



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

**Thursday, September 10, 2009, 6 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 present)

#### **CONSENT AGENDA**

**Action:** Mr. Trout 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 per person)

#### **RESIDENCY ADMINISTRATOR'S REPORT**

**ITEM 1** Consideration of Resolution R-29-09 regarding application filed by Chester Alvis and David Horsley, Sr. for a conditional use permit to construct and operate a mini-storage facility at the southeast quadrant of the intersection of Route 249/New Kent Highway and Route 612/Airport Road (public hearing held on July 13, 2009) – Planner Matthew Ebinger

**Action:** Mr. Evelyn moved to adopt Resolution R-29-09, with the following amendment: no structure containing mini-storage units shall exceed 20 feet in height. Vote was 4:1 (Ayes: Sparks, Burrell, Evelyn & Davis; Nays: Trout), motion carried.

**ITEM 2** Briefing on proposed Courthouse development district– *Community Development Director George Homewood*

#### **ELECTED OFFICIALS' REPORTS**

#### **STAFF REPORTS**

#### **APPOINTMENTS**

Mr. Trout moved to appoint William H. Whitley as one of New Kent's alternate representatives to the Metropolitan Planning Organization to complete a term ending December 31, 2011

Mr. Trout moved to appoint Rodney Hathaway as New Kent's alternate representative to the Richmond Regional Planning District Commission to complete a term ending December 31, 2011.

Vote was 5:0, motions carried.

**MEETING SCHEDULE:** The Board of Supervisors will hold its next regular business meeting at 6 p.m. on Tuesday, October 13, 2009, and its next work session at 3 p.m. on Wednesday, September 23, 2009, both in the Boardroom of the County

Administration Building. It was also announced that the Board would also meet at 6 p.m. on October 1, 2009, in closed session to review applications for the County Administrator position.

**CLOSED SESSION** – for consultation with legal counsel pursuant to Section 2.2-3711A.7 of the Code of Virginia regarding specific legal matters that require advice and to discuss a personnel matter pursuant to Section 2.2-3711A.1 involving compensation for an employee

**Action:** Mr. Burrell moved to go into Closed Session for consultation with legal counsel pursuant to Section 2.2-3711A.7 of the Code of Virginia regarding specific legal matters that require advice, to discuss a personnel matter pursuant to Section 2.2-3711A.1 involving compensation for an employee, and for discussions relating to business and industry development pursuant to Section 2.2-3711A.5 of the Code of Virginia.

Vote was 5:0, motion carried.

**Action:** Mr. Sparks 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 8:10 p.m.

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### **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. July 29, 2009 work session
  - b. August 10, 2009 regular meeting
  - c. August 14, 2009 bi-annual meeting with Senior Staff
  
- 2. Miscellaneous**
  - a. Resolution R-51-09 authorizing the Interim County Administrator to execute documents for Homeland Security grants
  - b. Resolution R-50-09 recognizing the services of John A. Budesky
  - c. Request to negotiate and enter an agreement with the Old Dominion Chapter of the Sports Car Club of America to hold an autocross event on the aircraft parking ramp at New Kent Airport
  - d. Road Name Additions
    - i. Cooks Mill Court
    - ii. Weatherburn Way
  
- 3. FY09 Appropriations**
  - a. Revenue forthcoming from the Farms of New Kent CDA for FY08 administrative expenditures, \$18,176.00
  - b. Funds received from the Schools to assist with the purchase of the Bright & Associates FN.net package to enable employees to view their personnel and payroll records and assist with preparation of school contracts for personnel, \$1,500.00

Total Supplemental Appropriation:	
\$(19,676.00)	Total
\$ 19,676.00	Money In/Money Out
  
- 4. FY09 Appropriations**
  - a. Additional cafeteria funds from excess revenue received over budget and fund balance to cover FY09 expenditures, \$52,126.96

Total Supplemental Appropriation:	
\$(52,126.96)	Total
\$ 29,266.24	Money In/Money Out
\$ 22,860.72	From Fund 244/Cafeteria fund balance

**5. FY09 Appropriations**

- a. Bottoms Bridge construction funds to cover the annual administration fee for debt service, \$550.00
- b. VPSA Loan Subsidy proceeds received for the new high school, \$208,140.13

Total Supplemental Appropriation:	
\$(208,690.13)	Total
\$ 550.00	From Fund 98/Utility fund balance
\$ 208,140.13	Money In/Money Out

**6. FY10 Carry Forward Appropriations**

- a. Funds for the State special allocation for office space for Social Services, \$24,484.00
- b. FY09 capital funds to FY10 for Fire-Rescue Squad 3, \$63,967.18
- c. FY09 capital funds to FY10 for the Fire-Rescue radio tower project, \$12,807.16
- d. Various FY09 general funds to FY10 for Fire-Rescue grants, donations, revenue recovery, etc., \$41,579.01
- e. FY09 funds to FY10 for repairs at the historic school, \$13,096.35
- f. FY09 funds to FY10 for completion of the HVAC system upgrade at the New Kent Animal Shelter, \$10,968.06
- g. FY09 funds to FY10 for close-out of the DMV *Smart, Safe & Sober* grant for the Sheriff's Office, \$4,491.44
- h. Funds for Phase II of the CDBG Plum Point grant not completed in FY09, \$342,095.58
- i. Various FY09 capital funds to FY10 for unfinished Parks & Recreation projects to be completed in FY10, \$76,723.47
- j. Various FY09 capital funds to FY10 for unfinished General Services projects to be completed in FY10, \$1,687,844.93
- k. Various FY09 capital funds to FY10 for unfinished Community Development projects and grants to be completed in FY10 or later, \$179,539.30
- l. Various FY09 utility funds to FY10 for unfinished Public Utility projects to be completed in FY10, \$822,799.03

Total Supplemental Appropriation:	
\$(3,280,395.51)	Total
\$ 265,437.19	Money In/Money Out
\$ 181,277.25	Fund 1 – General fund balance
\$ 1,976,036.62	Fund 7 – Capital fund balance
\$ 40,095.42	Fund 20 – Meals Tax fund balance
\$ 817,549.03	Fund 98 – Utility fund balance

**7. FY10 Appropriations**

- a. Federal funds for Courthouse Village Improvements/Enhancements grant, \$199,500.00
- b. Funds for FY10 Fire-Rescue revenue recovery to cover bank fees and charges from DAB to administer account, \$1,847.00
- c. Funds received to date for Fire-Rescue revenue recovery for Fire-Rescue personnel, \$17,619.00
- d. Funds for public safety coverage at Colonial Downs and various events for July and August, 2009, \$24,424.00
- e. Funds for Parks & Recreation program sponsorship revenue, \$900.00

- f. Additional State funds for operating costs associated with emergency social workers for adult and child protective services, \$626.00
- g. Funds donated to Fire-Rescue, \$455.00
- h. Funds donated to New Kent Animal Shelter, \$413.00
- i. Adjust Victim/Witness budget for FY10 to correspond with amounts awarded by the Virginia Dept. of Criminal Justice, \$1,433.00
- j. Funds for a Dept. of Justice bullet-proof vest program grant OMB #1121-0235, \$2,676.00
- k. State Fire Program funds awarded in excess of FY10 budgeted amount, \$2,338.00
- l. Funds received from the State for postage for the Juvenile & Domestic Relations District Court, \$1,000.00
- m. FY10 Federal Revenue Recovery funds for Special Education for the Schools, \$150,000.00
- n. Funds for the FEMA SAFER grant for Fire Rescue for FY10, \$231,473.00
- o. Social Services emergency food and shelter program Federal grant funds, \$5,059.00
- p. Adjust Social Services FY10 adopted budget to actual figures approved by the State and allocated to expenditures in the manner they will be expended in FY10, \$9,824.00
- q. Program income received to date for FY10 from CDBG Plum Point grant participants, \$1,459.03

Total Supplemental Appropriation:

\$(631,398.03)	Total
\$ 591,498.03	Money In/Money Out
\$ 39,900.00	From Fund 7 – Capital fund balance

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

- a. *Grants*: \$8,130 from Grant Contingency to DMV Grant – *Smart, Safe & Sober*
- b. *Training*: \$415 from Reserved for Contingency and Professional Services to Travel line items for the Clerk of the Board and Treasurer
- c. *Fire Rescue*: \$8,527.00 from Overtime, SAFER Contingency, and Part-time Salaries to Salary line items, SAFER line items, and Vol. Supplement

**9. FY10 Inter-Departmental Budget Transfers**

- a. *Public Utilities*: \$4,232 from Generator Fuel to Diesel Fuel
- b. *General Services*: \$2,654 from Landscaping to Repairs and Maintenance Historic School
- c. *Heating Services*: \$832 from Fire-Rescue to Tower budget
- d. *Social Services*: \$4,262 from Reserved for Contingency to salary line items for emergency social workers
- e. *Schools*: \$31,930 from School Buses and Appropriations from Prior Years to Motor Vehicles
- f. *Sheriff's Office*: \$2,676 from Grant Contingency to Kevlar Vest Grant Program
- g. *Training*: \$26,018 from Reserved for Contingency-Training to Travel and Career Development line items for Clerk of Board, County Attorney, Human Resources, Commissioner of Revenue, Financial Services, Circuit Court Judge, Crater Criminal Justice, Sheriff, Building Development, Dispatch, Building & Grounds, Planning Administration and Social Services

**10. Treasurer's Report:** Cash in Bank as of July 2009: \$26,380,406.85