

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 9<sup>th</sup> DAY OF JANUARY IN THE YEAR TWO THOUSAND TWELVE IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 6:00 P.M.

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IN RE: CALL TO ORDER

County Administrator G. Cabell Lawton, IV called the meeting to order.

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IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Burrell gave the invocation and led the Pledge of Allegiance.

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IN RE: ROLL CALL

Thomas W. Evelyn	Present
C. Thomas Tiller, Jr.	Present
James H. Burrell	Present
Ron Stiers	Present
W. R. Davis, Jr.	Present

All members were present.

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IN RE: ANNUAL REORGANIZATION – ELECTION OF OFFICERS FOR 2012

The Board's first meeting of the year is designated as the annual reorganization meeting.

Nominations were opened for the office of 2012 Chairman.

Mr. Davis nominated James H. Burrell for Chairman of the Board of Supervisors for a term of one year. There were no other nominations.

Mr. Davis moved to close nominations for Chairman of the Board of Supervisors. There being no discussion, the members were polled:

C. Thomas Tiller, Jr.	Aye
James H. Burrell	Abstain
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye

The motion carried.

Mr. Davis moved to elect James H. Burrell as Chairman of the Board of Supervisors for a term of one year. There was no discussion and the members were polled:

James H. Burrell	Abstain
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
C. Thomas Tiller, Jr.	Aye
Thomas W. Evelyn	Aye

The motion carried.

Chairman Burrell accepted the gavel and presented Mr. Evelyn with a plaque in appreciation of his service as 2011 Chairman.

Nominations were opened for the office of Vice Chairman.

Mr. Evelyn nominated W. R. Davis, Jr. for Vice Chairman of the Board of Supervisors for a term of one year. There were no other nominations.

Mr. Stiers moved to close nominations for Vice Chairman of the Board of Supervisors. There was no discussion and the members were polled:

Ron Stiers	Aye
W. R. Davis, Jr.	Abstain
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
James H. Burrell	Aye

The motion carried.

Mr. Evelyn moved to elect W. R. Davis, Jr. as Vice Chairman of the Board of Supervisors for a term of one year. There was no discussion and the members were polled:

W. R. Davis, Jr.	Abstain
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye
James H. Burrell	Aye

The motion carried.

Mr. Davis welcomed new Board members, Mr. Tiller and Mr. Stiers, and remarked on the services performed by former Board members, Stran L. Trout and David M. Sparks.

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IN RE: ANNUAL REORGANIZATION – REGULAR MEETING SCHEDULE FOR 2012

Before the Board for consideration was Resolution R-01-12 setting the Board's 2012 meeting schedule.

There was discussion regarding the possibility of starting the work sessions at 8:30 a.m. instead of 3 p.m. Mr. Davis remarked that morning meetings would not require staff to remain at work after the normal closing time. None of the members raised any objections.

Mr. Davis moved to adopt Resolution R-01-12, amended to reflect that work sessions would begin at 8:30 a.m. instead of 3 p.m. The members were polled:

Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
James H. Burrell	Aye

The motion carried.

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IN RE: ANNUAL REORGANIZATION – BYLAWS

There was discussion regarding proposed changes to the bylaws.

Mr. Stiers proposed an amendment not reflected in the version contained in the Board's meeting packet, that would delete the sentence in Article VII Appointment of Committees under subsection B that read "Individuals who move from a district to another district or change districts due to redrawing of the district lines during their term of office shall remain in office until the expiration of their term". He indicated that he would like the opportunity to make his own appointments now rather than to wait for the terms of individuals appointed by his predecessor to expire. He noted that because of redistricting, there were some boards and commissions with no representatives who lived in his district.

There was discussion regarding what the State Code required. County Attorney Michele Gowdy advised that the State Code provided that such "appointees served at the pleasure of the governing body".

Mr. Davis spoke about his concern that if the sentence was removed, as requested, then the Bylaws would not reflect what would happen after redistricting. Ms. Gowdy advised that she had reviewed the bylaws of governing bodies in other localities, and most were silent on the issue, and that a sentence could be added that reflected the language in the State Code.

Mr. Evelyn indicated that the State Code already allowed what Mr. Stiers was requesting and pointed out that this primarily affected Districts 4 and 5.

Ms. Gowdy reminded that any appointments or change in the membership of any of the boards and commissions had to be approved by the Board as a whole and not any single member. She also advised that her guidance to those affected appointees who had contacted her had been to contact the appropriate Board member and offer to resign.

Mr. Davis commented on the fact that the Bylaws provided that all boards and commissions be chartered, but only three had been chartered to date. He suggested that a good faith effort be made to charter the remaining bodies. Mr. Lawton advised that he would prepare a schedule with a goal to accomplish having all chartered within the next six months to a year. Mr. Evelyn remarked that some of the groups had not met recently and Mr. Lawton indicated that this would be a good time to re-evaluate and determine each board's usefulness.

Ms. Gowdy pointed out that a suggested change in the Bylaws that was reflected in the Board's meeting packet resulted from recommendations from local government attorneys that bylaws should define what could be included in the consent agenda. The proposed changes were read aloud for the public.

Mr. Evelyn moved that the Bylaws be amended as proposed, to include Mr. Stiers' request to remove a sentence from Article VII Subsection B and Ms. Gowdy's suggestion to add "Appointees shall serve at the pleasure of the Board of Supervisors", and that a vote be taken at a future meeting that was no less than 30 days from the date of the meeting. The members were polled:

C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye

Thomas W. Evelyn	Aye
James H. Burrell	Aye

The motion carried.

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IN RE: NATURAL GAS TRANSMISSION LINE

Resolution R-05-12 approving a conditional use permit application filed by Virginia Natural Gas to install a natural gas transmission line from Lanexa to West Point had been advertised for public hearing. Mr. Lawton announced that the applicant had requested a postponement of the public hearing until March. He suggested that should the Board vote to grant the postponement, then individuals who had shown up to speak should be given that opportunity, perhaps during the Citizen Comment Period.

Mr. Davis spoke about the difference between a postponement and a continuance, and suggested that since people were present to speak, he recommended that the public hearing be opened as advertised at 7 p.m. to allow comment, and then continue it, but that he would "go along with the advice of our attorney".

Ms. Gowdy indicated that from her conversation with the applicants, it was their understanding that the public hearing would be postponed and not continued because they didn't want to pay an additional fee, and that staff would recommend postponement but that the application be allowed to "continue through the process".

Mr. Evelyn asked Assistant County Administrator Rodney Hathaway for clarification. Mr. Hathaway reported that he had spoken with the applicants and they were agreeable if the Board wanted to go ahead and conduct the public hearing, but it was their intention that it be continued.

A gentleman who spoke on behalf of the applicant advised that it was their intention to ask for a continuance but out of courtesy, would not object to the Board allowing public comment, and their concern was whether it would "conflict with the process".

There was discussion regarding the confusion among affected residents, staff and the Board members, and consensus to wait until after 7 p.m. to open the Citizens Comment Period and allow all to speak at that time.

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IN RE: CONSENT AGENDA

The Consent Agenda was presented as follows:

1. Approval of Minutes
  - a. Work Session of November 30, 2011
  - b. Business Meeting of December 12, 2011
2. Miscellaneous
  - a. Resolution R-02-12, requesting acceptance of streets in Oakmont Villas, Phases I & II, into the secondary system of state highways
  - b. Resolution R-06-12, requesting acceptance of streets in Patriots Landing - Phase I, into the secondary system of state highways
  - c. Resolution R-03-12 commending and thanking the Brickshire Social Committee for its donations to the New Kent Social Services food pantry

- d. Resolution R-04-12 setting compensation for the 2012 Board of Equalization
  - e. Resolution R-07-12 honoring Julius Aubrey Scott on the occasion of his 100<sup>th</sup> birthday
  - f. Contract with Andrea G. Erard, Esq. for legal services for the New Kent Department of Social Services
  - g. DCR Grant Agreement for the New Kent County Phase II Watershed Implementation Grant strategy partnership
  - h. Agreement with PAPCO, Inc. for the purchase of petroleum products
  - i. Vending Agreement with Diamond Springs Water, Inc.
  - j. Compensation of County Attorney
3. Refunds
- a. \$1,418.20 to Alfreda & Roger Lewis for a veteran's exemption
4. FY12 Supplemental Appropriations
- a. Funds for security for Va. Celtic Festival (Inv. #10-01-\$248.13), security for Fall Bluegrass Festival (Inv. #10-15-\$347.38), security for Fall Bluegrass Festival (inv. #10-14-\$760.93), reimbursement for haz mat from Wyatt Transfer, Inc. (\$204.00), and security for 11-30 (\$193.77) and 12-3 high school basketball game (\$113.03), \$1,867.24
  - b. Funds for Colonial Downs invoice #FY12-01232011 (\$4,207.50), invoice #FY12-11052011 (\$3,591.25) & FY12-10302011 (\$3,570.00), \$11,368.75
  - c. Funds received for gifts and donations, \$700.00
  - d. Funds received from vending machine sales for employee Christmas parties, \$167.01
  - e. Program income received for FY12 from CDBG Plum Point grant participants, \$547.58
  - f. Funds received from insurance proceeds, \$6,664.08
  - g. Extension program sponsorship revenue, \$375.00
  - h. Additional Social Services funds, \$700.00
  - i. Additional State Fire Program funds, \$8,303.00
  - j. Unappropriate duplicate carry forward request, \$80,000.00
  - k. "Step Into 1862" funds, \$1,001.00
- \$(48,306.34) Total  
\$ (18,475.67) Total In/Out  
\$ 66,764.01 From Gen Fun fund balance
5. FY12 Interdepartmental Budget Transfers
- a. *Schools*: \$109.81 from Appropriation of funds from prior years to Motor Vehicles-Schools
  - b. *Public Utilities*: \$40,200 from Rt. 33 Waterline Extension to Dairy Queen PS Upgrade
  - c. *Board of Supervisors*: \$1,775.00 from Reserved for Contingency to Public Officials bonds
6. Treasurer's Report: Cash as of November, 2011, \$ 37,872,433.17
- 7.
- It was confirmed that the minutes included in the Consent Agenda were for meetings that pre-dated the terms of Mr. Tiller and Mr. Stiers and that it would be appropriate to vote on those separately.

Mr. Evelyn moved to approve the Consent Agenda, with the minutes removed for a separate vote, and that it be made a part of the record. The members were polled:

Ron Stiers	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
James H. Burrell	Aye

The motion carried.

Mr. Davis moved to approve the minutes, as presented. The members were polled:

W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Abstain
Ron Stiers	Abstain
James H. Burrell	Aye

The motion carried.

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IN RE: FIRE/EMT SERVICES

Jack Chalmers, Director of the Lanexa Station 4 Auxiliary and a citizen, addressed the need for additional fire/rescue manpower in New Kent. He clarified that although the statistics he would mention in his report pertained to Lanexa Station 4, they mirrored similar situations throughout the entire County.

He reported that since Station 4 was completed in December of 2010, manning had been minimal at best, only ten to fifteen days per month. He remarked that was not what had been expected by Lanexa residents when they worked so hard and donated so much to open Station 4 in less than a year. He indicated that when there was no one at Station 4, it took fifteen minutes or more to respond to a call in Lanexa, compared to five minutes when the station was manned. He added that Lanexa residents were also unable to obtain the promised lower homeowners insurance rates that were to have resulted from opening Station 4. He advised that similar conditions existed at other stations in New Kent and there were days on which there was no coverage available in the County for six to seven hours a day because the limited units were out on other calls. He maintained that this was not an acceptable situation, and he felt that 90% of New Kent citizens had no idea that there was no coverage available.

He advised that thirteen additional positions were needed immediately and suggested that the problem would never be solved if the County continued to add only one or two new positions each year. He indicated that he personally felt that citizens would not mind paying a few cents more on the tax rate if it was "for something they could see". He also noted that there was nothing on the County's webpage that reflected that there were open fire-rescue positions or that volunteers were needed. He commended recent media stories about the push for volunteers but he felt that a lot more could be done to bring attention to the issue.

He summarized that it was a safety issue for New Kent citizens and encouraged the Board and Administration to keep the need "at the top of the list".

Mr. Burrell thanked Mr. Chalmers for his comments and asked that staff provide the Board with information as to what it would cost to fund the needed positions. Mr. Lawton advised that adding that many positions at once would require a change in management structure and staff was looking at cost projections.

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IN RE:           COMPREHENSIVE ANNUAL FINANCIAL REPORT

Anne B. Wall, Member, Robinson Farmer Cox Associates, presented the Comprehensive Annual Financial Report (CAFR) resulting from the recent audit for Fiscal Year 2011 that ended on June 30, 2011. She advised that New Kent received "unqualified" or clean opinions in all areas and that the County had again applied for the Government Financial Officers Association for its Award of Excellence in reporting and should again qualify. She reported excellent cooperation from the staff and that the Financial Services staff had greatly assisted in the audit. She noted that there were some recommendations that had been discussed with management and were being addressed. She indicated that this year's audit had included an IT review and it had been determined that there were adequate controls in that area as well.

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IN RE:           ON-CALL STATUS POLICY

Before the Board for consideration was a request to amend the County's on-call status policy to provide consistent compensation practices and lend more flexibility to department heads overseeing these positions while preserving the intent of the policy.

Human Resources Manager Darla Hicks explained that the major change would provide a minimum two hours' pay when an on-call employee was required to report to a worksite, and a minimum 30 minutes' pay when response was by telephone or computer. She advised that some of the affected departments had different hours and the changes would clear up some of the inconsistencies and provide a policy that could be applied system-wide.

She advised that another proposed change was to increase the hourly on-call pay from \$1 to \$2 for recognized holidays only (not weekends) and that increase would be absorbed in current budgets of the affected departments and would be considered when developing the FY13 budget.

Mr. Davis moved to approve the proposed revisions to Policy 2.69, "On-Call Status", with an effective date of January 10, 2012. The members were polled:

W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye
James H. Burrell	Aye

The motion carried.

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IN RE:           CITIZENS COMMENT PERIOD

Chairman Burrell opened the Citizens Comment Period, and included those who had signed up for the Public Hearing on the application filed by Virginia Natural Gas.

Mr. Lawton read aloud for the benefit of the audience the letter from Virginia Natural Gas requesting a continuance of the public hearing.

Frank Mummert, 2012 President of the Providence Forge Volunteer Rescue Squad (PFVRS), reported that the PFVRS was celebrating its 50<sup>th</sup> year of serving New Kent and Charles City, noting that his organization was the only non firefighting EMS unit in the two-county area. He suggested that PFVRS might be able to work with the County to help solve some of the coverage problems. He explained that since their volunteers do not have to meet the requirements for firefighters, many in the community might want to volunteer with his agency as they needed individuals with all kinds of skills and talents, not just EMS skills. He referred to recent changes in the law relating to volunteer EMS agencies which had affected the relationship between PFVRS and local governments and suggested that his organization could work more closely with the County to help support coverage.

Kathy B. Minter of 19141 Eltham Road advised that she had received a telephone call earlier in the day advising that there was not going to be a public hearing on the Virginia Natural Gas application so she would not need to show up. She indicated that she was glad that she came anyway, and noted that a similar situation had arisen with the Planning Commission's public hearing. She spoke about the lack of a definite route for the gas line, the lack of communication between Virginia Natural Gas and the affected property owners, the lack of an incentive for New Kent or its residents, and the traffic problems that construction of the lines would cause for Eltham residents. She encouraged more information be provided to residents, and also had questions about where the line would be installed if it was not put in the existing utility easement.

Shawn Rowe of 4726 Homestead Road indicated that he did not know that the public hearing was being cancelled, and he was upset with the low offer made to him by the applicant for the easement across his property. He complained about the continuing changes in the information being provided to residents and expressed his support for a continuance of the public hearing.

There being no one else signed up to speak, the Citizens Comment Period was closed.

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IN RE: ELECTED OFFICIALS' REPORTS

After welcoming new Board members, Commissioner of the Revenue Laura Ecimovic provided an initial report on the 2012 General Reassessment. She advised that although they were still working on finalizing figures, the preliminary numbers were grim, reflecting an overall 17% loss of taxable land value – from \$2.6 billion in 2010 to \$2.1 billion. She reported this Reassessment had been particularly difficult because of a significant drop in the number of qualified sales and a sharp increase in foreclosures. She confirmed that existing home values and sales had been impacted more than those for new homes, with properties in the Viniterra and Brickshire subdivisions sustaining the most significant impacts. She indicated that lower valued homes had maintained their value better than more expensive homes.

She also reported that more properties were eligible for exemptions under new State mandates and that, coupled with the 13% increase in property being added to the Agricultural and Forestal District program, significantly impacted the taxable land values as well.

She pointed out that in the past, the County had depended on growth; however, the number of new parcels put to record had dropped from 1,300 in the last cycle to only 200 new parcels last year.

She advised that Notices would be mailed to property owners on January 27 and her office would be accepting informal appeal requests through February 22 and hoped to complete that process by March 16, after which time any appeals would be handled by the Board of Equalization. She indicated that the 2012 schedule was two to three weeks ahead of the 2010 schedule, which should help with the difficult budget process ahead.

She confirmed that the County was continuing to save over \$200,000 by conducting its General Reassessments in-house rather than contracting them out, and was receiving more professional results, more accountability, and more timely reports.

After welcoming the new Board members, Mr. Evelyn reported on a meeting he had attended with Delegate Chris Peace and State officials on the breakdown of the 911 system during Hurricane Irene, and spoke about how New Kent did not need any more unfunded mandates from the State.

Mr. Burrell echoed Mr. Evelyn's comments, and spoke about how New Kent had been praised by FEMA officials on how well it was organized, despite the glitches that occurred.

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IN RE: STAFF REPORTS

Mr. Lawton congratulated Mr. Burrell and Mr. Davis on their elections as Chair and Vice Chair for 2012. He spoke about the "daunting" budget process ahead and promised to update the Board with information as it was received. He also reminded about upcoming office closings in observance of Lee-Jackson Day and Martin Luther King Day.

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IN RE: DISTRICT APPOINTMENTS, PART 1

Mr. Evelyn moved to appoint George Tate as District One's representative to the Agricultural and Forestal District Advisory Committee to serve a four-year term beginning January 1, 2012 and ending December 31, 2015.

Mr. Evelyn moved to appoint Lee Tyson as District One's representative to the Purchase of Development Rights Committee to complete a three-year term ending June 30, 2014.

Mr. Evelyn moved to appoint George Tate as District One's representative to the Board of Road Viewers to serve a one-year term beginning January 1, 2012 and ending December 31, 2012.

Mr. Tiller moved to appoint Wayne Marks as District Two's representative to the Agricultural and Forestal District Advisory Committee to serve a four-year term beginning January 1, 2012 and ending December 31, 2015.

Mr. Tiller moved to appoint Martha Eagle as District Two's representative to the Clean County Committee to serve a four-year term beginning January 1, 2012 and ending December 31, 2015.

Mr. Tiller moved to appoint Claude Baldwin as District Two's representative to the Board of Road Viewers to serve a one-year term beginning January 1, 2012 and ending December 31, 2012.

Mr. Tiller moved to appoint Thomas Richart as a District Two representative to the Transportation Safety Commission to serve a four-year term beginning January 1, 2012 and ending December 31, 2015.

Mr. Burrell moved to appoint Eugene Williams as District Three's representative to the New Kent County Economic Development Authority to serve a four-year term beginning January 1, 2012 and ending December 31, 2015.

Mr. Burrell moved to appoint Herman Burrell as a District Three representative to the Transportation Safety Commission to serve a four-year term beginning January 1, 2012 and ending December 31, 2015.

Mr. Davis moved to appoint Ron Lang as District Five's representative to the Board of Road Viewers to serve a one-year term beginning January 1, 2012 and ending December 31, 2012.

Mr. Davis moved to appoint Paul Davis as District Five's representative to the Wetlands Board to serve a five-year term beginning January 1, 2012 and ending December 31, 2016.

The members were polled:

Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
James H. Burrell	Aye

The motions carried.

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IN RE:           NON-DISTRICT APPOINTMENTS

Mr. Davis moved to appoint Donald Seeterlin as a member of the Board of Building Code Appeals / Board of Fire Prevention Code Appeals to serve a four-year term beginning January 1, 2012 and ending December 31, 2015.

Mr. Evelyn moved to appoint W. R. Davis, Jr. as a member of the Farms of New Kent Community Development Authority Board to serve a four-year term beginning January 1, 2012 and ending December 31, 2015.

Mr. Evelyn moved to nominate Lee Tyson for Circuit Court appointment as an alternate member of the Board of Zoning Appeals to serve a five-year term beginning January 1, 2012 and ending December 31, 2016.

Mr. Davis moved to appoint Linda Myers as New Kent's representative to the Henrico Area Mental Health and Development Services Board to serve a three-year term beginning January 1, 2012 and ending December 31, 2014.

The members were polled:

C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
James H. Burrell	Aye

The motions carried.

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IN RE: BOARD MEMBER AND STAFF APPOINTMENTS

Mr. Burrell moved to appoint W. R. Davis, Jr. as the Board representative to the Agricultural and Forestal District Advisory Committee to serve a one-year term ending December 31, 2012.

Mr. Evelyn moved to appoint Ron Stiers as the Board representative to the Airport Advisory Commission to serve a one-year term ending December 31, 2012.

Mr. Evelyn moved to appoint W. R. Davis, Jr. as the Board representative to the Historic Commission to serve a one-year term ending December 31, 2012.

Mr. Burrell moved to appoint Thomas Evelyn as the Board representative to the Parks and Recreation Advisory Commission to serve a one-year term ending December 31, 2012.

Mr. Evelyn moved to appoint C. Thomas Tiller, Jr. as the Board representative to the Planning Commission to serve a one-year term ending December 31, 2012.

Mr. Burrell moved to appoint C. Thomas Tiller, Jr. as New Kent's representative to the Smart Beginnings Leadership Council to serve a one-year term ending December 31, 2012.

Mr. Evelyn moved to appoint W. R. Davis, Jr. as the Board representative to the Social Services Advisory Board to serve a one-year term ending December 31, 2012.

Mr. Burrell moved to appoint Ron Stiers as the Board representative to the Transportation Safety Commission to serve a one-year term ending December 31, 2012.

Mr. Burrell moved to appoint Thomas Evelyn as New Kent's Board representative to the Capital Regional Policy Board to serve a one-year term ending December 31, 2012.

Mr. Burrell moved to appoint Rodney Hathaway as New Kent's alternate Board representative to the Capital Region Policy Board to serve a one-year term ending December 31, 2012.

Mr. Davis moved to appoint G. Cabell Lawton, IV as New Kent's alternate representative to the Central Virginia Waste Management Authority Board of Directors to complete a term ending December 31, 2014.

Mr. Davis moved to appoint Thomas Evelyn as New Kent's Board representative to the Chickahominy District Health Advisory Board to serve a one-year term ending December 31, 2012.

Mr. Davis moved to appoint Ron Stiers as New Kent's elected official representative to the Metropolitan Planning Organization to serve a four-year term beginning January 1, 2012 and ending December 31, 2015.

Mr. Evelyn moved to appoint G. Cabell Lawton, IV as New Kent's alternate representative to the Metropolitan Planning Organization to serve a four-year term beginning January 1, 2012 and ending December 31, 2015.

Mr. Davis moved to appoint Kelli Le Duc as a New Kent representative to the Metropolitan Planning Organization to serve a four-year term beginning January 1, 2012 and ending December 31, 2015.

Mr. Davis moved to appoint Rodney Hathaway as a New Kent representative to the Metropolitan Planning Organization to serve a four-year term beginning January 1, 2012 and ending December 31, 2015.

Mr. Davis moved to appoint James Burrell as New Kent's elected official representative to the Richmond Regional Planning District Commission, to serve a four-year term beginning January 1, 2012 and ending December 31, 2015, and as New Kent's elected official representative on the Small Jurisdictions Committee and the Capital Region Collaborative.

Mr. Evelyn moved to appoint Kelli Le Duc as New Kent's voting alternate on the Richmond Regional Planning District Commission to serve a four-year term beginning January 1, 2012 and ending December 31, 2015.

Mr. Evelyn moved to appoint James Burrell as the Director of Emergency Management pursuant to Code of Virginia Section 44-146-19 and as Director of Emergency Services pursuant to County Code Chapter 30-161.

Mr. Davis moved to appoint E. Thomas Hicks as the Coordinator of Emergency Management pursuant to Code of Virginia Section 44-146.19 and as Coordinator of Emergency Services pursuant to County Code Chapter 30-162.

The members were polled:

Ron Stiers	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
James H. Burrell	Aye

The motions carried.

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IN RE: DISTRICT APPOINTMENTS, PART 2

Mr. Tiller moved to appoint Katherine Butler as a District Two representative to the Planning Commission to complete a term ending December 31, 2012.

The members were polled:

Ron Stiers	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
James H. Burrell	Aye

The motion carried.

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IN RE: MISSING RESIDENT

Laura Ecimovic spoke about an upcoming candlelight vigil for Ian Burnet, a New Kent resident missing since a visit to New York City over the holidays.

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IN RE: CLOSED SESSION

Mr. Davis moved to go into Closed Session to discuss a personnel matter pursuant to Section 2.2-3711A.1 of the Code of Virginia involving performance, for discussions relating to real property pursuant to Section 2.2-3711A.3 of the Code of Virginia involving disposition of government owned property, and for consultation with legal counsel pursuant to Section 2.2-3711A.7 of the Code of Virginia involving actual or probable litigation. The members were polled:

W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye
James H. Burrell	Aye

The motion carried. Chairman Burrell announced that the Board did not expect to conduct any business after the Closed Session.

The Board went into Closed Session.

Mr. Davis moved to return to Open Session. The members were polled:

Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
James H. Burrell	Aye

The motion carried.

Mr. Evelyn made the following certification:

Whereas, the New Kent County Board of Supervisors has convened in a Closed Session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by the Board that such Closed Session was conducted in conformity with Virginia law;

Now there be it resolved that the Board hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from Open Session requirements by Virginia law were discussed in Closed Session to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the Closed Session were heard, discussed or considered by the Board.

The members were polled on the certification:

C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
James H. Burrell	Aye

The motion carried.

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IN RE:           ADJOURNMENT

Mr. Tiller moved to adjourn the meeting. The members were polled:

Ron Stiers	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
James H. Burrell	Aye

The motion carried.

The meeting was adjourned at 8:38 p.m.