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



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

**April 14, 2008, 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)

ROLL CALL (all members present)

#### CONSENT AGENDA

**Action: Mr. Sparks moved to approve the Consent Agenda, with a correction to the March 25 minutes on page 15, and that it be made a part of the record. Vote was 5:0, motion carried.**

#### INTRODUCTION OF NEW EMPLOYEES

*Bill Whitley, Assistant County Administrator*

*Larry Dame, Public Utilities Director*

*Mike Lang, Assistant Public Utilities Director*

#### PRESENTATIONS

*Resolution of Appreciation and recognition of the Jamestown 2007 Committee and its volunteers*

CITIZENS' COMMENT PERIOD (3 minutes/person)

#### RESIDENCY ADMINISTRATOR'S REPORT

Item 1 Consideration of Resolution R-08-08 to approve bond financing for school-related capital projects and to pay off an outstanding 1997 Lease Revenue Bond (*Bond Counsel Dan Siegel and Financial Advisor Ted Cole*)

**Action: Mr. Davis moved to adopt Resolution R-08-08 as presented. 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 2 PUBLIC HEARING – Consideration of Ordinance O-06-08 regarding an application filed by the heirs of the estate of Eldon Gooden, P. D. Sweet and Dennis Mountcastle to rezone 95.4 acres from A-1, Agricultural to R-2, Single-Family Residential. The subject property is located north of the intersection of New Kent Highway and Topeka Road and identified as Tax Map Parcel numbers 20-14-1, 20-14-2, 20-14-3, 20-14-4, 20-14-5 and 20-14-6. (*Planner Kelli Le Duc*)

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**Action: Mr. Sparks moved to deny Ordinance O-06-08 as presented. Vote was 4:0 (with Mr. Davis abstaining), motion carried.**

Item 3 PUBLIC HEARING – Consideration of Ordinance O-05-08, to establish performance standards for transportation, utilities and temporary uses and facilities. *(Planning Manager Rodney Hathaway)*

Item 4 PUBLIC HEARING – consideration of Ordinance O-02-08 to expand eligibility for tax exemptions for the elderly and disabled by increasing the income and net worth thresholds. *(County Attorney Jeffrey Summers)*

**Action: Mr. Evelyn moved to adopt Ordinance O-02-08 as presented. Vote was 5:0, motion carried.**

ELECTED OFFICIALS' REPORTS

STAFF REPORTS

APPOINTMENTS

**Mr. Trout moved to appoint Melissa Canaday as at-large member of the Clean County Commission to serve a term ending December 31, 2009.**

**Mr. Trout moved to appoint Bill Whitley as a New Kent representative to the Community Policy and Management Team to serve a term ending December 31, 2009.**

**Mr. Trout moved to appoint Robin McLaughlin as New Kent's representative to the Tri-Rivers Alcohol Safety Action Program to complete a three year term ending December 31, 2008. Vote was 5:0, motions carried.**

MEETING SCHEDULE: The next regularly scheduled meeting of the Board of Supervisors will be held at 6:00 p.m. on May 12, 2008, in the Boardroom of the County Admin Building. The next work session will be held at 8:30 a.m. on April 29, 2008, in the Boardroom.

CLOSED SESSION: to discuss a personnel matter pursuant to Section 2.2-3711A.1 of the Code of Virginia involving performance evaluation of an employee  
**CLOSED SESSION** for consultation with legal counsel pursuant to Section 2.2-3711A.7 of the Code of Virginia concerning actual or probable litigation.

**Action: Mr. Davis moved to go into Closed Session for consultation with legal counsel pursuant to Section 2.2-3711A.7 of the Code of Virginia concerning actual or probable litigation, and to discuss a personnel matter pursuant to Section 2.2-3711A.1 of the Code of Virginia involving a performance evaluation of an employee. Vote was 5:0, motion carried.**

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

Meeting was adjourned at 10:06 p.m.

**CONSENT AGENDA**

*(Matters included hereunder may be the subject of one motion to approve provided no Board member requests an item to be separated.)*

1. Approval of Minutes
  - a. Work session of February 26, 2008

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- b. Regular meeting of March 10, 2008
- c. Special budget work session of March 19, 2008
- d. Work session of March 25, 2008
  
- 2. Miscellaneous
  - a. Road Name Additions
    - i. Business Park Road
  
- 3. Refunds
  - a. \$67.16 to Robert & Susan Boyer for detached garage permit
  - b. \$2,445.32 to McMahon Homes for building permit
  
- 4. Appropriations
  - a. Funds donated to the New Kent Animal Shelter, \$669.00
  - b. Funds for revenue received for extra security detail performed by the Sheriff's Office, \$393.00
  - c. Funds for Parks & Recreation sponsorship revenue for the Easter Egg Hunt, \$167.00
  - d. Fund received in excess of projection for DMV Animal Friendly license plates, \$18.21
  - e. Insurance proceeds for property damage at the Visitors Center on Feb 16 – ruts in lawn caused by tractor trailers, \$300.00
  - f. Insurance proceeds for damage to the Fire-Rescue K12 saw on Feb 10, \$1,030.00
  - g. Funds received from the Commonwealth of Virginia for postage used by the Juvenile & Domestic Relations District Court for FY08, \$750.00
  - h. Additional fund grants awarded for the Four for Live Program from the Va. Dept. of Health, \$12,322.44
  - i. Funds awarded for a Fire-Rescue Peninsula EMS Council grant, \$3,000
  - j. Funds awarded by the Va. Dept. of Health – emergency and preparedness and response to Fire-Rescue for an 8' x 20' storage trailer, \$24,066.00
  - k. Funds awarded by the Dept. of Criminal Justice for Phase II of the Law Enforcement Terrorism Prevention Program grant, \$4,910.00
  - l. Funds received for burn permits, \$540.00
  - m. FY08 portion of Verizon refund, \$3,888.00
  - n. Charge card fees collected in excess of budget for offsetting expenditures associated with charge card fees, \$1,920.00

Total Supplemental Appropriation:	\$ (53,973.65)	Total
	\$ 53,973.65	Money-in/Money-out

- 5. Inter-Departmental Budget Transfers
  - a. *Fire-Rescue*: \$11,700 from VA Power Funds and VDEM-LEMPG Grant Funds to part time salary line items
  - b. *Fire-Rescue*: \$5,443 from Salaries & Wages and Retirement VRS to Part-time Salaries
  - c. *Community Development*: \$2,000 from Copies to Travel (Subsistence & Lodging)
  - d. *Sheriff's Office*: \$4,800 from Jail Space to Gasoline
  - e. *Fire-Rescue*: \$2,905 from Radio Tower Maint/Repair to Service Contracts
  - f. *Fire-Rescue*: \$6,800 from Grant Contingency to VDH Grant-Emerg Prepare/Response
  - g. *General Services*: \$1,534 from ADP Equipment and Contracted Refuse Collection to ADP Equipment
  - h. *Sheriff's Office*: \$396 from Overtime and Books & Subscriptions to Sal & Overtime and Com. Internet

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- i. *CSA*: \$2,881 from salary line items to Office Supplies
  - j. *Reassessment*: \$2,769 from Reserved for Contingency to Professional Services
  - k. *Public Utilities*: \$7,000 from Backhoe/Trailer/Dump truck to Professional Services
  - l. *Fire-Rescue*: \$1,850 from Tower Maintenance to OSHA and Vehicle Repair/Maintenance
  - m. *Sheriff's Office*: \$5,000 from Part Time Salaries to Salaries & Wages-Overtime
6. Treasurer's Report: Cash in Bank as of February 2008: \$27,526,553.04

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