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NEW KENT COUNTY BOARD OF SUPERVISORS

December 14, 2015, 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. Burrell)

Action: Mr. Tiller moved that in recognition and appreciation of Mr. Burrell's 24 years of service to the New Kent County Board of Supervisors, that Mr. James H. Burrell shall serve as Chairman and preside over tonight's meeting. Vote was 4:0:1 with Mr. Burrell abstaining, motion carried.

ROLL CALL (All members were present.)

CONSENT AGENDA

Action: Mr. Evelyn moved to approve the Consent Agenda including amending Resolution R-41-15 (chartering the New Kent County Broadband Advisory Committee), item f. under Membership to read "New Kent County Chamber of Commerce President or designee" and that it be made a part of the record. Vote was 5:0, motion carried.

SMALL BUSINESS CLOSE UP

RESIDENCY ADMINISTRATOR'S REPORT – Virginia Department of Transportation

CITIZENS' COMMENT PERIOD (3 minutes/person)

ITEM 1 **Chiefs of Police Law Enforcement Awards Presentation** – Executive Director of the Virginia Association of Chiefs of Police Dana Schrad

ITEM 2 **Presentation of Lifesaving Awards** – New Kent County Sheriff F. W. "Wakie" Howard, Jr.

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 3 **PUBLIC HEARING – R-37-15 - Love's Travel Stops and Country Stores Conditional Use Permit (Application CUP-02-15)** (located on a portion of Tax Map & Parcel 21-88) – Planning Manager Kelli LeDuc, Community Development Director Matthew Smolnik and Representatives from Love's Travel Stops and Country Stores

Action: Mr. Burrell moved to adopt Resolution R-37-15 approving a Conditional Use Permit Application (CUP-02-15), Theater Square, LLC and Loves Travel Stops and Country Stores, Inc., to authorize the construction of a travel center located on a portion of Tax Map 21-88 and that

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the permit be amended to state that Love's will obtain a Certificate of Occupancy within three years from the date of this approval. Vote was 5:0, motion carried.

ELECTED OFFICIALS' REPORTS

Action: Mr. Tiller moved that the Board schedule a Public Hearing to discuss the question of whether to repeal an ordinance (46-52) against skiing on Chickahominy Lake. Vote was 3:2 – Ayes - Evelyn, Tiller and Burrell; Nays - Davis and Stiers, motion carried.

STAFF REPORTS

Action: Mr. Stiers moved to include one residential lot owned by Mr. Hayden Van Dyke at 7340 Davis Pond Road to the County's general permit for pump and haul service. He further moved to authorize the County Administrator to enter into a pump and haul agreement with Mr. Van Dyke in a format that has been approved by the County Attorney. Vote was 5:0, motion carried.

OTHER BUSINESS

APPOINTMENTS

District Appointments:

Action: Mr. Evelyn moved to appoint John Bragg as District One's representative to the Wetlands Board/Chesapeake Bay Preservation Board and the Dunes & Beaches Board to serve a five-year term ending December 31, 2020.

Mr. Burrell moved to appoint Herman Burrell, Jr. as District Three's representative to the Transportation Safety Commission to serve a four-year term ending December 31, 2019.

Mr. Burrell moved to appoint James Moody, Sr. as District Three's representative to the Board of Road Viewers to serve a one-year term ending December 31, 2016.

Vote was 5:0, motions carried.

CLOSED SESSION

Action: Mr. Tiller moved to go into Closed Session pursuant to Section 2.2-3711A.3 of the Code of Virginia for the following items:

- A. discussion and consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County involving the Heritage Public Library and
- B. discussion and consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County involving a property located in the Bottoms Bridge area of the County.

Vote was 5:0, motions carried.

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

Action: Mr. Tiller made the certification of Closed Session. 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, January 11, 2016, in the Boardroom of the County Administration Building. The Board of Supervisors will also meet for a joint meeting with the New Kent County Economic Development Authority at 8:30 a.m. on Thursday, December 17, 2016 at Aspen Burger Company located at 11833 Aspengraf Lane, New Kent, Virginia. There will be no December work session.

ADJOURNMENT

Action: Mr. Tiller moved to continue the meeting until Thursday, December 17, 2015 at 8:30 a.m. at Aspen Burger Company located at 11833 Aspengraf Lane, New Kent, Virginia. Vote was 5:0, motion carried.

The meeting was suspended at 9:17 p.m.

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