

A JOINT MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS AND THE NEW KENT COUNTY PLANNING COMMISSION WAS HELD ON THE 20th DAY OF SEPTEMBER IN THE YEAR TWO THOUSAND TWENTY-ONE IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 6:30 P.M.

IN RE: PLANNING COMMISSION CALL TO ORDER

Chairman Rose called the Planning Commission meeting to order. A moment of silence was observed followed by the Pledge of Allegiance.

IN RE: PLANNING COMMISSION ROLL CALL

Patricia E. Townsend	Present
Katherine C. Butler	Present
John P. Moyer	Present
Amy Pearson	Present
Curtisa Thomas	Present
Gary Larochelle	Absent
Dr. Joanne K. Schmit	Present
Joseph C. Davis	Present
Van "Marc" Bennett, Vice Chair	Present
C. Thomas Tiller, Jr., Board Representative	Present
Laura Rose, Chair	Present

All Commissioners were present with the exception of Mr. Larochelle.

IN RE: PLANNING COMMISSION APPROVAL OF MINUTES

Before the Commission for consideration were the minutes of the August 16, 2021 meeting. Mr. Bennett and Ms. Thomas noted several corrections. Ms. Rose had submitted corrections to Planning Commission Clerk Sheri Adams earlier in the day.

Ms. Pearson moved to approve the August 16, 2021 minutes with noted corrections. The members were polled:

John P. Moyer	Abstained
Amy Pearson	Aye
Van "Marc" Bennett	Aye
Dr. Joanne K. Schmit	Aye
C. Thomas Tiller, Jr.	Abstained
Katherine C. Butler	Aye
Patricia E. Townsend	Abstained
Joseph C. Davis	Aye
Curtisa Thomas	Aye
Laura Rose	Aye
Gary Larochelle	Absent

The motion carried.

IN RE: PLANNING COMMISSION – CITIZEN COMMENT PERIOD

There were no citizen comments.

IN RE: PLANNING COMMISSION – PRESENTATIONS

There were no presentations.

IN RE: PLANNING COMMISSION – UNFINISHED BUSINESS

There was no unfinished business.

County Administrator Rodney Hathaway asked that the Board of Supervisors be given a few moments to call their meeting to order prior to the scheduled joint public hearing.

IN RE: BOARD OF SUPERVISORS CALL TO ORDER

Vice Chair Tiller called the Board of Supervisors meeting to order at 6:38 p.m.

IN RE: BOARD OF SUPERVISORS ROLL CALL

Thomas W. Evelyn	Absent
C. Thomas Tiller, Jr.	Present
Patricia A. Paige	Present
Ron Stiers	Present
John N. Lockwood	Present

All Supervisors were present with the exception of Mr. Evelyn.

IN RE: PLANNING COMMISSION/BOARD OF SUPERVISORS JOINT PUBLIC HEARING
APPLICATION ZM-03-21, JOHN KINNEY REZONING

Before the Commission for consideration was PC-22-21 recommending approval of ZM-03-21 (Jonathan Kinney) to rezone approximately 1.42 acres of land from R-2 to Courthouse Development District (CHDD). Before the Board for consideration was Ordinance O-32-21 approving the rezoning of approximately 1.42 acres of land from R-2 to CHDD.

Planning Director Kelli Le Duc reported Mr. Kinney had requested the rezoning of 1.42 acres of land from R-2 to CHDD. The subject property was west of The Ordinary at 11930 New Kent Highway. The property known as the Hoover property had been purchased to expand the grounds of The Ordinary. The structure identified as the Hoover house had been demolished and an office building would be renovated to serve as administrative offices. A limited number of parking spaces would be constructed behind the office. Plans included landscaping to incorporate into The Ordinary grounds while creating space for casual games such as croquet and badminton. Future plans included the addition of a pavilion and/or event center with the location to be determined. Ms. Le Duc reported the Comprehensive Plan's Future Land Use Map designated this property as "Village" which involved a mixture of land uses on a smaller, pedestrian scale. The Courthouse area was currently home to the County Administrative Complex, the New Kent Post Office, School Board Office, New Kent School Complex, the Maidstone development, Corinth Baptist Church, several County businesses and residential properties. The application had been reviewed by VDOT, Public Utilities, the Sheriff's Office, Fire-Rescue and the Environmental Division and no concerns were reported. The application was consistent with the Village designation and surrounding land uses. The business would be served by public utilities and would add to the County's tax base with limited impacts on services. Staff recommended approval. Ms. Le Duc noted the Planning Commission would take action in regard to Resolution PC-22-21 first and then the Board of Supervisors would consider O-32-21. She invited Mr. Kinney to the podium.

Mr. Kinney reported he had purchased the property to the west of The Ordinary with the goal being to expand The Ordinary property and use one of the buildings for administrative offices. This was being done to free up as much space as possible at The Ordinary for overnight or weekly guests at the wedding venue/event center. The home on the property which was in poor condition had been removed. He entertained questions.

There being none, Commissioner Butler opened the public hearing for citizens' comments. There being none, the public hearing was closed.

Ms. Townsend moved to adopt Resolution No. PC-22-21 to forward Application ZM-03-21 to the Board of Supervisors with a favorable recommendation. The members were polled:

Curtisa Thomas	Aye
C. Thomas Tiller, Jr.	Abstained
Van "Marc" Bennett	Aye
Katherine C. Butler	Aye
Dr. Joanne K. Schmit	Aye
John P. Moyer	Aye
Patricia E. Townsend	Aye
Joseph C. Davis	Aye
Amy Pearson	Aye
Laura Rose	Aye
Gary Larochelle	Absent

The motion carried. The floor was turned over to the Board of Supervisors

As this had been a joint public hearing, Vice Chair Tiller asked Supervisors if they had any questions or comments.

Ms. Paige stated this project would be an asset to the County and add to opportunities available for weddings and other special events. She noted a former supervisor had said New Kent was becoming a wedding county and this would be another place to get married in beautiful New Kent. Mr. Stiers stated he believed this was the fastest recommendation Supervisors had ever received from the Planning Commission. Mr. Lockwood concurred.

Ms. Paige moved to adopt Ordinance O-32-21 approving rezoning application ZM-03-21. The members were polled:

C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
Ron Stiers	Aye
John N. Lockwood	Aye
Thomas W. Evelyn	Absent

The motion carried.

IN RE: DISCUSSION REGARDING THE STRATEGIC PLAN, COMPREHENSIVE PLAN
UPDATE AND NEXT STEPS

County Administrator Rodney Hathaway reported the Chairs and Vice Chairs for the Board of Supervisors and the Planning Commission had met to discuss next steps after the Strategic Plan was completed. They had decided to open the discussion to both boards by holding a

joint meeting. Plans had been to approach this in a three-step process with the first step being the Strategic Plan. The next step would be the Comprehensive Plan update focusing on land use followed by rewriting the Subdivision and Zoning Ordinances. He noted there were inconsistencies in the Subdivision and Zoning Ordinances and it would be necessary to have a clear understanding of the County's vision and goals before writing laws and policies. The next step would be the Comprehensive Plan and he noted Planning Director Kelli Le Duc had distributed copies of a draft RFP for a consultant to lead the process. He encouraged everyone to review the document and submit comments. He proposed the update be approached in similar fashion as the Strategic Plan including securing the services of a consultant and the formation of a Steering Committee. He recommended the Steering Committee be comprised of ten members including one Board-appointed representative from each District, two Planning Commissioners, two at-large members and one Economic Development Authority (EDA) representative. The Committee would work very closely with the consultant as well as be instrumental in the selection of that individual. The Strategic Plan Steering Committee had been involved in every aspect of procuring a consultant including approving the RFP and the actual selection of one of the twenty proposals received. The proposals had been narrowed down to four or five, the Committee had conducted interviews and forwarded a recommendation to the Board of Supervisors. This process had worked well but he was open to other suggestions.

He drew attention to pages 1-5 of the RFP and the stated purpose of the revision. This would introduce New Kent to a prospective bidder, give them an understanding of what was important to the County and provide some background data. The narrative emphasized that New Kent valued its rural character. Emphasis had also been placed on the process being transparent and providing opportunities for public engagement. The consultant was also asked to think outside of the box in their efforts to secure public involvement.

Mr. Hathaway noted Section II of the document was a draft timeline and although the dates could change, he wanted everyone to see the process involved in selecting a consultant. Proposed dates included putting the RFP out for bid on September 27th with the proposal due date being October 28th. The deadline for vendor questions would be October 20th after which an addendum providing answers would be published for all potential bidders to review. Proposals would be reviewed and interviews conducted in November with a goal of presenting a draft contract to the Supervisors at their November work session. If approved, a notice to proceed could be issued on December 1st. Mr. Hathaway stressed the document was a rough draft and encouraged everyone to send him comments.

Mr. Hathaway reviewed the Scope of Services which included but was not limited to:

1. Prepare a detailed citizen engagement strategy utilizing a variety of outreach mechanisms.
2. Develop a brand, theme and slogan including design of logo and tagline. He noted the Envision New Kent tagline and logo for the Strategic Plan had been developed by the consultant in conjunction with the Strategic Plan Steering Committee.
3. Provide updated demographic and housing analyses.
4. Assist in preparing planning metrics to be incorporated into the plan.
5. Provide recommendations on best land use strategies and practices for comparably situated localities.
6. Review and update County's transportation plan that designates a system of transportation infrastructure needs and recommendations that include the designation of new and expanded transportation facilities and that support the planned development of the County.
7. Review and provide comments and edits on the draft document.
8. Prepare maps and graphics.

9. Design and format final plan document.

He entertained questions.

Commissioner Rose noted Mr. Hathaway had mentioned receiving 20 Strategic Plan proposals and asked what the timeline had been for that. Mr. Hathaway reported the time from advertisement to submission had been a month which was the time generally used for similar RFPs. Ms. Rose stated a month was sufficient from advertising to receipt but asked what the timeline had been from receipt to reviewing all proposals. Mr. Hathaway noted the process had taken a month and a half to two months. Commissioner Moyer, who had also served on the Strategic Plan Steering Committee, agreed and noted a number of proposals had been quickly eliminated due to cost or not being very comprehensive. He estimated there had been ten really good proposals which they had focused on during the review process. Mr. Hathaway noted criteria for reviewing the proposals had been established. He noted Section V described the evaluation criteria and award of a contract. Criteria included:

1. Demonstrated relevant expertise with actual development of comprehensive plans, qualifications of staff involved with this project and business references. – 40 Points
2. Specific plan or methodology to be used in developing the comprehensive plan. – 30 Points
3. Overall quality and completeness of proposal. – 10 Points
4. Proposed cost. – 20 Points

Commissioner Rose questioned advertising the RFP in a week if the Steering Committee had not been established and asked at what point the Committee would have input into the process. Mr. Hathaway noted the timeline was to give everyone an understanding of how long the process would take. He noted a lot of work would have to be done to get the RFP ready for advertising and September 27th was not a hard date. Another question to be considered was at what point the Steering Committee would be assembled. If the Planning Commission agreed with the process and committee composition, he suggested they begin considering who represent them on the committee. He asked the Board of Supervisors to begin thinking about appointments as well and he would reach out to the EDA regarding selecting a representative. The sooner the representatives could be selected, the better.

Commissioner Moyer noted most of the RFP was boilerplate and about five pages would require more careful review. He indicated he felt they could get comments back quickly.

Supervisor Paige asked if this would be a Comprehensive Plan revision or a rewrite. Mr. Hathaway reported the Code of Virginia required localities to routinely update their Comprehensive Plans on an established schedule. He noted he wasn't sure if that was every ten years or every twenty years. This would be an extensive rewrite and the consultant would be asked to review the existing plan and use it as a building block. Some components of the existing Plan would remain unchanged while it may be necessary to change other components to reflect changes in the County.

Supervisor Lockwood noted agreement with Commissioner Moyer that the portion of the RFP needing review could be completed quickly. He was also in favor of sticking as close as possible to the proposed timeline. He stated the selection process for the Strategic Plan had gone very well and he supported following that template.

Supervisor Paige asked how many individuals would be serving on the Steering Committee. Mr. Hathaway noted the recommendation was to have ten members including one Board-appointed representative from each District, two Planning Commissioners, two at-large members and one EDA representative. Referencing the Strategic Plan, Ms. Paige stated

kudos were due to this group for the work they had done. The dedication and commitment of the members and their vision for the County had been instrumental. She noted the Comprehensive Plan would be a living, breathing document which would not just sit on the shelf but would be used in conjunction with the Strategic Plan to aid the Planning Commission and Board of Supervisors in decision making. She stated careful consideration should be given to the appointments keeping in mind the time commitment as well as the need to include individuals who would think outside of the box and have vision and history with the County. She was also open to suggestions for an appointment from District Three.

Commissioner Moyer noted Ms. Paige had mentioned the Comprehensive Plan and Strategic Plan being used to guide decisions and asked if bidders would be given a copy of the Strategic Plan. Mr. Hathaway agreed it was important for bidders to have access to the Strategic Plan and noted guidance on where to find it as well as other pertinent documents could be included in the RFP. Commissioner Rose asked if these documents were on the County website. Mr. Hathaway noted the Strategic Plan and Water Conservation Plan were on the website and he would make sure other documents were also included.

Referencing the timeline, Commissioner Thomas asked if there was a backup timeline. She noted there were holidays in November and December that could impact some who would be interested in serving. Mr. Hathaway stated consideration had been given to holidays and final selection of a consultant had been scheduled before Thanksgiving and Christmas. He noted the dates were not firm and could be adjusted as needed.

Commissioner Bennett reported he and Mr. Hathaway had discussed the importance of continuity and having the same personnel and committee members as much as possible from start to finish. He noted this would be a long-term project with 12-18 months spent on the Comprehensive Plan followed by 12-18 months on the Zoning Ordinance. Mr. Hathaway agreed continuity would be important and reported he had not spoken with Strategic Plan Steering Committee members to gauge their interest in possibly serving. He noted staff continuity would exist because he and a number of department heads had been very involved in the Strategic Plan planning process and would also be involved in the Comprehensive Plan. Commissioner Moyer noted agreement regarding continuity and suggested a larger number of members may be necessary as some may be lost along the way due to unforeseen circumstances. Mr. Hathaway noted that was a good point. Ms. Paige questioned if a Steering Committee would also be involved in the Zoning Ordinance process. Mr. Hathaway indicated a Steering Committee could be utilized in the Zoning review and he also anticipated the process would be led by a consultant. He liked the idea of increasing the membership and noted several members of the Strategic Plan Steering Committee had been lost along the way. Commissioner Rose questioned if consideration should be given to having two representatives from each district so they could "tag-team" to ensure continuity and equal representation. Mr. Hathaway noted that was a possibility.

Mr. Lockwood noted the recommendation was for two members from the Planning Commission and asked if anyone present was ready to make a commitment. Mr. Bennett reported when the Chairs and Vice Chairs had met, discussions had included membership with two members from each district and some younger members being suggested. There had also been some discussion on the membership at a recent Planning Commission meeting where several commissioners had indicated a willingness to serve. Commissioner Rose also recommended the Board of Supervisors consider including an at-large representative from the AFD (Agricultural and Forestal Advisory Committee) since agriculture and forestry would be a large component of the Comprehensive Plan. Mr. Hathaway agreed an AFD representative could be helpful.

Mr. Hathaway noted he had not mentioned it was the Board's practice to charter all boards and committees. He would draft a charter for the Comprehensive Plan Steering Committee which would include membership composition and election of officers as well as other bylaws components. He would take the comments and suggestions from this meeting into consideration and send a draft charter to everyone for review by the end of the week. He encouraged them to send him comments and he would revise the charter as needed. The charter would then be presented to the Board of Supervisors for approval on October 12th. If adopted, the Planning Commission would then be able to make their appointments.

Commissioner Rose asked if Commissioners had any further comments. There being none, she thanked Mr. Hathaway for the presentation.

IN RE: BOARD OF SUPERVISORS ADJOURNMENT

Supervisor Tiller asked if Supervisors had any further comments. There being none, Ms. Paige moved to adjourn. The members were polled:

Patricia A. Paige	Aye
Ron Stiers	Aye
John N. Lockwood	Aye
C. Thomas Tiller, Jr.	Aye
Thomas W. Evelyn	Absent

The motion carried. The Board of Supervisors adjourned their portion of the meeting at 7:24 p.m. The Planning Commission continued with their agenda.

IN RE: PLANNING COMMISSION CHAIRMAN'S REPORT

Chairman Rose indicated she had nothing to report.

IN RE: PLANNING COMMISSION PLANRVA REPORT

Commissioner Moyer reported he had attended a recent PlanRVA meeting and one of the topics had been public outreach. He would also check to determine what data PlanRVA may be able to provide in support of the Comprehensive Plan update. The PlanRVA budget had been approved and they were on track to have the funds needed at the end of the year.

IN RE: PLANNING COMMISSION – COMMISSIONER'S REPORTS

There were no Commissioner's Reports.

IN RE: PLANNING COMMISSION – STAFF REPORTS

Planning Director Kelli Le Duc reported on inquiries regarding several solar projects one of which had a potential timeline to share a presentation with the Planning Commission at their October meeting. A public hearing on the Capital Improvement Plan (CIP) would be held in November or December and a proposed ordinance amendment to increase the maximum building height in some zoning classifications would also be presented. She reported no public hearing applications had been received for October and suggested she and Chairman Rose may wish to discuss whether or not to hold this meeting if there was no presentation commitment from the solar project. Commissioner Bennett asked if the solar project was the same group who had spoken to the Planning Commission twice. Ms. Le Duc reported she had not heard any more from that group which had proposed a solar farm on Route

106. She had heard about three smaller scale projects including one considering the Weir Creek Industrial Park, one considering property near the Hanover County line and a third considering property near the existing solar farm in Barhamsville. Mr. Bennett noted there had been conversations several months ago regarding small community solar projects and asked if there was any more information on this. Ms. Le Duc reported she had received no additional information from that group. She added her department received many inquiries but only a few followed through with submitting something for consideration.

IN RE: PLANNING COMMISSION FUTURE MEETING

Commissioner Rose noted the next regularly scheduled meeting would be on Monday, October 18, 2021 beginning at 6:30 p.m. in the Boardroom pending word from Planning Director Kelli Le Duc in regard to presentations to be heard. If there were none, this meeting would be canceled.

IN RE: PLANNING COMMISSION – ADDITIONAL DISCUSSION ON COMPREHENSIVE PLAN STEERING COMMITTEE REPRESENTATION

Commissioner Pearson asked if they should discuss further who among them would serve on the Comprehensive Plan Steering Committee. She noted making those decisions early would help keep the timeline moving forward. She added that she was not interested in serving. Commissioner Rose asked if any commissioners were interested in serving. She was interested but didn't always have a lot of time and wouldn't stand in the way of anyone else who wished to serve. Commissioner Davis indicated he would be willing to serve if needed. Ms. Rose noted the Planning Commission's previous conversations had been in regard to representation during the procurement process and not the extended rewrite process. She suggested everyone should consider their schedules and ability to commit the necessary time. Commissioner Bennett was also interested in serving but noted he and Mr. Davis represented the same district. He felt it was important for the Planning Commission Chair to be on the Committee and he thought of his role more as being available when the Chair was not. Ms. Pearson noted the Chair and Vice Chair could change throughout the process. Ms. Rose also noted input from Commissioners not serving on the Committee would also be important and all of their voices could be heard. Discussions regarding how many representatives the Planning Commissions would have and who was interested continued. Supervisor Tiller asked Commissioner Moyer if he was interested in serving. Mr. Moyer indicated he would be interested in serving as a representative of District Two but not as a Planning Commissioner. Mr. Tiller asked County Administrator Rodney Hathaway if it would be okay to appoint a Planning Commissioner to serve as a district representative. Mr. Hathaway indicated this could be done. Commissioner Thomas asked if appointments could be staggered and noted she was interested in serving but her scheduled was full until December 1st. Mr. Bennett suggested the continuity concern would start when the work on the Comprehensive Plan began and not with the RFP and consultant selection. He felt the members of both bodies should review the RFP document and help with the selection of a consultant. He also stressed the importance of community outreach and noted the Steering Committee and County staff would be responsible for guiding the process.

IN RE: PLANNING COMMISSION ADJOURNMENT

Ms. Rose asked if there was any further discussion. There being none, Mr. Tiller moved to adjourn. The Planning Commission adjourned at 7:38 p.m.