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NEW KENT COUNTY BOARD OF SUPERVISORS

July 11, 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 amended (7.c. and 7.d. were listed as FY16 transactions and should have been listed as FY17 transactions), and that it be made a part of the record. Vote was 5:0, motion carried.

SMALL BUSINESS CLOSE UP

RESIDENCY ADMINISTRATOR'S REPORT – David Christoph, Assistant Residency Administrator for Incident Management, Va. Dept. of Transportation

CITIZENS' COMMENT PERIOD (3 minutes/person)

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

ITEM 2 **Exception Request** – Request submitted by Chester A. Alvis for an exception to Section 91-128(1) of the New Kent County Subdivision Ordinance (Resolution R-19-16) – Community Development Director Matthew J. Smolnik

Action: Mr. Evelyn moved to defer action on this request for an exception to Section 91-128(1) of the New Kent Subdivision Ordinance until the next regular Board meeting. 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 3 PUBLIC HEARING – River City Aviation, LLC – Lease for a portion of the property located at 6901 Terminal Road, Quinton, VA for the operation of a flight school and office – *Airport Manager Duane B. Goss*
Action: Mr. Tiller moved to approve the proposed lease between New Kent County and River City Aviation, LLC for the purpose of operating a business providing general aviation flight training services in the specified facility located at the New Kent County Airport. Vote was 5:0, motion carried.

ITEM 4 PUBLIC HEARING – Golden Age Aero, LLC – Lease for a portion of the property located at 6901 Terminal Road, Quinton, VA for the operation of a general aviation aircraft maintenance service business – *Airport Manager Duane B. Goss*
Action: Mr. Evelyn moved to approve the proposed lease between New Kent County and Golden Age Aero, LLC for the purpose of operating a business providing general aviation aircraft maintenance services in the specified facility located at the New Kent County Airport. Vote was 5:0, motion carried.

ITEM 5 PUBLIC HEARING – Consideration of Resolution R-20-16 approving application AFD-001-16 to recreate/continue the Allen’s Run Agricultural and Forestal District – *Community Development Assistant Sheri L. Wood*
Action: Mr. Davis moved to approve Resolution R-20-16, AFD-001-16, to recreate the Allen’s Run Agricultural and Forestal District consisting of twenty-three parcels totaling approximately 768 acres. Vote was 5:0, motion carried.

ITEM 6 PUBLIC HEARING – Consideration of Resolution R-21-16 approving application AFD-002-16 filed by Broyhill Foundation, Inc. to add tax map parcel 9-37, approximately 977 acres to the Black Creek AFD – *Community Development Assistant Sheri L. Wood*
Action: Mr. Davis moved to approve Resolution R-21-16, AFD-002-16, addition of tax map parcel 9-37 to the Black Creek Agricultural and Forestal District. Vote was 4:0:1 with Mr. Evelyn abstaining, motion carried.

ITEM 7 PUBLIC HEARING – Consideration of Resolution R-22-16 approving application AFD-003-16 filed by William C. Pearson, Jr. to add tax map parcel 10-47, approximately 170 acres to the Black Creek AFD – *Community Development Assistant Sheri L. Wood*
Action: Mr. Davis moved to approve Resolution R-22-16, AFD-003-16, addition of tax map parcel 10-47 to the Black Creek Agricultural and Forestal District. Vote was 5:0, motion carried.

ITEM 8 PUBLIC HEARING – Consideration of Resolution R-23-16 approving application AFD-004-16 filed by John P. Boyle, III to add tax map parcel 1-5, approximately 57 acres to the Cattail Swamp AFD – *Community Development Assistant Sheri L. Wood*
Action: Mr. Evelyn moved to approve Resolution R-23-16, AFD-004-16, addition of tax map parcel 1-5 to the Cattail Swamp Agricultural and Forestal District. Vote was 5:0, motion carried.

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ITEM 9 PUBLIC HEARING – Consideration of Resolution R-24-16 approving application AFD-005-16 to recreate/continue the Cooks Mill Agricultural and Forestal District – *Community Development Assistant Sheri L. Wood*

Action: Mr. Evelyn moved to approve Resolution R-24-16, AFD-005-16, to recreate the Cooks Mill Agricultural and Forestal District with the exception of Tax Map 25-31 belonging to Mr. Bernard J. Canterbury. Vote was 4:0:1 with Mr. Davis abstaining, motion carried.

ITEM 10 PUBLIC HEARING – Consideration of Resolution R-25-16 approving application AFD-006-16 filed by R. Edgar Walls, II to add tax map parcels 45-19, 45-80 and 45-81, approximately 85 acres to the Diascund Creek AFD – *Community Development Assistant Sheri L. Wood*

Action: Mr. Evelyn moved to approve Resolution R-25-16, AFD-006-16, addition of tax map parcels 45-19, 45-80 and 45-81 to the Diascund Creek Agricultural and Forestal District. Vote was 5:0, motion carried.

ITEM 11 PUBLIC HEARING – Consideration of Resolution R-26-16 approving denying application AFD-007-16 filed by Elizabeth W. & Henry Vranian, Jr. et al to add tax map parcels 28-22E, 28-22H, 28-22M, 28B-3-74, 28B-3-77, 28B-3-78, 28B-3-79, 28B-3-80, and 28B-3-81, approximately 33 acres, to the Mill Creek AFD – *Community Development Assistant Sheri L. Wood*

Action: Mr. Davis moved to approve Resolution R-26-16, denying application AFD-007-16, addition of tax map parcels 28-22E, 28-22H, 28-22M, 28B-3-74, 28B-3-77, 28B-3-78, 28B-3-79, 28B-3-80 and 28B-3-81 to the Mill Creek Agricultural and Forestal District. Vote was 5:0, motion carried.

ITEM 12 PUBLIC HEARING – Consideration of Resolution R-27-16 approving application AFD-008-16 filed by Criss Cross Properties, LLC to add tax map parcels 22-62, 22-63, 23-15A, 23-1-5, 23A-1-49, 23-41A and 24-32, approximately 659 acres to the Pelham Swamp AFD – *Community Development Assistant Sheri L. Wood*

Action: Ms. Paige moved to approve Resolution R-27-16, AFD-008-16, addition of tax map parcels 22-62, 22-63, 23-15A, 23-1-5, 23A-1-49, 23-41A and 24-32 to the Pelham Swamp Agricultural and Forestal District. Vote was 5:0, motion carried.

ITEM 13 PUBLIC HEARING – Consideration of Resolution R-28-16 approving application AFD-009-16 filed by Criss Cross Properties, LLC to add tax map parcels 32-5A, 32-37, 32-38, 32-39, 32-41, 32-45, 33-1A, and 33-8, approximately 1,065 acres to the Schiminoe Creek AFD – *Community Development Assistant Sheri L. Wood*

Action: Mr. Tiller moved to approve Resolution R-28-16, AFD-009-16, addition of tax map parcels 32-5A, 32-37, 32-38, 32-39, 32-41, 32-45, 33-1A and 33-8 to the Schiminoe Creek Agricultural and Forestal District. Vote was 5:0, motion carried.

ITEM 14 PUBLIC HEARING – Consideration of Resolution R-29-16 approving application AFD-010-16 filed by Providence Forge Hunt & Fish Club to add tax map parcels 41-18, 41A1-2-4, and 41A1-2-39, approximately 130 acres to the Schiminoe Creek AFD – *Community Development Assistant Sheri L. Wood*

Action: Mr. Davis moved to approve Resolution R-29-16, AFD-010-16, addition of tax map parcels 41-18, 41A1-2-4 and 41A1-2-39 to the Schiminoe Creek Agricultural and Forestal District. Vote was 5:0, motion carried.

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ITEM 15 PUBLIC HEARING – Consideration of Resolution R-30-16 approving application AFD-011-16 filed by Susan O. Harwood to add tax map parcel 36-37, approximately 84 acres to the Wahrani Swamp AFD – Community Development Assistant Sheri L. Wood

Action: Mr. Davis moved to deny Resolution R-30-16, AFD-011-16, addition of tax map parcel 36-37 to the Wahrani Swamp Agricultural and Forestal District. Vote was 5:0, motion carried.

ITEM 16 PUBLIC HEARING – Consideration of Resolution R-31-16 approving application AFD-012-16 filed by Alice B. Clark to add tax map parcels 48A-1-3 and 48A-1-5, approximately 11.55 acres to the York River AFD – Community Development Assistant Sheri L. Wood

Action: Mr. Tiller moved to approve Resolution R-31-16, AFD-012-16, addition of tax map parcels 48A-1-3 and 48A-1-5 to the York River Agricultural and Forestal District. Vote was 5:0, motion carried.

ITEM 17 PUBLIC HEARING – Consideration of Resolution R-32-16 approving application AFD-013-16 filed by Denise M. & William C. Caldwell to add tax map parcel 42-12L, approximately 16 acres to the Big Swamp AFD – Community Development Assistant Sheri L. Wood

Action: Mr. Davis moved to approve Resolution R-32-16, AFD-013-16, addition of tax map parcel 42-12L to the Big Swamp Agricultural and Forestal District. Vote was 5:0, motion carried.

ITEM 18 PUBLIC HEARING – Consideration of Resolution R-33-16 approving application AFD-014-16 filed by Alexander E. White to add tax map parcel 27-1-6, approximately 28 acres to the Cooks Mill AFD – Community Development Assistant Sheri L. Wood

Action: Mr. Davis moved to deny Resolution R-33-16, AFD-014-16, addition of tax map parcel 27-1-6 to the Cooks Mill Agricultural and Forestal District. Vote was 5:0, motion carried.

ITEM 19 PUBLIC HEARING – Consideration of Resolution R-34-16 approving application AFD-015-16 filed by Stitzer-Ingo Company to add tax map parcel 26-57, approximately 34 acres to the Cooks Mill AFD – Community Development Assistant Sheri L. Wood

Action: Mr. Evelyn moved to approve Resolution R-34-16, AFD-015-16, addition of tax map parcel 26-57 to the Cooks Mill Agricultural and Forestal District. Vote was 5:0, motion carried.

ITEM 20 PUBLIC HEARING – Consideration of Resolution R-35-16 approving application AFD-016-16 filed by Diascund Reach Farms, LLC to add tax map parcels 35-10-1, 35-10-2, 35-10-3, 35-10-D and 35-10-E, approximately 43 acres to the Diascund Creek AFD – Community Development Assistant Sheri L. Wood

Action: Mr. Tiller moved to approve Resolution R-35-16, AFD-016-16, addition of tax map parcels 35-10-1, 35-10-2, 35-10-3, 35-10-D and 35-10-E to the Diascund Creek Agricultural and Forestal District. Vote was 4:1, (Ayes – Paige, Davis, Tiller and Stiers; Nays – Evelyn) motion carried.

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ITEM 21 PUBLIC HEARING – Consideration of Resolution R-36-16 approving application AFD-017-16 filed by Jonathan C Kinney Trustee to add tax map parcel 48-9, approximately 95 acres to the York River AFD – Community Development Assistant Sheri L. Wood

Action: Mr. Davis moved to approve Resolution R-36-16, AFD-017-16, addition of tax map parcel 48-9 to the York River Agricultural and Forestal District. Vote was 5:0, motion carried.

ITEM 22 PUBLIC HEARING – Consideration of Resolution R-37-16 approving application AFD-018-16 filed by Jonathan C Kinney Trustee to add tax map parcel 31-31, approximately 213 acres to the Schiminoe Creek AFD – Community Development Assistant Sheri L. Wood

Action: Mr. Evelyn moved to approve Resolution R-37-16, AFD-018-16, addition of tax map parcel 31-31 to the Schiminoe Creek Agricultural and Forestal District. Vote was 5:0, motion carried.

ELECTED OFFICIALS' REPORTS

STAFF REPORTS

Action: Mr. Davis moved to approve the addition of the building at 9101 Pocahontas Trail, Providence Forge to the County's Pump and Haul Permit and to further authorize the County Administrator to enter into a Pump and Haul agreement with Collins Run, LLC, owner of the above reference address, in a format approved by the County Attorney. Vote was 5:0, motion carried.

OTHER BUSINESS

APPOINTMENTS (By District)

Action: Mr. Evelyn moved to appoint Margaret "Peg" Noctor as District One representative to the Heritage Library Board of Trustees to serve a four-year term ending June 30, 2020. Vote was 5:0, motion carried.

APPOINTMENTS (Not By District)

Action: Mr. Evelyn moved to appoint Michelle Gowdy as a member of the Farms of New Kent County Community Development Authority Board to complete a four-year term ending December 30, 2016.

Mr. Davis moved to appoint Larry Clark as the New Kent County representative to the Community Policy and Management Team to serve a one-year term ending June 30, 2017.

Mr. Davis moved to appoint Sandy Brudvig as the private service provider representative to the Community Policy and Management Team to serve a one-year term ending June 30, 2017.

Mr. Davis moved to appoint Dr. Dianne B. Pollard as the New Kent County School representative to the Community Policy and Management Team to serve a one-year term ending June 30, 2017.

Mr. Davis moved to appoint Jon Martz as the Department of Social Services representative to the Community Policy and Management Team to serve a one-year term ending June 30, 2017.

Mr. Davis moved to appoint Aida Zayas as the Department of Health representative to the Community Policy and Management Team to serve a one-year term ending June 30, 2017.

Mr. Davis moved to appoint Bruce Call as the Juvenile Court Service Unit representative to the Community Policy and Management Team to serve a one-year term ending June 30, 2017.

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Mr. Davis moved to appoint Daniel Rigsby as the Community Services Board representative to the Community Policy and Management Team to serve a one-year term ending June 30, 2017.

Mr. Davis moved to appoint Jennie Stolarski as the parent representative to the Community Policy and Management Team to serve a one-year term ending June 30, 2017.

Vote was 5:0, motions carried.

ADDITIONAL APPOINTMENTS (Not By District)

Action: Mr. Tiller moved to appoint Rebecca Ringley as New Kent's representative to the Senior Connections and The Capital Area Agency on Aging Board of Directors to serve a three-year term 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 8, 2016, and the next work session at 9:00 a.m. on July 27, 2016, both in the Boardroom of the County Administration Building.

ADJOURNMENT

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

Meeting was adjourned at 9:20 p.m.

CONSENT AGENDA

- 1. Approval of Minutes**
 - a. June 13, 2016 Business Meeting minutes

- 2. Miscellaneous**
 - a. Approval of Contracts for engineering on-call services
 1. Arcadis U.S., Inc.
 2. Draper Aden Associates
 3. CDM Smith

- 3. Refunds**
 - a. Refund due to BASIC Construction Co, Overpayment of Business License Tax, \$3,517.88.
 - b. Refund due to K. Hovnanian Homes, Customer Canceled Permit; BP# 20206-2015, \$498.75.
 - c. Refund due to Superior Plumbing, Heating & Air Inc., Customer Canceled Permit; BP# 19955-2015, \$136.88.
 - d. Refund due to Ryan Homes, Customer Canceled Permit; BP# 20427-2016, \$417.38.
 - e. Refund due to Ryan Homes, Customer Canceled Permit; BP# 20425-2016, \$594.57.
 - f. Refund due to Ryan Homes, Customer Canceled Permit; BP# 19955-2015, \$396.38.

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4. FY16 Carry Forward Appropriations

- a. To Carry Forward FY15 Hazardous Materials Emergency Preparedness Funds, \$6,500.00.
- b. To Carry Forward FY15 Historical BMP Data Cleanup Grant, \$4,350.00.

5. FY16 Supplemental Appropriations

- a. Program income received for FY16 from CDBG Plum Point Grant Participants, \$1,141.67.
- b. Donations for the Animal Shelter, \$1,233.85.
- c. Extension Program Sponsorship Revenue for the Safe new Kent Event, \$170.35.
- d. VML Insurance – Sheriff’s Dept. (Veh #249) - Date of Loss 5/23/16, \$1,782.85.
- e. Gifts & Donations to New Kent Fire Rescue –TRUIST (\$42.50) and Nan R. Pointer (\$50.00), \$92.50.
- f. Funds Received from Vending Machine Sales – Sheriff’s Office (\$52.79) and Administration (\$205.17), \$257.96.
- g. Security Detail: Chickahominy Recreational Park Inc. T/A Ed Allen’s Campground and Cottages – 6/6/2016 Concert (\$385.98), New Kent High School – Prom and After Prom (\$468.28), Saude Creek Vineyards, LLC – Wine Festival (\$289.49) and New Kent Chamber of Commerce – New Kent Wine Festival, (\$2,034.67) \$3,178.42.
- h. Funds for Ambulance Services at the EMS Rodeo for Quinton Vol Fire & EMS Inc. (\$237.50) and the New Kent Chamber of Commerce Taste of New Kent (\$570.00) \$807.50.
- i. FY17 Grand Illumination – Safe & Sound LLC, \$100.00.
- j. Four For Life Funds for Fire/Rescue, \$22,968.40.
- k. Additional Allocation to the Social Services Department for Family Preservation, \$243.00.
- l. Virginia Telecommunications Planning Initiative Grant, \$75,000.00.
- m. Funds to the Treasurer’s Budget for Minor & Associates, \$15,000.00.
- n. State Funds for Postage for Juvenile & Domestic Relations Court, \$1,000.00.
- o. Insurance recovery Funds Received from VACORP for Damages done to a NKCPSS School Bus, \$62,605.00.
- p. Funds for State Fire Programs Grant, \$5,841.00.

\$191,422.50	Total
\$(38,574.50)	Total In/Out – General Fund (1)
\$(243.00)	Total In/Out – Social Services (2)
\$(75,000.00)	Total In/Out – Grant Fund (6)
\$(62,605.00)	Total In/Out – Capital Improvement Fund (7)
\$(15,000.00)	From Fund Balance – Gen Fund (1)

6. FY17 Supplemental Appropriations

- a. Additional FY 17 Funds Received from the Commonwealth for Victim Witness, \$48,693.00.

\$48,693.00	Total
\$(48,693.00)	Total In/Out – General Fund (1)

7. FY16 Interdepartmental Budget Transfers

- a. Registrar/Electoral Board – From Travel (Convention & Education) to Office Supplies, \$170.75.

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- b. School Board – From Other Operating Supplies to Meals, \$138.22 and From Fuel to Maintenance Service Contract, \$19,000.00.
- ~~c. Sheriff's Office/Administration – From Reserved for Contingency to Selective Enforcement, \$4,500.00 and From Reserved for Contingency to FICA/MEDICARE, \$345.00.~~
- ~~d. Financial Services – From Reserved for Contingency to EDP Equipment, \$5,692.00.~~

8. FY17 Interdepartmental Budget Transfers

- a. Sheriff's Office/Administration – From Reserved for Contingency to Selective Enforcement, \$4,500.00 and From Reserved for Contingency to FICA/MEDICARE, \$345.00.
- b. Financial Services – From Reserved for Contingency to EDP Equipment, \$5,692.00.

9. Treasurer's Report: Cash as of May 2016, \$36,395,908.58

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