

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



## NEW KENT COUNTY BOARD OF SUPERVISORS

June 8, 2009, ~~6 p.m.~~ 5 p.m.

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

### ACTION AGENDA

#### CALL TO ORDER (at 5:00 p.m.)

**CLOSED SESSION:** consultation with legal counsel pursuant to Section 2.2-3711A.7 of the Code of Virginia involving actual or probable litigation.

**Action:** Mr. Sparks 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. Vote was 5:0, motion carried.

**Action:** Mr. Burrell 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.

#### INVOCATION and PLEDGE OF ALLEGIANCE (led by Mr. Burrell)

#### ROLL CALL (all present)

#### CONSENT AGENDA

**Action:** Mr. Evelyn 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

*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 Ordinance O-09-09 amending the Farms of New Kent Planned Unit Development ordinance to allow an increase in square footage for the country inn and spa in Land Bay I from 16,000 to 90,000; to add an additional 75 transient occupancy rooms in Land Bay I; to allow a maximum of two additional lots in Land Bay I for a two-lot family subdivision; and to change the way proffers are adjusted from monthly to annually

**Action:** Mr. Burrell moved to adopt Ordinance O-09-09 as presented. Vote was 5:0, motion carried.

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**ELECTED OFFICIALS' REPORTS**

**STAFF REPORTS**

**APPOINTMENTS**

Mr. Sparks moved to appoint Joanne Panek as District Two's representative to the Purchase of Development Rights Committee to serve a three-year term beginning July 1, 2009 and ending June 30, 2012.

Vote was 5:0, motion carried.

**MEETING SCHEDULE:** The Board of Supervisors will hold its next regular business meeting at 6 p.m. on July 13, 2009, and its next work session at 3 p.m. on June 24, 2009, both in the Boardroom of the County Administration Building.

**ADJOURNMENT**

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

Meeting was adjourned at 7:36 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. April 29, 2009 work session
  - b. May 5, 2009 Town Hall meeting
  - c. May 11, 2009 regular business meeting
  
2. **Miscellaneous**
  - a. Award of contract for the Preliminary Engineering Report on the water system in The Colonies subdivision to the firm of Wiley|Wilson, Lynchburg, Virginia
  - b. Resolution R-16-09 requesting VDOT to add Pine Hollow Road into the State secondary system for maintenance
  - c. Resolution R-18-09 requesting VDOT to add the roads in Brickshire, Section L into the State secondary system for maintenance
  - d. Resolution R-19-09 requesting VDOT to add the roads in Brickshire, Section M into the State secondary system for maintenance
  - e. Resolution R-25-09 authorizing membership in the Virginia Municipal Liability Pool
  - f. Authorizing New Kent's enrollment in the Virginia Association of Counties Group Self Insurance Association for workers' compensation coverage
  - g. Resolution R-17-09 declaring the County's intent to reimburse itself from tax exempt borrowing for certain expenditures
  - h. Resolution R-20-09 dissolving the joint Community Policy and Management Team with Charles City County and creating a distinct New Kent CPMT
  - i. Resolution R-21-09 qualifying Mt. Pleasant Road/Rte. 628, as a Rural Rustic Road

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- j. Resolution R-22-09 requesting VDOT to re-allocate funds from its FY04 Revenue Sharing allocations to the Mt. Pleasant/Rte. 628 Rural Rustic Road project (VDOT project number 0628-063-P49 UPC 16896)
- k. Resolution R-23-09 in support of a high speed rail project from the Washington metropolitan area to Richmond, Virginia
- l. Resolution R-24-09 adopting an Amended Charter for the Affordable Housing Advisory Committee
- m. Acceptance of easement from Johnson & Sons Properties, LLC

**3. Refunds**

- a. \$413.68 to Main Street Homes for cancelled permit

**4. Appropriations**

- a. Funds for Fire-Rescue revenue recovery to cover bank fees, \$2,119.00
- b. Funds received to date for Fire-Rescue revenue recovery for Fire-Rescue personnel, \$11,442.00
- c. Funds for the FEMA SAFER grant for Fire-Rescue for May 4 – Jun 30, 2009, \$39,939.00
- d. Funds donated to Fire-Rescue for training, \$252.70
- e. Funds for security and ambulance coverage at the May 16 Wine Festival, \$2,217.00
- f. Funds donated to the New Kent Animal Shelter, \$290.00
- g. Funds donated to Extension for program scholarship, \$380.00
- h. Funds for security at the Strawberry Hill Races at Colonial Downs on Apr 11, \$28,845.00
- i. Funds for security provided at a May event at Rockahock Campground, \$872.00
- j. Program income received to date for FY09 from CDBG Plum Point grant participants, \$326.33
- k. Funds received for DMV stop fees in the Treasurer's Office, \$1,440.00
- l. Funds received for legal document review, \$1,500.0
- m. Funds received from students enrolled in Vehicle Extrication Class from outside Fire-Rescue, \$78.00
- n. Funds received from citizens for pre-pay Fire-Rescue revenue recovery funds and a donations, \$150.00
- o. Funds received from the State Dept. of Health for the Four For Life grant in excess of budget, \$2,637.84
- p. Charge card fees collected in excess of budget for offsetting expenditures associated with charge card fees, \$339.00

Total Supplemental Appropriation:	\$(92,827.87)	Total
	\$ 92,827.87	Money In/Money Out

**5. Inter-Departmental Budget Transfers**

- a. *Schools:* \$500 from Secondary and Elementary Improvement of Instr Matls & Supplies to Secondary and Elementary Instructional Salaries
- b. *Economic Development:* \$51,918 to appropriate reflect expenditures in various line items
- c. *Financial Services:* \$1,500 from Contingency to Computer Software
- d. *Vehicle Maintenance Facility:* \$107,151 from Schools to County to reflect 50% of the debt service
- e. *Salaries:* \$11,586 from various line items to cover health insurance increases for last month of fiscal year
- f. *Fire Rescue:* \$3,154 from Wages & Salaries to Part-time Salaries

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- g. *Circuit Court Clerk*: \$1,275 from Overtime & Mileage to Furniture
  - h. *Sheriff's Office*: \$400 from Courthouse to Full-time Overtime
  - i. *Schools*: \$600 from Instructional Salaries Title II to Technical Salaries Title II
  - j. *Revenue Sharing*: \$75,000 from Contingency to VDOT Revenue Sharing
- 6. Treasurer's Report:** Cash in Bank as of April 2009: \$34,475,725.88

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