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



**NEW KENT COUNTY BOARD OF SUPERVISORS**

**September 8, 2009, 2008, 6:00 P.M**

Boardroom, County Administration Building  
12007 Courthouse Circle, New Kent, VA 23124

**ACTION AGENDA**

CALL TO ORDER (at 6:01 p.m.)

INVOCATION and PLEDGE OF ALLEGIANCE (led by Mr. Evelyn)

ROLL CALL (all members 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.

CITIZENS' COMMENT PERIOD (3 minutes/person)

RESIDENCY ADMINISTRATOR'S REPORT

INTRODUCTION OF NEW EMPLOYEES

- By Parks & Recreation Manager Kim Turner: Jason Baldwin, Recreation Specialist (new position)
- By Commissioner of Revenue Laura Ecimovic (new positions)
  - o Devin Caldwell, Deputy Commissioner of Revenue, Office Service Specialist
  - o Shannon McLaughlin, Deputy Commissioner of Revenue, Real Estate Inspector
  - o Sara Murphy, Deputy Commissioner of Revenue, Real Estate Inspector

PRESENTATIONS

- Ms. Von S. Tisdale, Executive Director, RideFinders on commuting and travel alternatives and "greener" transportation choices
- Ms. Kimberly Hynes, Executive Director, Central Virginia Waste Management Authority, with an update on recycling in New Kent County

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 1 PUBLIC HEARING – consideration of Resolution R-17-08 approving the amendments to the Central Virginia Waste Management Authority's Articles of Incorporation and Bylaws - Kimberly A. Hynes, Executive Director

**Action:** Mr. Trout moved to adopt Resolution R-17-08 approving the amendments to the Central Virginia Waste Management Authority's articles of incorporation and bylaws, as presented.. Vote was 5:0, motion carried.

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ITEM 2 PUBLIC HEARING – consideration of Ordinance O-10-08 amending Chapter 70, Traffic and Vehicles to clarify the date upon which license decals are to be displayed - *Treasurer Herbert Jones, Jr.*

**Action:** Mr. Sparks moved to adopt Ordinance O-10-08 as presented. Vote was 5:0, motion carried.

ITEM 3 PUBLIC HEARING – consideration of Resolution R-31-08 approving the application for Conditional Use Permit filed by Randy P. Martin to continue to operate Martin Vending Products as a home occupation at 3570 Vaidens Pond Road, in Lanexa – *Planner Kelli Le Duc*

**Action:** Mr. Evelyn moved to adopt Resolution R-31-08 as presented. Vote was 4:1 (Ayes: Trout, Davis, Evelyn & Burrell; Nays: Sparks), motion carried.

ITEM 4 PUBLIC HEARING - consideration of Ordinance O-13-08, approving application filed by Ada Isabel Davis White, property owner, and Mid-Atlantic Communities LLC, to rezone approximately 120 acres north of the intersection of Eltham Road and Johnson Street from A-1, Agricultural and R-1, Single Family Residential, to R-1, Single Family Residential (Cluster), and to vote on Resolution R-27-08, approving application of Ada Isabel Davis White to withdraw approximately 119 acres from the Eltham Agricultural and Forestal District that was deferred from August 11, 2008, after Public Hearing – *Planner Kelli Le Duc*

**Action:** Mr. Trout moved to adopt Resolution R-27-08, as presented, approving the application of Ada Isabel Davis White to withdraw approximately 119 acres from the Eltham AFD, and Ordinance O-13-08, as presented, approving the application to rezone approximately 120 acres in Eltham from A-1, Agricultural and R-1, Single Family Residential, to R-1, Single Family, Residential (Cluster). Vote was 4:0 with 1 abstention (Ayes: Trout, Evelyn, Sparks & Burrell; abstention: Davis), motion carried.

ELECTED OFFICIALS' REPORTS

STAFF REPORTS

APPOINTMENTS

**Action:**

Mr. Evelyn moved to appoint Marion Shackford as District One's representative to the Clean County Commission to complete a term ending December 31, 2010. Vote was 5:0, motion carried.

Mr. Evelyn appointed William Wallace III as at-large member of the Purchase of Development Rights Committee to complete a term ending June 30, 2010. 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 14, 2008, in the Boardroom of the County Admin Building. The next work session will be held at 8:30 a.m. on Monday, September 30, 2008, in the Boardroom. The Board will also meet for a special work session on utilities on September 10, 2008, at 4:00 p.m. in the Boardroom.

CLOSED SESSION:

**Action:** Mr. Davis moved to go into Closed Session for discussions relating to business and industry development pursuant to Section 2.2-3711A.5 of the Code of Virginia involving prospective or expansion of business or industry and no previous public announcement has been made.

Vote was 5:0, motion carried.

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

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

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ADJOURNMENT

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

Meeting was adjourned at 9:30 p.m.

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**CONSENT AGENDA**

- 1. Approval of Minutes**
  - a. August 11, 2008 regular meeting
  
- 2. Miscellaneous**
  - a. Resolution R-16-08 approving annual Community Services Board contract
  - b. Resolution R-28-08 authorizing modifications of the EDA series 2005 revenue note
  - c. Resolution R-29-08 recognizing Norma C. Holmes
  - d. Resolution R-30-08 authorization execution of agreement with VDOT for grant for installation of bicycle signage
  - e. Compensation in the amount of \$125 to Danielle Clark for livestock killed in November 2007
  - f. Acceptance of Deed of Dedication for a water utility line easement
  - g. Approval of proposed changes to page 7 of the Financial Policy Guidelines regarding method of calculating Reserve Balance
  - h. Resolution R-33-08 requesting that New Kent be declared a crop disaster area
  
- 3. Refunds**
  - a. \$90 to Kentland Investments, LLC for duplicate recordation review fee
  - b. \$250 to Windmill Building Corp. for fire prevention application fee
  
- 4. FY09 Supplemental Appropriations**
  - a. Funds for Fire-Rescue coverage at Colonial Downs Aug 4 – 6, \$3,038.00
  - b. Funds for Sheriff security coverage at Colonial Downs for Aug, \$3,575.00
  - c. Funds for extra Sheriff security at Jul and Aug events, \$2,304.00
  - d. Funds donated to the New Kent Animal Shelter, \$220.00
  - e. Funds received from various builders for reimbursement of 2006 Code books purchased by the Building Development Office, \$371.00
  - f. Funds received for Fire-Rescue sale of surplus equipment, \$3,480.00
  - g. Various gifts and donations received from private clubs and individuals, \$1,373.00
  - h. Additional litter prevention and recycling program grant revenue received for FY09, \$1,037.00
  - i. Additional Social Services funds for increased demand for services for the Independent Living Program, \$1,775.00

Total Supplemental Appropriation:  
\$ (17173.00) Total

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\$ 17,173.00 Money-in/Money-out

**5. FY09 Carry-forward Appropriations**

- a. Sheriff's grants not completed in FY09, \$9,271.58
- b. Local share of Fire-Rescue VA Dept. of Health grant for emergency response trailer, \$2,100.00
- c. Capital projects not completed in FY08, \$170,730.29

Total Supplemental Appropriation:

\$ (182,101.87)	Total
\$ 45,376.04	Money-in/Money-out
\$ 2,292.00	From Fund 1 – General Fnd Bal
\$ 134,433.83	From Fund 7 – Capital Fnd Bal

**6. FY08 Inter-Departmental Budget Transfers**

- a. *Treasurer*: \$5,426.51 from various salary and other line items to Data Processing, Postal Services, Mileage, Travel, Credit Card Fees and Office Supplies
- b. *Economic Development*: \$2,150 from Furniture & Fixtures to Visitor Center Upgrades

**7. FY09 Inter-Departmental Budget Transfers**

- a. *Fire-Rescue*: \$11,128 from Pager Service and M&E to Vehicles

**8. Treasurer's Report:** Cash in Bank as of July 2008, \$24,036,507.19

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