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NEW KENT COUNTY BOARD OF SUPERVISORS

September 7, 2016, 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 Ms. Paige)

ROLL CALL (All members were present.)

CONSENT AGENDA

Action: **Mr. Davis moved to approve the Consent Agenda as presented 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
Maintenance Operations Manager
Bruce Puffenbarger*

CITIZENS' COMMENT PERIOD (3 minutes/person)

**ITEM 1 National 4-H Week, October 2-8, 2016, Resolution R-44-16 –
Extension Agent Carl Frick**

Action: **Mr. Davis moved to adopt Resolution R-44-16 recognizing October 2-8, 2016 as National 4-H Week in New Kent County.** Vote was 5:0, motion carried.

**ITEM 2 Financing for Construction of Fire Station #5 and
Refunding of 2007 Public Facility Lease Revenue Bond,
Resolution R-43-16 – Davenport & Company Senior Vice President
Ted Cole**

Action: **Mr. Evelyn moved to adopt Resolution R-43-16 to approve financing for the construction of Fire Station #5 and financing to refund the outstanding principal amount of the 2007 Public Facility Lease Revenue Bond subject to final review and approval by the Board at the September 28, 2016 work session.** Vote was 5:0, motion carried.

Action: **Mr. Davis moved to adopt Resolution R-48-16 adopting Design Build Public Procurement Procedures for New Kent County.** Vote was 5:0, motion carried.

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**ITEM 3 New Kent County Emergency Operations Plan Update/
Adoption, Resolution R-47-16 – Fire Chief Rick Opett**

Action: **Deferred to September 28, 2016 work session.**

**ITEM 4 New Kent County Personnel Policies Manual - Proposed
Amendment to General Policy Statement – Fire Chief Rick Opett**

Action: **Mr. Davis moved to amend policy 2.08 of the New Kent County Personnel Policies Manual, titled Introductory Period, to include wording specific to the Fire-Rescue department's introductory and secondary introductory periods to be 365 days. 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 5 PUBLIC HEARING – Application ZM-02-16/Ordinance O-11-16 – Windmill Realtors Rezoning Request from A-1 ,
Agricultural to Business – 2 acres identified as Tax Parcel 21-0-3
(GPIN #L09-4016-2627) – Planning Manager Kelli Le Duc and
Windmill Realtors Owner Ken Pair**

Action: **Mr. Evelyn moved to approve Ordinance O-11-16. Vote was 4:0:1 with Mr. Tiller abstaining, motion carried.**

ELECTED OFFICIALS' REPORTS

STAFF REPORTS

OTHER BUSINESS

APPOINTMENTS

Action: **Mr. Evelyn moved to appoint Rodney Hathaway as New Kent's appointee to the Middle Peninsula Juvenile Detention Commission to complete a term ending June 30, 2018. 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 Tuesday, October 11, 2016. Please note this date was approved and published by the Board on January 11, 2016 and is a departure from the usual second Monday of each month schedule. The next work session will be held at 9:00 a.m. on September 28, 2016. Both meetings will be held in the Boardroom of the County Administration Building.

CLOSED SESSION

Action: **Mr. Davis moved to go into Closed Session pursuant to Section 2.2-3711A.7 of the Code of Virginia for consultation with legal counsel regarding advice on the terms of the contract involving the County's DMV Select site. Vote was 5:0, motion carried**

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

Action: **Mr. Evelyn made the certification of Closed Session. Vote was 5:0, motion carried.**

ADJOURNMENT

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

Meeting was adjourned at 8:03 p.m.

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CONSENT AGENDA

- 1. Approval of Minutes**
 - a. July 27, 2016 Work Session minutes
 - b. August 8, 2016 Business Meeting/Planning Commission minutes

- 2. Miscellaneous**
 - a. Approval of FY 2017 and FY 2018 Community Services Performance Contract – Resolution R-41-16.
 - b. Street Name Approval – “Crestwicke Lane” in Crestwicke Subdivision.
 - c. Street Name Approvals – “Quinton Meadow Court”, “Crumps Run Court”, “Milton Mews Court” and “Davis Glade Court” in Quinton Meadow I & II Subdivision.
 - d. Street Name Approvals – “Creeks Edge Road” and “Whispering Mill Way” in Diascund Creek, Section II, Phase II Subdivision.
 - e. Approval of Contract with Bush Construction Corporation for the construction of the DPU Maintenance and Storage Building.
 - f. Approval of Resolutions R-45-16 and R-46-16 to amend the 1994 Middle Peninsula Juvenile Detention Commission Service Agreement.
 - g. Approval of Emergency Procurement – W.C. Via Enterprises - \$8,673.00.

- 3. Refunds**
 - a. Refund due to Revere Gas, Customer Canceled; BP# 20468-2016, \$45.75.
 - b. Refund due to Simmons Electrical Service, Contractor Not Doing the Work; BP# 20373-2016, \$74.63.
 - c. Refund due to Green Knight Electric LLC, Contractor Canceled; BP# 20684-2016, \$58.13.
 - d. Refund due to Ryan Homes, Contractor Canceled; BP# 20757-2016, \$702.19.

- 4. FY16 Supplemental Appropriations**
 - a. Interest Earned on Sheriff’s Asset Forfeiture Funds, \$0.18.
 - b. FY16 School Nutrition Program Collected Above the Original Estimate, \$134,000.
 - c. Advanced Deposit Wagering Collected in FY16, \$263,238.24.
 - d. Funds received from VML Insurance – Sheriff’s Dept. Veh #304 – DOL 5/23/16, \$24.60.

\$397,263.02	Total
\$(0.18)	Total In/Out – Asset Forfeiture – Sheriff (210)
\$(134,000.00)	Total In/Out – School Nutrition (209)
\$(263,262.84)	Total In/Out – General Fund (1)/Cap Proj. Fund (7)

- 5. FY17 Carry Forward Appropriations**
 - a. To Carry Forward FY16 Kevlar Vest Grant Program, \$767.29.
 - b. To Carry Forward FY16 Fire/Rescue Funds (Fund 1), Four For Life Grant Funds (\$27,742.37), Lease/Rent Equipment – EMS Equipment Shop,

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- (\$211.50), Public Education Donations, (\$4,762.63), State Fire Programs Fund, (\$22,397.61), Janitorial Supplies & Services, (\$97.20), Uniforms & Wearing Apparel, (\$5,992.58), Operation Supplies – EMS Equipment Shop, (\$202.00), Machinery & Equipment – All Fire Departments, (\$3,199.00), Turn-Out Gear Replacement, (\$12,963.00) and Machinery & Equipment – VA Dominion Power Funds, (\$12,671.70), \$90,239.59.
- c. To Carry Forward FY16 Fire/Rescue Funds (Fund 7), Ambulance Replacement, (\$614,638.02) and Vehicle Acquisition – Fire/EMS, (\$53,720.94), \$668,358.96.
 - d. To Carry Forward FY16 Fire/Rescue Funds (Fund 800), Fire/Rescue, (\$1,099.98 and Radio Equipment – Sheriff and Fire, (\$3,299.94), \$4,399.92.
 - e. To Carry Forward FY16 Sheriff’s Office Funds (Fund 1), Food & Serving Supplies, (\$200.00), Police Supplies, (\$12,000.00), Honor Guard Supplies, (\$150.00), K-9 Materials & Supplies, (\$1,800.00) and Veterinarian Services, (\$36,667.31), \$50,817.31.
 - f. To Carry Forward FY16 Sheriff’s Office Funds (Fund 6), Selective Enforcement – Alcohol – PT Salary, (\$5,897.50), Selective Enforcement – Alcohol – Travel/Conv., (\$300.00), Selective Enforcement – Speed – PT Salary, (\$2,327.50) and Selective Enforcement – Occupant – PT Salary, (\$525.00), \$9,050.00.

\$823,633.07	Total
\$(383.65)	Total In/Out – General Fund (1)
\$(141,440.54)	From Fund Balance – Gen Fund (1)
\$(668,358.96)	From Fund Balance – Capital Fund (7)
\$(4,399.92)	From Fund Balance – Computer Fund (800)
\$(9,050.00)	From Fund Balance – Grant Fund (6)

6. FY17 Supplemental Appropriations

- a. Program Income received for FY17 from CDBG Plum Point Grant Participants, \$723.67.
- b. Donations for the Animal Shelter, \$605.00.
- c. Funds received from VML Insurance – Public Utilities – Damage to Fence from Fallen Tree – DOL 7/23/16, \$1,749.00.
- d. Gifts & Donations to New Kent Fire Rescue – Bottom of the Bridge LaSertoma, (\$100.00) and TRUiST, (\$46.14), \$146.14.
- e. Co-Sponsorship and Affiliate Agreement Funds: New Kent Youth Baseball Account, \$3,355.00.
- f. Funds for Ambulance Services at the Dionysus Dash Held at the New Kent Winery on 4/24/16, \$475.00.
- g. Donation from Davenport & Company to New Kent University, \$1,400.00.
- h. Funds for FY17 Historic School Roof Replacement Project, \$349,992.00.
- i. Additional Appropriation to School Construction Set Aside, \$130,100.
- j. Funds received from VML Insurance – Sheriff’s Dept. Veh #308 – DOL 8/8/16, \$2,095.79.

\$490,641.60	Total
\$(138,900.60)	Total In/Out – General Fund (1)
\$(1,749.00)	Total In/Out – Public Utilities (98)
\$(349,992.00)	From Fund Balance – Debt Fund (40)

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7. FY16 Interdepartmental Budget Transfers

- a. Airport – From Fuel Computer Service Contract, \$3.00 to Salaries & Wages, (\$1.00), Retirement – VSRS, (\$1.00) and ST/LT Disability Premium, (\$1.00), \$3.00.
- b. Building Inspections – From Gasoline to Retirement – VSRS, \$1.00.
- c. Buildings & Grounds – From Electric Service, \$6,594.00 to Salaries & Wages, (\$6,403.00) and Hospital/Medical Plans, (191.00), \$6,594.00.
- d. Central Purchasing – From Postal Cost to be Allocated, \$7,946.00 to Telecommunications, (\$1,170.00), Leased WAN Lines (\$435.00), General Liability Insurance, (\$6,027.00) and Vehicle Supplies – Pool Car, (\$314.00), \$7,946.00.
- e. CSA Administration – From Office Supplies, \$3.00 to Salaries & Wages, (\$1.00), Retirement – VSRS, (\$1.00) and ST/LT Disability Premium, (\$1.00), \$3.00.
- f. Circuit Court – From Mileage, \$439.00 to Hospital/Medical Plans, (\$438.00) and Retirement - VRS, (\$1.00), \$439.00.
- g. Clerk of the Board – From Travel (Convention & Education), \$450.00 to Salaries & Wages, (\$1.00), Overtime, (\$330.00), Retirement – VSRS, (\$1.00) and Hospital/Medical Plans, (\$118.00), \$450.00.
- h. Clerk of the Circuit Court – From Salaries & Wages (\$7,815.00) and Contingency \$26,250.76), \$34,065.76 to P.T. Circuit Court Clerk, (7,500.00), Overtime, (\$315.00) and Permanent Record Expenditures, (26,250.76), \$34,065.76.
- i. Community Development Administration – Books & Subscriptions, \$54.00 to Salaries & Wages, (\$1.00), VRS, (\$1.00), Hospital/Medical Plans, (\$51.00) and ST/LT Disability Premium, (\$1.00), \$54.00.
- j. Commissioner of the Revenue – From Education, (\$4,836.00) and Office Supplies, (\$2,500.00), \$7,336.00 to Professional Services, (\$1,990.00), Computer Supplies, (\$1,490.00) Telecommunication Equip., (\$2.00), Vehicle Repairs & Maintenance, (\$730.00), Books and Subscriptions, (\$624.00), Maintenance Service Contracts, (\$328.00) and Postage, (\$2,172.00), \$7,336.00.
- k. Commissioner of the Revenue – From Salaries & Wages, \$5,060.00 to Part-Time Salaries & Wages, (\$4,932.00) and ST/LT Disability Premium, (\$128.00), \$5,060.00.
- l. Commonwealth Attorney – From Contingency, \$3,092.00 to Grant Funded Wages, (\$2,692.00), FICA/Medicare, (\$314.00) and Hospital/Medical Plans, (\$86.00), \$3,092.00.
- m. County Sewer Reclaim System – From Lab Supplies, \$1,098.00 to Overtime, (\$535.00) and On-Call Pay, (\$563.00), \$1,098.00.
- n. Economic Development – From Repairs & Maintenance (\$602.01), Advertising (\$2,742.00), Postal Services (\$414.55), Dues & Associations (\$450.00) and Prospect Development (\$599.86), \$4,808.42 To Overtime (\$2,226.96), Part Time Salaries (\$1,468.60), Retirement – VSRS (\$0.16), Hospital/Medical Plans (\$30.00), Travel (\$493.08), Office Supplies (\$111.02) and Books & Subscriptions (\$478.60), \$4,808.42.
- o. Economic Development – From Advertising to Part-Time Salaries & Wages, \$407.00.
- p. Environmental – Community Development – From Salaries & Wages to Part-Time Salaries & Wages, \$54,863.00.
- q. Financial Services – From Salaries & Wages to Hospital/Medical Plans, \$126.00.

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- r. Fire-Rescue – From Salaries (\$48,125.65), Vehicle Fuel (\$26,200.00), Medical Plans (\$13,621.00), Heating Services (\$12,560.58), Workers Compensation (\$9,916.00), Professional Services (\$8,993.00) Mach. Equip. SCBA (\$7,000.00) Medical Plans (\$6,684.00) Part Time Salaries (\$5,834.35) Retirement (\$5,476.00), Medicare (\$4,107.00) Printing & Binding (\$3,934.85) and OSHA Compliance (\$3,549.00), \$156,001.43 to Salaries (\$48,125.65) and Overtime (\$107,875.78), \$156,001.43.
- s. Fire-Rescue – From Repair Portable Equipment (\$905.41), Promotional Materials (\$1,500.00), Repairs & Maint. Sml. Eng. (\$1,500.00), Postage (\$1,543.46), Life Insurance (\$1,285.00), Repairs & Maint. Extrication (\$1,000.00), Maint. Serv. Contr. EMS (\$1,028.06), Operation Supplies Sm. Eng. (\$1,000.00), LODA (\$298.83), Workers Compensation (\$376.50), LODA (\$78.17), Workers Compensation (\$11.83), Maint. Serv. Contr. EMS (\$29.71), \$10,556.97 to Part Time Overtime (\$905.41), FICA/Medicare (\$7,856.52), Retirement (\$1,298.83), LODA (\$376.50), Professional Services (\$90.00) and Electric (\$29.71), \$10,556.97.
- t. Fire-Rescue – From Repairs & Maintenance (\$4,213.00), Lease/Rental of Bldgs. (\$3,500.00), Operations Supplies Hose (\$3,575.00), Uniforms & Wearing Apparel (\$2,972.02), Repair & Maint. Supplies (\$2,617.98), LODA Vol. & Auxiliary (\$2,574.00), Maint. Serv. Cont. Dry Hydrant (\$2,400.00), Repair & Maint. EMS (\$2,000.00), Repair & Maint. Dry Hydrant (\$1,900.00), Repair & Maint. SCBA (\$1,900.00), Travel Convention & Education (\$1,675.00), Telecommunications (\$600.00) and Advertisements (\$1,705.00), \$31,632.00 to Overtime, \$31,632.00.
- u. Fire-Rescue – From Operations Supplies SCBA (\$1,200.00), Advertisements (\$1,000.00), Books & Subscriptions (\$760.30), Mach. & Equip. EMS (\$274.62), Haz-Mat Response Equipment (\$769.80), Travel Convention & Education (\$744.30), Street Signs (\$1,540.01) and Group Life Insurance (\$709.00), \$6,998.03 to Maint. Service Contracts (\$2,960.30), Telecommunications (\$245.89), Telecommunications Equipment (\$24.22), Leased WAN Lines (\$1,485.00), Vehicle Maintenance (\$29.10) and Machine & Equipment Fire-EMS (\$2,253.52), \$6,998.03.
- v. Human Resources – From Travel (Convention & Education), \$53.00 to Hospital/Medical Plans, (\$52.00) and St/LT Disability Premium, (\$1.00), \$53.00.
- w. Parham Landing Sewer – From On-Call Pay, \$5,257.00 to Overtime, (\$5,256.00) and St/LT Disability Premium, (\$1.00), \$5,257.00.
- x. Parham Landing Sewer – From On-Call Pay, \$226.00 to Salaries & Wages, (\$192.00) and Hospital/Medical Plan, (\$34.00), \$226.00.
- y. Parks & Recreation Administration – From Mileage to Retirement - VSRS, \$1.00.
- z. Planning – From Travel (Convention & Education), \$1,111.00 to H S A Contribution – Employer, (\$1,000.00) and ST/LT Disability Premium, (\$111.00), \$1,111.00.
- aa. Refuse Collection – From Overtime/Refuse Sites, \$2,657.00 to Salaries & Wages, (\$100.00), Overtime, (\$443.00), Part-time Salaries & Wages, (\$2,110.00) and Retirement - VSRS, (\$4.00), \$2,657.00.
- bb. Registrar – From Mileage to Part-Time Salaries & Wages, \$392.00.
- cc. Sheriff's Department - From Salaries & Wages to PT Overtime Sheriff Dept., \$4,713.00.
- dd. Sheriff's Department – From Part-time Salaries & Wages to Salaries & Wages – Overtime, \$10,945.00.

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- ee. Sheriff's Department – From Gasoline (\$7,494.00) and Police Supplies (\$96.00), \$7,590.00 to Salaries & Wages (\$3,720.00), Salaries & Wages – Overtime (\$1,824.00) Part-time Overtime (\$374.00), FICA/Medicare (\$311.00), Line of Duty Act LODA (\$188.00), Hospital/Medical Plans (\$99.00), Medical Examinations (\$862.00), Motor Vehicle Insurance (\$116.00), Office Supplies (\$94.00) and Other Operating Supplies (\$2.00), \$7,590.00.
 - ff. Sheriff's Department – From Part-time Salaries & Wages, 22,094.00 to Salaries & Wages – Overtime (\$20,295.00), Retirement – VSRS (\$1,512.00) and ST/LT Disability Premium (\$287.00), \$22,094.00.
 - gg. Sheriff's Department – From Salaries & Wages, \$8,108.00 to Salaries & Wages – Overtime (\$395.00) Selective Enforcement (\$2,319.00), Part-Time Overtime (\$1,272.0), HAS Contribution-Employer (\$4,000.00) and ST/LT Disability Premium (\$122.00), \$8,108.00.
 - hh. Sheriff's Department – From Salaries & Wages Overtime to Professional Services, \$432.00.
 - ii. Social Services – From Advertisements to Part Time Salaries & Wages, \$296.00.
 - jj. Treasurer – From Salaries & Wages to St/LT Disability Premium, \$253.00.
 - kk. Utility Fund – From Electric Service, (\$13,000.00), Repairs & Maintenance (\$8,210.00), Miss Utility, (\$986.00) and Generator Maintenance, (\$2,816.00), \$25,012.00 to Salaries & Wages, (\$18,746.00), Overtime, (\$1,543.00), Retirement – VSRS, (\$1,907.00), FICA/Medicare, (\$745.00), ST/LT Disability Premium, (\$209.00) and Compensated Absences, (\$1,862.00), \$25,012.00.
 - ll. Victim/Witness Assistance – From Mileage, \$115.00 to Salaries & Wages, (\$114.00) and Retirement – VSRS, (\$1.00), \$115.00.
 - mm. VA Wireless E-911 – From Contingency, \$404.00 to Salaries & Wages, (\$209.00), Retirement – VSRS, (\$167.00) and Hospital/Medical Plans, (\$28.00), \$404.00
- 8. FY17 Interdepartmental Budget Transfers**
- a. County Administrator – From Reserved for Contingency, \$4,845.00 to Selective Enforcement (\$4,500.00) and FICA/Medicare (\$345.00), \$4,845.00.
 - b. County Administrator – From Reserved for Contingency, \$5,455.00 to Salaries & Wages, (\$4,459.00), Salaries & Wages – Overtime, (\$201.00), FICA/Medicare, (\$342.00), Retirement – VSRS, (\$389.00), Group Life Insurance, (\$59.00) and Workers' Compensation, (\$5.00), \$5,455.00.
 - c. County Administrator – From Reserved for Contingency, \$7,687.50 to ADP Equipment, (\$2,867.50) and Part-Time Salaries & Wages, (\$4,472.00), FICA/Medicare, (\$343.00) and Workers Compensation, (\$5.00), \$7,687.50.
- 9. Treasurer's Report:** Cash as of July 2016, \$31,902,761.38

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