**
 - a. \$351.75 to Ryan Homes – Canceled BP#19677-2014
 - b. \$45.75 to Virginia Propane Inc. – Canceled BP#19765-2015
 - c. \$441.99 to Shiflett's Carpet & Upholstery Inc. – Canceled BP#19816-2015
 - d. \$5,407.67 to Donald L. and Nancy C. Kagey – Erroneous tax assessment

- 4. FY15 Supplemental Appropriations**
 - a. Program income received for FY15 from CDBG Plum Point Grant Participants (June 2015), \$618.00
 - b. Donations for the Animal Shelter, \$927.00
 - c. Sponsorship Revenue to Parks & Recreation: NKYA-Baseball Account, \$2,032.00
 - d. Gifts & Donations to New Kent Fire Rescue, TRUIST, \$42.00
 - e. Utility Funds (Fund 98) to cover additional expenses for Debt Trustee Administration Fees, \$2,650.00
 - f. Funds related to the Sheriff's Office Security Detail from New Elam Baptist Church on 5/30/15, (\$255.17), from New Kent Chamber of Commerce for

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Wine Festival Security and Traffic on 5/9/15, (\$1,500.00) from Chickahominy Recreational Park Inc. MDW 2015 Event, (\$330.66), from The Rotary Club of New Kent – Security Detail for Car Show on 4/11/15, (\$1,198.64), \$3,284.47

- g. Funds from School Operating Contingency Funds to School Textbook Fund, \$100,000.00
- h. 2015 Historical BMP Data Cleanup Grant-15, \$25,000.00
- i. Clerk of the Circuit Court State Technology Trust Fund Funds received in excess of budget, \$5,933.28
- j. Unemployment Compensation Funds, \$1,745.00
- k. DMV Animal Friendly License Plate Sale, (\$520.47) and Spay/Neuter Income Tax Donations, (\$31.35) to the Sheriff's Dog & Cat Sterilization Fund line item, \$551.82

\$42,783.57	Total
\$(13,388.57)	Total In/Out – General Fund (1)
\$(25,000.00)	Total In/Out – Grant Fund (6)
\$(100,000.00)	Total In/Out – Sch Oper Fund (205)
\$100,000.00	Total In/Out – Sch Textbook Fund (206)
\$(1,745.00)	From General Fund – Fund Balance (1)
\$(2,650.00)	From Utilities Fund – Fund Bal (98)

5. FY16 Supplemental Appropriations

- a. Multidisciplinary Team (MDT) Professional Development Scholarship Program Funds from the Federal Office for Victims of Crime for Domestic Violence and Sexual Assault Training, \$4,000.00

\$4,000.00	Total
\$(4,000.00)	Total In/Out – General Fund (1)

6. FY16 Carry Forward Appropriations

- a. Fire-Rescue VML Insurance Recovery Funds Received After Unit 947 was totaled, \$27,583.60.00
- b. Victim Witness Travel Funds (Convention & Education), \$2,000.00
- c. Data Networking Infrastructure Funds to Replace Switching Equipment Installed in 2006, \$74,497.30

\$104,080.90	Total
\$(29,583.60)	From Gen Fund Fund Balance
\$(74,497.30)	From Fund 7 Fund Balance

7. Interdepartmental Budget Transfers

- a. County Administrator: From Public Safety Radio Sys-800 MHz to Fed Engineering-On Call Tech Support, (\$100,000)
- b. County Administrator: From Reserved for Contingency to Richmond Regional Planning Commission, (\$965)
- c. Administration: From Historic School Campus Renovation to LRG Construction, (\$3,532)
- d. IT: From Data Center Improvements to MIS Upgrades, (\$85,000)
- e. County Administrator: From Reserved for Contingency to Postage (Equalization Board), (\$6.20)

8. Treasurer's Report: Cash as of May 2015, \$31,673,076.77

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