

# New Kent

C O U N T Y • V I R G I N I A



COMMUNITY DEVELOPMENT

PLANNING COMMISSION  
County of New Kent

## AGENDA

MONDAY, 16 MARCH 2009

6:30 PM

BOARD ROOM,  
COUNTY ADMINISTRATION BUILDING

ITEM	DESCRIPTION
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1. CALL TO ORDER
2. INVOCATION AND PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MINUTES
  - A. 20 January 2009 – Regular Meeting
5. CITIZEN COMMENT PERIOD
  - A. Comments limited to those on planning-related issues that are not scheduled for public hearing later on the agenda-sign up on the sheet at back of the room prior to the meeting is required.
6. UNFINISHED BUSINESS
  - A. Rewrite of Planning Commission Bylaws
7. PRESENTATION
  - A. Mike Gerel, Virginia Staff Scientist for the Chesapeake Bay Foundation
8. PUBLIC HEARINGS
  - A. 7:00 PM or as soon thereafter as possible speakers are limited to three minutes each, should come to the podium and state their name and address.
  - A. None
9. NEW BUSINESS
  - A. CIP Presentation by Mr. John A. Budesky, County Administrator
10. CHAIRMAN'S REPORT
11. RRPDC REPORT
12. COMMISSIONER'S REPORT
13. STAFF REPORTS
14. MEETING SCHEDULE
  - A. The Planning Commission is next scheduled to meet: Monday, 20 April 2009
15. ADJOURNMENT

ITEMS OF INTEREST & INFORMATION.....ATTACHED SEPARATELY

PLANNING COMMISSION  
County of New Kent

MINUTES

THE REGULAR MEETING OF THE NEW KENT COUNTY PLANNING COMMISSION WAS HELD ON THE 20<sup>TH</sup> DAY OF JANUARY IN THE YEAR TWO THOUSAND NINE OF OUR LORD IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING AT 6:30 P.M.

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IN RE: CALL TO ORDER

Chairman David Smith called the meeting to order at 6:30 pm.

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IN RE: ROLL CALL

Attendance:

Howard Gammon	Present
George Gregory	Present
Jack Chalmers	Present
Steve Rocha	Present
Jimmy Burrell	Absent
Charna Moss-Gregory	Absent
Edward Pollard	Present
Brenda "Sam" Snyder	Present
Clarence "Tommy" Tiller	Present
Patricia Townsend	Present
David Smith	Present

Also attending:

Andrea N. Finn, Recording Secretary  
George M. Homewood, AICP, Director of Community Development  
Jeffrey M. Summers, Esq., County Attorney  
Kelli L. Z. Le Duc, Planner  
Matthew J. Ebinger, Planner

Chairman Smith established that there was a quorum.

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IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Gammon led the invocation and Pledge of Allegiance.

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IN RE: APPROVAL OF MINUTES

A motion was made by Ms. Townsend and seconded by Mr. Gammon, to approve the minutes of the 15 December 2008 – Regular Meeting.

The members were polled:

Edward Pollard                      Aye

Clarence "Tommy" Tiller	Aye
Charna Moss-Gregory	Absent
Jack Chalmers	Aye
Jimmy Burrell	Absent
Howard Gammon	Aye
George Gregory	Aye
Brenda "Sam" Snyder	Aye
Steve Rocha	Aye
Patricia Townsend	Aye
David Smith	Aye

The motion carried, 9:0:0

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IN RE: ANNUAL ELECTIONS AND REORGANIZATION

- Ms. Patricia Townsend was elected as the 2009 Chair of the New Kent County Planning Commission
- Ms. Brenda "Sam" Snyder was elected as the 2009 Vice-Chair of the New Kent County Planning Commission
- Mr. Howard Gammon was elected as the 2009 Public Hearing Chair of the New Kent County Planning Commission
- Mr. Clarence "Tommy" Tiller was elected as the 2009 Public Hearing Vice-Chair of the New Kent County Planning Commission
- Ms. Brenda "Sam" Snyder was appointed as the 2009 Representative for the Richmond Regional Planning District Commission

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IN RE: REVIEW AND RE-ADOPT BY-LAWS

Ms. Snyder suggested that a committee be formed to review the current by-laws and make changes. Especially to amend Article 3, Officers and Their Selection, Section 3; allowing committee members to serve more than two consecutive terms.

Mr. Pollard questioned if the by-laws presented had to be adopted tonight.

Mr. Summers responded they do not have to be adopted tonight; a motion could be made to amend them. But then there would be a 30 day waiting period to adopt the by-laws. If you do not have prepared amendments and you want to form a committee to do a total rewrite, essentially the existing by-laws are going to have to stay as they are. If the Commission envisions an extensive re-write he would suggest to re-adopt what the Commission has tonight, then to form a committee to undertake the larger rewrite and rewrite them; then the rewrite can be approved in the future.

Mr. Chalmers stated that it did not make sense to adopt the bylaws for 2009 because they would have to be adopted for the whole year. It makes more sense to continue with what we have and nominate a committee (which Ms. Snyder just did, and he had a follow-up to that) and then adopt the by-laws that are presented to us from that committee.

Mr. Summers stated the problem is the way the amendment procedure is set up in the existing bylaws (which is in the last Article). The by-laws are silent about what happens at the end of the year when you do an amendment. There is at least some risk that if you took an action in the future, someone might say you did not re-adopt your by-laws, therefore, you were not properly doing what you should be doing, and while we would probably win if it ever came to court, it is an issue that would be there that does not necessarily have to be there.

Mr. Pollard stated that the reason that statement was in the bylaws was to eliminate the chance of having a committee member elected to a seat more than once; and to give everyone on the committee a chance to be elected.

A motion was made by Ms. Snyder and second by Mr. Gregory, to re-adopt the by-laws as presented to the New Kent County Planning Commission.

The members were polled:

George Gregory	Aye
Steve Rocha	Aye
Howard Gammon	Aye
Patricia Townsend	Aye
Clarence "Tommy" Tiller	Aye
Charna Moss-Gregory	Absent
Edward Pollard	Aye
Brenda "Sam" Snyder	Aye
Jack Chalmers	Aye
Jimmy Burrell	Absent
David Smith	Aye

The motion carried, 9:0:0

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IN RE: REVIEW AND ADOPT MEETING SCHEDULE

<b>2009 Meeting Schedule</b>
January 20 <i>(Tuesday)</i>
February 17 <i>(Tuesday)</i>
March 16
April 20
May 18
June 15
July 20
August 17
September 21
October 19
November 16
December 21
<i>Regular Meetings are scheduled for 6:30 p.m. Public Hearings are scheduled for 7:00 p.m.</i>

*in the Board Room of the County Administration Building  
The Commission schedules other meetings as needed.*

A motion was made by Mr. Chalmers and second by Mr. Smith, to adopt the meeting schedule as presented to the New Kent County Planning Commission.

The members were polled:

Jack Chalmers	Aye
Patricia Townsend	Aye
Edward Pollard	Aye
Charna Moss-Gregory	Absent
Clarence "Tommy" Tiller	Aye
George Gregory	Aye
Howard Gammon	Aye
Jimmy Burrell	Absent
Brenda "Sam" Snyder	Aye
Steve Rocha	Aye
David Smith	Aye

The motion carried, 9:0:0

The Committee went into a short recess for the reorganization of the seating assignment.

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IN RE: CITIZEN COMMENT PERIOD

Comments limited to those on planning-related issues that are not scheduled for public hearing later on the agenda-sign up on the sheet at back of the room prior to the meeting is required.

None.

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IN RE: RRPDC REPORT

A presentation was given on the actions taken at the December RRPDC Meeting.

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IN RE: COMMISSIONER'S REPORT

The Commission commended and thanked Mr. Smith, 2008 Chairman, for his performance and dedication to the Commission.

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IN RE: PRESENTATION

Ms. Shelia J. Sheppard, Coordinator, for the Partnership for Smarter Growth gave a brief

presentation about what they look for in Comprehensive Plans.

The Partnership for Smarter Growth is a non-profit organization with a mission to preserve and enhance quality of life by educating the public and elected officials about land use, transportation, and other growth-related issues and equipping citizens to be effective advocates for balanced, responsible growth in their own communities and in the region as a whole.

Some topics of her presentation were: regional trends, the cost of poorly planned growth, citizen involvement, and their recommendations for the Comprehensive Plan.

Mr. Smith stated that there is a misconception out there that air and water quality are getting worse. People need to understand that the environment is much better than it was in the 1970's because of modern day technology. But there is still plenty that people can do to improve the air and water quality.

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IN RE: UNFINISHED BUSINESS

None.

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IN RE: PUBLIC HEARING(S)

None.

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IN RE: NEW BUSINESS

Ms. Snyder presented the re-adoption of the by-laws.

A motion was made by Ms. Snyder and seconded by Mr. Chalmers to create a committee to review and re-write the by-laws.

The members were polled:

Patricia Townsend	Aye
Edward Pollard	Nay
Howard Gammon	Aye
Clarence "Tommy" Tiller	Aye
Charna Moss-Gregory	Absent
George Gregory	Aye
Jimmy Burrell	Absent
Jack Chalmers	Aye
Brenda "Sam" Snyder	Aye
Steve Rocha	Aye
David Smith	Aye

The motion carried, 8:1:0

Mr. Chalmers, Ms. Snyder, Mr. Smith, and Mr. Rocha were appointed to the Committee with Mr. Summers serving as staff support.

IN RE: CHAIRMAN'S REPORT

None.

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IN RE: STAFF REPORTS

Staff reported that there would be a Forms Base Code workshop in the Board Room of the Administration Building Thursday at 6 p.m.

Staff also reported next month guest presenters represent the Richmond Area Realtors and the Williamsburg Area Realtors.

Staffed asked the Commissions for suggestions, recommendations, or request for organizations they would like to hear from.

Ms. Snyder requested a presentation from the Chesapeake Bay Foundation.

Mr. Pollard stated the Chesapeake Bay Foundation does a wonderful job, and we can hear what they have to say, but what they do not make a lot of difference on how we manage in New Kent; and we could work with the material that we have.

Ms. Snyder responded that what we do in New Kent does affect the Chesapeake Bay.

Mr. Pollard replied he does not think it will make a big difference in how we manage in New Kent.

Ms. Townsend stated she would like to see something done about the loss of New Kent's agricultural and forestry land, being that there are only three one thousand acre farms left in New Kent.

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IN RE: NEXT MEETING SCHEDULED

The next regular meeting of the Planning Commission will be held on Tuesday, February 17<sup>th</sup>, 2009 at 6:30 p.m. in the Board Room of the County Administration Building.

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IN RE: ADJOURNMENT

A motion to adjourn was made and seconded by all.

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Respectfully submitted:

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Andrea Finn  
Recording Secretary