



NEW KENT COUNTY BOARD OF SUPERVISORS

February 10, 2025, 6:00 PM

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

23124 - REGULAR MEETING

AGENDA

CALL TO ORDER

INVOCATION and PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA

(Matters included here under may be the subject of one motion to approve provided no Board member requests an item to be separated.)

1. Approval of Minutes

- a. November 26, 2024 Work Session Minutes
- b. December 9, 2024 Regular Session Minutes

2. Miscellaneous

- a. Approval of Monthly Financial Reports - October and November FY25
- b. Easement for Utility Service to Bottoms Bridge Shops

3. Refunds

- a. REFUND - Dangerous Dog Renewal Fee - \$65
- b. REFUND - Personal Property Tax - Veteran Exemption - \$1,562.06

4. Supplemental Appropriations

- a. FY25 Supplemental Appropriations

5. Interdepartmental Budget Transfers

- a. FY25 Interdepartmental Budget Transfers

6. Treasurer's Report

- a. Treasurer's Report - December 2024

CITIZENS COMMENT PERIOD

RESIDENCY ADMINISTRATOR'S REPORT

Residency Administrator's Report for January 2025

PRESENTATIONS

- ITEM 1 Arts Alive Annual Report** - Arts Alive Executive Director Laura Richards and Board Member Ellen Davis

- ITEM 2** **Consider Exception Request of Department of Public Utilities to Section 98-1069(a)(7) of the New Kent County Code to Use Chain-link Fencing - Resolution R-05-25 - Principal Planner Patrick Silva**
- ITEM 3** **Consideration of Exception from 91-126(a)(6) of the New Kent County Subdivision Ordinance for the Adams-Gammon Family Subdivision - Resolution R-06-25 - Principal Planner Patrick Silva**
- ITEM 4** **Consideration of Sponsorship Request for the Virginia Derby at Colonial Downs - Economic Development Director Lindsay Hurt**
- ITEM 5** **Courthouse Space Needs Assessment - County Administrator Rodney Hathaway**

Public Hearings to be held at 6:30 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.

PUBLIC HEARINGS

- ITEM 6** **PUBLIC HEARING - CUP-04-24, Resolution R-03-25 - CAMCO PROPERTIES, LLC: Curtisa Thomas, on behalf of Camco Properties, LLC, has requested a Conditional Use Permit to Operate an Assembly Hall/Event Venue located on approximately 5 acres at 16305 New Kent Highway - Principal Planner Patrick Silva**
- ITEM 7** **PUBLIC HEARING - FY24-25 Budget Amendment - Colonial Downs Revenue Fund - Resolution R-04-25 - Financial Services Director Tripp Lawrence**

ELECTED OFFICIALS REPORTS

STAFF REPORTS

OTHER BUSINESS

APPOINTMENTS

- Appointments - Delegated by District
- Appointments - Not Delegated by District
- Appointments - Regional Boards and Commissions

ADJOURNMENT

Adjournment

MEETING SCHEDULE: The next regularly scheduled meeting of the Board of Supervisors will be held at 6:00 p.m. on Monday, March 10, 2025 and the next work session will be held at 9:00 a.m. on Monday, February 24, 2025, both in the Boardroom of the County Administration Building.

If a meeting cannot be held because of the closing of State and/or County offices, the meeting will be held on the next business day that the County offices are open.

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

Approval of Minutes

<p>Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)</p>	<p>approve the Consent Agenda as presented and that it be made a part of the record.</p> <p>or</p> <p>I move to approve the Consent Agenda as presented and that it be made a part of the record, with the following changes:</p>
Subject	November 26, 2024 Work Session Minutes
Issue	
Recommendation	Approval
Fiscal Implications	
Policy Implications	
Legislative History	
Discussion	

Time Needed:		Person Appearing:	
Request prepared by:	W. Watkins, Deputy Clerk of the Board	Telephone:	804-966-9687
Copy provided to:			

ATTACHMENTS:

Description	Type
November 26, 2024 Work Session Minutes (PDF)	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	2/3/2025 - 10:40 AM
Administration	Hathaway, Rodney	Approved	2/3/2025 - 3:27 PM
Attorney	Everard, Joshua	Approved	2/3/2025 - 4:23 PM

A WORK SESSION WAS HELD BY THE NEW KENT COUNTY BOARD OF SUPERVISORS ON THE 26th DAY OF NOVEMBER IN THE YEAR TWO THOUSAND TWENTY-FOUR IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 9:00 A.M.

IN RE: CALL TO ORDER

Chairman Thomas W. Evelyn called the meeting to order.

IN RE: ROLL CALL

Thomas W. Evelyn	Present
John P. Moyer	Absent
Amy M. Pearson	Present
Ron Stiers	Present
Jordan T. Stewart	Present

All members with the exception of Mr. Moyer were present. Mr. Evelyn welcomed everyone and reported Mr. Moyer was absent due to recent knee surgery. He had spoken with him the previous day and Mr. Moyer had asked him to please let everyone know he was doing fine and to relay his wishes for a happy Thanksgiving to staff and New Kent County citizens.

IN RE: HAMPTON ROADS ALLIANCE – EASTERN VIRGINIA REGIONAL INDUSTRIAL FACILITY AUTHORITY (EVRIFA) OVERVIEW

Hampton Roads Alliance (HRA) Chief Operating Officer Steve Harrison thanked the Board for the opportunity to present and reported they were the managing organization for the Eastern Virginia Regional Industrial Facility Authority (EVRIFA). The information on EVRIFA had been shared with the New Kent Economic Development Authority (EDA) the previous week and they had voted to recommend joining. He provided an overview of EVRIFA including members, the governing process, funding and revenue sharing. Discussions also included the current EVRIFA project and next steps for participation.

There were eleven other Regional Industrial Facility Authorities (RIFAs) in Virginia with most being in the western portion of the state. The RIFA was a mechanism created by Virginia statute (Virginia Regional Industrial Facilities Act, Chapter 64, Title 15.2, Section 15.2-6400, et seq., Code of Virginia) for localities in the same region to cooperate in the development of facilities and then share in the revenue generated. He said a RIFA was a governmental body where multiple municipalities could join and suggested the most well known of the eleven other RIFAs was the Berry Hill Mega Site in Danville. Danville and Pittsylvania County had recently been able to attract Microporous LLC (a polythene and plastic sheeting supplier based in Piney Flats, TN) to the Berry Hill Mega Site. This would be a \$1.2 billion investment resulting in approximately 2,000 jobs and by sharing in the associated revenue, both communities would do very well. Together they had been able to invest in something that neither of them would most likely have been able to carry by themselves.

The creation of the EVRIFA had been formally recognized by the Secretary of the Commonwealth on December 18, 2018. Peninsula communities initially forming the organization had included York County (spearheaded the initial project), the City of Hampton (serving as Fiscal Agent) and the City of Newport News (serving as support staff). The HRA had taken over as the managing entity, fiscal agent and support staff in August 2022. Founding members of EVRIFA included: City of Hampton, City of Newport News, City

of Poquoson, City of Williamsburg, Gloucester County, James City County and York County. Others joining since inception included: City of Chesapeake, City of Franklin, City of Virginia Beach and Isle of Wight County. The HRA had recently presented EVRIFA information to representatives of the City of Norfolk and the City of Portsmouth and would be on the Portsmouth December 10th agenda for a resolution to approve joining. Similar timing was expected for Norfolk and they were hopeful to have both onboard by the end of 2024.

Every EVRIFA member community appointed two primary and two alternate members to the Board of Directors with the expectation being that at least one would be in attendance at Board meetings. Most communities were appointing one elected official and one member of the EDA as the primary members and the alternate members were often the Economic Development Director and the County Administrator or a staff member. Membership was flexible and it would be up to the locality's governing body to determine who should be appointed. Officers of the current EVRIFA Governing Board included David Meeker of Gloucester as Chairman, Harold Philipsen of Williamsburg as Vice Chair, Howard Hoege of Newport News as Treasurer and David Hux of Poquoson as Secretary.

As previously mentioned, the HRA had taken over the managing process for EVRIFA in August 2022. HRA and EVRIFA had entered into a MOA (Memorandum of Agreement) for HRA to serve as the administrative and management support arm of the organization. He said EVRIFA's purpose aligned perfectly with the HRA's regional economic development mission working with communities to solicit projects and attract business to the Hampton Roads region. With New Kent's population being under 50,000, an annual membership fee of \$2,000 and an initial joining fee of \$1,250 for a total of \$3,250 would be due the first year. Annual membership fees would be \$2,000 each year thereafter. This funding was used for administrative fees including the services of engineering and legal firms. HRA did not take any additional revenues from the RIFA because the communities who were members were members of the HRA. Member localities would pay the base fee for operational dues and then could choose to participate in projects on a case by case basis. Every project would have a participation agreement similar to a subcontract to the RIFA and the member localities would agree on what revenue was needed and on the details of the sharing arrangement. Approval by the governing bodies of all member localities electing to participate in a particular project as well as the funding level would be required.

EVRIFA currently had one active project which was the Kings Creek Commerce Center. This had been surplus state land (former fuel depot in York County) and the state had been more interested in the idea of selling the land to multiple localities versus giving it to one. This 432 acre parcel was purchased by the participating communities in December 2021 and simultaneously, 250 acres was leased to Dominion Energy for a 20MW solar project. The cost to buy the land and the revenue from Dominion Energy had offset each other meaning any future revenue would go back to the communities. They had also secured a GO Virginia Grant for site preparation to raise the site's certification level to make it more attractive. EVRIFA had received a contract from Distribution Realty Group LLC in June 2024 for approximately 30 acres of the remaining 82 acres. Plans for the 30 acres included spec warehouses and distribution and the revenue expected to total approximately \$1 million would be split among the participating communities. Six communities including the City of Hampton, Isle of Wight County, the City of Newport News, the City of Poquoson, the City of Williamsburg and York County had invested in the project at varying levels. He specifically mentioned Williamsburg and noted it was a good example of a locality which did not have large industrial tracts of land but did have revenues they could invest. The RIFA was giving them another avenue to invest and benefit from the large industrial tract in York County.

He stressed that each participation agreement would be specific to the project and each locality's annual contribution could vary from project to project.

If New Kent decided to join EVRIFA and a project was brought to the EVRIFA Board, New Kent could choose to either participate or not participate. If the decision was to participate, New Kent would begin negotiations with other participating communities to determine the percentage of the cost they would take on for acquisition and associated development costs. Once a project was on the property, New Kent would receive that same percentage of the revenue earned back on a continuous basis. He noted that although the word "industrial" was in the organization's name, the project did not have to be industrial. It could be a corporate office, infrastructure improvements, affordable housing or anything else municipalities may wish to invest in together. If it was a project in which New Kent wished to invest, the Board would determine the County's level of participation and then New Kent representatives would sit on the committee for that particular project and vote on expenses that were incurred. He said the Kings Creek Commerce Center participation agreement included provisions requiring any action by the committee to be unanimous but noted other participation agreements may not include this. If New Kent's decision was to not participate in a project, they would not sit on the subcommittee for that project but would still sit on the EVRIFA Board of Directors and could choose to either join or not join future projects. He said EVRIFA membership would be at a very minimal cost with almost no risk.

Mr. Harrison reviewed possible next steps. If New Kent was interested in pursuing EVRIFA membership, the Board of Supervisors could consider adopting a resolution to join. He indicated they could work with legal counsel for EVRIFA to draft a resolution for the Board's consideration. The EVRIFA Board would receive that resolution and then vote to accept New Kent as a member. Once accepted, New Kent would appoint two primary and two alternate EVRIFA Board members. He noted the EVRIFA had the potential to be extremely impactful in efforts to advance bigger sites in the region and to land bigger projects which would allow all participating communities to share in the win. He shared the following quote from City of Chesapeake Mayor Rick West:

"We joined the EVRIFA because it represents regionalism in action. It is an opportunity for transformative economic growth. When we join forces, no project is too big for Hampton Roads."

Mr. Harrison said that instead of hitting base hits individually, the hope was that they could hit a home run together. He entertained questions and noted more information was available on the websites [Eastern Virginia Authority.com](http://EasternVirginiaAuthority.com) or [Hampton Roads Alliance.com](http://HamptonRoadsAlliance.com).

Mr. Evelyn thanked Mr. Harrison for the presentation and opened the floor to questions.

Ms. Pearson asked if membership was on a fiscal year or calendar year basis? Mr. Harrison reported membership was on a fiscal year basis and if New Kent joined now, dues would be prorated. Ms. Pearson said she would like the opportunity for more research and to consider joining during the budget process. She thought this would be the best approach.

Ms. Stewart thanked Mr. Harrison for the presentation and noted she had visited the mentioned websites and had read the recent annual report. She asked if the revenue sharing would be proportional to each locality's annual contribution? Mr. Harrison reported the revenue sharing would be proportional to each locality's investment in any individual project. Using Kings Creek as an example, he noted that when this project started to generate revenue, the six communities investing in the project would receive revenue and

those electing to not participate would not share in the revenue. Ms. Stewart asked if she had understood correctly that New Kent would first have to vote on what its investment would be in a project and then all other participating localities would also have to approve New Kent's investment? Mr. Harrison reported each locality would approve their own investments and every locality bringing a Board approved contribution would be a member of that particular participation agreement. Ms. Stewart asked for the timeline for getting all participating localities to the table for the Kings Creek project? Mr. Harrison reported it had taken about a year and noted a good part of the time had been working with the state to determine how to purchase the surplus land. He also noted the Government Supervised Services Administration had also been involved since the property was under an EPA (Environmental Protection Agency) regulator improvement plan. He said this may have slowed this project more than a typical project. The RIFA had been formed in 2018, all communities had come on board and they had been able to close on the property in 2021.

Mr. Hathaway reported New Kent's EDA had met the previous Thursday and had voted unanimously to recommend that New Kent join EVRIFA. They had also agreed to pay the joining fee and first year's dues totaling \$3,250. Mr. Evelyn suggested this discussion should be brought back to the Board's December meeting to give Board members more time to look into this. Mr. Stiers agreed and said it had been a lot of information to digest. He noted some of the localities were much larger than New Kent and suggested New Kent had done pretty well on its own by having Colonial Downs and attracting other large businesses such as Buc-ee's and AutoZone. He expressed appreciation for the presentation and noted it had been great. Mr. Harrison thanked him and said the nice thing about the RIFA was that regardless of the size of the community, they could fit into the projects in which they wished to participate. New Kent could also bring a project to the RIFA if they had a large tract of land in which they were interested in getting additional investments.

Mr. Evelyn asked if there was a lot of city and county-owned property in the Hampton Roads area or was it mostly private properties? Mr. Harrison reported there was a lot of city and county-owned property and noted EDA's frequently controlled industrial tracts. He reported they had seen a number of developers coming in over the past five years and there were a number of private sector partners who would be interested in joining along on some of these projects. Mr. Evelyn thanked him for the presentation.

IN RE: DISCUSSION ON INITIATING A SENIOR VOLUNTEER HALL OF FAME

New Kent County's Senior Connections representative Dan Green reported the last time he had come before the Board had been to request financial support for the Chickahominy Area Triad. He thanked the Board for that support and said, "when we win, the County wins". As an expression of appreciation, he presented a plaque from the Chickahominy Area Triad inscribed with the following words, "New Kent County, Virginia Thanks for Your Generosity and Continuing Support 2024" to Mr. Evelyn. Mr. Evelyn thanked Mr. Green and Triad.

Mr. Green reported the Office of the Attorney General had named the Chickahominy Area Triad as Virginia's 2024 Outstanding Triad Service Organization because of its out-of-the-box thinking and continuous forward movement. They had recently received an award trophy which he would pass on to Sheriff Lee Bailey after their December meeting.

Mr. Green reported he had traveled and worked with many organizations and had seen many senior citizens who were deeply involved because they wanted to make a difference in the lives of people within their community. He said he very seldom saw any localities recognizing the individuals who were putting forth the effort. He noted initiating a Senior

Volunteer Hall of Fame would allow the Board the opportunity to recognize these individuals. He had previously provided details on the proposed program and indicated he felt the cost would be minimal. He entertained questions and urged the Board to move forward with this to recognize the people within the community who were doing the work.

He announced the Chickahominy Triad would have its annual holiday luncheon at 1:00 p.m. on December 18th at the Charles City County Social Center on Ruthville Road. He urged Board members to attend.

Mr. Evelyn thanked Mr. Green and said he felt the Senior Volunteer Hall of Fame was something they should consider if the Board wished to pursue this. Ms. Pearson stated she loved the idea and noted volunteerism was so prevalent in New Kent. She asked Mr. Green if Charles City was doing a similar program? Mr. Green indicated he did not know and noted this proposal was specifically for New Kent. Ms. Pearson noted there were many volunteer organizations in the County and many senior citizens were giving of their time. She again said she thought this was a great idea. Mr. Evelyn suggested staff should look at the information Mr. Green had provided and bring something back to the Board in December.

IN RE: AGREEMENT WITH TIMMONS GROUP FOR CITY CENTER COURT
 IMPROVEMENTS

Before the Board for consideration was an agreement with Timmons Group for City Center Court improvements. Department of Transportation Development Director Amy Inman reported the request was for authorization for the County Administrator to execute an agreement with Timmons Group for the design and engineering of the New Kent City Center Court extension. She said New Kent had received Virginia Department of Transportation Economic Development Access Grant Program funding in the amount of \$800,000 for this project. Staff had also been working on an agreement with the property owner who would be providing a \$150,000 local match. If the Board approved the request, the contract with Timmons would not be executed until both the development agreement and the EDA grant agreement were in place. Ms. Inman noted they were excited to be able to advance with this project and hopefully open up more areas for economic development in New Kent.

Mr. Evelyn thanked Ms. Inman and opened the floor to questions.

Ms. Pearson drew attention to page 8 of the agreement and noted it mentioned a FEMA (Federal Emergency Management Administration) analysis. She asked if this analysis was available and noted the agreement had suggested some time could be saved if it was? Ms. Inman indicated they would work with Environmental staff to determine if it was needed.

Mr. Evelyn called for a motion. Ms. Pearson said she thought this was something they had to do to move forward with the project. County Administrator Rodney Hathaway confirmed and noted there would be no cost to New Kent. This would be grant funded and the property owners (Shaia's) had agreed to provide the matching funds. The grant was \$500,000 and could go up to \$800,000 but there was a dollar for dollar match required for anything above \$500,000. The Shaia's would put in \$150,000 and the state would provide the remaining \$150,000. Ms. Pearson asked what would happen if the cost went over \$800,000? Mr. Hathaway reported an agreement had been presented to the Shaia's which stated any additional costs would be their responsibility. Mr. Evelyn asked if there were any additional concerns, questions or comments? There being none, he entertained a motion.

Ms. Pearson moved to authorize the County Administrator to execute an agreement with Timmons Group, in a form approved by the County Attorney, for City Center Court improvements. The members were polled:

John P. Moyer	Absent
Amy M. Pearson	Aye
Ron Stiers	Aye
Jordan T. Stewart	Aye
Thomas W. Evelyn	Aye

The motion carried.

IN RE: NEW KENT COUNTY 2025 LEGISLATIVE AGENDA

County Administrator Rodney Hathaway distributed copies of the revised proposed 2025 Legislative Agenda and reported there had been one change to the document provided in the meeting packet. The proposed legislative agenda had initially been presented at the October 29th work session and two items had been added since that meeting. He provided an overview of the following additional items:

- **Action Items Number 4 - Public Notice Requirements**
The General Assembly had revised the public notice requirements the previous year by requiring that the second notice be published no less than 7 days prior to the date of the public meeting. Since New Kent's meetings are on Mondays and our local paper of record was published once a week on Wednesdays, it was necessary to run notices a week earlier than our previous schedule. In some cases, New Kent was running notices almost one month in advance of the public meeting in order to comply with the requirement. This was forcing localities to be less responsive to citizens by lengthening the time for governmental action on items such as rezoning requests, variance requests, and contract and lease approvals requiring public hearings. He said New Kent's County Attorney had been working with VACo on this and it appeared other localities were having similar issues. New Kent was requesting that the 7 day requirement be reduced to 5 days. This would allow New Kent to return to the previous advertising schedule with the second notice being published the week prior to the meeting. Mr. Hathaway reported he had initially not included this because he had thought it was only a New Kent issue but had since learned many others across the Commonwealth were also facing this issue. VACo had agreed to support this and he was proposing the following language for an ordinance amendment:

§ 15.2-2204. Advertisement of plans, ordinances, etc.; joint public hearings; written notice of certain amendments.

A. Plans or ordinances, or amendments thereof, recommended or adopted under the powers conferred by this chapter need not be advertised in full, but may be advertised by reference. Every such advertisement shall identify the place or places within the locality where copies of the proposed plans, ordinances or amendments may be examined.

The local planning commission shall not recommend nor the governing body adopt any plan, ordinance or amendment thereof until notice of intention to do so has been published twice in some newspaper published or having general circulation in the locality, with the first notice appearing no more than 28 days before and the second

notice appearing no less than **seven five** days before the date of the meeting referenced in the notice; however, the notice for both the local planning commission and the governing body may be published concurrently. The notice shall specify the time and place of hearing at which persons affected may appear and present their views. The local planning commission and governing body may hold a joint public hearing after public notice as set forth in this subsection. If a joint hearing is held, then public notice as set forth in this subsection need be given only by the governing body. In any instance in which a locality has submitted a correct and timely notice request to such newspaper and the newspaper fails to publish the notice, or publishes the notice incorrectly, such locality shall be deemed to have met the notice requirements of this subsection so long as the notice was published in the next available edition of a newspaper having general circulation in the locality. After enactment of any plan, ordinance or amendment, further publication thereof shall not be required.

- Action Item Number 7 - 2021 Sentencing Reform Legislation
Prior to 2021 sentencing reform legislation, defendants were required to choose whether to be tried and sentenced by a jury or face a judge in a bench trial. Since 2021, a defendant could choose for their hearing to be heard by a jury or a judge and could also choose for their sentencing to be heard by a jury or a judge. A defendant could now choose a jury for the hearing and, if convicted, could choose a judge for sentencing. Previously defendants had been required to go with either a judge or jury for both phases. This change had led to a significant increase in jury trials not only in New Kent, but throughout the Commonwealth. Prior to 2021, defendants had been more likely to select a bench trial because if they were found guilty, there was a better chance of receiving a lighter sentence. Jury trials required considerably more resources than bench trials and this new law provided no additional funding for manpower to deal with the increased workload on prosecutors, court appointed defense attorneys, the court system, and law enforcement officers. New Kent was requesting a study be performed on the local fiscal impact of the 2021 sentencing reform legislation and that a plan be developed to provide financial relief to localities. He believed the Board would be seeing a request from the Sheriff's Office in their FY26 Operating Budget for additional staff. He again noted this was not just a New Kent issue but was a concern across the state.

All other previously presented Legislative Agenda items remained as presented.

Mr. Evelyn thanked Mr. Hathaway and asked if there were any comments regarding the two additional items?

Ms. Stewart stated she thought the addition of Number 7 was a good idea and reported she had been called for jury duty twice since 2021. She asked what had been the engagement strategy with the Legislative Agenda in the past? Mr. Hathaway reported he had reached out to the staff of our representatives and had been sharing the Legislative Agenda with them and while he had offered opportunities for in person meetings, they had never taken him up on those offers. Ms. Stewart suggested if the Board was going to put this important document together, they should make it a priority to meet with the elected officials. She drew attention to Action Item Number 1 on Historic Horse Racing Revenues and noted the County had retained a lobbyist for this. She suggested the only way New Kent would get anything would be to continue asking and making it known that this was a priority.

Mr. Evelyn asked if any action was required? Mr. Hathaway noted a motion had been provided. Mr. Evelyn called for a motion.

Mr. Stiers moved to adopt the proposed New Kent County 2025 Legislative Agenda. The members were polled:

Amy M. Pearson	Aye
Ron Stiers	Aye
Jordan T. Stewart	Aye
John P. Moyer	Absent
Thomas W. Evelyn	Aye

The motion carried.

IN RE: FUTURE CAPITAL PROJECTS DISCUSSION

County Administrator Rodney Hathaway provided an overview of a capital projects presentation detailing information on three potential capital projects including Makemie Woods, the New Kent Historic School and the New Kent Courthouse. He reported these items had been scheduled for discussion at the Board's fall budget retreat (which had been canceled) and no action was requested at this time. This discussion would be an opportunity to share ideas and to begin planning for these potential projects.

Makemie Woods Property

- 274 acres zoned Conservation
- A purchase offer had been received from the Chickahominy Indian Tribe – Eastern Division.
- A lease offer had been received from the New Kent Public Safety Foundation.
- Numerous other organizations had contacted him with interest in either a purchase, a lease or other arrangements for the property.
- The property was currently used on occasion by law enforcement officials around the region for training.
- An Eco Eternity Forrest located on the property was currently managed by the County Administrator. He reported the Eco Eternity Forest was being used and he received frequent requests from individuals wishing to go onto this portion of the property. There had also been some burials of ashes since the County had taken ownership. Mr. Evelyn stated a cemetery was on the property. Mr. Hathaway reported it was an Eco Eternity Forrest and consisted of an area designated by the previous owners (Presbyterian Church) for the burial of ashes. The church had sold plots to those wishing for their ashes to be interred on the property.

He drew attention to a map of the property and noted the Eco Eternity Forest was located on the southern tip of the property. Some other amenities included a canoe landing, kayak launch, maintenance shed, dining hall, swimming pool and a chapel. He noted there had been some discussions about a possible park facility when the County had first acquired the property. He was frequently hearing from the various youth groups about the shortage of ball fields so those types of facilities were a need.

He reported the proposal from the Chickahominy Indian Tribe – Eastern Division indicated they wished to use the property as tribal land. Plans included hosting regional pow wows, a potential museum and a meeting place for their tribe and regional tribes. They had stated they had no interest in developing the land and would keep it natural.

Mr. Evelyn asked if the entire parcel was zoned Conservation and noted there wasn't much that could be done with that zoning? Mr. Hathaway confirmed the entire parcel was zoned

Conservation. Mr. Stiers asked if there had been any discussion about how much they would be willing to pay? Mr. Hathaway reported they had offered \$1 million which had been the County's purchase price for the property. He said if the Board wished to consider working with the Chickahominy Indian Tribe, it would be his recommendation to carve off 30 to 40 acres so that some recreation facilities could be built to serve the east end of the County. He noted there were several parks in the western part of the County but there were none in the eastern part of the County. He felt it would be great to provide those amenities on this property and said the parcel was large enough to accommodate both uses.

He reported the New Kent Public Safety Foundation proposal was "loose" and noted the Foundation was seeking to work out a partnership with the County where they would share in maintenance and operate the property jointly for recreational uses and for the operation of the Foundation's Freedom Fields counseling service for Veterans. They would also like to use the property for fundraising such as concerts and other activities. He noted he could provide emails from both interested parties to the Board.

Mr. Stiers reported he had not physically seen the property but had been told a lot of repairs were needed on the buildings. He asked if this was true? Mr. Hathaway confirmed and reported the buildings had been vacant for a period of time and did need some work. He further reported he did not believe the County's Building Official would allow anyone to occupy the buildings in their current state.

Ms. Pearson asked if there was any mechanism where citizens could be asked to provide input on what they would like to see on the property? Mr. Hathaway confirmed and noted if the County was going to use the property for a recreational purpose, it would be his recommendation to hire a consultant to do preliminary work to layout where amenities could be placed. That consultant could also work with the County to conduct a series of community meetings to gather input regarding what types of amenities and facilities they would like to see. He added that he did not think they could plan a park without asking the community what they would like to see included. Mr. Stiers stated he had said several times that the citizens should be involved. Mr. Evelyn agreed and noted given the size of the property, he thought they should hear from the citizens before making any decisions.

Ms. Stewart said she had anticipated Mr. Hathaway would say "hire a consultant" since it had been brought up in a previous email. She noted Mr. Smith (William Smith) who came to every Board meeting to talk about a park had told her he was circulating a petition for a park and she had thought he would be at this meeting. She agreed that the public should be engaged. Her responsibilities as a Board member on PlanRVA and Richmond Regional Tourism (RRT) had given her an opportunity to engage with both organizations to determine if they could provide any services in this regard. PlanRVA had indicated they could assist New Kent with a lot of what a consultant would do since the County was a member of PlanRVA. They had specifically indicated they could do the following:

- Survey localities in Virginia that had gone through similar processes.
- Design a public engagement plan to identify needs and wants for a park space.
- Research and analyze current facilities and programs that were offered regionally or geared toward specific priority populations for benchmarking.
- Mapping and space analysis of current features and attributes of the property.

She suggested the Board should utilize low or no cost options before committing to hiring anyone. Ms. Pearson noted PlanRVA had done a great job with the Comprehensive Plan meeting and she thought they could also organize the public meetings. Ms. Stewart reported she was not sure if it was PlanRVA or RRT but one of them had shared that they had

used a similar process to help Hanover County with their cross country trails. Mr. Evelyn stated this sounded like where they should start. Mr. Stiers noted agreement.

New Kent Historic School

Mr. Hathaway drew attention to several current and proposed floor plan drawings for the Historic School. He reported this was the 1930 portion of the school which included a 15,100 sq. ft. upper level and a 36,315 sq. ft. lower level including a gymnasium and atrium. The County had been working with Moseley Architects on this project and a plan for the use of this building as a community center had been developed. This concept included utilizing the existing stage and auditorium as a reception hall and community space. Former classroom space on the upper level would be designated for Parks & Recreation and Cooperative Extension Services offices. The former library space would be designated as a community meeting space where groups could host meetings or other activities. Smaller breakout areas for meetings or Parks & Recreation classes would also be included. This concept also included a dedicated space for senior programs. This facility would be open to the community by reservation for meetings and other activities. He noted meeting space was a great need, Quinton Community Center was frequently booked and outside groups were also reserving the Boardroom for meetings.

Drawing attention to the lower level of the building, he reported the gymnasium had been renovated and there were no plans for any further renovations of that area. He also reported another lower level space had been renovated for the Bridging Communities Regional Career and Technical Center small engine program. A classroom which had housed a Pre-K program (moved into County school facilities) was currently utilized for Parks & Recreation activities. A good portion of the lower level floor plan had been shaded in gray and he noted this area would be designated for storage which was a huge issue for the County. Some of this area was known to get wet but the renovation would address moisture issues. The lower level renovation would also include bathrooms which could be used during football and baseball seasons as well as during other activities in the fields or the gymnasium. Attendees of events were currently utilizing the existing small restrooms as well as porta johns near the fields.

Renovations to the atrium area between the two buildings would include a stage with seating for performances and socials. This part of the project would most likely be phased but it was a concept of what could be done with the center area. He drew attention to an artist rendering of the renovated atrium area and noted the handicap ramp access to the building would be from this side.

He reported staff had been directed by the Board to look at how this building could be utilized to accommodate offices for the Treasurer and the Commissioner of the Revenue. The main access to the building would be from the side and those entering would come into service counters for both offices. The goals of this design had been to keep the stage and auditorium areas available to the community and the proposed layout of space was the best they could come up with without impacting those areas. He reported the Commissioner of the Revenue had concerns with this design and he did not believe there was a will to move forward. One of those concerns had been the distance customers would have to walk to get to this area and the other major concern was that the Commissioner did not want to share space with another office. He noted the proposed design was for a shared space between the Treasurer and the Commissioner of the Revenue and there had been no way to seal off the two offices. They no longer felt this building could accommodate the Treasurer and the Commissioner of the Revenue while preserving community space. The recommendation

was to move forward with the design which would include offices for Parks & Recreation and Cooperative Extension Services as well as community space.

Ms. Pearson asked what would happen to the office spaces currently occupied by Parks & Recreation and Extension Services? Mr. Hathaway reported he had received a request from Bridging Communities Regional Career and Technical Center to utilize those spaces for classrooms. They were currently out of space and would like to expand programs.

After developing the design, Mosely had then been asked to provide a cost estimate. He noted the Board had originally borrowed \$7 million for the renovation of this school. The cost estimate had come in at almost \$14 million and this was why they had not moved forward with the project. He reviewed the following numbers provided by Moseley:

New Kent County Historic School Renovation	\$10,224,143
Sitework	\$ 2,738,018
School Maintenance Building Construction	\$ 850,000
Existing Maintenance Building Demolition	\$ 43,800
TOTAL	\$13,855,961

He said one of the biggest issues with opening the Historic School up to the community would be parking and the idea of moving the School Maintenance Building to a location behind New Kent High School had been considered as a way to provide additional parking. He noted this estimate had been prepared in late 2023 so it was now approximately one year old. He entertained questions.

Referencing the designated senior area, Mr. Stiers asked if this area would include a grill for burgers and sandwiches? Mr. Hathaway reported the area would include a warming kitchen where meals could be prepared. Staff had felt this was essential to a senior day space. Mr. Stiers asked if the proposed renovated floor plan was available to the public on the County's website? Mr. Hathaway indicated they could make the information available. He thought it had been on the website at one time but noted the County's website had recently been updated and he would have to confirm. Mr. Stiers indicated he would appreciate this.

Mr. Evelyn asked if there were any additional comments or questions on the school? Ms. Stewart asked who would manage the rental of space to the public? Mr. Hathaway reported the plan was for Parks & Recreation to oversee rentals. Ms. Stewart asked Sheriff Lee Bailey if he had any concerns about additional burden on his department if this building was available to the public? Sheriff Bailey indicated he did not anticipate any tremendous burden and suggested many of the groups that could potentially use this facility were currently using other County facilities.

Ms. Pearson asked for the year this project was scheduled in the CIP? Mr. Hathaway reported the borrowing had been in 2022 but they hadn't proceeded beyond design and planning. Ms. Pearson noted sufficient funding had not been borrowed and asked what would happen to the funds if this project was tabled? Mr. Hathaway reported there were some options and noted one of his recommendations would be to table this project for now. His FY26 CIP presentation would include a recommendation to move forward with the replacement of Fire Station #2 and he would be recommending this project be primarily funded with the money borrowed for the Historic School. Ms. Pearson stated the borrowed funds were not tied to the Historic School project. Mr. Hathaway confirmed. He said he wanted to provide the Board with an update on where the County was with this project. He

believed this was a really good project and suggested the Historic School could be a huge resource to the community. He noted it would be a matter of timing and affordability.

New Kent Courthouse

Mr. Hathaway reported Mr. Evelyn and he had received a request from Circuit Court Judge B. Elliott Bondurant to meet for a tour of the Courthouse. The Judge and his staff had shared that they were completely out of space and the tour had supported that claim. He said the Judge had expressed a need for more space and staff had looked at several options. They had considered the possibility of adding a wing to the existing building. Mr. Hathaway had reached out to the owner of the property to the west and that owner had indicated they did not wish to sell at this time. Given this, expansion to the west would be out of the picture. An eastern expansion was also a possibility but he noted a heavy presence of utilities in this area which would require a great deal of engineering work to determine the feasibility. He said if the desire was to build for the future and not just put a band aid on the situation, his recommendation would be to look at building a new courthouse that would last for the next 30 to 40 years. He said there was not enough land available in the existing Courthouse complex to accommodate a new Courthouse facility and associated site requirements. He reported there was an adjacent parcel to the Courthouse Complex which he believed was owned by Lloyd Poe. He had not approached Mr. Poe but said developers had been looking at this property for possible residential projects and several of those developers had met with and shared their proposed plans with staff. If New Kent was able to purchase a portion of this property, it would give the County the ability to build a courthouse somewhere along the woods line beside the New Kent Post Office and the field currently used by Parks & Recreation could become parking. He reported the New Kent Administration Building was also out of space and if a new courthouse was built, this would open up the opportunity to use the existing Courthouse for administration offices and space for New Kent County and New Kent Schools.

Mr. Hathaway reported the County had worked with Moseley Architects on developing a space analysis for County departments. He drew attention to a chart depicting current space needs and projected needs for 2034 and 2044. Current Administration Office needs suggested a building 34,755 sq. ft. in size would be needed. That size would increase to 40,478 sq. ft. in 2034 and to 43,910 sq. ft. in 2044. He noted separate figures had been listed for School Administration needs and noted current School Administration staff were scattered about in various buildings. He pointed out the Historic Courthouse where a number of School Administration offices were currently located was approximately 4,000 sq. ft. while the current need was listed as 13,088 sq. ft. He reported the existing Courthouse was 23,672 sq. ft. and the existing Administration Building was 18,818 sq. ft. for a total of 42,490 sq. ft. This would get very close to the projected 20-year space needs. He reported projected space requirements had come from the results of a survey of departments. He said if money was not an issue, this would be what was desired for County operations but suggested the numbers could possibly be whittled down. He said some departments such as IT and General Services would not need to be moved because they were currently in locations that were comfortable and meeting their needs. This would reduce the sq. ft. requirement by approximately 7,000. Mr. Evelyn noted the New Kent Schools had been added and suggested the square footage of the Historic Courthouse should also be included in the equation. Mr. Hathaway agreed and suggested it was possible they may not be able to bring all of New Kent Schools administration together under one roof but noted additional space for them could possibly be identified.

Ms. Stewart asked where Fire-Rescue was on the list? Mr. Hathaway reported Fire-Rescue had not been included because he believed they were good with their current location. Ms.

Stewart asked where Fire-Rescue was currently located? Mr. Hathaway reported they had recently moved to the Health and Human Services Building in space previously leased to Thrive Virginia. Ms. Stewart asked if any current employees in the Courthouse were County employees or were they all state employees serving the County? Sheriff Lee Bailey reported offices in the back half of the building were occupied by the Sheriff's Office civil process. Mr. Hathaway also noted some employees, such as the Commonwealth's Attorney, were state employees but received some salary funding from New Kent. Ms. Stewart asked if the Deputy Clerks in the courts were state or county funded? Mr. Hathaway reported the Circuit Court Clerks were county funded but the General District Court Clerks were state funded. Ms. Stewart asked if this included Clerks and Deputy Clerks? Mr. Hathaway reported funding from the Compensation Board was received for some positions in both courts. He believed there were three positions in the Circuit Court which were state funded and New Kent funded the remainder. He said all General District and Family Services positions were funded by the state. Ms. Pearson asked if New Kent was funding the Commonwealth's Attorney salary? Mr. Hathaway reported some Compensation Board funding was received and the Commonwealth's Attorney's salary was primarily funded by the state but was also supplemented by New Kent. He also noted an Assistant Commonwealth's Attorney position was primarily funded by the state and another Assistant Commonwealth's Attorney position was funded by New Kent. New Kent was also paying salaries for some of the support staff. Ms. Pearson asked if the Victim Witness positions were grant funded? Mr. Hathaway confirmed. Ms. Pearson asked if Juvenile and Domestic Relations positions were funded by the state? Mr. Hathaway confirmed.

Mr. Evelyn reported when they had met with Judge Bondurant, it had been evident he was willing to work with the County. He suggested if New Kent did not do something soon, that could change and noted the Judge could force New Kent to build a new courthouse. Based on discussions with the Judge, he did not feel trying to renovate the building while keeping courts open was feasible. The Judge was very concerned about the privacy of records and was open to ideas but did not see how a renovation would work. He suggested building a new courthouse would solve some space issues for New Kent Schools and for County staff and he felt this should be on the front burner during upcoming budget discussions.

Mr. Stiers noted a developer who owned approximately 1,000 acres behind Corinth Baptist Church had indicated he was willing to proffer some property for a new courthouse or Administration Building. He asked if anything was going on with this? Mr. Hathaway stated this could be an option but noted the Board would have to allow 500 to 600 homes on the property and he wasn't sure that was the will of the Board at this time. He believed the path forward would be to start with a needs analysis just as had been done for the Administration Building. This would be needed to determine size, layout and cost. Once that was available, they could begin working on financing options with the County's financial consultant Davenport and Associates. Noting the Board had met with the School Board the previous week to discuss the need for a new elementary school, he said financing models including a new school could also be considered with the potential for doing one big borrowing for the two projects. He noted this sounded like a lot of money but noted there were some things working for the County. He reported several debts would be paid off over the next five years and specifically mentioned loans on New Kent High School, the Vehicle Maintenance Facility, the Health and Human Services Building and the Sheriff's Annex. This would give the County opportunities to take on new debt. Mr. Evelyn stated he felt the Board had done a good job of managing debt and specifically noted borrowing had been done when interest rates had been low.

Mr. Hathaway stated that if the Board was in agreement, he would like to begin getting quotes on the preliminary work, spatial analysis and working with the courts to get an idea of what would be needed. Mr. Evelyn asked if everyone was in agreement with this plan? All Board members concurred.

IN RE: OTHER BUSINESS – ANNOUNCEMENTS

Ms. Stewart reported it was not too late to sign up with the New Kent Department of Social Services for Christmas assistance or to provide assistance. Donations were due by December 20th and those needing assistance included a wide range of ages. She reported there was a wide range of opportunities to help and they were also looking for assistance with meals. She again noted there was still time for anyone needing assistance or wishing to provide assistance to register. She also reported one of her constituents participated in the Farm Bureau Women's Committee and they were currently conducting a sock drive. Anyone interested in supporting this was asked to donate gender neutral socks with grips at the Farm Bureau Office in Providence Forge through December 7th.

Mr. Stiers reported the Forge Foundation would begin the process of cooking fifty turkeys the next day. This was in preparation for the annual Thanksgiving Feast at the Providence Forge Recreation Center. This meal would be all you can eat for \$0.99. Mr. Evelyn asked Mr. Stiers if he could provide information on the Providence Forge Christmas Parade? Mr. Stiers reported anyone interested in being in the parade could go to the Providence Forge Christmas Parade Facebook page to register. Mr. Evelyn asked for the deadline? Mr. Stiers reported the deadline would be December 1st and the parade would be on December 8th. Anyone needing a copy of the registration form should be able to get one from either New Kent branch of Citizens & Farmers Bank.

Ms. Pearson announced the annual Grand Illumination at the Historic Courthouse would be from 3:00 p.m. to 6:00 p.m. on Sunday, December 1st. She noted it was a great event and urged everyone to attend.

On behalf of the Board, Mr. Evelyn wished staff and citizens a happy and safe Thanksgiving. He echoed Ms. Pearson's comments regarding the Grand Illumination and noted he hoped to see everyone there.

IN RE: OTHER BUSINESS – FIRE-RESCUE RECRUITS GRADUATION

County Administrator Rodney Hathaway reported the graduation ceremony for the most recent class of Fire-Rescue recruits would be at 7:00 p.m. on December 9th at New Kent High School. This would be open to the public and he encouraged everyone to attend. He noted the Board also had a meeting scheduled for that night and said he would try to keep that agenda short to allow time for participation in the graduation.

IN RE: OTHER BUSINESS – REQUEST FROM NEW KENT SCHOOLS TO PROCEED WITH ENGINEERING AND DESIGN FOR A NEW ELEMENTARY SCHOOL

County Administrator Rodney Hathaway reported he had been working with New Kent Schools on an agenda item for the Board's December 9th meeting. Although the Board had not taken action to approve a proposed new elementary school, New Kent Schools wished to proceed with engineering and design. He said we would need a new elementary school at some point and even if the Board's decision was to not move forward now, they would have

a design in hand that could be utilized whenever the Board was ready. The School Board had the funding but it would require a transfer.

Ms. Pearson asked if he was saying New Kent Schools would be paying for this and the money was in their budget? Mr. Hathaway confirmed and noted the Board would have to approve a transfer but the funding was in the Schools' budget. Ms. Pearson asked if this would be an additional transfer from what had already been allotted for schools? Mr. Hathaway indicated it would not be an additional transfer from the County but would be a transfer between line items within the Schools' budget.

IN RE: ANNOUNCEMENT OF UPCOMING MEETINGS/ADJOURNMENT

The next regularly scheduled meeting of the Board of Supervisors would be held at 6:00 p.m. on Monday, December 9, 2024 in the Boardroom of the County Administration Building. The Board would also meet for a joint meeting with the New Kent County Economic Development Authority at 8:30 a.m. on December 19, 2024 at the New Kent Visitors and Commerce Center. There would be no December work Session.

Mr. Stiers moved to adjourn. The members were polled:

Ron Stiers	Aye
Jordan T. Stewart	Aye
John P. Moyer	Absent
Amy M. Pearson	Aye
Thomas W. Evelyn	Aye

The motion carried and the meeting was adjourned at 10:21 a.m.

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

Approval of Minutes

<p>Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)</p>	<p>approve the Consent Agenda as presented and that it be made a part of the record.</p> <p>or</p> <p>I move to approve the Consent Agenda as presented and that it be made a part of the record, with the following changes:</p>
Subject	December 9, 2024 Regular Session Minutes
Issue	
Recommendation	Approval
Fiscal Implications	
Policy Implications	
Legislative History	
Discussion	

Time Needed:		Person Appearing:	
Request prepared by:	W. Watkins, Deputy Clerk of the Board	Telephone:	804-966-9687
Copy provided to:			

ATTACHMENTS:

Description	Type
December 9, 2024 Regular Session Minutes (PDF)	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	2/3/2025 - 12:39 PM
Administration	Hathaway, Rodney	Approved	2/3/2025 - 3:26 PM
Attorney	Everard, Joshua	Approved	2/3/2025 - 4:22 PM

A REGULAR MEETING WAS HELD BY THE NEW KENT COUNTY BOARD OF SUPERVISORS ON THE 9TH DAY OF DECEMBER IN THE YEAR TWO THOUSAND TWENTY-FOUR IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VA, AT 6:00 P.M.

IN RE: CALL TO ORDER

Chairman Thomas W. Evelyn called the meeting to order. He called Rev. Crystal Varner Parker of the Providence Forge Presbyterian Church to give the invocation and pledge and welcomed her to the meeting.

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

The Rev. Crystal Varner Parker, Pastor of Providence Forge Presbyterian Church gave the invocation and led the Pledge of Allegiance. She thanked the Board for inviting her and reported the Providence Forge Presbyterian Church (dating back to the 1850s) was one of a number of historic churches in the community. On behalf of the church, she extended an invitation to anyone finding the season difficult to join them for a "Blue Christmas" service on Christmas Eve at 7:00 p.m.

Mr. Evelyn thanked Rev. Parker. He also expressed appreciation to Rev. Dr. Milton Hathaway for his assistance over the past year with arranging for community clergy members to not only lead the invocation and pledge at Board meetings but to also share a little about their churches. He said this showed the commitment and cooperation between New Kent County, the church community and public safety groups and added that it was a great big circle of life. He encouraged everyone to remember the reason for the season.

IN RE: ROLL CALL

Thomas W. Evelyn	Present
John P. Moyer	Present
Amy M. Pearson	Present
Ron Stiers	Present
Jordan T. Stewart	Present

All members were present. Mr. Evelyn welcomed everyone. He noted this would be a quick meeting and reported eighteen Fire-Rescue cadets would be graduating at 7:00 p.m. at New Kent High School. The Board was extremely excited about adding eighteen firefighters/EMS to the team and would be attending the ceremony.

IN RE: CONSENT AGENDA

The Consent Agenda was presented as follows:

1. Minutes
 - a. September 24, 2024 Work Session Minutes
 - b. October 15, 2024 Regular Session Minutes
2. Miscellaneous
 - a. Approval of Monthly Financial Reports – July and August FY25
 - b. Renewal Agreements for Electrical & Mechanical On-call Services as well as On-call Irrigation Meter Installation
 - c. Approval of 2025 New Kent County Rabies Clinic – January 25, 2025
 - d. Approval of November 5, 2024 Abstracts of Votes

- e. Approval of Resolution R-30-25 Setting the Board's January 2025 Meeting Date
3. FY25 Supplemental Appropriations
- a. Animal Shelter Donations - \$810.
 - b. Gifts & Donations - Sheriff: Arthur and Marilyn Griffin (\$25) and the Blackbaud Giving Fund (\$550); Fire: Major Thomas E. Benson, V.F.W. Post No. 8529 (\$2,000) and William and Diana Jordan (\$50), \$2,625.
 - c. Sheriff Extra Duty Private - Colonial Downs Group: 10/18/2024-10/25/2024 (\$1,838.27) and Holly Fork Farm: 10/11/2024 (\$183.82), \$2,022.09.
 - d. Sheriff Extra Duty Schools - High School Homecoming Dance: 10/12/2024 (\$947.32) and High School and Middle School Sports: 8/15/2024 - 10/11/2024 (\$4,973.43), \$5,920.75.
 - e. Funds from VRSA Insurance - Sheriff: Claim #02-24-62072-1-AP, DOL 10/31/2024 (\$1,471.97), Claim #02-24-59969-1-PR, DOL 07/18/2024-11/06/2024 (\$568.05) and Claim #02-24-59967-1-PR, DOL 07/11/2024-11/06/2024 (\$781.20), \$2,821.22.
 - f. Restitution Funds - Sheriff: Martin Williams (\$22.94), \$22.94.
 - g. Vending Machine Sales - Sheriff's Office (\$125.79) and Administration (\$158.96), \$284.75.
 - h. Interest Income for EDA Series 2022 Lease Revenue Bond - October 2024, \$22,242.08.
 - i. Grand Illumination - Smoky Meadows BBQ LLC (\$400), Christina Pendleton & Associates, P.C. (\$700) and Karen A. Nifenegger, Working Class Soap (\$150), \$1,250.
- \$37,998.83 - Total
(\$15,756.75) - Total In/Out - General Fund (1101)
(\$22,242.08) - Total In/Out - Capital (1302)
4. Interdepartmental Budget Transfers
- a. Finance - From Elementary Sch Constr FY19 to New Kent Elementary, \$2,329,820.01.
 - b. Finance - From IT Data Networking Campus UPGR (\$10,000) and from Copier Replacement (\$16,600) to UPS Upgrade, \$26,600.
 - c. General Services - From Resurface Campus Parking Lot to Replacing Paved Surfaces, \$149,144.46.
 - d. Parks & Recreation - From P&R Master Plan Consultant to P&R Equipment, \$30,000.
 - e. School Board Office - From Appropriation of Funds from Prior Years (\$32,496.20) to Athletic Supplies (\$7,879) and Capital Outlay Additions (\$24,617.20), \$32,496.20.
5. Treasurer's Report - Cash as of October 31, 2024, \$100,414,112.41 including escrow funds.

Mr. Evelyn called for questions, comments or concerns. There being none, Ms. Stewart moved to approve the Consent Agenda as presented and that it be made a part of the record. Ms. Pearson noted the consent agenda included a resolution (R-30-24) to set the Board's first meeting in January 2025. Mr. Evelyn asked if everyone was in agreement with the proposed January 13, 2025 date. All members concurred. Mr. Evelyn noted Ms. Stewart had a motion on the floor and called for a vote. The members were polled:

John P. Moyer	Aye
Amy M. Pearson	Aye
Ron Stiers	Aye
Jordan T. Stewart	Aye
Thomas W. Evelyn	Aye

The motion carried.

IN RE: CITIZENS COMMENT PERIOD

There were no citizen comments.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) – RESIDENCY
ADMINISTRATOR’S REPORT

VDOT Residency Administrator Marshall Winn reviewed a report on recent work including but not limited to pothole repair, grading roads, shoulder repair, ditching, pipe inspection/cleaning, tree/brush removal, mowing, weeding, sign repair/replacement and debris/litter removal. 66 work requests had been received and 74 completed. There had been no emergency after-hours call outs. The fourth cycle of primary mowing had been completed and the new traffic signal at Market Place Drive would go live on December 10th. He hoped this would be a success and that there would be no accidents. He entertained questions.

Board members provided the following comments and reported the following concerns:

Mr. Moyer noted the new traffic signal was in his district and thanked Mr. Winn for all he had done to make that happen. He reported recent communications with Dominion Energy and VDOT had been fruitful and noted all parties had worked to get the light fully operational. He jokingly suggested perhaps there should be a ribbon cutting and noted the new light was a big deal for the community. He reported he had heard some questioning if the eastbound lefthand turn lane would be large enough for traffic going into Food Lion? Mr. Winn reported Traffic Engineering would have looked at this during the approval process and if there were issues, they could be addressed by adjusting the timing of the light. Mr. Moyer also said he believed they were getting close to the design phase for a roundabout on Route 249 (Dispatch Road). He thanked him for all VDOT was doing.

Ms. Pearson thanked Mr. Winn for all VDOT was doing. She reported she had three or four inquiries and Assistant Resident Engineer Phillip Frazer had immediately responded. She expressed appreciation for his quick response and for the larger stop sign at Route 249 and Stage Road as well as the “Stop Ahead” sign. She noted this work had been done almost immediately after the Board’s last meeting. She again noted appreciation for all they were doing and wished them happy holidays and a merry Christmas.

Mr. Stiers jokingly suggested the next complaint from shoppers at Market Place Drive would be that their ice cream had thawed before they could get out of the shopping center. He indicated he had nothing to report and expressed appreciation to Mr. Winn for coming to the monthly Board meetings all year and for listening to their requests. He also expressed appreciation for the hard work of VDOT workers year-round to keep County roads safe and to make necessary improvements. He wished Mr. Winn and his family a merry Christmas.

Addressing Mr. Moyer, Ms. Stewart stated she had heard the new traffic signal would be the second Grand Illumination in his district (The County’s annual Grand Illumination had been held on December 1). She thanked Mr. Winn for all VDOT was doing. She reported three

barrels had been placed at 4017 Good Hope Road for five to six months and she did not know what the plan was for this area. She asked Mr. Winn if he could look into this. Mr. Winn indicated he would.

Mr. Evelyn thanked Mr. Winn for coming out the previous week to meet with one of his constituents. He wished everyone at VDOT a merry Christmas and a happy new year. Mr. Winn wished Board members happy holidays and a safe, happy and prosperous new year.

IN RE: RICHMOND REGIONAL TOURISM (RRT) ANNUAL PRESENTATION

Richmond Regional Tourism (RRT) representatives including President and CEO Katherine O'Donnell and Vice President of Community Relations Danielle Fitz-Hugh provided an annual report on RRT. Ms. O'Donnell thanked the Board for the opportunity to share the great tourism news and to provide an annual report. She said the number one reason they did all they were doing in support of tourism was to support community and quality of life for residents. Their focus was on making the community a better place to live and encouraging visitors to come and spend their hard-earned dollars in the community. She noted RRT was a regional effort and when visitors came to the region and went to Colonial Downs, the airport, to Short Pump and to Downtown Richmond, they were going back home and telling everyone they had gone to Richmond. Because visitors did not understand the geographical boundaries, it made much more sense to work together to draw as many people to the region as possible. The RRT service area encompassed a portion of the Central Virginia area and included Chesterfield, Hanover, Henrico, New Kent, the Town of Ashland, the City of Colonial Heights and the City of Richmond. She reported Central Virginia tourism was continuing with record breaking trends and was coming back from COVID. She reported there had been a record high for day trips during COVID but they were now seeing an increase in overnight trips. The slide presentation indicated total person trips had been 17.9 million (2.4% higher than the previous year) with 38% of those being overnight guests and 62% being day trippers. She reviewed data on the economic spending Virginia tourism was presenting to overall U.S. travel. Figures for New Kent indicated 2023 spending had been \$29.4 million, \$1.2 million had been generated in local taxes and 211 jobs and \$9.0 million in wages had been supported. Occupancy tax collection in the four jurisdictions with hotels had been up at \$39,000,000 in FY24. Although New Kent did not have hotels, visitors were going out to the wineries, Colonial Downs and other attractions in the region.

She reported the Richmond region was doing very well because of its four pillars of tourism. Those pillars included:

- Family and Friends – This was the number one reason people traveled to Virginia and the Richmond region was doing better than the national average.
- Meetings, Conventions and Sports Activities – Central Virginia had excelled in this area and was also extremely competitive against the nation.
- Business Travelers – Many corporate headquarters were located in the Richmond region. Business travel had been the slowest of the pillars to recover since COVID.
- Leisure Travel – Visitors to museums, various attractions and Colonial Downs had exploded since the pandemic and was beginning to level out to more normal levels.

Ms. O'Donnell provided an overview of visitor demographics. The top five origination markets for travelers to Central Virginia were D.C./Northern Virginia, Hampton Roads, Roanoke/Lynchburg, Raleigh/Durham and New York, NY. The region was seeing year-round visitors with no particular trip season outpacing the others. In regards to length of stay, day trippers and those staying one to two nights had decreased by 4% and 6% respectively while those staying three or more nights had increased 31%.

She reported one of the ways they helped people decide to come to the Richmond region was by working with travel writers and the media. She noted this type of coverage was worth much more than what could be bought in advertising. She drew attention to several media items which had drawn attention to New Kent County. These items included:

- A story on the Richmond Region Mimosa Trail which had shared information on the top three historic brunch spots in Richmond - Martha's Kitchen had been featured.
- A story entitled "The Ultimate Guide to the City's Best Spots" had mentioned Jolene Family Winery, New Kent Winery and Talleysville Brewing Company.

Social media produced by RRT was also having a huge reach. She drew attention to several posts featuring New Kent that had performed very well including:

- A post of a flight of mimosas at Cooper's Tavern which had received over 14,000 views.
- A double rainbow picture which had received over 5,000 views.

Sports tourism continued to be important for the region. Ms. O'Donnell noted New Kent had a great anchor with Colonial Downs and the Virginia Derby which had been an important event marking the area as a sports tourism destination. She noted New Kent attractions were also promoted to tournament goers in other parts of the region. RRT had worked with the National Negro Golf Association to recruit their 2024 Summer Golf Tournament to the Brickshire Golf Club. The economic impact of this event had been \$96,860.

Ms. O'Donnell reported the Tourism Master Plan was at the half-way point. This was a regional plan focused on moving forward priorities growing the tourism ecosystem. She reported they were getting very close on some of the priorities and had accomplished others since their last report. Items of focus included:

- Headquarter Hotel – The area was lacking a headquarter hotel next to the Greater Richmond Convention Center which would facilitate recruiting larger more national conventions. Work on this was progressing.
- Regional Inspiration Campaign – Funded with ARPA (American Rescue Plan Act) money, a national awareness campaign had been launched in partnership with Economic Development and the Chamber. ARPA funding had wrapped up the previous year and they had continued running this with RRT and TID (Tourism Improvement District) funding. This campaign was called "Richmond Region Speaks for Itself" and was using ASMR (Autonomous Sensory Meridian Response) technology. She said RRT was very pleased with the results of this campaign. She drew attention to "brand lift" survey results indicating a 51.2% increase in perception of the Richmond region and a 34% increase in "very likely" to travel here. She noted both of these statistics were well above the average of a normal brand lift for a campaign. RRT was thrilled about how awareness of the region was getting out to travelers.
- Sustainable Investment – TID was funded by a 2% fee on hotels with more than 41 rooms within the funding jurisdictions. This did not apply to New Kent because there were no hotels but New Kent was benefitting because the funding was used to generate more visitors and potentially more hotel stays. This program included year-round marketing and advertising as well as a variety of campaigns that had not previously been affordable. This funding was making it possible for them to also attend more trade shows and to have conversations with meeting and event planners to convince them to hold their events in the Richmond region. She added that this funding had leveled the playing field for RRT with its competitors.

Ms. O'Donnell invited Ms. Fitz-Hugh to share information on other RRT initiatives.

Ms. Fitz-Hugh reported the Richmond Region Tourism Foundation had been established to elevate and educate leaders and partners in the community. The Foundation was investing

in tomorrow through a variety of initiatives including "I Am Tourism," student scholarships and sports tourism grants as well as DEI (Diversity, Equity and Inclusion) initiatives such as BLK RVA and OutRVA.

- "I Am Tourism" was RRT's premier workforce initiative working to uplift hospitality careers and show diverse career path options. Over 450 community residents had participated in "I Am Tourism" sessions over the past year. This had included a session hosted at Colonial Downs. This program was building ambassadors prepared to share information about attractions in the region with friends and family who were visiting.
- Students Scholarships - Students considering hospitality as their career path were supported through scholarships and provided with exposure to vast opportunities in the region. Tourism in the Richmond region was currently employing over 29,000 individuals with wages and salaries totaling \$1.3 billion. RRT was working on building career paths with a number of colleges including VSU (Virginia State University), VCU (Virginia Commonwealth University), University of Richmond and Virginia Union University. She reported the median income level of a tourism professional in the region was \$82,000 and travel was one of the top ten largest employers of middle-class wage earners in the United States.
- BLK RVA had kicked off in 2019 and had recently celebrated five years. Materials provided indicated RRT was focused on serving "as a beacon of equity and inclusivity by supporting a thriving ecosystem of diverse hospitality and tourism businesses, and ensuring that Black-owned businesses share in the economic impact of local tourism." Ms. Fitz-Hugh shared a brief video on BLK RVA.
- OutRVA - Ms. Fitz-Hugh reported RRT had continued to keep the MEI (Municipal Equality Index) score at 100% (third consecutive year). OutRVA had recently celebrated ten years of bringing together and uplifting LGBTQ businesses.
- The third RVA Sports Awards had also been celebrated and had included New Kent's Isach Lamprecht as Youth Athlete of the Year. She said Mr. Lamprecht had received an amazing number of votes and RRT had been excited to be able to celebrate a New Kent athlete. She shared a brief video on the 2024 Sports Awards. The 2025 Sports Awards would be held on February 8th at the Altria Theatre and the names of finalists would be announced on December 10th.

In closing, she noted "I Am Tourism" and "RVA Champions" were two of RRT's pillar programs that were focused on educating the community and helping the community bring in groups and travelers associated with their industry professional organizations. RVA Champions was helping recruit conferences to the Richmond region. Ms. Fitz-Hugh turned the floor back over to Ms. O'Donnell for closing thoughts and comments.

RRT was excited about the future of tourism in New Kent. They were thrilled about the Derby Day event in March (15th) at Colonial Downs and noted the Virginia Derby was being tagged as "The Road to the Kentucky Derby." Ms. Fitz-Hugh was serving on the planning team with Colonial Downs and participating in weekly calls in an effort to maximize the exposure of this event. RRT staff, their families and stake holders had had a great time at the races this past summer. RRT knew New Kent had a bright future with longer-term projects such as Buc-ee's and anything in between such as new restaurants, wineries, etc. RRT valued New Kent as a partner and they worked every day as a team to make tourism a force for good in our communities and New Kent was a part of that. They were passionate and proud to represent the Richmond region to the world and appreciated New Kent's investment and partnership. She entertained questions.

Mr. Evelyn thanked Ms. O'Donnell and Ms. Fitz-Hugh for their presentation and opened the floor to questions or comments.

Ms. Pearson asked if RRT could get New Kent a hotel? Ms. O'Donnell stated she would love to do that and that RRT would love it as much as New Kent would.

Ms. Stewart thanked them for the presentation and for the work RRT was doing to make New Kent feel included. She expressed appreciation for RRT's comprehensive approach to tourism in the region and the benefits New Kent was reaping from those efforts. She also thanked Ms. O'Donnell's team for the information they had compiled for potential opportunities at the Makemie Woods property and reported she had shared that information with County Administrator Rodney Hathaway. She was looking forward to keeping RRT in the Makemie Woods conversation and to seeing where they would go with this property.

Mr. Evelyn expressed appreciation for the presentation and stated he looked forward to working with RRT in the coming year.

IN RE: PRESENTATION ON FY24 ANNUAL COMPREHENSIVE FINANCIAL REPORT –
ACFR

Brown, Edwards & Company Partner Megan Argenbrite, CPA provided an overview of New Kent's Annual Comprehensive Financial Report (ACFR). She reported Brown, Edwards had worked with New Kent for many years and had issued an unmodified clean opinion in this most recent audit. She expressed appreciation to the County and School Board teams and specifically mentioned Financial Services Director Richard E. Lawrence, III (Tripp) and Assistant Financial Services Director Andrea Gardner. She stated that everyone had done an amazing job and it had been lovely to work with staff. The audit was a very long process beginning in March with preliminary field work at various schools and facilities and culminating in December with this review. They asked a lot of questions and it could be overwhelming at times but they recognized staff did have other jobs to do. She said the report was in draft form and they would be issuing the final report on December 10th. The deadline for submission to the state was December 15th.

Ms. Argenbrite noted the report was approximately 200 pages and contained a great deal of information. The most important information was at the beginning and included the transmittal letter which was a broad overview of the status of the County and the Brown Edwards opinion which was described as "unmodified clean." The opinion included a reference to another auditor for the inclusion of the Farms of New Kent Community Development Authority. Management's discussion and analysis was behind the opinion and included summarized information written by New Kent County Finance. This analysis also included a comparison of FY23 to FY24. The compliance section was near the back of the report and was followed by two additional Brown, Edwards letters regarding internal controls and compliance with federal uniform guidance. She said there had been no compliance findings or financial statement findings to report. The report also included a management letter also known as an internal control letter which included prior comments so the Board could see any improvements made. A "required communication to those charged with government" letter was also included. She noted this was very boilerplate and would look very similar to the previous year's letter. A seven page management representation letter would also be included and would attest to the fact that Brown, Edwards had delivered all information available to the best of their ability. She entertained questions.

Mr. Evelyn thanked her and noted it sounded like Mr. Lawrence and Ms. Gardner had done a good job. He thanked them for all of their work with Brown, Edwards and opened the floor to questions and/or comments from the Board.

Ms. Pearson thanked all who had been involved in the audit and noted it was a huge undertaking. She encouraged the public to read the report and noted New Kent was audited by an independent auditor each year and the report contained some very enlightening information. She noted Board members had not received the draft report yet but expected they would have it soon.

IN RE: ELECTED OFFICIALS REPORTS

Ms. Stewart reported the following:

- VDOT had announced the Eltham bridge connecting New Kent and the Town of West Point would be intermittently closed between 9 p.m. Monday, Dec. 16, and 5 a.m. Tuesday, Dec. 17. If work could not be completed during this time, the intermittent traffic stops would be rescheduled to occur between 9 p.m. Tuesday, Dec. 17, and 5 a.m. Wednesday, Dec. 18. She noted this should not impact regular daytime traffic.
- Friday, December 13th was the last day to request assistance from Social Services for Christmas. This included assistance for children, seniors and families. She urged everyone to share this information with anyone who may need this assistance. Friday, December 20th would be the last day for those wishing to provide assistance to donate. She reported that as of today, everyone who had requested assistance had been paired with someone willing to assist but noted this could change between now and Friday.
- She recognized Mr. Stiers for having pulled off another wonderful Thanksgiving Feast. This had been the 15th year and she wanted to give Mr. Stiers a moment of recognition.

Mr. Stiers reported Thanksgiving Day had been wonderful; they had served approximately 800 meals and it had taken approximately 200 volunteers to pull this event off. He also reported the Providence Forge Christmas Parade had been held the previous day and that it had been a big event. He wished everyone a merry Christmas and urged them to not forget the reason for the season.

Ms. Pearson indicated she had nothing to report and wished everyone a very merry Christmas and a happy new year. She urged everyone to not forget about the Little Free Pantries around the County. She noted this was a vital season for these pantries and noted that donating just a few items would be helpful.

Mr. Moyer wished everyone a merry Christmas and a happy new year and noted he hoped they had a joyous season.

IN RE: STAFF REPORTS

There were no staff reports.

IN RE: OTHER BUSINESS

There was no other business.

IN RE: APPOINTMENTS – DELEGATED BY DISTRICT

Mr. Evelyn reported he had spoken with County Administrator Rodney Hathaway regarding appointments and noted none of the appointments would be necessary prior to the regularly scheduled meeting in January. Because of the Board's plans to attend the Fire-Rescue cadet graduation, he would hold appointments until the Board's January reorganizational meeting unless there were any objections. There were none.

There were no appointments delegated by district.

IN RE: APPOINTMENTS – NOT DELEGATED BY DISTRICT

There were no appointments not delegated by district.

IN RE: APPOINTMENTS – REGIONAL BOARDS AND COMMISSIONS

There were no appointments to regional boards and commissions.

IN RE: RON STIERS – PLAYING OF LITTLE DRUMMER BOY

Mr. Evelyn asked Mr. Stiers if he had something more he wished to do prior to adjourning? Mr. Stiers confirmed and reported one of his favorite songs had been played at the CMA (Country Music Association) Awards several years ago and he wanted to send everyone home with this song in their heart. The song Little Drummer Boy sung by For King and Country was played. Mr. Evelyn thanked Mr. Stiers and noted the song was a good reminder of the reason for the season.

IN RE: ANNOUNCEMENT OF UPCOMING MEETINGS/ADJOURNMENT

The Board's next regularly scheduled meeting would be held at 6:00 p.m. on Monday, January 13, 2025 in the Boardroom of the County Administration Building. The Board would also be meeting for a joint meeting with the New Kent County Economic Development Authority at 8:30 a.m. on Thursday, December 19, 2024 at the New Kent Visitors and Commerce Center. There would be no December work session.

Mr. Evelyn entertained a motion for adjournment. Ms. Pearson moved to adjourn. The members were polled:

Amy M. Pearson	Aye
Ron Stiers	Aye
Jordan T. Stewart	Aye
John P. Moyer	Aye
Thomas W. Evelyn	Aye

The motion carried. The meeting adjourned at 6:40 p.m.

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

Miscellaneous

<p>Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)</p>	<p>approve the Consent Agenda as presented and that it be made a part of the record.</p> <p>or</p> <p>I move to approve the Consent Agenda as presented and that it be made a part of the record, with the following changes:</p>
Subject	Approval of Monthly Financial Reports - October and November FY25
Issue	
Recommendation	
Fiscal Implications	See Attached Reports
Policy Implications	
Legislative History	
Discussion	

Time Needed:		Person Appearing:	
Request prepared by:	W. Watkins, Deputy Clerk of the Board	Telephone:	804-966-9687
Copy provided to:			

ATTACHMENTS:

Description	Type
General Fund Revenue - October FY25 (PDF)	Cover Memo
General Fund Expenditures - October FY25 (PDF)	Cover Memo
General Fund Revenue - November FY25 (PDF)	Cover Memo
General Fund Expenditures - November FY25 (PDF)	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	1/29/2025 - 8:29 AM

Administration
Attorney

Hathaway, Rodney
Everard, Joshua

Approved
Approved

1/30/2025 - 12:06
PM

1/31/2025 - 2:06 PM

YTD Available Budget Report

Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		(74,521,244.00)	(914,436.30)	(75,435,680.30)	(16,930,770.64)	(958.71)	(58,503,950.95)	22.45 %
110101 PROP TX		(30,718,581.00)	0.00	(30,718,581.00)	(3,768,659.10)	0.00	(26,949,921.90)	12.27 %
110102 PS CORP TX		(30,718,581.00)	0.00	(30,718,581.00)	(3,768,659.10)	0.00	(26,949,921.90)	12.27 %
		(1,398,244.00)	0.00	(1,398,244.00)	0.00	0.00	(1,398,244.00)	0.00 %
		(1,398,244.00)	0.00	(1,398,244.00)	0.00	0.00	(1,398,244.00)	0.00 %
110103 PP TX		(11,198,521.00)	0.00	(11,198,521.00)	(2,143,411.62)	0.00	(9,055,109.38)	19.14 %
		(11,198,521.00)	0.00	(11,198,521.00)	(2,143,411.62)	0.00	(9,055,109.38)	19.14 %
110104 M & T TX		(62,987.00)	0.00	(62,987.00)	(10,079.04)	0.00	(52,907.96)	16.00 %
		(62,987.00)	0.00	(62,987.00)	(10,079.04)	0.00	(52,907.96)	16.00 %
110106 PEN & INT		(535,000.00)	0.00	(535,000.00)	(202,894.65)	0.00	(332,105.35)	37.92 %
		(535,000.00)	0.00	(535,000.00)	(202,894.65)	0.00	(332,105.35)	37.92 %
110201 SALES USE		(3,500,000.00)	0.00	(3,500,000.00)	(622,725.45)	0.00	(2,877,274.55)	17.79 %
		(3,500,000.00)	0.00	(3,500,000.00)	(622,725.45)	0.00	(2,877,274.55)	17.79 %
110202 C UTIL TX		(289,675.00)	0.00	(289,675.00)	(78,421.11)	0.00	(211,253.89)	27.07 %
		(289,675.00)	0.00	(289,675.00)	(78,421.11)	0.00	(211,253.89)	27.07 %
110203 BUS LIC TX		(1,590,519.00)	0.00	(1,590,519.00)	(494,621.71)	0.00	(1,095,897.29)	31.10 %
		(1,590,519.00)	0.00	(1,590,519.00)	(494,621.71)	0.00	(1,095,897.29)	31.10 %
110204 FRN LIC TX		(6,000.00)	0.00	(6,000.00)	0.00	0.00	(6,000.00)	0.00 %
		(6,000.00)	0.00	(6,000.00)	0.00	0.00	(6,000.00)	0.00 %
110205 MTR VEH TX		(758,288.00)	0.00	(758,288.00)	(176,730.65)	0.00	(581,557.35)	23.31 %
		(758,288.00)	0.00	(758,288.00)	(176,730.65)	0.00	(581,557.35)	23.31 %
110206 BNK STK TX		(120,000.00)	0.00	(120,000.00)	0.00	0.00	(120,000.00)	0.00 %
31		(120,000.00)	0.00	(120,000.00)	0.00	0.00	(120,000.00)	0.00 %
110207 RC & WL TX		(800,000.00)	0.00	(800,000.00)	(179,827.02)	0.00	(620,172.98)	22.48 %
		(800,000.00)	0.00	(800,000.00)	(179,827.02)	0.00	(620,172.98)	22.48 %
110209 ADMISS TX		0.00	0.00	0.00	0.00	0.00	0.00	0.00 %
		0.00	0.00	0.00	0.00	0.00	0.00	0.00 %

YTD Available Budget Report

Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		(74,521,244.00)	(914,436.30)	(75,435,680.30)	(16,930,770.64)	(958.71)	(58,503,950.95)	22.45 %
110210 ROOM TX		(56,800.00)	0.00	(56,800.00)	(13,818.33)	0.00	(42,981.67)	24.33 %
		(56,800.00)	0.00	(56,800.00)	(13,818.33)	0.00	(42,981.67)	24.33 %
110211 FOOD TX		(2,480,934.00)	0.00	(2,480,934.00)	(746,206.03)	0.00	(1,734,727.97)	30.08 %
		(2,480,934.00)	0.00	(2,480,934.00)	(746,206.03)	0.00	(1,734,727.97)	30.08 %
110218 OTHER LOC		0.00	0.00	0.00	(3,348.27)	0.00	3,348.27	100.00 %
		0.00	0.00	0.00	(3,348.27)	0.00	3,348.27	100.00 %
110301 ANML LIC		(11,000.00)	0.00	(11,000.00)	(2,735.00)	0.00	(8,265.00)	24.86 %
		(11,000.00)	0.00	(11,000.00)	(2,735.00)	0.00	(8,265.00)	24.86 %
110303 PRMTS&OTHR		(995,675.00)	0.00	(995,675.00)	(457,579.89)	0.00	(538,095.11)	45.96 %
		(995,675.00)	0.00	(995,675.00)	(457,579.89)	0.00	(538,095.11)	45.96 %
110401 FINES&FOR		(229,000.00)	(4,255.42)	(233,255.42)	(73,179.71)	0.00	(160,075.71)	31.37 %
		(229,000.00)	(4,255.42)	(233,255.42)	(73,179.71)	0.00	(160,075.71)	31.37 %
110501 REV FR MNY		(1,045,000.00)	0.00	(1,045,000.00)	(1,605,740.08)	0.00	560,740.08	153.66 %
		(1,045,000.00)	0.00	(1,045,000.00)	(1,605,740.08)	0.00	560,740.08	153.66 %
110502 REV FR PRP		(277,000.00)	0.00	(277,000.00)	(108,406.07)	0.00	(168,593.93)	39.14 %
		(277,000.00)	0.00	(277,000.00)	(108,406.07)	0.00	(168,593.93)	39.14 %
110601 CRT COSTS		(224,550.00)	0.00	(224,550.00)	(62,864.31)	0.00	(161,685.69)	28.00 %
		(224,550.00)	0.00	(224,550.00)	(62,864.31)	0.00	(161,685.69)	28.00 %
110602 CW ATY FEE		(2,000.00)	0.00	(2,000.00)	(1,052.68)	0.00	(947.32)	52.65 %
		(2,000.00)	0.00	(2,000.00)	(1,052.68)	0.00	(947.32)	52.65 %
110606 OTHR PROT		(6,100.00)	0.00	(6,100.00)	(2,165.27)	0.00	(3,934.73)	35.49 %
		(6,100.00)	0.00	(6,100.00)	(2,165.27)	0.00	(3,934.73)	35.49 %
110608 WASTE RMVL		(31,100.00)	0.00	(31,100.00)	(10,520.28)	0.00	(20,579.72)	33.83 %
		(31,100.00)	0.00	(31,100.00)	(10,520.28)	0.00	(20,579.72)	33.83 %
110612 P & R CHGS		(245,000.00)	(7,872.00)	(252,872.00)	(130,889.50)	0.00	(121,982.50)	51.76 %
		(245,000.00)	(7,872.00)	(252,872.00)	(130,889.50)	0.00	(121,982.50)	51.76 %

YTD Available Budget Report

Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		(74,521,244.00)	(914,436.30)	(75,435,680.30)	(16,930,770.64)	(958.71)	(58,503,950.95)	22.45 %
110615 PLNG CM DV		(800.00)	0.00	(800.00)	0.00	0.00	(800.00)	0.00 %
		(800.00)	0.00	(800.00)	0.00	0.00	(800.00)	0.00 %
110918 MISC INC		(29,500.00)	(96,942.81)	(126,442.81)	(177,060.47)	0.00	50,617.66	140.03 %
		(29,500.00)	(96,942.81)	(126,442.81)	(177,060.47)	0.00	50,617.66	140.03 %
110919 RCVRD CSTS		(670,280.00)	(189,190.30)	(859,470.30)	(371,624.96)	(958.71)	(486,886.63)	43.35 %
		(670,280.00)	(189,190.30)	(859,470.30)	(371,624.96)	(958.71)	(486,886.63)	43.35 %
110922 S NON CATG		(14,829,067.00)	0.00	(14,829,067.00)	(4,820,202.63)	0.00	(10,008,864.37)	32.51 %
		(14,829,067.00)	0.00	(14,829,067.00)	(4,820,202.63)	0.00	(10,008,864.37)	32.51 %
110923 SHRD EXPNS		(2,244,324.00)	0.00	(2,244,324.00)	(507,269.06)	0.00	(1,737,054.94)	22.60 %
		(2,244,324.00)	0.00	(2,244,324.00)	(507,269.06)	0.00	(1,737,054.94)	22.60 %
110924 S CATG AID		(103,790.00)	0.00	(103,790.00)	(140,441.75)	0.00	36,651.75	135.31 %
		(103,790.00)	0.00	(103,790.00)	(140,441.75)	0.00	36,651.75	135.31 %
110933 F CATG AID		(61,509.00)	0.00	(61,509.00)	(16,271.00)	0.00	(45,238.00)	26.45 %
		(61,509.00)	0.00	(61,509.00)	(16,271.00)	0.00	(45,238.00)	26.45 %
110934 SURP PROP		0.00	0.00	0.00	(2,025.00)	0.00	2,025.00	100.00 %
		0.00	0.00	0.00	(2,025.00)	0.00	2,025.00	100.00 %
110948 FND BAL		0.00	(538,175.77)	(538,175.77)	0.00	0.00	(538,175.77)	0.00 %
		0.00	(538,175.77)	(538,175.77)	0.00	0.00	(538,175.77)	0.00 %
110949 TRANSFERS		0.00	(78,000.00)	(78,000.00)	0.00	0.00	(78,000.00)	0.00 %
		0.00	(78,000.00)	(78,000.00)	0.00	0.00	(78,000.00)	0.00 %
Grand Total:		(74,521,244.00)	(914,436.30)	(75,435,680.30)	(16,930,770.64)	(958.71)	(58,503,950.95)	22.45 %

YTD Available Budget Report

Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		74,521,244.00	914,436.30	75,435,680.30	14,577,777.24	399,387.09	60,458,515.97	19.85 %
1110100 BRD SUP		148,694.00	96,080.20	244,774.20	74,570.14	5,815.58	164,388.48	32.84 %
		148,694.00	96,080.20	244,774.20	74,570.14	5,815.58	164,388.48	32.84 %
1110200 CLERK BD		933,482.00	(136,363.62)	797,118.38	218,816.08	32,402.50	545,899.80	31.52 %
		933,482.00	(136,363.62)	797,118.38	218,816.08	32,402.50	545,899.80	31.52 %
11121700 PROCURMT		0.00	0.00	0.00	0.00	0.00	0.00	0.00 %
		0.00	0.00	0.00	0.00	0.00	0.00	0.00 %
11122100 COUNTY AT		375,549.00	26,833.41	402,382.41	109,482.72	55,048.41	237,851.28	40.89 %
		375,549.00	26,833.41	402,382.41	109,482.72	55,048.41	237,851.28	40.89 %
11122200 HR		520,669.00	0.00	520,669.00	161,704.34	88,140.18	270,824.48	47.99 %
		520,669.00	0.00	520,669.00	161,704.34	88,140.18	270,824.48	47.99 %
11123100 COR		1,038,879.00	0.00	1,038,879.00	333,712.57	0.00	705,166.43	32.12 %
		1,038,879.00	0.00	1,038,879.00	333,712.57	0.00	705,166.43	32.12 %
11123300 EQ BOARD		775.00	0.00	775.00	0.64	0.00	774.36	0.13 %
		775.00	0.00	775.00	0.64	0.00	774.36	0.13 %
11124100 TREASURER		505,496.00	0.00	505,496.00	199,268.45	810.00	305,417.55	39.58 %
		505,496.00	0.00	505,496.00	199,268.45	810.00	305,417.55	39.58 %
11124200 FINANCE		812,956.00	0.00	812,956.00	225,595.28	5,585.00	581,775.72	28.44 %
		812,956.00	0.00	812,956.00	225,595.28	5,585.00	581,775.72	28.44 %
11125100 IT		988,974.00	24,867.75	1,013,841.75	379,248.08	0.00	634,593.67	37.41 %
		988,974.00	24,867.75	1,013,841.75	379,248.08	0.00	634,593.67	37.41 %
11125300 CNT PURCH		522,265.00	0.00	522,265.00	70,093.31	13,760.73	438,410.96	16.06 %
		522,265.00	0.00	522,265.00	70,093.31	13,760.73	438,410.96	16.06 %
11131000 ELECT BRD		10,454.00	0.00	10,454.00	3,992.19	0.00	6,461.81	38.19 %
		10,454.00	0.00	10,454.00	3,992.19	0.00	6,461.81	38.19 %
11132000 REGISTRAR		478,373.00	0.00	478,373.00	97,133.88	150.00	381,089.12	20.34 %
		478,373.00	0.00	478,373.00	97,133.88	150.00	381,089.12	20.34 %

YTD Available Budget Report

Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		74,521,244.00	914,436.30	75,435,680.30	14,577,777.24	399,387.09	60,458,515.97	19.85 %
11211000 CC JUDGE		99,532.00	0.00	99,532.00	31,553.04	0.00	67,978.96	31.70 %
11212000 GEN DST CT		99,532.00	0.00	99,532.00	31,553.04	0.00	67,978.96	31.70 %
11213000 MAGISTRATE		23,650.00	0.00	23,650.00	3,454.63	324.00	19,871.37	15.98 %
		23,650.00	0.00	23,650.00	3,454.63	324.00	19,871.37	15.98 %
11213000 MAGISTRATE		2,500.00	0.00	2,500.00	0.00	0.00	2,500.00	0.00 %
		2,500.00	0.00	2,500.00	0.00	0.00	2,500.00	0.00 %
11215000 JDR COURT		8,120.00	0.00	8,120.00	1,746.88	462.00	5,911.12	27.20 %
		8,120.00	0.00	8,120.00	1,746.88	462.00	5,911.12	27.20 %
11216000 CLERK CC		521,438.00	0.00	521,438.00	140,118.01	225.00	381,094.99	26.91 %
		521,438.00	0.00	521,438.00	140,118.01	225.00	381,094.99	26.91 %
11217000 SH COURTS		1,136,633.00	0.00	1,136,633.00	395,301.17	810.00	740,521.83	34.85 %
		1,136,633.00	0.00	1,136,633.00	395,301.17	810.00	740,521.83	34.85 %
11219000 VCTM ASST		124,135.00	0.00	124,135.00	36,150.47	0.00	87,984.53	29.12 %
		124,135.00	0.00	124,135.00	36,150.47	0.00	87,984.53	29.12 %
11221000 COMM ATTN		649,651.00	0.00	649,651.00	199,798.33	1,215.00	448,637.67	30.94 %
		649,651.00	0.00	649,651.00	199,798.33	1,215.00	448,637.67	30.94 %
11312000 *SHERIFF*		5,678,132.00	89,173.03	5,767,305.03	1,937,547.47	10,499.70	3,819,257.86	33.78 %
		5,678,132.00	89,173.03	5,767,305.03	1,937,547.47	10,499.70	3,819,257.86	33.78 %
11314000 E911 SYS		1,417,111.00	0.00	1,417,111.00	380,251.55	810.00	1,036,049.45	26.89 %
		1,417,111.00	0.00	1,417,111.00	380,251.55	810.00	1,036,049.45	26.89 %
11317000 PRIS CONF		1,447,680.00	5,489.28	1,453,169.28	309,557.16	0.00	1,143,612.12	21.30 %
		1,447,680.00	5,489.28	1,453,169.28	309,557.16	0.00	1,143,612.12	21.30 %
11318000 SH COMM SY		609,895.00	7,145.75	617,040.75	390,035.53	73,575.88	153,429.34	75.13 %
		609,895.00	7,145.75	617,040.75	390,035.53	73,575.88	153,429.34	75.13 %
11321000 FR EMER MN		7,849,668.00	530,598.38	8,380,266.38	3,004,654.10	73,645.11	5,301,967.17	36.73 %
		7,849,668.00	530,598.38	8,380,266.38	3,004,654.10	73,645.11	5,301,967.17	36.73 %

YTD Available Budget Report

Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		74,521,244.00	914,436.30	75,435,680.30	14,577,777.24	399,387.09	60,458,515.97	19.85 %
11321500 FREM PREP		65,271.00	4,506.80	69,777.80	31,280.26	0.00	38,497.54	44.83 %
		65,271.00	4,506.80	69,777.80	31,280.26	0.00	38,497.54	44.83 %
11323000 FIRE AM RE		0.00	28,837.92	28,837.92	35,490.05	0.00	(6,652.13)	123.07 %
		0.00	28,837.92	28,837.92	35,490.05	0.00	(6,652.13)	123.07 %
11324000 STATE FORS		6,954.00	0.00	6,954.00	6,954.00	0.00	0.00	100.00 %
		6,954.00	0.00	6,954.00	6,954.00	0.00	0.00	100.00 %
11333000 CT SRV UNIT		138,586.00	0.00	138,586.00	72,158.42	0.00	66,427.58	52.07 %
		138,586.00	0.00	138,586.00	72,158.42	0.00	66,427.58	52.07 %
11334000 CORCTN DET		42,114.00	0.00	42,114.00	21,057.00	0.00	21,057.00	50.00 %
		42,114.00	0.00	42,114.00	21,057.00	0.00	21,057.00	50.00 %
11341000 BLD INSP		656,709.00	0.00	656,709.00	168,969.79	300.00	487,439.21	25.78 %
		656,709.00	0.00	656,709.00	168,969.79	300.00	487,439.21	25.78 %
11351000 SH-ANML PR		542,370.00	51,206.75	593,576.75	206,010.47	0.00	387,566.28	34.71 %
		542,370.00	51,206.75	593,576.75	206,010.47	0.00	387,566.28	34.71 %
11423000 REFUSE CLC		1,271,008.00	0.00	1,271,008.00	398,468.89	0.00	872,539.11	31.35 %
		1,271,008.00	0.00	1,271,008.00	398,468.89	0.00	872,539.11	31.35 %
11432000 BLDG & GRN		1,393,344.00	0.00	1,393,344.00	449,147.09	30,330.00	913,866.91	34.41 %
		1,393,344.00	0.00	1,393,344.00	449,147.09	30,330.00	913,866.91	34.41 %
11512000 SPL HLTH D		391,416.00	0.00	391,416.00	195,708.00	0.00	195,708.00	50.00 %
		391,416.00	0.00	391,416.00	195,708.00	0.00	195,708.00	50.00 %
11525000 CH 10 BRD		145,000.00	0.00	145,000.00	72,500.00	0.00	72,500.00	50.00 %
		145,000.00	0.00	145,000.00	72,500.00	0.00	72,500.00	50.00 %
11532300 AR AG AGNG		5,000.00	0.00	5,000.00	5,000.00	0.00	0.00	100.00 %
		5,000.00	0.00	5,000.00	5,000.00	0.00	0.00	100.00 %
11536000 AGENCY DON		19,500.00	0.00	19,500.00	19,500.00	0.00	0.00	100.00 %
		19,500.00	0.00	19,500.00	19,500.00	0.00	0.00	100.00 %

YTD Available Budget Report

Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		74,521,244.00	914,436.30	75,435,680.30	14,577,777.24	399,387.09	60,458,515.97	19.85 %
11681000 COMM COLL		5,356.00	0.00	5,356.00	5,356.00	0.00	0.00	100.00 %
11711000 P&R ADMIN		5,356.00	0.00	5,356.00	5,356.00	0.00	0.00	100.00 %
11715000 REC PRGM		459,855.00	0.00	459,855.00	137,631.65	1,215.00	321,008.35	30.19 %
		459,855.00	0.00	459,855.00	137,631.65	1,215.00	321,008.35	30.19 %
11726200 CLTRL ENR		543,732.00	20,191.65	563,923.65	132,206.00	0.00	431,717.65	23.44 %
		543,732.00	20,191.65	563,923.65	132,206.00	0.00	431,717.65	23.44 %
11726300 FINE ARTS		5,000.00	2,250.00	7,250.00	7,250.00	0.00	0.00	100.00 %
		5,000.00	2,250.00	7,250.00	7,250.00	0.00	0.00	100.00 %
11732200 LIBRARY		10,000.00	0.00	10,000.00	5,000.00	0.00	5,000.00	50.00 %
		10,000.00	0.00	10,000.00	5,000.00	0.00	5,000.00	50.00 %
11811000 PLN & ZNNG		228,855.00	0.00	228,855.00	114,427.50	0.00	114,427.50	50.00 %
		228,855.00	0.00	228,855.00	114,427.50	0.00	114,427.50	50.00 %
11811100 PLN COMM		522,233.00	0.00	522,233.00	117,218.82	1,110.00	403,904.18	22.66 %
		522,233.00	0.00	522,233.00	117,218.82	1,110.00	403,904.18	22.66 %
11811200 HIST COMM		36,674.00	0.00	36,674.00	16,554.18	0.00	20,119.82	45.14 %
		36,674.00	0.00	36,674.00	16,554.18	0.00	20,119.82	45.14 %
11812000 COM DEV AD		450.00	0.00	450.00	0.00	0.00	450.00	0.00 %
		450.00	0.00	450.00	0.00	0.00	450.00	0.00 %
11814000 BRD ZN AP		0.00	0.00	0.00	55,903.69	0.00	(55,903.69)	100.00 %
		0.00	0.00	0.00	55,903.69	0.00	(55,903.69)	100.00 %
11815000 ECON DEV		4,600.00	0.00	4,600.00	199.40	0.00	4,400.60	4.33 %
		4,600.00	0.00	4,600.00	199.40	0.00	4,400.60	4.33 %
11816500 PLUMPOINT		380,575.00	165,125.00	545,700.00	189,612.85	1,215.00	354,872.15	34.97 %
		380,575.00	165,125.00	545,700.00	189,612.85	1,215.00	354,872.15	34.97 %
		0.00	0.00	0.00	0.00	0.00	0.00	0.00 %
		0.00	0.00	0.00	0.00	0.00	0.00	0.00 %

YTD Available Budget Report

Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		74,521,244.00	914,436.30	75,435,680.30	14,577,777.24	399,387.09	60,458,515.97	19.85 %
11817000 WTLND BRD		3,300.00	0.00	3,300.00	349.71	0.00	2,950.29	10.61 %
11818000 AFD		3,300.00	0.00	3,300.00	349.71	0.00	2,950.29	10.61 %
11818000 AFD		4,700.00	0.00	4,700.00	24.32	0.00	4,675.68	0.51 %
11818000 AFD		4,700.00	0.00	4,700.00	24.32	0.00	4,675.68	0.51 %
11823500 ENV COM DE		500,843.00	0.00	500,843.00	138,568.27	1,938.00	360,336.73	28.05 %
11823500 ENV COM DE		500,843.00	0.00	500,843.00	138,568.27	1,938.00	360,336.73	28.05 %
11824000 SOIL WTR		22,450.00	0.00	22,450.00	11,225.00	0.00	11,225.00	50.00 %
11824000 SOIL WTR		22,450.00	0.00	22,450.00	11,225.00	0.00	11,225.00	50.00 %
11830500 COOP EXT		68,921.00	0.00	68,921.00	6,240.55	0.00	62,680.45	9.06 %
11830500 COOP EXT		68,921.00	0.00	68,921.00	6,240.55	0.00	62,680.45	9.06 %
11914000 RSVRD CONT		300,000.00	(6,650.00)	293,350.00	0.00	0.00	293,350.00	0.00 %
11914000 RSVRD CONT		300,000.00	(6,650.00)	293,350.00	0.00	0.00	293,350.00	0.00 %
11915000 EMPLOEXP		3,300.00	0.00	3,300.00	11.99	0.00	3,288.01	0.36 %
11915000 EMPLOEXP		3,300.00	0.00	3,300.00	11.99	0.00	3,288.01	0.36 %
11918000 DISRECOVERY		0.00	0.00	0.00	0.00	0.00	0.00	0.00 %
11918000 DISRECOVERY		0.00	0.00	0.00	0.00	0.00	0.00	0.00 %
11931000 TRNS OTHR		40,838,417.00	5,144.00	40,843,561.00	3,253,967.32	0.00	37,589,593.68	7.97 %
11931000 TRNS OTHR		40,838,417.00	5,144.00	40,843,561.00	3,253,967.32	0.00	37,589,593.68	7.97 %
Grand Total:		74,521,244.00	914,436.30	75,435,680.30	14,577,777.24	399,387.09	60,458,515.97	19.85 %

YTD Available Budget Report

Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		(74,521,244.00)	(1,333,800.83)	(75,855,044.83)	(31,168,055.92)	(958.71)	(44,686,030.20)	41.09 %
110101 PROP TX		(30,718,581.00)	0.00	(30,718,581.00)	(10,330,960.96)	0.00	(20,387,620.04)	33.63 %
110102 PS CORP TX		(30,718,581.00)	0.00	(30,718,581.00)	(10,330,960.96)	0.00	(20,387,620.04)	33.63 %
		(1,398,244.00)	0.00	(1,398,244.00)	(264,571.09)	0.00	(1,133,672.91)	18.92 %
		(1,398,244.00)	0.00	(1,398,244.00)	(264,571.09)	0.00	(1,133,672.91)	18.92 %
110103 PP TX		(11,198,521.00)	0.00	(11,198,521.00)	(4,967,617.55)	0.00	(6,230,903.45)	44.36 %
		(11,198,521.00)	0.00	(11,198,521.00)	(4,967,617.55)	0.00	(6,230,903.45)	44.36 %
110104 M & T TX		(62,987.00)	0.00	(62,987.00)	(20,462.27)	0.00	(42,524.73)	32.49 %
		(62,987.00)	0.00	(62,987.00)	(20,462.27)	0.00	(42,524.73)	32.49 %
110106 PEN & INT		(535,000.00)	0.00	(535,000.00)	(241,597.38)	0.00	(293,402.62)	45.16 %
		(535,000.00)	0.00	(535,000.00)	(241,597.38)	0.00	(293,402.62)	45.16 %
110201 SALES USE		(3,500,000.00)	0.00	(3,500,000.00)	(922,657.04)	0.00	(2,577,342.96)	26.36 %
		(3,500,000.00)	0.00	(3,500,000.00)	(922,657.04)	0.00	(2,577,342.96)	26.36 %
110202 C UTIL TX		(289,675.00)	0.00	(289,675.00)	(102,603.20)	0.00	(187,071.80)	35.42 %
		(289,675.00)	0.00	(289,675.00)	(102,603.20)	0.00	(187,071.80)	35.42 %
110203 BUS LIC TX		(1,590,519.00)	0.00	(1,590,519.00)	(495,293.17)	0.00	(1,095,225.83)	31.14 %
		(1,590,519.00)	0.00	(1,590,519.00)	(495,293.17)	0.00	(1,095,225.83)	31.14 %
110204 FRN LIC TX		(6,000.00)	0.00	(6,000.00)	0.00	0.00	(6,000.00)	0.00 %
		(6,000.00)	0.00	(6,000.00)	0.00	0.00	(6,000.00)	0.00 %
110205 MTR VEH TX		(758,288.00)	0.00	(758,288.00)	(348,282.63)	0.00	(410,005.37)	45.93 %
		(758,288.00)	0.00	(758,288.00)	(348,282.63)	0.00	(410,005.37)	45.93 %
110206 BNK STK TX		(120,000.00)	0.00	(120,000.00)	0.00	0.00	(120,000.00)	0.00 %
		(120,000.00)	0.00	(120,000.00)	0.00	0.00	(120,000.00)	0.00 %
110207 RC & WL TX		(800,000.00)	0.00	(800,000.00)	(264,830.67)	0.00	(535,169.33)	33.10 %
		(800,000.00)	0.00	(800,000.00)	(264,830.67)	0.00	(535,169.33)	33.10 %
110209 ADMISS TX		0.00	0.00	0.00	0.00	0.00	0.00	0.00 %
		0.00	0.00	0.00	0.00	0.00	0.00	0.00 %

YTD Available Budget Report

Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		(74,521,244.00)	(1,333,800.83)	(75,855,044.83)	(31,168,055.92)	(958.71)	(44,686,030.20)	41.09 %
110210 ROOM TX		(56,800.00)	0.00	(56,800.00)	(18,696.31)	0.00	(38,103.69)	32.92 %
110211 FOOD TX		(56,800.00)	0.00	(56,800.00)	(18,696.31)	0.00	(38,103.69)	32.92 %
110218 OTHER LOC		(2,480,934.00)	0.00	(2,480,934.00)	(938,191.41)	0.00	(1,542,742.59)	37.82 %
		(2,480,934.00)	0.00	(2,480,934.00)	(938,191.41)	0.00	(1,542,742.59)	37.82 %
110301 ANML LIC		0.00	0.00	0.00	(3,902.98)	0.00	3,902.98	100.00 %
		0.00	0.00	0.00	(3,902.98)	0.00	3,902.98	100.00 %
110303 PRMTS&OTHR		(11,000.00)	0.00	(11,000.00)	(3,101.00)	0.00	(7,899.00)	28.19 %
		(11,000.00)	0.00	(11,000.00)	(3,101.00)	0.00	(7,899.00)	28.19 %
110401 FINES&FOR		(995,675.00)	0.00	(995,675.00)	(529,277.17)	0.00	(466,397.83)	53.16 %
		(995,675.00)	0.00	(995,675.00)	(529,277.17)	0.00	(466,397.83)	53.16 %
110501 REV FR MNY		(229,000.00)	(4,255.42)	(233,255.42)	(96,330.06)	0.00	(136,925.36)	41.30 %
		(229,000.00)	(4,255.42)	(233,255.42)	(96,330.06)	0.00	(136,925.36)	41.30 %
110502 REV FR PRP		(1,045,000.00)	0.00	(1,045,000.00)	(1,908,047.54)	0.00	863,047.54	182.59 %
		(1,045,000.00)	0.00	(1,045,000.00)	(1,908,047.54)	0.00	863,047.54	182.59 %
110601 CRT COSTS		(277,000.00)	0.00	(277,000.00)	(129,696.46)	0.00	(147,303.54)	46.82 %
		(277,000.00)	0.00	(277,000.00)	(129,696.46)	0.00	(147,303.54)	46.82 %
110602 CW ATY FEE		(224,550.00)	0.00	(224,550.00)	(76,581.97)	0.00	(147,968.03)	34.10 %
		(224,550.00)	0.00	(224,550.00)	(76,581.97)	0.00	(147,968.03)	34.10 %
110606 OTHR PROT		(2,000.00)	0.00	(2,000.00)	(1,221.62)	0.00	(778.38)	61.10 %
		(2,000.00)	0.00	(2,000.00)	(1,221.62)	0.00	(778.38)	61.10 %
110608 WASTE RMVL		(6,100.00)	0.00	(6,100.00)	(2,604.05)	0.00	(3,495.95)	42.69 %
		(6,100.00)	0.00	(6,100.00)	(2,604.05)	0.00	(3,495.95)	42.69 %
110612 P & R CHGS		(31,100.00)	0.00	(31,100.00)	(14,271.12)	0.00	(16,828.88)	45.89 %
		(31,100.00)	0.00	(31,100.00)	(14,271.12)	0.00	(16,828.88)	45.89 %
		(245,000.00)	(8,172.00)	(253,172.00)	(148,899.50)	0.00	(104,272.50)	58.81 %
		(245,000.00)	(8,172.00)	(253,172.00)	(148,899.50)	0.00	(104,272.50)	58.81 %

YTD Available Budget Report

Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		(74,521,244.00)	(1,333,800.83)	(75,855,044.83)	(31,168,055.92)	(958.71)	(44,686,030.20)	41.09 %
110615 PLNG CM DV		(800.00)	0.00	(800.00)	0.00	0.00	(800.00)	0.00 %
		(800.00)	0.00	(800.00)	0.00	0.00	(800.00)	0.00 %
110918 MISC INC		(29,500.00)	(134,109.91)	(163,609.91)	(203,956.79)	0.00	40,346.88	124.66 %
		(29,500.00)	(134,109.91)	(163,609.91)	(203,956.79)	0.00	40,346.88	124.66 %
110919 RCVRD CSTS		(670,280.00)	(213,124.62)	(883,404.62)	(405,250.59)	(958.71)	(477,195.32)	45.98 %
		(670,280.00)	(213,124.62)	(883,404.62)	(405,250.59)	(958.71)	(477,195.32)	45.98 %
110922 S NON CATG		(14,829,067.00)	0.00	(14,829,067.00)	(7,876,737.39)	0.00	(6,952,329.61)	53.12 %
		(14,829,067.00)	0.00	(14,829,067.00)	(7,876,737.39)	0.00	(6,952,329.61)	53.12 %
110923 SHRD EXPNS		(2,244,324.00)	0.00	(2,244,324.00)	(691,091.09)	0.00	(1,553,232.91)	30.79 %
		(2,244,324.00)	0.00	(2,244,324.00)	(691,091.09)	0.00	(1,553,232.91)	30.79 %
110924 S CATG AID		(103,790.00)	0.00	(103,790.00)	(143,026.91)	0.00	39,236.91	137.80 %
		(103,790.00)	0.00	(103,790.00)	(143,026.91)	0.00	39,236.91	137.80 %
110933 F CATG AID		(61,509.00)	(5,273.97)	(66,782.97)	(16,271.00)	0.00	(50,511.97)	24.36 %
		(61,509.00)	(5,273.97)	(66,782.97)	(16,271.00)	0.00	(50,511.97)	24.36 %
110934 SURP PROP		0.00	0.00	0.00	(2,025.00)	0.00	2,025.00	100.00 %
		0.00	0.00	0.00	(2,025.00)	0.00	2,025.00	100.00 %
110948 FND BAL		0.00	(890,864.91)	(890,864.91)	0.00	0.00	(890,864.91)	0.00 %
		0.00	(890,864.91)	(890,864.91)	0.00	0.00	(890,864.91)	0.00 %
110949 TRANSFERS		0.00	(78,000.00)	(78,000.00)	0.00	0.00	(78,000.00)	0.00 %
		0.00	(78,000.00)	(78,000.00)	0.00	0.00	(78,000.00)	0.00 %
Grand Total:		(74,521,244.00)	(1,333,800.83)	(75,855,044.83)	(31,168,055.92)	(958.71)	(44,686,030.20)	41.09 %

YTD Available Budget Report

Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		74,521,244.00	1,333,800.83	75,855,044.83	20,675,271.91	417,886.65	54,761,886.27	27.81 %
1110100 BRD SUP		148,694.00	96,080.20	244,774.20	89,440.62	9,424.08	145,909.50	40.39 %
		148,694.00	96,080.20	244,774.20	89,440.62	9,424.08	145,909.50	40.39 %
1110200 CLERK BD		933,482.00	(113,461.12)	820,020.88	271,245.45	30,950.00	517,825.43	36.85 %
		933,482.00	(113,461.12)	820,020.88	271,245.45	30,950.00	517,825.43	36.85 %
11121700 PROCURMT		0.00	0.00	0.00	0.00	0.00	0.00	0.00 %
		0.00	0.00	0.00	0.00	0.00	0.00	0.00 %
11122100 COUNTY AT		375,549.00	26,833.41	402,382.41	139,856.96	52,048.41	210,477.04	47.69 %
		375,549.00	26,833.41	402,382.41	139,856.96	52,048.41	210,477.04	47.69 %
11122200 HR		520,669.00	0.00	520,669.00	205,966.70	77,740.18	236,962.12	54.49 %
		520,669.00	0.00	520,669.00	205,966.70	77,740.18	236,962.12	54.49 %
11123100 COR		1,038,879.00	0.00	1,038,879.00	411,828.29	0.00	627,050.71	39.64 %
		1,038,879.00	0.00	1,038,879.00	411,828.29	0.00	627,050.71	39.64 %
11123300 EQ BOARD		775.00	0.00	775.00	0.64	0.00	774.36	0.13 %
		775.00	0.00	775.00	0.64	0.00	774.36	0.13 %
11124100 TREASURER		505,496.00	0.00	505,496.00	254,381.38	810.00	250,304.62	50.48 %
		505,496.00	0.00	505,496.00	254,381.38	810.00	250,304.62	50.48 %
11124200 FINANCE		812,956.00	0.00	812,956.00	321,823.72	5,090.00	486,042.28	40.21 %
		812,956.00	0.00	812,956.00	321,823.72	5,090.00	486,042.28	40.21 %
11125100 IT		988,974.00	24,867.75	1,013,841.75	463,854.43	19,051.20	530,936.12	47.63 %
		988,974.00	24,867.75	1,013,841.75	463,854.43	19,051.20	530,936.12	47.63 %
11125300 CNT PURCH		522,265.00	0.00	522,265.00	93,507.53	12,473.73	416,283.74	20.29 %
		522,265.00	0.00	522,265.00	93,507.53	12,473.73	416,283.74	20.29 %
11131000 ELECT BRD		10,454.00	0.00	10,454.00	4,099.99	0.00	6,354.01	39.22 %
		10,454.00	0.00	10,454.00	4,099.99	0.00	6,354.01	39.22 %
11132000 REGISTRAR		478,373.00	0.00	478,373.00	162,192.30	11,587.07	304,593.63	36.33 %
		478,373.00	0.00	478,373.00	162,192.30	11,587.07	304,593.63	36.33 %

YTD Available Budget Report

Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		74,521,244.00	1,333,800.83	75,855,044.83	20,675,271.91	417,886.65	54,761,886.27	27.81 %
11211000 CC JUDGE		99,532.00	0.00	99,532.00	38,790.77	0.00	60,741.23	38.97 %
11212000 GEN DST CT		99,532.00	0.00	99,532.00	38,790.77	0.00	60,741.23	38.97 %
11213000 MAGISTRATE		23,650.00	0.00	23,650.00	3,720.21	324.00	19,605.79	17.10 %
		23,650.00	0.00	23,650.00	3,720.21	324.00	19,605.79	17.10 %
11219000 VCTM ASST		2,500.00	0.00	2,500.00	0.00	0.00	2,500.00	0.00 %
		2,500.00	0.00	2,500.00	0.00	0.00	2,500.00	0.00 %
11215000 JDR COURT		8,120.00	0.00	8,120.00	1,664.08	462.00	5,993.92	26.18 %
		8,120.00	0.00	8,120.00	1,664.08	462.00	5,993.92	26.18 %
11216000 CLERK CC		521,438.00	0.00	521,438.00	172,012.33	225.00	349,200.67	33.03 %
		521,438.00	0.00	521,438.00	172,012.33	225.00	349,200.67	33.03 %
11217000 SH COURTS		1,136,633.00	0.00	1,136,633.00	493,827.19	810.00	641,995.81	43.52 %
		1,136,633.00	0.00	1,136,633.00	493,827.19	810.00	641,995.81	43.52 %
11219000 VCTM ASST		124,135.00	0.00	124,135.00	46,900.96	0.00	77,234.04	37.78 %
		124,135.00	0.00	124,135.00	46,900.96	0.00	77,234.04	37.78 %
11221000 COMM ATTNY		649,651.00	0.00	649,651.00	251,088.79	810.00	397,752.21	38.77 %
		649,651.00	0.00	649,651.00	251,088.79	810.00	397,752.21	38.77 %
11312000 *SHERIFF*		5,678,132.00	105,355.57	5,783,487.57	2,357,443.64	20,499.70	3,405,544.23	41.12 %
		5,678,132.00	105,355.57	5,783,487.57	2,357,443.64	20,499.70	3,405,544.23	41.12 %
11314000 E911 SYS		1,417,111.00	0.00	1,417,111.00	452,644.41	810.00	963,656.59	32.00 %
		1,417,111.00	0.00	1,417,111.00	452,644.41	810.00	963,656.59	32.00 %
11317000 PRIS CONF		1,447,680.00	5,489.28	1,453,169.28	396,169.30	0.00	1,056,999.98	27.26 %
43		1,447,680.00	5,489.28	1,453,169.28	396,169.30	0.00	1,056,999.98	27.26 %
11318000 SH COMM SY		609,895.00	7,145.75	617,040.75	404,502.66	70,735.79	141,802.30	77.02 %
		609,895.00	7,145.75	617,040.75	404,502.66	70,735.79	141,802.30	77.02 %
11321000 FR EMER MN		7,849,668.00	568,083.22	8,417,751.22	3,639,180.60	58,202.49	4,720,368.13	43.92 %
		7,849,668.00	568,083.22	8,417,751.22	3,639,180.60	58,202.49	4,720,368.13	43.92 %

YTD Available Budget Report

Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		74,521,244.00	1,333,800.83	75,855,044.83	20,675,271.91	417,886.65	54,761,886.27	27.81 %
11321500 FREM PREP		65,271.00	4,506.80	69,777.80	42,194.65	0.00	27,583.15	60.47 %
		65,271.00	4,506.80	69,777.80	42,194.65	0.00	27,583.15	60.47 %
11323000 FIRE AM RE		0.00	28,837.92	28,837.92	35,527.43	0.00	(6,689.51)	123.20 %
		0.00	28,837.92	28,837.92	35,527.43	0.00	(6,689.51)	123.20 %
11324000 STATE FORS		6,954.00	0.00	6,954.00	6,954.00	0.00	0.00	100.00 %
		6,954.00	0.00	6,954.00	6,954.00	0.00	0.00	100.00 %
11333000 CT SRV UNIT		138,586.00	0.00	138,586.00	80,503.28	0.00	58,082.72	58.09 %
		138,586.00	0.00	138,586.00	80,503.28	0.00	58,082.72	58.09 %
11334000 CORCTN DET		42,114.00	0.00	42,114.00	21,057.00	0.00	21,057.00	50.00 %
		42,114.00	0.00	42,114.00	21,057.00	0.00	21,057.00	50.00 %
11341000 BLD INSP		656,709.00	0.00	656,709.00	196,168.49	300.00	460,240.51	29.92 %
		656,709.00	0.00	656,709.00	196,168.49	300.00	460,240.51	29.92 %
11351000 SH-ANML PR		542,370.00	58,418.29	600,788.29	250,443.71	0.00	350,344.58	41.69 %
		542,370.00	58,418.29	600,788.29	250,443.71	0.00	350,344.58	41.69 %
11423000 REFUSE CLC		1,271,008.00	0.00	1,271,008.00	481,807.48	0.00	789,200.52	37.91 %
		1,271,008.00	0.00	1,271,008.00	481,807.48	0.00	789,200.52	37.91 %
11432000 BLDG & GRN		1,393,344.00	0.00	1,393,344.00	530,125.58	26,410.00	836,808.42	39.94 %
		1,393,344.00	0.00	1,393,344.00	530,125.58	26,410.00	836,808.42	39.94 %
11512000 SPL HLTH D		391,416.00	0.00	391,416.00	195,708.00	0.00	195,708.00	50.00 %
		391,416.00	0.00	391,416.00	195,708.00	0.00	195,708.00	50.00 %
11525000 CH 10 BRD		145,000.00	0.00	145,000.00	72,500.00	0.00	72,500.00	50.00 %
44		145,000.00	0.00	145,000.00	72,500.00	0.00	72,500.00	50.00 %
11532300 AR AG AGNG		5,000.00	0.00	5,000.00	5,000.00	0.00	0.00	100.00 %
		5,000.00	0.00	5,000.00	5,000.00	0.00	0.00	100.00 %
11536000 AGENCY DON		19,500.00	0.00	19,500.00	19,500.00	0.00	0.00	100.00 %
		19,500.00	0.00	19,500.00	19,500.00	0.00	0.00	100.00 %

YTD Available Budget Report

Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		74,521,244.00	1,333,800.83	75,855,044.83	20,675,271.91	417,886.65	54,761,886.27	27.81 %
11681000 COMM COLL		5,356.00	0.00	5,356.00	5,356.00	0.00	0.00	100.00 %
11711000 P&R ADMIN		5,356.00	0.00	5,356.00	5,356.00	0.00	0.00	100.00 %
11715000 REC PRGM		459,855.00	0.00	459,855.00	172,962.13	810.00	286,082.87	37.79 %
		459,855.00	0.00	459,855.00	172,962.13	810.00	286,082.87	37.79 %
11726200 CLTRL ENR		543,732.00	20,491.65	564,223.65	163,321.87	0.00	400,901.78	28.95 %
		543,732.00	20,491.65	564,223.65	163,321.87	0.00	400,901.78	28.95 %
11726300 FINE ARTS		5,000.00	2,250.00	7,250.00	7,250.00	0.00	0.00	100.00 %
		5,000.00	2,250.00	7,250.00	7,250.00	0.00	0.00	100.00 %
11732200 LIBRARY		10,000.00	0.00	10,000.00	5,000.00	0.00	5,000.00	50.00 %
		10,000.00	0.00	10,000.00	5,000.00	0.00	5,000.00	50.00 %
11811000 PLN & ZNNG		228,855.00	0.00	228,855.00	114,427.50	0.00	114,427.50	50.00 %
		228,855.00	0.00	228,855.00	114,427.50	0.00	114,427.50	50.00 %
11811100 PLN COMM		522,233.00	0.00	522,233.00	150,994.96	15,160.00	356,078.04	31.82 %
		522,233.00	0.00	522,233.00	150,994.96	15,160.00	356,078.04	31.82 %
11811200 HIST COMM		36,674.00	0.00	36,674.00	16,554.18	0.00	20,119.82	45.14 %
		36,674.00	0.00	36,674.00	16,554.18	0.00	20,119.82	45.14 %
11812000 COM DEV AD		450.00	0.00	450.00	0.00	0.00	450.00	0.00 %
		450.00	0.00	450.00	0.00	0.00	450.00	0.00 %
11814000 BRD ZN AP		0.00	0.00	0.00	78,242.51	0.00	(78,242.51)	100.00 %
		0.00	0.00	0.00	78,242.51	0.00	(78,242.51)	100.00 %
11815000 ECON DEV		4,600.00	0.00	4,600.00	3,794.15	0.00	805.85	82.48 %
		4,600.00	0.00	4,600.00	3,794.15	0.00	805.85	82.48 %
11816500 PLUMPOINT		380,575.00	165,125.00	545,700.00	225,710.81	1,215.00	318,774.19	41.58 %
		380,575.00	165,125.00	545,700.00	225,710.81	1,215.00	318,774.19	41.58 %
		0.00	0.00	0.00	0.00	0.00	0.00	0.00 %
		0.00	0.00	0.00	0.00	0.00	0.00	0.00 %

YTD Available Budget Report

Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		74,521,244.00	1,333,800.83	75,855,044.83	20,675,271.91	417,886.65	54,761,886.27	27.81 %
11817000 WTLND BRD		3,300.00	0.00	3,300.00	349.71	0.00	2,950.29	10.61 %
11818000 AFD		3,300.00	0.00	3,300.00	349.71	0.00	2,950.29	10.61 %
11818000 AFD		4,700.00	0.00	4,700.00	24.32	0.00	4,675.68	0.51 %
11818000 AFD		4,700.00	0.00	4,700.00	24.32	0.00	4,675.68	0.51 %
11823500 ENV COM DE		500,843.00	0.00	500,843.00	166,649.88	1,938.00	332,255.12	33.66 %
11823500 ENV COM DE		500,843.00	0.00	500,843.00	166,649.88	1,938.00	332,255.12	33.66 %
11824000 SOIL WTR		22,450.00	0.00	22,450.00	11,225.00	0.00	11,225.00	50.00 %
11824000 SOIL WTR		22,450.00	0.00	22,450.00	11,225.00	0.00	11,225.00	50.00 %
11830500 COOP EXT		68,921.00	0.00	68,921.00	14,305.46	0.00	54,615.54	20.76 %
11830500 COOP EXT		68,921.00	0.00	68,921.00	14,305.46	0.00	54,615.54	20.76 %
11914000 RSVRD CONT		300,000.00	(18,650.00)	281,350.00	0.00	0.00	281,350.00	0.00 %
11914000 RSVRD CONT		300,000.00	(18,650.00)	281,350.00	0.00	0.00	281,350.00	0.00 %
11915000 EMPLOEXP		3,300.00	0.00	3,300.00	11.99	0.00	3,288.01	0.36 %
11915000 EMPLOEXP		3,300.00	0.00	3,300.00	11.99	0.00	3,288.01	0.36 %
11918000 DISRECOVERY		0.00	0.00	0.00	0.00	0.00	0.00	0.00 %
11918000 DISRECOVERY		0.00	0.00	0.00	0.00	0.00	0.00	0.00 %
11931000 TRNS OTHR		40,838,417.00	352,427.11	41,190,844.11	6,925,458.87	0.00	34,265,385.24	16.81 %
11931000 TRNS OTHR		40,838,417.00	352,427.11	41,190,844.11	6,925,458.87	0.00	34,265,385.24	16.81 %
Grand Total:		74,521,244.00	1,333,800.83	75,855,044.83	20,675,271.91	417,886.65	54,761,886.27	27.81 %

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

Miscellaneous

Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)	authorize the County Administrator to execute the proposed Permanent Easement and Temporary Construction Easement with Bicounty Way LLC and Famiglia LLC.		
Subject	Easement for Utility Service to Bottoms Bridge Shops		
Issue	Consideration of proposed easement with Bicounty Way LLC and Famiglia LLC to allow access for the County to extend utility service to a property identified as Tax Map 19-41B.		
Recommendation	Staff recommends adoption of the proposed motion.		
Fiscal Implications	The proposed easement would be granted to the County for no charge.		
Policy Implications	The property to which utility service would be provided is intended for by-right commercial development in a business zoning district in the Bottoms Bridge area.		
Legislative History	none		
Discussion	The proposed easement is for the extension of utility service to a business zoned property in the Bottoms Bridge area.		
Time Needed:	NA	Person Appearing:	NA
Request prepared by:	Joshua Everard, County Attorney	Telephone:	804-966-9686
Copy provided to:			

ATTACHMENTS:

Description	Type
Easement	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Attorney	Everard, Joshua	Approved	1/30/2025 - 4:37 PM
Administration	Hathaway, Rodney	Approved	1/30/2025 - 4:38 PM
Attorney	Everard, Joshua	Approved	1/31/2025 - 1:58 PM

Prepared by Office of the County Attorney, County of New Kent

Return to:
12007 Courthouse Circle
Post Office Box 150
New Kent, Virginia 23124-0150

Tax Map Nos.: 19-43H; 19-41B

Exempt From Taxation
Virginia Code § 58.1-811(A)(3)

COUNTY OF NEW KENT, VIRGINIA

PERMANENT EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT

THIS DEED OF EASEMENT (this “Deed”) is made and entered into this 10th day of February 2025, by and between **BICOUNTY WAY LLC**, a Virginia limited liability company (“Bicounty”) and **FAMIGLIA LLC**, a Virginia limited liability company (“Developer”) (Bicounty and Developer each as to their respective portions of the Property a “Grantor” and, collectively, the “Grantors”), and the **COUNTY OF NEW KENT, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (the “County”), whose address is 12007 Courthouse Circle, Post Office Box 150, New Kent, Virginia 23124 (the Developer and the County, collectively, the “Grantees”).

WITNESSETH:

That for and in consideration of the sum of TEN DOLLARS (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantors hereby grant, dedicate, and convey to the Grantees the following described easements and interests:

1. To the County, permanent easements for County utilities, water, and/or sewer lines (the “Permanent Easement”) located under, over, in, and across portions of the land of the Grantors identified as Tax Map Nos. 19-43H and 19-41B in New Kent County, Virginia (the “Property”) together with access thereto over the lands of the Grantors, and all rights and privileges hereinafter enumerated pertaining to the Permanent Easement, the location of which is depicted as “**20’ WATERLINE EASEMENT #1 400.00 SQ. FT.**”, “**20’ WATERLINE EASEMENT #2 4,655.89 SQ. FT.**”, and “**20’ SEWER EASEMENT 6,851.22 SQ. FT.**” on those certain plats of survey by Bruce Robertson Land Surveying, P.C., dated December 1, 2024, entitled “**EXHIBIT DRAWING SHOWING 20’ WATERLINE EASEMENTS INVOLVING THE DEVELOPMENT OF TAX MAP #19-41B, BLACK CREEK DISTRICT – NEW KENT COUNTY, VA**” and “**EXHIBIT DRAWING SHOWING 20’ SEWER EASEMENTS INVOLVING THE DEVELOPMENT OF TAX MAP #19-41B, BLACK CREEK DISTRICT – NEW KENT COUNTY, VA**” which plats are attached hereto as **Exhibit A**, incorporated into this Deed by reference, and are to be recorded as part of this Deed.

2. To the Developer, a variable width temporary construction easement located under, over, in and across the land of Bicounty the location of which is depicted as “**TEMPORARY**

CONSTRUCTION EASEMENT 10,015.68 SQ. FT.” on that certain plat of survey by Bruce Robertson Land Surveying, P.C., dated December 1, 2024, entitled “EXHIBIT DRAWING SHOWING TEMPORARY CONSTRUCTION EASEMENT INVOLVING THE DEVELOPMENT OF TAX MAP #19-41B, BLACK CREEK DISTRICT – NEW KENT COUNTY, VA” (the “Temporary Easement” and, together with the Permanent Easement, the “Easements”) which plat is attached hereto as **Exhibit B**, incorporated into this Deed by reference, and are to be recorded as part of this Deed. Upon completion of any construction, repair, alteration, replacement, or removal of County utilities and/or sewer lines or appurtenant facilities, the Temporary Easement will automatically, and without the execution or recordation of any specific release, be extinguished. The existence of the Permanent Easement will be unaffected by the termination of the Temporary Easement and will continue in full force and effect.

3. The Easements are for the purpose of constructing, installing, maintaining, inspecting, operating, protecting, replacing, repairing, changing the size of, and removing improvements as part of the County’s water and sewer system, including, but not limited to, pipes, mains, manholes, inlet structures, pumps, hydrants, and related facilities (collectively, the “Facilities”).

4. The Easements are subject to the following conditions, and the Grantors and the Grantees covenant and agree as follows:

a) All pipes, manholes, inlet structures, hydrants, pumps, and related Facilities and structures which are installed in the Permanent Easement will be and remain the property of the County.

b) The Grantors may not charge the County for its use of the Property in exercising its rights granted under this Deed.

c) The Grantees and its agents have full and free use of the Easements for the purposes named, and have all rights and privileges reasonably necessary to the utilization of the Easements, including a right of ingress to and egress from the Easements where least damage to Grantors’ property will occur from such access, which right of access will be exercised only if and as reasonably necessary, and a limited right use to adjoining land of the Grantors where necessary to the use and enjoyment for the Easements; provided, however, that such right to use adjoining lands of the Grantors may be exercised only during periods of actual construction or maintenance of the Easement, and may not be construed to allow the County to erect any building, structure, or utility facilities of a permanent nature on such adjoining land. All damages to any such adjoining lands of the Grantors caused by the Grantees’ use of the pursuant to this provision must be repaired by the responsible Grantee at fault at its expense, and such lands must be restored as nearly as possible by the responsible Grantee to their original condition.

d) The Grantees have the right to trim, cut, and remove trees, shrubbery, fences, structures, or other obstructions or facilities on, in, under, above, or near the Easements being conveyed (including any in-ground swimming pool), that are deemed by it in its sole discretion to interfere with the proper and efficient construction, operation, and maintenance of the Easements; provided, however, that following completion of construction or repair, the Grantees must at their own

expense restore, as nearly as possible, the Property to its original condition, such restoration including the backfilling of trenches, replacement of fences, and the reseeding or resodding of lawns or pasture areas, but not the replacement of structures, trees, bushes, undergrowth or other facilities located within the Easements.

e) The Grantors reserve the right to make any use of the Easements which are consistent with the rights herein conveyed and do not interfere with the Grantees' use of the Easements; provided, however, that the Grantors may not erect any roadway, building, or other structure, except a fence, on the Easements without obtaining prior written approval from the County.

f) The Easements and other rights granted herein are subject to any and all easements, covenants, restrictions, and conditions of record affecting the Property.

g) The Grantees will cooperate and work with the Grantors as needed to minimize the visual impact of all Facilities that are located above ground-level in the Easements.

h) The Easements and covenants set forth in this deed run with the land and are binding on the Grantors and the Grantees and their heirs, successors, and assigns.

i) Any delay of the Grantees in the use or exercise of any rights granted herein, or in the installation of the Facilities, will not result in the loss, limitation, or abandonment of any right or interest granted by this Deed.

j) Each Grantor covenants respectively that he is seized of the Property on which the Easements are situated as shown in the plats in fee simple absolute; that he has the full right and authority to convey the Easements to the Grantees; that the undersigned are all holders of any interest in or to the Property and together hold the entire undivided fee simple title to the Property subject only to liens and other matters of record as of the date of this instrument; that the Grantees will have quiet possession of the Easements, free from all encumbrances; and that each Grantor will execute such further assurances regarding the conveyance of the Easements as may be required by the County in its sole discretion. Each Grantor further covenants, upon the request of the County, to obtain the consent to these Easements of any lienholder, deed of trust trustee, or other individual or entity having any interest whatsoever in the Property.

k) Each Grantor covenants and agrees for himself, his heirs, successors, and assigns, that the consideration recited herein is in lieu of any and all claims to compensation for property and for damages, if any, to the remaining lands of the Grantor which may result by reason of the County's use.

[Signatures appear on the following pages]

WITNESS the following signatures and seals:

GRANTOR:

BICOUNTY WAY LLC, a Virginia limited liability company

By: _____

Name: _____

Title: _____

CITY/COUNTY OF _____,
STATE/ COMMONWEALTH OF _____,

The foregoing instrument was acknowledged before me on _____, 2025, by
_____, as _____ for Bicounty Way
LLC, a Virginia limited liability company, on behalf of the company.

My commission expires: _____

Notary registration number: _____

Notary Public

[Signature pages continued – Deed of Easement]

GRANTOR and GRANTEE:

FAMIGLIA LLC, a Virginia limited liability company

By: _____

Name: _____

Title: _____

CITY/COUNTY OF _____,
STATE/ COMMONWEALTH OF _____,

The foregoing instrument was acknowledged before me on _____, 2025, by
_____, as _____ for Famiglia LLC,
a Virginia limited liability company, on behalf of the company.

My commission expires: _____

Notary registration number: _____

Notary Public

GRANTEE:

This Deed is accepted by the County pursuant to Virginia Code § 15.2-1803. Acceptance by the County is evidenced by the following signature of an authorized official of the County.

Date: _____ (SEAL)

Name: _____

Title: _____

COUNTY OF _____
COMMONWEALTH OF VIRGINIA,

The foregoing instrument was acknowledged before me _____, 20____, by _____, on behalf of New Kent County, Virginia.

My commission expires: _____

Notary registration number: _____

Notary Public

Approved as to Form:

Joshua S. Everard
County Attorney

EXHIBIT A

Sewer Easement Plat / Waterline Easement Plat

EXHIBIT B

Temporary Construction Easement Plat

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

Refunds

<p>Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)</p>	<p>approve the Consent Agenda as presented and that it be made a part of the record.</p> <p>or</p> <p>I move to approve the Consent Agenda as presented and that it be made a part of the record, with the following changes:</p>
<p>Subject</p>	<p>REFUND - Dangerous Dog Renewal Fee - \$65</p>
<p>Issue</p>	
<p>Recommendation</p>	<p>Approval</p>
<p>Fiscal Implications</p>	
<p>Policy Implications</p>	
<p>Legislative History</p>	
<p>Discussion</p>	

<p>Time Needed:</p>		<p>Person Appearing:</p>	
<p>Request prepared by:</p>	<p>W. Watkins, Deputy Clerk of the Board</p>	<p>Telephone:</p>	<p>804-966-9687</p>
<p>Copy provided to:</p>			

New Kent County Board of Supervisors
P O Box 150, 12007 Courthouse Circle
New Kent, VA 23124

CONSENT AGENDA **REFUND REQUEST**

(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

Reason for refund	Resident paid \$150 for the 2025 Dangerous Dog Renewal Fee on January 9, 2025 but the fee should have been \$85. A \$65 refund should be issued.		
Refund Amount	\$65		
Name and complete mailing address for refund recipient	Jacob Schmidt 7580 Jack Pine CT Quinton, VA 23141		
Line item identification and breakdown			
Request prepared by:	W. Watkins, Deputy Clerk of the Board	Telephone:	804-966-9687
Date of Request:	1/29/2025		

REVIEWERS:

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	1/29/2025 - 12:47 PM
Administration	Hathaway, Rodney	Approved	1/30/2025 - 12:06 PM
Attorney	Everard, Joshua	Approved	1/31/2025 - 2:03 PM

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

Refunds

Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)	Mr. Chairman, I move to approve the request as presented and that it be made part of the record.		
Subject	REFUND - Personal Property Tax - Veteran Exemption - \$1,562.06		
Issue			
Recommendation	Approval		
Fiscal Implications			
Policy Implications			
Legislative History			
Discussion			

Time Needed:		Person Appearing:	
Request prepared by:	Jacqueline Zawodny	Telephone:	804-557-3078
Copy provided to:			

New Kent County Board of Supervisors
P O Box 150, 12007 Courthouse Circle
New Kent, VA 23124

CONSENT AGENDA **REFUND REQUEST**

(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

Reason for refund	Veteran exempt as of August 19th, 2023. Refund prorated amount 2023 and full amount 2024.		
Refund Amount	\$1562.06		
Name and complete mailing address for refund recipient			
Line item identification and breakdown	2023 - 495.35 2024 - 1066.71		
Request prepared by:	Jacqueline Zawodny	Telephone:	804-557-3078
Date of Request:	2/3/2025		

REVIEWERS:

Department	Reviewer	Action	Date
Commissioner of Revenue	McLaughlin, Shannon	Approved	2/3/2025 - 11:42 AM
Administration	Hathaway, Rodney	Approved	2/3/2025 - 3:28 PM
Attorney	Everard, Joshua	Approved	2/3/2025 - 4:24 PM

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

Supplemental Appropriations

<p>Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)</p>	<p>approve the Consent Agenda as presented and that it be made a part of the record.</p> <p>or</p> <p>I move to approve the Consent Agenda as presented and that it be made a part of the record, with the following changes:</p>
<p>Subject</p>	<p>FY25 Supplemental Appropriations</p>
<p>Issue</p>	
<p>Recommendation</p>	
<p>Fiscal Implications</p>	<ol style="list-style-type: none"> 1. Animal Shelter Donations - \$1,385. 2. Gifts & Donations - Sheriff: Keith Black (\$2,500), Carol Fridley (\$200) and Blackbaud Giving Fund (\$200); Fire: Brinkmann Construction (\$2,000), Southeastern Specialty Vehicle (\$1,500), Black (\$2,500), Cooper (\$100) and Crust (\$50), \$9,050. 3. Sheriff Extra Duty Private: Colonial Downs Group: 9/13/2024 - 10/11/2024 (\$3,370.15), 11/22/2024 - 11/30/2024 (\$1,225.51), Holly Fork Farm: 10/25/2024 (\$551.48) and Chamber of Commerce 8/03/2024 (\$1,348.07), \$6,495.21. 4. Sheriff Extra Duty Schools: Middle School Football: 10/19/2024, \$177.62. 5. Funds from VRSA Insurance - Sheriff: Claim #02-24-62868-1-AP, DOL 12/27/2024 (\$1,384.10), Claim #02-24-62072-1-AP, DOL 10/31/2024 (\$125), Claim #02-24-62521-5-AL, DOL 11/27/2024 (\$300), Claim #02-24-62521-4-AL, DOL 11/27/2024 (\$300), Claim #02-24-62521-2-AL, DOL 11/27/2024 (\$300), Claim #02-24-62521-1-AL, DOL 11/27/2024 (\$300), Claim #02-24-62869-1-AP, DOL 12/23/2024 (\$1,177.90) and Fire: Claim #02-24-59784-2-PR, DOL 12/23/2024 (\$1,396.05), \$5,283.05. 6. Grand Illumination - Silent Auction, \$92. 7. Photo Speed Enforcement Funds - Blue Line Solutions LLC, \$18,880. 8. Restitution Funds - Sheriff: Carol Williams (\$22.94) and Martin Williams (\$22.94), \$45.88. 9. REPP Grant Funds - \$20,500. 10. Additional DSS Funds - \$69,602.40. 11. Return of Erroneous Disbursement from DCJS - \$11,250. 12. Interest Income for 2022 W&S Bond - December 2024 - \$17,783.52. 13. Interest Income for EDA Series 2022 Lease Revenue Bond - December 2024, \$22,376.78.

(\$ 74,482.16) - Total In/Out - General Fund (1101) (\$ 68,279.00) - Total In/Out - Social Services (1201) (\$ 22,376.78) - Total In/Out - Capital (1302) (\$ 17,783.52) - Total In/Out - Water/Sewer (1514)

Policy Implications

Legislative History

Discussion

Time Needed:

Request
prepared by:

Copy provided
to:

Person Appearing:

Telephone:

W. Watkins, Deputy
Clerk of the Board

804-966-9687

ATTACHMENTS:

Description

Type

Supplemental Appropriations for 021025 (PDF)

Cover Memo

REVIEWERS:

Department

Reviewer

Action

Date

Clerk

Watkins, Wanda

Approved

1/30/2025 - 3:14 PM

Administration

Hathaway, Rodney

Approved

1/30/2025 - 4:37 PM

Attorney

Everard, Joshua

Approved

1/31/2025 - 2:05 PM

**Interoffice
MEMORANDUM**

To: Rodney A. Hathaway, County Administrator
From: Richard E. Lawrence, Director of Financial Services
Subject: FY25 Supplemental Appropriations For Munis (February 10, 2025 BOS Meeting)
Date: January 29, 2025

FY2024-2025

This memo is to request the following supplemental appropriations:

	Revenue	Expenditure
<u>To Appropriate Animal Shelter Donations</u>		
<i>Donations totaling \$1,385.00 received by the Sheriff's Department</i>		
REVENUE:		
110918-318402	\$ (1,385.00)	
Animal Shelter Donations		
EXPENDITURE:		
11351000-403190	\$	1,385.00
Veterinarian Services		

To Appropriate Gifts & Donations

Sheriff: Keith Black (\$2,500), Carol Fridley (\$200.00), Blackbaud Giving Fund (\$200.00)

Fire: Brinkmann Construction (\$2,000.00), Southeastern Specialty Vehicle (\$1,500.00), Black (\$2,500.00), Cooper (\$100.00), Crust (\$50.00),

REVENUE:		
110918-318401	\$ (9,050.00)	
Gifts & Donations		
EXPENDITURE:		
11312000-406015	\$	300.00
K9 Supplies and Other		
11312000-406027	\$	2,500.00
Auxiliary		
11312000-406048	\$	100.00
Honor Guard		
11122200-406038	\$	6,000.00
Food & Serving Supplies - Employee Functions		
11321000-405894	\$	150.00
Public Education Donations - Fire		

To Appropriate Funds for Sheriff Extra Duty Private

Colonial Downs Group: 9/13/2024 - 10/11/2024 (\$3,370.15), 11/22/2024 - 11/30/2024 (\$1,225.51)

Holly Fork Farm: 10/25/2024 (\$551.48)

Chamber of Commerce 8/03/2024 (\$1,348.07)

REVENUE:		
110919-319204	\$ (6,495.21)	
Recovered Cost Misc.		
EXPENDITURE:		
11312000-401304	\$	6,495.21
Salaries-Supp Activities		

To Appropriate Funds for Sheriff Extra Duty Schools

Middle School Football: 10/19/2024 (\$177.62)

REVENUE:		
110919-319204	\$ (177.62)	
Recovered Cost Misc.		
EXPENDITURE:		
11312000-401320	\$	177.62
Extra Security Detail-Schools		

To Appropriate Funds Received from VRSA Insurance

Sheriff: Claim # 02-24-62868-1-AP, DOL 12/27/2024 (\$1,384.10);

Claim # 02-24-62072-1-AP, DOL 10/31/2024 (\$125.00);

Claim # 02-24-62521-5-AL, DOL 11/27/2024, (\$300.00);

Claim # 02-24-62521-4-AL, DOL 11/27/2024 (\$300.00);

Claim # 02-24-62521-2-AL, DOL 11/27/2024 (\$300.00);

Claim # 02-24-62521-1-AL, DOL 11/27/2024 (\$300.00);

Claim # 02-24-62869-1-AP, DOL 12/23/2024 (\$1,177.90);

Fire: Claim # 02-24-59784-2-PR, DOL 12/23/2024 (\$1,396.05);

REVENUE:		
110918-318203	\$ (5,283.05)	
Insurance Recoveries		
EXPENDITURE:		
11312000-405840	\$	2,709.10
Insurance Damages/Recoveries		
11321000-405840	\$	1,396.05
Insurance Damages/Recoveries		
11351000-405840	\$	1,177.90
Insurance Damages/Recoveries		

Interoffice
MEMORANDUM

To: Rodney A. Hathaway, County Administrator
From: Richard E. Lawrence, Director of Financial Services
Subject: FY25 Supplemental Appropriations For Munis (February 10, 2025 BOS Meeting)
Date: January 29, 2025

FY2024-2025

This memo is to request the following supplemental appropriations:

	Revenue	Expenditure
<u>To Appropriate Funds for the Grand Illumination</u>		
<i>Silent Auction (\$92.00)</i>		
REVENUE:		
110918-318405	\$ (92.00)	
Grand Illumination Donations		
EXPENDITURE:		
11110200-405843	\$	92.00
Special Events		
<u>To Appropriate Photo Speed Enforcement Funds</u>		
<i>Blue Line Solutions LLC (\$18,880.00)</i>		
REVENUE:		
110401-314105	\$ (18,880.00)	
Photo Speed Enforcement		
EXPENDITURE:		
11312000-406019	\$	18,880.00
Photo Speed Enforcement Supply		
<u>To Appropriate Restitution Funds</u>		
<i>Sheriff: Carol Williams (\$22.94), Martin Williams (\$22.94)</i>		
REVENUE:		
110918-318501	\$ (45.88)	
Restitution		
EXPENDITURE:		
11351000-403190	\$	45.88
Veterinarian Services		
<u>To Appropriate REPP Grant Funds</u>		
<i>REPP Grant Funds (\$20,500.00)</i>		
REVENUE:		
110924-324200-20202	\$ (20,500.00)	
Emergency Services		
EXPENDITURE:		
11321500-408021	\$	20,500.00
VA Power Grant Funds		
<u>To Appropriate Additional DSS Funds</u>		
REVENUE:		
250924-324200-20609	\$ (66,955.60)	
State Reimbursement		
250949-349201	\$ (1,323.40)	
Transfer from General Fund		
110948-348102	\$ (1,323.40)	
Estimated Fund Balance Used		
EXPENDITURE:		
25532100-400804	\$	6,617.00
Auxiliary Grant		
25532100-400804	\$	60,106.00
IV-Foster Care		
25532100-400804	\$	624.00
State Adoption Subsidy		
25532100-400804	\$	932.00
ILP Ed & Training		
11931000-409206	\$	1,323.40
Transfer to DSS		
<u>To Appropriate Return of Erroneous Disbursement from DCJS</u>		
REVENUE:		
110948-348102	\$ (11,250.00)	
Estimated Fund Balance Used		
EXPENDITURE:		
11221000-405987	\$	11,250.00
Return to State Agency		
<u>To Appropriate Interest Income for 2022 W&S Bond</u>		
<i>December (\$17,783.52)</i>		
REVENUE:		
370961-361101	\$ (17,783.52)	
Interest on Investments		

Interoffice
MEMORANDUM

To: Rodney A. Hathaway, County Administrator
From: Richard E. Lawrence, Director of Financial Services
Subject: FY25 Supplemental Appropriations For Munis (February 10, 2025 BOS Meeting)
Date: January 29, 2025

FY2024-2025

This memo is to request the following supplemental appropriations:

	Revenue	Expenditure
EXPENDITURE:		
37940000-408642	\$	17,783.52
Solids Stabilization Dewatering		
To Appropriate Interest Income for EDA Series 2022 Lease Revenue Bond		
<i>December (\$22,376.78)</i>		
REVENUE:		
310501-315107	\$	(22,376.78)
Interest on Bond Proceeds		
EXPENDITURE:		
31680000-458010	\$	13,828.23
Historic School Campus-Renov		
31380000-438015	\$	8,548.55
Animal Shelter		

\$	(74,482.16)	Total In/Out - General Fund (1101)
\$	(68,279.00)	Total In/Out - Social Services (1201)
\$	(22,376.78)	Total In/Out - Capital (1302)
\$	(17,783.52)	Total In/Out - Water/Sewer (1514)
	(182,921.46)	Check
\$	-	

cc: The Honorable Lee Bailey, Sheriff
Joey McLaughlin III, Chief Deputy - New Kent County Sheriff's Office
Nancy Lindsey, Finance Manager
April Davidson, Secretary to the Sheriff
Richard Opett, Fire Chief
Lisa Baber, Deputy Fire Chief
Ellen Browne, Administrative Assistant
Mike Lang, Public Utilities Director
Harold Jones, Assistant Public Utilities Director
Jennifer Ronk, Billing Specialist
Becky Wells, Public Utilities Administrative Assistant
Rodney Hathaway, County Administrator
Wanda Watkins, Deputy Clerk of the Board
Krista Eutsey, Public Relations Specialist
Amanda Stanger, Executive Assistant to the County Administrator
Suzanne Grable, Social Services Director
Dana Boothe, Administrative Services Manager
Kimberly C. Turner, Director of Parks and Recreation
Jason M. Baldwin, Assistant Director of Parks and Recreation
Amber Bise, Administrative Assistant

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

Interdepartmental Budget Transfers

<p>Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)</p>	<p>approve the Consent Agenda as presented and that it be made a part of the record.</p> <p>or</p> <p>I move to approve the Consent Agenda as presented and that it be made a part of the record, with the following changes:</p>
Subject	FY25 Interdepartmental Budget Transfers
Issue	
Recommendation	
Fiscal Implications	1. Administration - From Lawn Maintenance Supplies to P&R Equipment, \$1,835.13.
Policy Implications	
Legislative History	
Discussion	

Time Needed:		Person Appearing:	
Request prepared by:	W. Watkins, Deputy Clerk of the Board	Telephone:	804-966-9687
Copy provided to:			

ATTACHMENTS:

Description	Type
Interdepartmental Budget Transfer for 021025 (PDF)	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	1/31/2025 - 2:00 PM
Administration	Hathaway, Rodney	Approved	1/31/2025 - 4:19 PM
Attorney	Everard, Joshua	Approved	2/3/2025 - 11:19 AM

BUDGET TRANSFER FORM

ACCOUNTING PERIOD:

Jan-25 **FY25**

BATCH #

REF #

FUNDS COMING FROM (CREDIT)			FUNDS GOING TO (DEBIT)		
<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>	<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
11715000-406053	Lawn Maintenance Supplies	\$ 1,835.13	31780000-478030	P&R Equipment	\$ 1,835.13
Requires BOS Approval					
		\$ 1,835.13			\$ 1,835.13

Explanation for transfer: Additional funds needed for purchase of a Ventrac tractor. Purchase was approved in the FY25 Capital budget.

RAH	1/9/2025
PREPARE'S INITIALS	DATE

FOR FINANCE OFFICE USE ONLY

CHECKED FOR FUNDS:

ENTERED: _____

POSTED:

DEPARTMENT: Administration

DEPT HEAD SIGNATURE: _____

DATE: 1/9/2025

COUNTY ADMINISTRATOR APPROVAL: 

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

Treasurer's Report

<p>Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)</p>	<p>approve the Consent Agenda as presented and that it be made a part of the record.</p> <p>or</p> <p>I move to approve the Consent Agenda as presented and that it be made a part of the record, with the following changes:</p>
Subject	Treasurer's Report - December 2024
Issue	
Recommendation	Approval
Fiscal Implications	
Policy Implications	
Legislative History	
Discussion	Cash as of December 31, 2024, \$130,250,149.23 including escrow funds.

Time Needed:		Person Appearing:	
Request prepared by:	W. Watkins, Deputy Clerk of the Board	Telephone:	804-966-9687
Copy provided to:			

ATTACHMENTS:

Description	Type
Treasurer's Report - December 2024 (PDF)	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	1/29/2025 - 8:35 AM
Administration	Hathaway, Rodney	Approved	1/30/2025 - 12:05 PM
Attorney	Everard, Joshua	Approved	1/31/2025 - 2:04 PM



Cash Report

As of December 31, 2024

Cash Account Balance (total per statements)	59,640,574.19
<u>Investments</u> (per statements)	
C&F - Certificates of Deposit	8,300,538.51 General Operations
Local Government Investment Pool	4,704.37
Virginia Investment Pool	50,699,099.06
Primis - Money Market + ICS	10,997,254.05
Total Investments	70,001,595.99
Total Cash and Investments	129,642,170.18
Escrow Accounts (Soil and Erosion)	607,979.05
Total Cash in Bank	130,250,149.23 including escrow funds

New Kent County Board of Supervisors
P O Box 150, 12007 Courthouse Circle
New Kent, VA 23124

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

RESIDENCY ADMINISTRATOR'S REPORT

Motion: "Mr.
Chairman, I move to
(not required for Consent
Agenda items)

Subject

Residency Administrator's Report for January 2025

Issue

Recommendation

Fiscal Implications

Policy Implications

Legislative History

Discussion

Time Needed:

Request
prepared by:

Copy provided
to:

Person Appearing:

Telephone:

804-966-9687

W. Watkins, Deputy
Clerk of the Board

REVIEWERS:

Department
Clerk

Reviewer
Watkins, Wanda

Action
Approved

Date
1/31/2025 - 1:53 PM

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

PRESENTATIONS

Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)	
Subject	Arts Alive Annual Report - <i>Arts Alive Executive Director Laura Richards and Board Member Ellen Davis</i>
Issue	Presentation of Annual Report on programming and support.
Recommendation	N/A
Fiscal Implications	N/A
Policy Implications	N/A
Legislative History	N/A
Discussion	N/A

Time Needed:		Person Appearing:	Arts Alive Executive Director Laura Richards and Board Member Ellen Davis
Request prepared by:	W. Watkins, Deputy Clerk of the Board	Telephone:	804-966-9687
Copy provided to:			

ATTACHMENTS:

Description	Type
Arts Alive Funding Information (PDF)	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	1/29/2025 - 9:07 AM
Administration	Hathaway, Rodney	Approved	1/30/2025 - 12:04 PM
Attorney	Everard, Joshua	Approved	1/31/2025 - 2:05 PM

KEEPING THE ARTS ALIVE



Founded in 2003, Arts Alive, Inc. is a local non-profit that sponsors summer camps, scholarships, art workshops, and on-stage performances for the citizens of New Kent, King and Queen, King William, and the Town of West Point.

Our Services



Summer Camps

We offer two week-long camps each year. Our Summer Arts Camp in June offers visual and performing arts classes for rising first graders to rising fifth graders. The Missoula Theatre Camp in July creates a love of performing for rising first graders to rising seniors.

In 2024, 52% of our Summer Arts Camp participants and 45% of our Missoula Camp actors were from New Kent County.

Live Stage Performances

We strive to bring exciting live entertainment from different genres to the area at a great price. We also offer a family friendly show where children attend for free!

31% of our 2024/25 Concert Series Season Subscribers are New Kent County residents.



Workshops

Utilizing both local artists and artists through the Virginia Museum of Fine Arts we provide daylong workshops where participants have the opportunity to learn new skills and art forms.

Scholarships

We offer two \$1,000 scholarships to high school seniors continuing their education in the arts.

For Fiscal Year 2025/26, Arts Alive kindly requests \$10,000 in funding to help us continue our goal of bringing a variety of affordable and accessible art programs to the area.

Our goals for funding allocation in 2025/2026:



For 2025/26 we will continue to offer 8-10 visual art workshops. With the help of county funds, we hope to expand our workshop program to include workshops for teens and families. We are also working on finding new locations so we can broaden our workshop availability. Our workshops also allow us to support local artists who love to share their talents with others.



We have our two summer camps on the 2025 calendar! We will continue to offer our high quality, week-long summer camps at affordable prices. These camps allow us to share both visual and performing arts with children in our service area. County support allows us to cover camp expenses keeping camp cost low for families.



We will be presenting a great variety of affordable live shows for our 2025/26 Concert Series. We have both local talent and national touring artists on the schedule. **We are excited that one of our 2026 performances will include an invitation to local school band students to practice and perform with a nationally known saxophone player.**

County funds and grants allow us to hold our annual family friendly show where children can attend for free!



High School Seniors in our service area will be offered the opportunity to apply for merit-based scholarships. We currently have two \$1,000 scholarships for students continuing their education in visual or performing arts.



County governments can apply for the Creative Community Partnership Grant through the Virginia Commission of the Arts. The Commission will match, up to \$4,500, subject to funds available, the tax monies given by independent town, city, county, and tribal governments to independent arts organizations. Applications are due April 1, 2025

Contact Us



804-845-7787



info@artsaliveinc.org

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

PRESENTATIONS

<p>Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)</p>	<p>_____ Resolution R-05-25</p>		
<p>Subject</p>	<p>Consider Exception Request of Department of Public Utilities to Section 98-1069(a)(7) of the New Kent County Code to Use Chain-link Fencing - Resolution R-05-25 - Principal Planner Patrick Silva</p>		
<p>Issue</p>	<p>Consider Exception Request of Department of Public Utilities to Section 98-1069(a)(7) of the New Kent County Code to Use Chain-link Fencing.</p>		
<p>Recommendation</p>	<p>The Planning Commission considered this request at their meeting on January 21, 2025 and voted 10:0:1 to forward a favorable recommendation to the Board of Supervisors.</p>		
<p>Fiscal Implications</p>	<p>NA</p>		
<p>Policy Implications</p>	<p>NA</p>		
<p>Legislative History</p>	<p>NA</p>		
<p>Discussion</p>	<p>The proposed Department of Public Utilities Operations Center will re-locate portions of existing chain-link fence as part of the design. The Department of Public Utilities is requesting to use chain-link fencing to match what will remain along the site frontage.</p>		

Time Needed:	10 Minutes	Person Appearing:	Principal Planner, Patrick Silva
Request prepared by:	Patrick Silva	Telephone:	804-966-8563
Copy provided to:			

ATTACHMENTS:

Description	Type
BOS Memo	Cover Memo
Application	Backup Material
Plan	Backup Material
PC Resolution	Backup Material
Article XXVIII	Backup Material
BOS Resolution R-05-25 (PDF)	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Planning & Zoning	Airaghi, Josh	Approved	1/28/2025 - 2:10 PM
Administration	Hathaway, Rodney	Approved	1/30/2025 - 12:06 PM
Attorney	Everard, Joshua	Approved	1/31/2025 - 2:31 PM



MEMORANDUM

DATE: February 10, 2025

TO: New Kent County Board of Supervisors

SUBJECT: Consideration of an Exception Request in accordance with Section 98-1071 - Exceptions to Additional Development Requirements of the Commerce Corridor Overlay District from the New Kent County Department of Public Utilities.

REQUEST

Consider the request for an exception to the additional requirements of the Commerce Corridor Overlay District, per Section 98-1071, from New Kent County Department of Public Utilities (DPU), specifically to waive the restriction to allow chain-link fencing along the frontage that faces Poindexter Road.

BACKGROUND

The proposed site improvements include the construction of a new Operations Center for the New Kent County Department of Public Utilities at 7051 Poindexter Road including two new buildings a new curb cut to provide an additional point of site access, the replacement/relocation of existing chain-link fencing, and the installation of two new slidable security gates. The project site is currently developed with the existing operations center building, two auxiliary shed buildings, and a warehouse building. The buildings located on-site are served by private water and sewer facilities. The subject property is located within the Commerce Corridor Overlay District. The Commerce Corridor Overlay District design requirements restrict the use of chain-link fencing within the overlay district. The Department of Public Utilities is requesting an exception from this restriction to allow the replacement and relocation of existing chain-link fencing as well as to accommodate the installation of two new slidable security gates made of galvanized chain-link, which would provide for enhanced security and access to the site.

The process for obtaining an exception to the Commerce Corridor Overlay District regulations is laid out in Section 98-1071 of the New Kent County Code, which I have copied below in full:

Sec. 98-1071. - Exceptions to additional development requirements.

Exceptions to the development requirements and standards specified in this article may be granted by the board of supervisors following a recommendation by the planning commission in accordance with the procedures set out in this section. The applicant for such exception shall provide the zoning administrator a letter stating their justification for the exception request to the standards of this article along with accompanying documentation including, but not limited to, proposed site design layout, architectural renderings, or signage plans. Upon receipt of all items deemed necessary by the zoning administrator, he shall prepare a staff report for the planning

commission and board of supervisors for their review and consideration. Upon approval of an exception to the standards outlined in this article by the board of supervisors, the zoning administrator shall determine that that the approved development plan or plat is consistent with the board of supervisors' approval.

PLANNING COMMISSION ACTION

The Planning Commission considered this application at their meeting on January 21, 2025 and voted 10:0:1 to forward a favorable recommendation to the Board of Supervisors, with the recommendation that the applicant provide additional screening along the chain-link fencing which is located within the Commerce Corridor Overlay District..

Resolution R-05-25 is attached for your consideration.

Attachments:

- Letter from C. Michael Lang, Director, Department of Public Utilities
- Section 98-1071 Commerce Corridor Overlay District Section of the New Kent County Zoning Code.
- Existing Conditions and Proposed Site Improvements Plan
- Resolution, R-05-25



C. Michael Lang, PG
Director of Public Utilities
PO Box 130
New Kent, VA 23124
Phone 804-966-9678
cmlang@newkent-va.us

December 12, 2024

Ms. Angela Leflett
New Kent County Planning and Zoning Department
PO Box 150
New Kent, VA 23124

RE: Department of Public Utilities Operations Center
7051 Poindexter Road



Dear Ms. Leflett:

The design of a new Operations Center for the Department of Public Utilities (DPU) is currently underway, which includes the redevelopment of the existing facility at 7051 Poindexter Road. Please see the attached existing site plan and draft proposed site plan.


We have reviewed the zoning requirements for the site and request waivers for the following items:

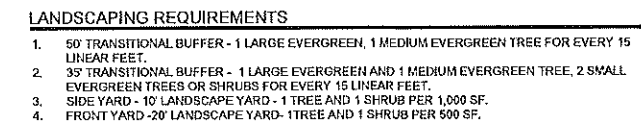
1. Site Security – One of the project priorities is improved site safety & security. The project site is within the Commerce Corridor Overlay District, which excludes chain link fencing. The site is currently enclosed by chain link fence topped with barbed wire. Due to the nature of the facility and the need to maintain security we request that the continued use of chain link fence be allowed. The chain link fence will be 6' tall topped with 3 strands of barbed wire.
2. Groundwater Well Location – The existing facility is served by a groundwater well in poor condition. As part of the project, a new groundwater well will be drilled to provide reliable potable water service to the buildings on the site. In order to comply with the Virginia Department of Health (VDH) requirements for separation between a well and a structure or topographic feature, the proposed well will be located within the 35' transitional buffer between the project site (zoned Economic Opportunity) and the adjacent property (zoned Industrial). The existing well is also currently located within the transitional buffer. We request a waiver to allow the new potable water well and associated well house to be located within the transitional buffer.
3. Landscaping – The current project site is generally cleared to the property line. This allows DPU to have full view of their facility for site safety and security. The project site is zoned Economic Opportunity and the two (2) abutting parcels to the north are zoned Industrial and Agricultural, thereby requiring a landscaped transitional buffer based on the County Code. We request a waiver from the landscaping requirement so that DPU can continue to fully monitor the facility and property. With the exception of the new groundwater well, new above-grade improvements will not be located in the buffer.

Thank you in advance for your consideration. Please do not hesitate to reach out if you need additional information.

Sincerely,

New Kent County, Department of Public Utilities


C. Michael Lang, PG
Director



12/20/2018 10:17:15 AM
P:\NEWKENT\2018\18-001\OPERATIONS CENTER\18-001-001\EXISTING
CONDITIONS.DWG

E
D
C
B
A

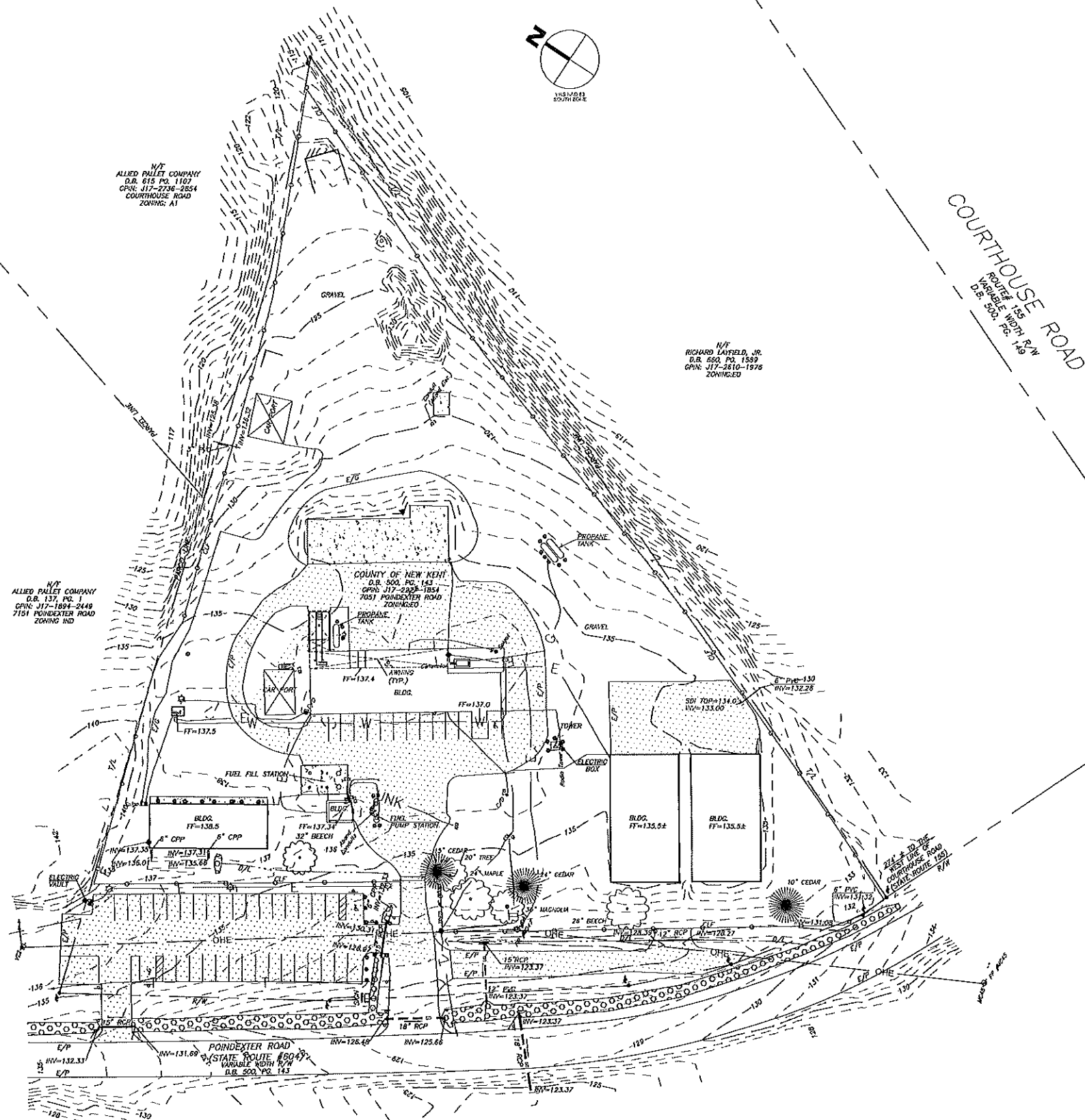
1

2

3

4

5



Dewberry Engineers Inc.
4525 Lake Brook Drive
Suite 200
Glen Allen, VA 23060
804.290.1757

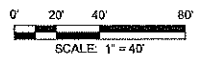
NEW KENT DPUs
OPERATIONS CENTER
NEW KENT, VIRGINIA

SEAL

PRELIMINARY DOCUMENTS
NOT FOR CONSTRUCTION

KEY PLAN

SCALE



REVISIONS

NO.	DESCRIPTION	DATE

DRAWN BY KAS

APPROVED BY KAS

CHECKED BY

DATE September 1, 2023

TITLE

EXISTING
CONDITIONS

PROJECT NO. 50162183

EX

**PLANNING COMMISSION
COUNTY OF NEW KENT
VIRGINIA**

PC-03-25

At the regular meeting of the Planning Commission of the County of New Kent, in the Boardroom of the Administration Building in New Kent, Virginia, on the 21st day of January 2025:

<u>Present:</u>	<u>Vote:</u>
Milton Hathaway	Aye
Patricia Townsend	Aye
Curtisa Thomas	Aye
Gary Larochelle	Aye
Dr. Joanne Schmit	Aye
Joseph Davis	Aye
Jacob Dombroski	Aye
V. Marc Bennett	Aye
Tammy Johnson	Aye
Laura Rose	Aye
John Moyer	Abstain

Motion was made by Jacob Dombroski, which carried 10:0:1, to adopt the following resolution:

**A RESOLUTION TO RECOMMEND APPROVAL OF AN EXCEPTION
TO SECTION 98-1071 OF THE NEW KENT COUNTY
CODE BY THE NEW KENT COUNTY DEPARTMENT OF PUBLIC
UTILITIES TO ALLOW A WAIVER FROM
ADDITIONAL REQUIREMENTS IN THE
COMMERCE CORRIDOR OVERLAY DISTRICT.**

WHEREAS, the New Kent County Department of Public Utilities has submitted a request for an exception from Section 98-1071 of the New Kent County Code, dated December 30, 2024; and

WHEREAS, said request is to allow for an exception to additional requirements of the Commerce Corridor Overlay District; and

WHEREAS, specifically, the waiver request is to waive the restriction in order to allow chain-link fencing along the lot frontage that faces Poindexter Road; and

WHEREAS, the New Kent County Planning Commission has evaluated the exception request and finds that approval of the request would address, protect, and promote public convenience, necessity, general welfare, and good zoning practices in the County;

THEREFORE, BE IT RESOLVED that on this, the 21st day of January 2025, by the New Kent County Planning Commission, that the exception request submitted by the New Kent County Department of Public Utilities be forwarded to the New Kent County Board of Supervisors with a recommendation of approval, and the supplementary recommendation that the applicant provide additional screening along the portion of chain-link fencing which is located within the Commerce Corridor Overlay District.

Attested:

Joseph Davis
Chair, New Kent County Planning Commission

ARTICLE XXVIII. - COMMERCE CORRIDOR OVERLAY REGULATIONS

Footnotes:

--- (21) ---

Editor's note— Ord. No. O-09-22, adopted June 13, 2022, renamed art. XXVIII from "Bottoms Bridge Corridor Overlay Regulations" to "Commerce Corridor Overlay Regulations."

Sec. 98-1066. - Intent of article.

The intent of the Commerce Corridor Overlay District (CCOD) is to protect the aesthetic and visual character of land, public health, safety, and welfare by managing growth within the county's primary highway corridors. Specifically, this article is designed to:

- (a) Ensure the continued viability of New Kent's primary corridors as economic development tools.
- (b) Maintain the transportation safety of such corridors by managing access and visibility.
- (c) Ensure the long term transportation efficiency of such corridors, which carry high volumes of commuter, and tourist traffic.
- (d) Enhance the visual quality of such corridors, which, as points of entry into New Kent County, convey lasting impressions to residents and tourists.

(Ord. No. O-07-15, 7-6-2015; Ord. No. O-09-22, 6-13-2022)

Sec. 98-1067. - District boundaries.

The Commerce Corridor Overlay District (CCOD) shall include all lands within 500 feet on each side of the following arterial rights-of-way:

- (a) New Kent Highway—State Route 249/30 (New Kent Highway from the intersection at State Route 60 (Pocahontas Trail) to the James City County boundary.
- (b) Pocahontas Trail—State Route 60 (Pocahontas Trail) from the Henrico County boundary line to the James City County Boundary Line.
- (c) Emmaus Church Road—State Route 106 (Emmaus Church Road) from Interstate I-64 Exit 211 south to Continental Can Road.
- (d) Courthouse Road—State Route 155 (Courthouse Road) from its intersection with State Route 249 (New Kent Highway) to the Charles City County boundary line.
- (e) Eltham Road—State Route 33 (Eltham Road) from Interstate I-64 Exit 220 to the Pamunkey River.

The Commerce Corridor Overlay District shall be shown on the official New Kent County zoning map and shall be delineated as a surveyed line on any property proposed for development.

(Ord. No. O-07-15, 7-6-2015; Ord. No. O-09-22, 6-13-2022)

Sec. 98-1068. - Application of article.

The requirements of this article shall be applicable to all development and redevelopment within the Commerce Corridor Overlay District requiring subdivision approval in accordance with chapter 91 of this Code, or a site plan prepared in accordance with article XXII of this chapter. In instances when a site plan is required for the expansion of an existing structure or use on a property, the zoning administrator shall determine if the provisions of this article are applicable. The requirements listed in this article are in addition to the requirements listed in the underlying zoning district article of this Code. Where multiple or conflicting regulations exist, the more strict regulation shall apply.

(Ord. No. O-07-15, 7-6-2015; Ord. No. O-09-22, 6-13-2022)

Sec. 98-1069. - Architectural, development and signage standards for all non-residential uses.

The compatible relationship of architecture along highways within the Commerce Corridor Overlay District is of critical concern for any structure or site improvements. The purpose and intent of these architectural guidelines and development standards is not to stifle innovative architecture or development, but to assure respect for and to reduce incompatible and adverse impacts on the visual experience from the rights-of-way.

- (a) The architectural design of structures and their materials and colors shall be visually harmonious with the overall appearance, history, and cultural heritage of New Kent County, with natural landforms and existing vegetation. Specific consideration shall be given to compatibility with adjacent properties where such projects demonstrate the county's character. Design and architectural features shall demonstrate consistency with the following provisions:

- (1)

Stucco, natural wood siding, brick, stone, decorative block, neutral colored cementitious siding or other materials with similar texture and appearance are considered appropriate to county character and shall be provided on the main building facades. Nationally recognized and/or trademarked colors, logos, pictures or similar type features may be permitted on the building facades, awnings or other complimentary architectural features with the approval of the zoning administrator. Vinyl siding, flat or corrugated metal and concrete block shall not be used for exterior siding material on any building, except that vinyl siding may be used as trim material. The exterior covering material shall extend to the ground, except that when a solid brick or masonry perimeter foundation is used, exterior covering material need not extend below the top of the foundation.

- (2) No building facade (whether front, side or rear) will consist of architectural materials inferior in quality, appearance, or detail to any other facade of the same building. The intent of this requirement is not to preclude the use of different materials on different buildings' facades (which would be acceptable if representative of good architectural design), but rather to preclude the use of inferior materials on sides which face adjoining property and thus, might adversely impact existing or future development causing a substantial depreciation of property values.
- (3) Not less than 16 percent of the total area of any facade visible from a public right-of-way (excluding work areas) shall consist of windows and doors.
- (4) Large work area doors or open bays shall not open toward or face the public right-of-way.
- (5) Heating, ventilating, and air conditioning equipment, duct work, air compressors and other fixed operating machinery shall be either screened from view with either a solid wall, solid fence or landscaping or located so that such items are not visible from the public right-of-way. Utility meters, aboveground tanks, satellite dishes, antennas, etc., shall be similarly treated.
- (6) The exterior of the foundation walls shall be of brick or masonry construction, except when the exterior wall material extends to the ground in accordance with subsection 98-1069(a)(1).
- (7) Fencing along the public right-of-way is discouraged, but if used, such fencing shall be landscaped to minimize visibility from the public right-of-way or be of a style which is harmonious with the rural, agricultural and historical character of the county. Chain link fences shall be prohibited.
- (8) All loading spaces shall be located within the side or rear yards.
- (9) Outside storage of equipment, materials, or supplies if permitted in the underlying district, shall be permitted only in the side or rear yards and shall be screened from view from the public right-of-way with fencing or landscaping.
- (10)

All parking areas shall be paved with concrete or asphalt, or other similar material. Traditional curb and gutter systems (or alternative equivalents as approved by the county) shall be used around and within all such parking areas.

- (11) Large trash receptacles, dumpsters and recycling bins, must be completely screened from view from the public right-of-way and any adjoining lot with a solid wall or solid fencing constructed with the building elevation materials referenced in subsection 98-1069(a)(1).
- (12) A pedestrian way (sidewalk) of no less than five feet of clear and unimpeded area shall be provided across the frontage of the property in all areas designated as Village in the New Kent County Comprehensive Plan. All pedestrian ways must adjoin one another or connect.
- (b) *Signage*. Notwithstanding the requirements of article V, division 8 of this chapter, all development proposed in the Commerce Corridor Overlay District shall be subject to the following additional requirements pertaining to signage:
 - (1) A comprehensive uniform sign plan shall be submitted to the county for approval in conjunction with the site plan submittal. All signs for a proposed development shall be of uniform size, color and design. The plan shall show the size, location, and uniform design for all signage proposed for the development.
 - (2) No roof signs shall be permitted, unless it can be demonstrated to the zoning administrator that a façade sign is not possible due to the design of the building. In these instances, a roof sign shall be allowed provided that no portion of the sign extends over or above the ridge line of the roof on which it is located. Roof signs shall be limited to a maximum of ten percent of the roof area on which it is located, or 200 square feet, whichever is less.
 - (3) Individual uses not located in a shopping center, office building or complex shall be subject to the following additional requirements regarding signage:
 - a. The total area for any free-standing sign shall not exceed 50 square feet;
 - b. The maximum height for any free-standing sign shall not exceed eight feet.
 - (4) Shopping centers, and office buildings or complexes that contain multiple businesses or tenants shall be subject to the following additional requirements regarding free-standing signs:
 - a. The total area for any free-standing sign shall not exceed 120 square feet;
 - b. The maximum height for any free-standing sign shall not exceed 16 feet or the height of the principal building, whichever is less.

(Ord. No. O-07-15, 7-6-2015; Ord. No. O-09-22, 6-13-2022)

Sec. 98-1070. - Process for approval of development.

A site plan shall be submitted for all development in the Commerce Corridor Overlay District. Such site plan shall comply with all relevant requirements established by the zoning, subdivision and other development ordinances in the County Code. Architectural plans containing building views from existing and proposed streets rendered in color with shadows shall be part of the submission.

In addition to showing the parcel or parcels proposed for development, the site plan shall also show all existing development and utility infrastructure within 250 feet of the proposal for the purpose of documenting interconnections and designs of streets, driveways, pedestrian ways, parking, and uses.

In reviewing individual site or subdivision plans within the CCOD, the zoning administrator shall consider the purposes and intent of the CCOD and the underlying designation contained in the comprehensive plan and shall make specific findings in support of the action taken. Plats and plans, upon approval, may be executed in any reasonable phased approach that provides for a rational extension of public infrastructure to serve the phases.

(Ord. No. O-07-15, 7-6-2015; Ord. No. O-09-22, 6-13-2022)

Sec. 98-1071. - Exceptions to additional development requirements.

Exceptions to the development requirements and standards specified in this article may be granted by the board of supervisors following a recommendation by the planning commission in accordance with the procedures set out in this section. The applicant for such exception shall provide the zoning administrator a letter stating their justification for the exception request to the standards of this article along with accompanying documentation including, but not limited to, proposed site design layout, architectural renderings, or signage plans. Upon receipt of all items deemed necessary by the zoning administrator, he shall prepare a staff report for the planning commission and board of supervisors for their review and consideration. Upon approval of an exception to the standards outlined in this article by the board of supervisors, the zoning administrator shall determine that that the approved development plan or plat is consistent with the board of supervisors' approval.

An exception may be granted if the board of supervisors make the following findings:

- (a) That the exception is reasonably necessary due to physical constraints of the site, such as size, shape, topography, soils, or arrangement of existing improvements, that prevent construction in accordance with applicable standards without compromising the intent of this article, and that the exception is the minimum departure from applicable standards necessary to provide relief;
- (b) That an exception would not unreasonably lower the level of service on affected roads;
- (c) That the design and location of proposed on-site improvements are compatible with existing developed sites contiguous with and near to the site of the proposed development;

- (d) That the granting of the exception will not substantially affect adversely the use of adjacent and neighboring property;
- (e) That the granting of the exception will avoid the unnecessary replacement of existing landscaping and other improvements on site, if applicable, and will not result in unsafe circulation patterns on site; and
- (f) That the granting of the exception will not endanger the public safety, or in any other respect impair the health, safety, comfort, and welfare of the inhabitants of the county.

(Ord. No. O-07-15, 7-6-2015; Ord. No. O-09-22, 6-13-2022)

**BOARD OF SUPERVISORS
COUNTY OF NEW KENT
VIRGINIA**

R-05-25

At the regular meeting of the Board of Supervisors of the County of New Kent, in the Boardroom of the Administration Building in New Kent, Virginia, on the 10th day of February 2025:

Present:

Vote:

Ron Stiers
Jordan T. Stewart
John P. Moyer
Amy M. Pearson
Thomas W. Evelyn

Motion was made by _____, which carried _____, to adopt the following resolution:

**A RESOLUTION TO RECOMMEND APPROVAL OF AN EXCEPTION
PURSUANT TO SECTION 98-1071 OF THE NEW KENT COUNTY
CODE BY THE NEW KENT COUNTY DEPARTMENT OF
PUBLIC UTILITIES TO ALLOW A WAIVER FROM
ADDITIONAL REQUIREMENTS IN THE COMMERCE
CORRIDOR OVERLAY DISTRICT AT 7051 POINDEXTER
ROAD (TAX MAP & PARCEL 23-28C AND GPIN # J17-2227-1854).**

WHEREAS, the New Kent County Department of Public Utilities has submitted a request for an exception from Section 98-1069(a)(7) of the New Kent County Code, dated December 30, 2024; and

WHEREAS, said request is to waive the restrictions of the Commerce Corridor Overlay Zone in order to allow chain-link fencing along the subject property's frontage which faces Poindexter Road; and

WHEREAS, the request was considered by the New Kent County Planning Commission (the "Planning Commission") in accordance with applicable procedures at their meeting on January 21, 2025, where they voted 10:0:1 to forward a recommendation of approval to the Board of Supervisors with an additional recommendation that the applicant provide additional screening along the chain-link fencing which is located within the Commerce Corridor Overlay District; and

WHEREAS, the Board of Supervisors find that approval of this waiver request would address, protect, and promote public convenience, necessity, general welfare, and good zoning practices in the County and the health, safety, and generals of the Citizens of the County; and

NOW THEREFORE, BE IT RESOLVED that on this, the 10th day of February 2025, by the New Kent County Board of Supervisors, that the exception request submitted by the New Kent County Department of Public Utilities be, and it hereby is, approved; and

BE IT FURTHER RESOLVED, that the County Administrator be, and he hereby, directed to have fully executed copy of this Resolution recorded upon the Land Records of the County in the office of the Clerk of the Circuit Court.

Attest:

Rodney A. Hathaway
County Administrator

Thomas W. Evelyn
Board Chair

COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this _____ day of _____, 2025 by Rodney A. Hathaway, County Administrator and Clerk of the New Kent Board of Supervisors.

My Commission Expires: 12/31/2026
My Commission Number: 315272

Notary

COUNTY OF NEW KENT
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this _____ day of _____, 2025 by Thomas W. Evelyn, Chairman of the New Kent Board of Supervisors.

My Commission Expires: 12/31/2026
My Commission Number: 315272

Notary

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

PRESENTATIONS

Motion: "Mr.
Chairman, I move to
(not required for Consent
Agenda items)

_____ Resolution R-06-25

Subject

Consideration of Exception from 91-126(a)(6) of the New Kent County Subdivision Ordinance for the Adams-Gammon Family Subdivision - Resolution R-06-25 - Principal Planner Patrick Silva

Issue

Consideration of exception request from Section 91-126(a)(6) of the New Kent County Subdivision Ordinance to waive certain provisions specifying the construction of a new permanent deeded right of way built to public standards for the Adams-Gammon Family Subdivision.

Specifically, the applicant's waiver request includes exceptions to the road width, surface treatments, and required 50' right of way.

Recommendation

The Planning Commission considered this request at their January 21, 2025 meeting and voted 10:0:1 to forward a recommendation for approval to the Board of Supervisors.

Fiscal Implications

NA

Policy Implications

NA

Legislative History

Ordinance O-16-16, passed by the Board of Supervisors on December 12, 2016, allows for such waivers.

Discussion

The Adams and Gammon families would like to undertake a family subdivision of Tax Map Parcel Numbers 3-10 and 3-10E in order to create a total of eight new lots for members of the Adams and Gammon families which would be accessed via private driveways. The exception request submitted by Emily Stafford, on behalf of the Adams and Gammon families, includes requests waive the private roadway standards which require the construction of a new permanent deeded 50-foot right of way and road built to public standards.

According to VDOT's 2023 Traffic Counts both Old Stage Road and Steel Trap Road are low-volume streets and access to the proposed lots via the aforementioned streets are not anticipated to negatively affect traffic safety.

Time Needed:	10	Person Appearing:	Principal Planner, Patrick Silva
Request prepared by:	Patrick Silva	Telephone:	804-966-8563
Copy provided to:			

ATTACHMENTS:

Description	Type
BOS Memo	Cover Memo
Request From Applicant	Backup Material
PC Resolution	Backup Material
Family Subdivision Code	Backup Material
BOS Resolution R-06-25 (PDF)	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Planning & Zoning	Airaghi, Josh	Approved	1/28/2025 - 2:12 PM
Administration	Hathaway, Rodney	Approved	1/30/2025 - 12:04 PM
Attorney	Everard, Joshua	Approved	1/31/2025 - 2:30 PM



MEMORANDUM

DATE: February 10, 2025

TO: New Kent County Board of Supervisors

SUBJECT: Consideration of an Exception Request from Section 91-126(a)(6) of the Subdivision Ordinance from Emily Stafford, on behalf of the Adams and Gammon Families

REQUEST

Consideration of the exception request submitted by Emily Stafford, on behalf of the Adams and Gammon families, to Section 91-126(a)(6) of the New Kent County Subdivision Ordinance to waive the private roadway standards which require the construction of a new permanent deeded 50-foot right of way and road built to public standards for family subdivisions which create three or more lots, so that the lots proposed to be created as part of the Adams-Gammon Family Subdivision may front on and be directly accessed by existing public roads.

BACKGROUND

The Adams and Gammon families would like to undertake a family subdivision of Tax Map Parcel Numbers 3-10 and 3-10E, containing a lot area of 240 acres, in order to create a total of eight new lots for members of the Adams and Gammon families. Per the applicant's request letter, instead of constructing a new 20' wide paved road within a permanent 50' deeded right of way to serve the lots, the family members are requesting that they be allowed to construct new driveways to access the eight new lots which would be created via the family subdivision directly from both Steel Trap Road and Old Church Road respectively. According to the 2023 VDOT traffic counts, Steel Trap Road and Old Church Road are both low traffic volume roads and the roads have sufficient capacity to accommodate the 8 new lots proposed as part of the family subdivision request. The proposed driveways accessing the lots from Steel Trap Road and Old Church Road are not anticipated to adversely affect safety conditions and would be designed to allow for the safe passage of emergency vehicles.

Section 91-126(a)(6) of the subdivision ordinance that states:

(6) In the event the division creates three or more lots or parcels, a new permanent deeded 50-foot right of way serving those lots shall be provided. The new right of way shall meet the Virginia Department of Transportation geometric requirements with respect to horizontal and vertical alignment. Within said right of way, a public road or a private roadway meeting the requirements of Section 91-103 shall be constructed. Building permits will not be issued on lots until the roadway is constructed and surfaced.

On December 12, 2016, the New Kent Board of Supervisors adopted Ordinance O-16-16, which allows for *Exceptions to roadway standards* within the family subdivision provisions. The intent is to allow for

exception requests for public road construction requirements due to unnecessary burdens promulgated to applicants.

PLANNING COMMISSION ACTION

The Planning Commission considered this application at their meeting on January 21, 2025 and voted 10:0:1 to forward a favorable recommendation to the Board of Supervisors.

Resolution R-06-25 is attached for your consideration

Attachments:

- Letter from Applicant to Agent, dated 1/8/2025
- Section 91-126 of the Code (Family Subdivision requirements)
- Site Image
- Resolution, R-06-25

Patrick C. Silva

From: Emily Stafford <estafford@liphartsteel.com>
Sent: Wednesday, January 8, 2025 11:57 AM
To: Patrick C. Silva
Cc: Rodney A. Hathaway; Thomas W. Evelyn; Emily Stafford
Subject: Roadway exception for Waterloo Farm, JW & Cassie Adams estate

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mr. Silva,

On behalf of the Adams and Gammon families, I would like to formally request an exception to Section 91-126(a)(6) of the New Kent County Subdivision Ordinance. Our family has prepared two draft subdivision plats titled *Adams Estate at Waterloo* and *Gammon Estate at Waterloo*, dated July 29, 2024, by Youngblood & Tyler Associates, P.C. These plats propose the subdivision of tax map parcels 3-10 and 3-10E to be deeded to family members in accordance with the family subdivision provisions outlined in Section 91-126 of the New Kent County Code.

Both parcels are served by two public roads: State Route 606 (Old Church Road) and State Route 607 (Steel Trap Road). The proposed subdivision plan shows all new parcels being accessed directly from these existing state roads, which does not comply with Section 91-126(a)(6) of the County's Subdivision Ordinance. This section requires that, when a subdivision creates three or more lots or parcels, a new permanent deeded 50-foot right-of-way serving those lots must be provided.

Section 91-126(c) outlines a process for exceptions to the private roadway standards, allowing the Board of Supervisors to grant an exception following a recommendation by the Planning Commission. Therefore, in accordance with Section 91-126(c), I respectfully request an exception to the standards in Section 91-126(a)(6) to allow the new lots to front on and be directly accessed by the existing public roads.

The new lots are proposed to be accessed via Steel Trap Road and Old Church Road, both are low-traffic-volume roads, according to the 2023 VDOT traffic counts. The roads have sufficient capacity to accommodate the additional lots, and the new driveways on the roads are not anticipated to adversely affect safety conditions.

Thank you for considering our request for an exception to the family subdivision standards established by the New Kent County Subdivision Ordinance. Should you require additional information or documentation, please do not hesitate to contact me.

Sincerely,
Emily Stafford
(804) 814-4313

**PLANNING COMMISSION
COUNTY OF NEW KENT
VIRGINIA**

PC-04-25

At the regular meeting of the Planning Commission of the County of New Kent, in the Boardroom of the Administration Building in New Kent, Virginia, on the 21st day of January 2025:

<u>Present:</u>	<u>Vote:</u>
Milton Hathaway	Aye
Patricia Townsend	Aye
Curtisa Thomas	Aye
Gary Larochele	Aye
Dr. Joanne Schmit	Aye
Joseph Davis	Aye
Jacob Dombroski	Aye
V. Marc Bennett	Aye
Tammy Johnson	Aye
Laura Rose	Aye
John Moyer	Abstain

Motion was made by Milton Hathway, which carried 10:0:1, to adopt the following resolution:

**A RESOLUTION TO RECOMMEND APPROVAL OF AN EXCEPTION
TO SECTION 91-126 (a) (6) OF THE NEW KENT COUNTY
CODE BY EMILY STAFFORD
TO ALLOW FOR A WAIVER FROM THE
PRIVATE ROADWAY STANDARDS
ON TAX MAPS 3-10 AND 3-10E**

WHEREAS, Emily Stafford has submitted a request for an exception from Section 91-126 (a) (6) of the New Kent County Code, dated January 8th, 2025; and

WHEREAS, said request is to allow for an exception to the private roadway standards for family subdivisions as stated in Section 91-126 of the Code, as provided for in Section 91-126 (c) *Exceptions to private roadway standards*; and

WHEREAS, specifically, the waiver request includes exceptions to the road width, surface treatment, and the 50' right-of-way; and

WHEREAS, the New Kent County Planning Commission has evaluated the exception request and finds that approval of the request would address, protect, and promote public convenience, necessity, general welfare, and good zoning practices in the County;

THEREFORE, BE IT RESOLVED that on this, the 21st day of January 2025, by the New Kent County Planning Commission, that the exception request submitted by Emily Stafford be forwarded to the New Kent County Board of Supervisors with a recommendation of approval.

Attested:

Joseph Davis
Chair, New Kent County Planning Commission

Sec. 91-126. - Special provisions for family subdivisions.

(a) A single division of a lot or parcel is permitted for the purpose of sale or gift to a member of the immediate family of the property owner. For the purposes of this section, a member of the immediate family is defined as any person who is a natural or legally defined offspring, spouse, parent, sibling, grandchild or grandparent of the owner. Such subdivision shall be subject to the following provisions:

- (1) Only one such sale or gift shall be allowed per immediate family member and each lot created shall be for residential use. The gift or sale shall not, in the opinion of the agent, be for the purpose of circumventing the provisions of this chapter.
- (2) The provisions of this section shall apply only to those properties having a single-family detached residential or agricultural zoning district classification.
- (3) Area requirements:
 - a. The minimum lot size of any lot created or remaining under this section shall be one and one-half acre unless a greater size is necessary to provide adequate area for on-site water and septic systems.
 - b. No more than eight new lots may be created from the original parcel under the terms of this section.
 - c. The grantor may divide lots from the original parcel in accordance with the table below provided that all other requirements of this section are met:

Acreage in Original Parcel	Total Lots (new plus retained)
No less than 6.0 acres	2
7.5 acres	3
9.0 acres	4
10.5 acres	5
12.0 acres	6
13.5 acres	7
15.0 acres	8

- d. All lots, including that retained by the grantor, must meet the dimensional standards and any other applicable zoning requirements established by chapter 98.
- (4) The grantor shall execute a family subdivision affidavit in the form provided by the agent as a part of the application submission. The affidavit shall stipulate that the proposed family subdivision is not for the purpose of circumventing the requirements of this chapter and set forth the name, age, and relationship of all eligible grantees. A true copy of said family subdivision affidavit shall be recorded with the plat creating the subdivision.
- (5) Where the division creates only two lots or parcels, each lot or parcel of property shall front a public road or shall front upon a private driveway or road which is in a permanent easement of right-of-way not less than 20 feet in width. Such right-of-way shall include a driveway within it consisting of, at a minimum, an all-weather surface of rock, stone or gravel, with a minimum depth of three inches and a minimum width of 12 feet. The right-of-way shall be maintained by the adjacent property owners in a condition passable by emergency vehicles at all times. A notation to this effect shall be placed on the face of the final plat and this provision shall also be included in the deeds by which the subdivision is affected. Passable condition refers not only to the surface, but also to horizontal and vertical clearance.
- (6) In the event the division creates three or more lots or parcels, a new permanent deeded 50-foot right-of-way serving those lots shall be provided. The new right-of-way shall meet the Virginia Department of Transportation geometric requirements with respect to horizontal and vertical alignment. Within said right-of-way, a public road or a private roadway meeting the requirements of section 91-103 shall be constructed. Building permits will not be issued on lots until the roadway is constructed and surfaced.
- (7) An erosion and sediment control plan prepared in accordance with the latest edition of the Virginia Erosion and Sediment Control Handbook with appropriate surety shall be submitted for approval if the proposed right-of-way and driveway construction disturbs more than 2,500 square feet.
- (8) Access to the building site on each of the lots created shall be via a private driveway constructed with a permanent all-weather surface as defined in subsection (5) above no less than 12 feet in width properly drained and maintained in a condition passable by emergency vehicles at all times.
- (9) For property which fronts on an existing street or streets whose rights-of-way are, in accordance with section 91-93, deficient in width, one-half of the right-of-way width deficiency shall be dedicated by the subdivider at the time of plat recordation, or if right-of-way

equivalent to one-half of the original deficiency has already been provided on the opposite side of the road the remaining deficiency shall be dedicated by the subdivider at the time of plat recordation.

- (10) If public water and public sewer facilities are available, as defined in this Code, to the property proposed to be subdivided then all proposed lots shall be served by such facilities in accordance with applicable provisions of the Code.
- (11) Prior to final approval of the subdivision:
 - a. Unless public water and sewer serve the lots created, the health department must approve on each lot of the proposed subdivision the location of:
 1. A potable water well;
 2. A primary septic drain field; and
 3. A 100-percent reserve septic drain field.
 - b. If there are any extensions of or connections to public roads, the Virginia Department of Transportation must approve the proposed subdivision.
- (12) The corners of all lots created shall be marked with iron pipes as provided for in section 91-77.
- (13) No parcel created by family subdivision shall be further subdivided unless such division is in full compliance with all requirements of this chapter.
- (14) A final plat shall be submitted to the agent for approval as provided in section 91-30 of this chapter along with an affidavit describing the purposes of the subdivision and identifying the members of the immediate family receiving the lots created. Any plan submitted shall be subject to the fees set forth in section 91-13. All physical improvements, including, but not limited to, public water, public sewer, and all-weather access drives shall be incorporated into a subdivision agreement and appropriately guaranteed in accordance with article V of this chapter.
- (15) The property to be divided under this section must have been held by the grantor for a period of three years prior to the division unless an exception is granted in accordance with the provisions of subsection 91-126(b).
- (16) The grantee of any such sale or gift must hold the property sold or given by the grantor under the provisions of this section for a period of two years before leasing, reselling or gifting it to another person unless the lot is subject to involuntary transfer through death, foreclosure, judicial sale, condemnation or similar circumstance or an exception is granted in accordance with the provisions of subsection 91-126(b).
- (17) No building permit shall be issued for a period of two years on any lot transferred or sold pursuant to this section to anyone other than the grantee unless the lot is subject to involuntary transfer through death, foreclosure, judicial sale, condemnation or similar

circumstance or an exception is granted in accordance with the provisions of subsection 91-126(b).

(18) The plat shall include the following owner's certificate and certificate of approval:

OWNER'S CERTIFICATE

THIS FAMILY SUBDIVISION AND PLAT ARE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE WISHES OF THE UNDERSIGNED OWNER(S). THE UNDERSIGNED OWNER(S) CERTIFIES THAT THIS SUBDIVISION IS A BONA FIDE DIVISION UNDER THE PROVISIONS OF SECTION 91-126 OF THE NEW KENT COUNTY CODE AND IS NOT SUBMITTED FOR THE PURPOSE OF CIRCUMVENTING THE SUBDIVISION ORDINANCE OF NEW KENT COUNTY.

ALL LOTS CREATED BY THIS SUBDIVISION MUST BE HELD BY AN ELIGIBLE GRANTEE FOR A PERIOD OF TWO (2) YEARS FROM DATE OF PLAT RECORDATION.

The signature of every owner of the property illustrated must be individually notarized below.

Notary's seal _____ seal _____ seal _____

City/County of _____

Commonwealth/State of _____:

Notary Public

My commission expires _____.

Notary Public

My commission expires _____.

CERTIFICATE OF APPROVAL

PURSUANT TO § 91-63 OF THE NEW KENT COUNTY CODE. IF THIS PLAT IS NOT FILED FOR RECORDATION WITHIN SIX (6) MONTHS AFTER FINAL APPROVAL. THIS APPROVAL WILL BE WITHDRAWN BY OPERATION OF LAW AND THE PLAT SHALL BE VOID.

THE PRIVATE RIGHTS-OF-WAY SHOWN HEREON MUST MEET THE PRIVATE STREET STANDARDS OF THE NEW KENT COUNTY; HOWEVER, THEY ARE NOT DEDICATED FOR PUBLIC USE AND WILL NOT BE MAINTAINED AT PUBLIC EXPENSE.

GRANTEES MUST HOLD SUBDIVIDED PARCELS FOR AT LEAST TWO (2) YEARS FROM PLAT RECORDING DATE.

Subdivision Agent _____ Date _____

Director of Public Utilities_____ Date_____

Virginia Department of Transportation_____ Date_____

Health Department_____ Date_____

(b) Exceptions to holding periods.

- (1) Notwithstanding the requirements of subsection (a) above, a grantor or grantee of a family subdivision lot may request an exception to the holding periods by filing a written request with the agent setting forth therein the facts for the request, including what change in life circumstances that was unforeseen at the time of the division has occurred.
- (2) The agent shall either grant or deny the request in writing. In approving a request the agent shall find that because of the change in life circumstances that was unforeseen at the time of the division, a strict application of the holding period would produce a unique and undue hardship upon the grantor or grantee.
- (3) Appeals of unfavorable actions by the agent shall be made in writing to the planning commission within 30 days after the decision is rendered by the agent, or the agent's decision shall be final and unappealable. The decision of the commission will be final.

(c) Exceptions to private roadway standards.

- (1) Notwithstanding the requirements of subsection (a) above, a grantor or grantee of a family subdivision lot may request an exception to the private roadway standards by filing a written request with the agent setting forth therein the facts for the request.
- (2) Exceptions to the private roadway standards specified in this article may be granted by the board of supervisors following a recommendation by the planning commission in accordance with the procedures set out in this section. The applicant for such exception shall provide the agent a letter stating their justification for the exception. Upon receipt of all items deemed necessary by the agent, he/she shall prepare a staff report for the planning commission and board of supervisors for their review and consideration.

(Ord. No. O-03-05(R), 3-14-2005; Ord. No. O-17-07, 10-11-2007; Ord. No. O-16-16, 12-12-2016; Ord. No. O-02-18, 3-13-2018)

**BOARD OF SUPERVISORS
COUNTY OF NEW KENT
VIRGINIA**

R-06-25

At the regular meeting of the Board of Supervisors of the County of New Kent, in the Boardroom of the Administration Building in New Kent, Virginia, on the 10th day of February 2025:

Present:

Vote:

Ron Stiers
Jordan T. Stewart
John P. Moyer
Amy M. Pearson
Thomas W. Evelyn

Motion was made by _____, which carried _____, to adopt the following resolution:

**A RESOLUTION TO RECOMMEND APPROVAL OF AN EXCEPTION
TO SECTION 91-126(a)(6) OF THE NEW KENT COUNTY CODE BY
EMILY STAFFORD TO ALLOW FOR A WAIVER FROM THE
PRIVATE ROADWAY STANDARDS ON TAX MAPS 3-10 AND 3-10E
(GPIN # P11-1325-4670 AND P11-1970-4130)**

WHEREAS, Emily Stafford, on behalf of Gloria Adams Gibbs, James W. Adams, Jr., Rechele McMillan Gregory a/k/a Bobbie Rechele Gregory, Billie Gail Douglas, Myrtle Douglas Moore, Janet G. Jones, Jerrol T. Gammon, Cody Rockford Baldwin, and Shannon Cash a/k/a Shannon Michelle Wilson, owners of Tax Map #3-10, and on behalf of Janet G. Jones, Jerrol T. Gammon, and Jill G. Baldwin, owners of Tax Map #3-10E, has submitted a request for an exception from Section 91-126(a)(6) of the New Kent County Code, dated January 8, 2025; and

WHEREAS, said request is to allow for an exception to the private roadway standards for family subdivisions as stated in Section 91-126 of the New Kent County Code, as provided for in Section 91-126(c) *Exceptions to private roadway standards*; and

WHEREAS, specifically, the waiver request includes exceptions to the road width, surface treatment, and the 50' right-of-way; and

WHEREAS, the request was considered by the New Kent County Planning Commission (the "Planning Commission") in accordance with applicable procedures at their meeting on

January 21, 2025, where they voted 10:0:1 to forward a recommendation of approval to the Board of Supervisors; and

WHEREAS, the Board of Supervisors finds that approval of this waiver request would address, protect, and promote public convenience, necessity, general welfare, and good zoning practices in the County and the health, safety, and generals of the Citizens of the County; and

NOW THEREFORE, BE IT RESOLVED that on this, the 10th day of February 2025, by the New Kent County Board of Supervisors, that the exception request submitted by Emily Stafford, on behalf of the Adams and Gammon families, be, and it hereby is, approved; and

BE IT FURTHER RESOLVED, that the County Administrator be, and he hereby, directed to have fully executed copy of this Resolution recorded upon the Land Records of the County in the office of the Clerk of the Circuit Court.

Attest:

Rodney A. Hathaway
County Administrator

Thomas W. Evelyn
Board Chair

COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this _____ day of _____, 2025 by Rodney A. Hathaway, County Administrator and Clerk of the New Kent Board of Supervisors.

My Commission Expires: 12/31/2026
My Commission Number: 315272

Notary

COUNTY OF NEW KENT
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this _____ day of _____, 2025 by Thomas W. Evelyn, Chairman of the New Kent Board of Supervisors.

My Commission Expires: 12/31/2026
My Commission Number: 315272

Notary

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

PRESENTATIONS

Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)	appropriate \$62,500 to the New Kent County Economic Development Authority from Colonial Downs Revenue for the sponsorship of the 2025 Virginia Derby at the Colonial Downs Racetrack.
Subject	Consideration of Sponsorship Request for the Virginia Derby at Colonial Downs - <i>Economic Development Director Lindsay Hurt</i>
Issue	Appropriation of budgeted funds to the Economic Development Authority for sponsorship of the Virginia Derby at Colonial Downs.
Recommendation	Staff recommends adoption of the proposed motion.
Fiscal Implications	The Virginia Derby was previously held in September but has been moved to March in order to become a Kentucky Derby qualifying race. Funding adopted in the County's FY25 Capital Improvement Program for race sponsorship has been spent so this sponsorship will require an additional appropriation. The source of funding is revenues received from Colonial Downs and the proposed action will approve the funds going to the Economic Development Authority for payment.
Policy Implications	The County is in compliance with all local, State, and Federal laws regarding the handling of this matter.
Legislative History	The County has been a title sponsor of the Virginia Derby since 2020.
Discussion	The proposed sponsorship level will make the County a title sponsor. The County has used this sponsorship to promote economic development opportunities within the County. The Economic Development Authority will receive a suite and a credit for food. The suite will be used to invite economic development partners and potential business prospects. The Virginia Derby is scheduled for March 15th.

Time Needed:		Person Appearing:	Economic Development Director Lindsay Hurt
Request prepared by:	W. Watkins, Deputy Clerk of the Board	Telephone:	804-966-9687
Copy provided to:			

REVIEWERS:

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	1/30/2025 - 4:03 PM
Administration	Hathaway, Rodney	Approved	1/30/2025 - 4:37 PM
Attorney	Everard, Joshua	Approved	1/31/2025 - 1:58 PM

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

PRESENTATIONS

<p>Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)</p>	<p>authorize the County Administrator to execute the proposed work authorization from Moseley Architects to conduct a space needs assessment for the Courthouse.</p> <p>I further move to appropriate funds from the reserved for contingency line item in the amount of \$37,764 to fund the proposed assessment.</p>		
<p>Subject</p>	<p>Courthouse Space Needs Assessment - <i>County Administrator Rodney Hathaway</i></p>		
<p>Issue</p>	<p>Consideration of consulting proposal from Moseley Architects to conduct a space needs assessment for the Courthouse Building.</p>		
<p>Recommendation</p>	<p>Staff recommends adoption of the proposed motion.</p>		
<p>Fiscal Implications</p>	<p>The cost of the assessment is \$37,764.</p>		
<p>Policy Implications</p>	<p>This procurement is in compliance with State and Local public purchasing procedures.</p>		
<p>Legislative History</p>	<p>NA</p>		
<p>Discussion</p>	<p>The purpose of the space needs assessment is to determine the appropriate size for a courthouse facility to accommodate current and future court activities. Please see the attached proposal.</p>		
<p>Time Needed:</p>	<p>10 minutes</p>	<p>Person Appearing:</p>	<p>Rodney Hathaway, County Administrator</p>
<p>Request prepared by:</p>	<p>Rodney Hathaway, County Administrator</p>	<p>Telephone:</p>	<p>(804) 966-9683</p>
<p>Copy provided to:</p>			

ATTACHMENTS:

Description	Type
Moseley Architects Proposal	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
------------	----------	--------	------

Administration	Hathaway, Rodney	Approved	1/31/2025 - 12:08 PM
Administration	Hathaway, Rodney	Approved	1/31/2025 - 12:08 PM
Attorney	Everard, Joshua	Approved	1/31/2025 - 2:00 PM

MOSELEYARCHITECTS

3200 Norfolk Street
Richmond, VA 23230
P: (804) 794-7555

January 31, 2025

RE: New Kent County Courthouse Facility Assessment
New Kent, Virginia

Mr. Rodney A. Hathaway
County Administrator
Post Office Box 150
12007 Courthouse Circle
New Kent, Virginia 23124

Dear Rodney:

In accordance with your request, Moseley Architects is pleased to offer this proposal for architectural, and engineering design services for the above referenced Project.

Project Scope of Work

Our proposal is based on the following Project Scope:

The existing courthouse is located at 12001 Courthouse Circle, New Kent, Virginia. The existing courthouse was constructed between 1990 and 1992. The building is a two-story red brick structure approximately 18,000 SF, built to resemble the adjacent historic courthouse. It houses the Circuit Court, General District Court, and Juvenile and Domestic Relations Court.

Growth in and around New Kent County has increased the caseload and overall use of the courthouse. The County wants to review the operations of the building to create a space to accommodate the growing needs.

The results of this study will be used to prepare a Scope of Work and an architect will be hired to design new building as required.

Proposed Services

Our proposed Basic Services consist of normal architectural design services.

Descriptions of all the services we propose to provide can be summarized as follows:

Space Needs Assessment and Report

1. Conduct an online kick-off meeting with building stakeholders and distribute questionnaires to building stakeholders for completion.
2. Conduct in-person interviews with building stakeholders to review questionnaires and identify space needs on a current, 5-, 10-, and 20-year planning horizon.
3. Tour the existing building and review existing plan. We understand full measured existing building drawings may not be available. For the purposes of this study, general plans such as fire evacuation plans, or other graphic signage will be sufficient for an overall understanding of the facility operations.
4. Prepare a space program in tabular format listing each required space, its size, and

quantity for the current, 5-, 10-, and 20-year space needs identified.

5. Submit the space program to New Kent County for review.
6. Conduct one (1) meeting with building stakeholders to confirm the building program.
7. Submit final building program to New Kent County.
8. Based on the space needs prepared, and concurrent with the program confirmation, prepare floor plan diagrams to identify the conceptual space layout of a new courthouse. Floor plans may not indicate every space but will identify the functions such as courtrooms, Clerk's offices, and holding areas.
9. Prepare building narratives of the existing conditions and proposed building.
10. Compile the space program, questionnaires, plans, and narratives into a final report and present to the County. Provide 6 copies of final report.

Our proposal does not include the following services, but we can provide these services if requested for additional compensation:

1. Schematic Design, Design Development, Construction Document, Bidding, and Contract Administration, phase services.
2. Modifications to the existing structure to bring it into compliance with current codes.
3. Measured drawings of the existing building.
4. Caseload projections.
5. Other services not specifically included in this proposal.

Moseley Architects shall have no responsibility or liability for the discovery, identification, abatement, or removal of asbestos, lead paint, toxic mold, or any other hazardous or regulated substances in relation to the Project, nor does our proposal include any services related to hazardous materials. Separately from this contract, the County shall provide all necessary services related to hazardous materials.

Cost of Services

We propose a lump sum compensation for the services defined above. The lump sum cost of the services for each phase, including our expenses for travel, communication, and reproduction of documents for our own office use, is Thirty-Seven thousand, Seven Hundred Sixty-Four and 00/100 Dollars (\$37,764.00) as broken down on the attached spreadsheet labeled Exhibit A.

We will invoice monthly in proportion to the progress of our services. The lump sum amounts will not change unless New Kent County authorizes substantive changes in the Project scope or in the scope. In such cases, adjustments to the cost of services would be as negotiated and mutually agreed by New Kent County, and Moseley Architects.

January 31, 2025

Schedule

We will work with New Kent County to determine a schedule that is mutually agreeable.
We estimate the services will take between 12 and 15 weeks to complete the study.

If this proposal is satisfactory, please indicate your approval by signing below and
returning one copy (scanned is acceptable) to me at your convenience.

Sincerely,



Christopher J. Roman, AIA
Vice President

ACCEPTED AND AGREED:

NEW KENT COUNTY

BY: _____

PRINTED NAME AND TITLE: _____

DATE: _____

Enclosures: As indicated above.
Schedule of Hourly Billing Rates
Terms and Conditions of Agreement for Services

MOSELEYARCHITECTS**COST OF SERVICES**

New Kent County Courthouse Facility Assessment
January 31, 2025

MOSELEYARCHITECTS

COST OF SERVICES

New Kent County Courthouse Facility Assessment

January 31, 2025

STAFF HOURS

	PRINCIPAL	SR PROJ MGR	ARCHITECT	PROJECT DESIGNER	SR MECH/ELEC/STRU ENGINEER	SECURITY SYSTEM DESIGNER	ENGINEERING INTERN TECH	INTERIOR DESIGNER	ADMINISTRATIVE	TOTAL	
Space Needs Assessment and Report											
1	Conduct a kick-off meeting and distribute questionnaires	2	4							6	
2	Conduct in-person interviews		16	16						32	
3	Tour existing building		8	8						16	
4	Prepare space program	2	8							10	
5	Submit space program for review/Incorporate Comments	1	4							5	
6	Conduct in-person review of space program		16	16						32	
7	Incorporate comments/Submit final program	1	4						2	7	
8	Prepare conceptual plan	1	16	8				8		33	
9	Prepare narratives of existing and proposed project		8	8				8		24	
10	Compile final report.	1	8						2	11	
										0	
TOTAL HOURS		8	92	56	0	0	0	0	16	4	176
HOURLY RATE		\$264	\$246	\$185	\$123	\$216	\$233	\$123	\$145	\$85	\$214.57
SUBTOTAL		\$2,112	\$22,632	\$10,360	\$0	\$0	\$0	\$0	\$2,320	\$340	\$37,764
TOTAL											\$37,764

MOSELEYARCHITECTS

ARCHITECTURE • ENGINEERING • PLANNING • INTERIOR DESIGN • CONSTRUCTION SERVICES

SCHEDULE OF HOURLY BILLING RATES CALENDAR YEAR 2025

Principals	\$264
Architects	
Senior Project Manager	\$246
Project Manager	\$193
Architect	\$185
Project Designer	\$123
Security and Detention Design	
Security Design Specialist	\$233
Moseley Engineering Director	\$264
Moseley Mechanical/Electrical/Plumbing/Engineering	
Senior Engineer	\$216
Engineer/Designer	\$177
Intern Technician	\$123
Moseley Structural Engineering	
Senior Engineer	\$193
Engineer/Designer	\$161
Intern Technician	\$123
Moseley Interior Design	
Interior Design Director	\$216
Senior Interior Designer	\$145
Project Interior Designer	\$123
Corrections Planner	\$264
Criminal Justice Consultant	\$210
Construction Administration	
Construction Administrator	\$185
Specification Writer	\$185
Sustainability Planning	
Sustainability Planning Director	\$216
Energy Analyst	\$181
Sustainability Coordinator	\$161
Administrative	\$85

Rates are subject to change on January 1 of each year.

TERMS AND CONDITIONS OF AGREEMENT FOR SERVICES

These Terms and Conditions are an integral part of the Agreement for Services ("Agreement") between Moseley Architects ("Architect") and its client ("Owner"). In the event of a conflict between the Agreement and these Terms and Conditions, the Agreement shall govern. Architect's services, Instruments of Service, and work product are intended for the sole use and benefit of Owner and are not intended to create any third-party rights or benefits or for any use by any other person or entity or for any other purpose. Architect's Services shall be limited to those expressly set forth in this Agreement. Architect shall have no other obligations or responsibilities for the Project except as agreed to in writing.

1. COORDINATION WITH THE OWNER

The Architect shall confer with the Owner to coordinate its services with the Owner. The Architect shall have the benefit of the Owner's experience and knowledge of its facilities, requirements, and current policies and standards applicable to the Project. To implement this coordination, the Owner shall provide to the Architect at no cost all existing information relevant to the Project and available to the Owner.

2. OWNER'S RESPONSIBILITIES

The Owner shall provide full information in a timely manner regarding its requirements for and limitations on the Project, and the Architect shall be entitled to rely on such information. The Owner shall provide prompt written notice to the Architect if the Owner becomes aware of any fault or defect in the Architect's services, including any errors, omissions or inconsistencies in any documents prepared by the Architect.

3. COMPENSATION

For and in consideration of the services to be rendered by the Architect, the Owner shall pay and the Architect shall receive the compensation set forth in the Agreement. Unless otherwise specified, compensation shall be paid to the Architect on a monthly basis in accordance with monthly billing statements based upon the progress of services performed and reimbursable expenses (if applicable) incurred during that month. Monthly compensation shall be due and payable upon receipt of the billing statement by the Owner. Any payments not made within sixty (60) days on statements rendered shall be subject to a charge for interest at the maximum legal rate of interest, beginning sixty (60) days after the date of the statement, and failure to make any payments when due shall entitle the Architect to suspend services. The Architect's final payment is due and payable upon completion of the Architect's services.

The Owner shall not withhold amounts from the Architect's compensation to impose a penalty of liquidated damages on the Architect, or to offset sums requested by or paid to contractors for the cost of changes in the construction/Work unless the Architect agrees or has been found liable for the amounts in a binding and final dispute resolution proceeding.

4. OWNERSHIP OF DOCUMENTS AND RECORDS

It is understood that the Architect is preparing documents for this specific Project and use; therefore, all documents, including original drawings, estimates, specifications, field notes, reports and data are and remain the property of the Architect as Instruments of Service. The Owner may obtain, upon payment of compensation due the Architect, and upon performance of all the Owner's obligations under this Agreement, reproducible and/or electronic copies for drawings and other documents in consideration of which it is mutually agreed that the Owner will use them solely in conjunction with the Project, and shall not use or authorize their use on other projects or by others, except by separate written agreement with the Architect.

Under no circumstances shall the transfer of ownership of the Drawings, Specifications, electronic data or other Instruments of Service be deemed to be a sale by the Architect, and the Architect makes no warranties, express or implied, of merchantability or of fitness for a particular purpose.

The Architect shall retain all pertinent records relating to the services performed hereunder for a period of seven years after completion thereof. The Owner shall have access to such records at all reasonable times during such period as may be required for audit of reimbursable expenses.

5. PROFESSIONAL RESPONSIBILITIES

The Architect shall perform its services consistent with the professional skill and care ordinarily provided by architects practicing in the same manner or similar locality under the same or similar circumstances.

The Architect's Services shall be limited to those expressly set forth in this Agreement. The Architect makes no warranties, either express or implied, with respect to services provided under this Agreement. The Architect shall have no other obligations or responsibilities for the Project except as agreed to in writing.

The Architect shall provide the following insurance: Worker's Compensation – Statutory; Commercial General Liability – Bodily Injury - \$100,000; Property Damage - \$100,000; Comprehensive Automobile Liability - Bodily Injury - \$100,000; and Property Damage - \$100,000; Professional Liability - \$250,000 per claim and \$500,000 annual aggregate on a claims-made basis. Certificates of insurance, on an ACORD form, shall be furnished to the Owner upon request.

Upon written request of the Owner, the Architect will provide additional insurance, if available, including increased coverage and/or limits, and the Owner will pay the Architect a mutually agreed amount for the increased coverage. The Architect's liability to the Owner for any indemnity or any damages arising in any way out of the performance of this Agreement is limited to the insurance coverages and amounts stated herein. The Architect shall not be liable to the Owner for any indirect, special or consequential loss or damage arising out of the performance or services hereunder including, but not limited to loss of use, loss of profit, or business interruption whether caused by the negligence of the Architect or otherwise.

In performance of its services, the Architect shall exercise the standard of care ordinarily exercised by members of its profession in the same locale and who are performing their services under the same conditions. Nothing in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Owner or the Architect.

Neither the Architect nor the Architect's consultants will offer or have offered any fiduciary service to the Owner and no fiduciary responsibility shall be owed to the Owner by either the Architect or the Architect's consultants as a result of the Owner and Architect entering into this Agreement.

6. DISPUTE RESOLUTION

The Owner and Architect shall endeavor to resolve claims, disputes and other matters in question between them related to the Agreement by mediation, which, unless the parties mutually agree otherwise, shall be in accordance with the Construction Industry Mediation Rules of the American Arbitration Association currently in effect. Request for mediation shall be filed in writing with the other party to this Agreement and with the mediator as mutually agreed. The request may be made concurrently with the filing of a legal or equitable proceeding, which shall be stayed pending mediation for a period of sixty (60) days from the date of filing, unless stayed for a longer period by agreement of the parties or court order.

The Architect and Owner waive consequential damages for claims, disputes or other matters in question arising out of or relating to this Agreement. This mutual waiver is applicable, without limitation, to all consequential damages due to either party's termination of this Agreement.

7. TERMINATION; SUSPENSION OF WORK

The Owner may, at its discretion, terminate the Project or indefinitely suspend the Project under this Agreement by giving the Architect seven-day written notice. In such event, the Owner shall assume all obligations, commitments and claims that the Architect may have in good faith undertaken or incurred in connection with the Project. The Architect shall be equitably paid for services rendered prior to effective termination notice date.

8. SUCCESSORS AND ASSIGNS

The Owner and the Architect each binds itself and its partners, successors, executors, administrators, and assigns to the other party to the Agreement and to the partners, successors, executors, administrators, and assigns of such other party, in respect to all covenants of the Agreement. Neither the Owner nor the Architect shall assign, sublet, or transfer its interest in the Agreement without the written consent of the other, and agree that the Agreement represents the entire understanding of the Owner and the Architect and cannot be changed, added to, or modified in any way except in writing, signed by both the Owner and the Architect.

9. NON DISCRIMINATION

The Architect will not discriminate against any employee or applicant for employment because of race, religion, color, sex, or national origin, except where religion, sex, or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of the Architect. The Architect agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause. The Architect shall state in all solicitations or advertisements for employees placed by or on behalf of the Architect that the Architect is an equal opportunity employer.

10. DRUG-FREE WORKPLACE

During the performance of services provided under this Agreement, the Architect agrees to (i) provide a drug-free workplace for the Architect's employees; (ii) post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the Architect's workplace and specifying the actions that will be taken against employees for violations of such prohibition; (iii) state in all solicitations or advertisements for employees placed by or on behalf of the Architect that the Architect maintains a drug-free workplace; and (iv) include the provisions of the foregoing clauses (substituting the consultant or vendor for the Architect as the obligated party) in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each consultant or vendor.

For the purposes of this paragraph, "drug-free workplace" means a site for the performance of work done by the Architect in connection with this Agreement, the employees of whom are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession, or use of any controlled substance or marijuana during the performance of such services.

11. MISCELLANEOUS PROVISIONS

This Agreement may be executed in one or more counterparts and shall be effective when all the Parties have signed a counterpart hereof. Electronic transmission of original signatures in .pdf or similar format are as final and binding as pen and ink originals executed and exchanged in the presence of all Parties.

END OF TERMS AND CONDITIONS

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

PUBLIC HEARINGS

Motion: "Mr.
Chairman, I move to
(not required for Consent
Agenda items)

_____ Resolution R-03-25.

Subject

**PUBLIC HEARING - CUP-04-24, Resolution R-03-25
- CAMCO PROPERTIES, LLC: Curtisa Thomas, on behalf of
Camco Properties, LLC, has requested a Conditional Use
Permit to Operate an Assembly Hall/Event Venue located on
approximately 5 acres at 16305 New Kent
Highway - Principal Planner Patrick Silva**

Issue

Curtisa Thomas, on behalf of Camco Properties, LLC., has
applied for a Conditional Use Permit to operate an *assembly
hall/event venue* at 16305 New Kent Highway. The property is
further identified as Tax Map 26-91 and GPIN # J27-2219-0507,
and is zoned A-1 / Agricultural.

Recommendation

The Planning Commission considered this application at their
meeting on January 21, 2025 and voted 9:0:2 to forward a
favorable recommendation to the Board of Supervisors.

Fiscal Implications

NA

Policy Implications

NA

Legislative History

NA

Discussion

Curtisa Thomas, on behalf of Camco Properties, LLC., has
applied for a Conditional Use Permit to operate an *assembly
hall/event venue* at 16305 New Kent Highway. The property is
further identified as Tax Map 26-91 and GPIN # J27-2219-0507,
and is zoned A-1 / Agricultural.

The Planning Commission considered this application at their
meeting on January 21, 2025 and voted 9:0:2 to forward a
favorable recommendation to the Board of Supervisors.

Time Needed:

15 Minutes

Person Appearing:

Principal Planner,
Patrick Silva

Request
prepared by:

Patrick Silva

Telephone:

804-966-8563

Copy provided
to:

ATTACHMENTS:

Description	Type
BOS Memo	Cover Memo
Application	Backup Material
PC Resolution	Backup Material
APO Affidavit	Backup Material
BOS Resolution R-03-25 (PDF)	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Planning & Zoning	Airaghi, Josh	Approved	1/28/2025 - 2:14 PM
Administration	Hathaway, Rodney	Approved	1/30/2025 - 12:02 PM
Attorney	Everard, Joshua	Approved	1/31/2025 - 2:21 PM



MEMORANDUM

DATE: February 10, 2025

TO: New Kent County Board of Supervisors

SUBJECT: Application Number CUP-04-2024, Camco Properties, LLC.

REQUEST

Curtisa Thomas, on behalf of Camco Properties, LLC., has requested Conditional Use Permit (CUP) approval for a proposed assembly hall use which would occupy approximately 5 acres of a 15.7-acre parcel located at 16305 New Kent Highway and, pursuant to Section 98-62 of the New Kent County Code, requires a Conditional Use Permit in order to operate within the A-1 / Agricultural zone.

PUBLIC HEARINGS

Planning Commission: January 21, 2025, 6:30 p.m., County Boardroom
Board of Supervisors: February 10, 2025, 6:00 p.m., County Boardroom

GENERAL INFORMATION

Tax Parcel: 26-91

GPIN: J27-2219-0507

Size: Parcel is 15.7 acres in size; the use itself would occupy approximately 5 acres on the Western portion of the parcel.

Owner: Camco Properties, LLC.

Applicant: Curtisa Thomas

Zoning: A-1 / Agricultural

Adjacent Zoning: A-1 / Agricultural and EO / Economic Opportunity



CONSIDERATIONS

- The New Kent County Zoning Ordinance (Section 98-62) requires a Conditional Use Permit in the A-1 / Agricultural Zoning District for an “Assembly Hall, club, lodge”.
- The New Kent County Zoning Ordinance defines an “Assembly Hall, club, lodge” as follows: *Assembly hall, club, lodge means a building or portion of a building primarily used for the public or membership groups to gather for civic, educational, political, religious, or social purposes.*
- The Comprehensive Plan designates the area around the Route 249 / Route 33 interchange as being a rural crossroad, with this specific subject site designated as rural lands. Rural crossroads are characterized by a tight cluster of small commercial establishments such as general stores, banks, restaurants, gas stations, convenience stores, typically occur at intersections, and are intended to serve a local population. Rural lands incorporate traditional rural development patterns including agriculture, silviculture, and very low-density housing.

- The applicant states in their application narrative that they request approval of the proposed assembly hall use, which they state will not impact surrounding properties and will not generate substantial traffic impacts. In addition, the applicant states no construction or expansion is proposed in relation to the request to continue operations.
- The applicant primarily intends to utilize the site to host intimate events including weddings, birthday parties, garden parties, and religious retreats with a maximum of 125 guests anticipates for any given event.
- The site is currently and would continue to be served by private well and septic systems. For events with attendee volumes of between 50 and 125, the applicant proposes to rent and utilize portable restroom facilities.
- While the subject parcel itself is currently enrolled in the Wahrani Swamp Agricultural and Forestal District (AFD), the Commissioner of Revenue's Office has confirmed that the 5.7 acres to be used in relation to the proposed assembly hall use is unqualified land which does not currently, nor is proposed to, receive the AFD tax benefit and, as such, the parcel need not be withdrawn from the aforementioned AFD. The remaining 10 acres would continue to actively be used for agricultural activities.

COMMENTS FROM REVIEWING AGENCIES

Staff sent the conditional use permit application and information to all reviewing agencies and received the following comments:

- Environmental Division: If improvements are required by other agencies, laws, or regulations that exceed 2500 ft² of land disturbance, then those improvements will be subject to the plan of development process pursuant to Section 94-42 of the New Kent County Code. This includes compliance with the erosion and sediment control and stormwater management ordinances and any required site plans/permits that may be applicable.
- Sheriff's Office: Parking must be on-site and not to occur on New Kent Highway
- Fire-Rescue: No comments.
- Health Department: An OSE should be consulted to perform a site visit to ensure that the septic tank, distribution box, and drainfield are all in working order and good condition. Contact Randy Morrisette with VDH: Office of Drinking Water to ask about the well and if it will need to be regulated by their office based on the amount of people per event and events per year. Any questions about food or events should be directed to Larry Howard with VDH: New Kent Health Department (larry.howard@vdh.virginia.gov).
- Department of Public Utilities: Public water and sewer are currently not available at this location. The application implies that the onsite septic system would be

utilized for gatherings of 50 or fewer people. VDH should be consulted on the adequacy of the existing septic system for up to 50 people.

- Virginia Department of Transportation: We ask the applicant show that their existing entrance meets stopping sight distance as defined in VDOT's Road Design Manual Appendix F Page F-52.

STANDARDS FOR REVIEW

The standards for review of Conditional Use Permits are set forth in Section 98-744 of the New Kent County Zoning Ordinance:

1. *The proposed use shall not be prejudicial to the character of the neighborhood.*
2. *The proposed use shall not adversely affect the general plans for the physical development of the county as embodied in the comprehensive plan.*
3. *The proposed use shall not be detrimental to the use or development of adjacent properties or the general neighborhood nor impair the value of buildings or property in surrounding areas.*
4. *The proposed use shall not unreasonably restrict an adequate supply of light, water, or air to adjacent property nor produce undue congestion in the street.*
5. *The proposed use shall adequately provide for access facilities for the estimated traffic.*
6. *The proposed use shall be subject to any applicable site planning or performance standards enumerated in article XXII of this chapter.*
7. *The proposed use shall be reasonable in terms of the logical, efficient, and economical extension of public services and facilities serving the county, such as water, sewer, streets, police and fire protection, transportation, recreation, and public schools.*

The Zoning Ordinance also lists specific restrictions for conditional use permits. Restrictions on any conditional use may include, but are not limited to the following:

1. Hours of operation
2. Access to and from the subject property
3. Protection of surface and groundwater
4. Lighting of the site, including the intensity and shielding so as to not adversely affect adjacent or nearby property owners
5. Adequate sewer and water supply

6. Sound limitation as needed to ensure peaceful enjoyment of neighboring property
7. Location, size, height, design of buildings, walls, fences, landscaping, and buffer yards
8. Covenants and/or homeowners associations for maintenance of applicable restrictions
9. Timing or phasing of development
10. Type and placement of utilities including underground placements
11. Controls for smoke, dust, and odors
12. Requirements for performance guarantees ensuring that all conditions are met and plans are implemented
13. Any other conditions deemed necessary to protect the health, safety, and general welfare of the public.

OVERALL ANALYSIS AND RECOMMENDED DRAFT CONDITIONS (please be advised that the Conditions are subject to change prior to Board of Supervisors approval of the permit)

Staff has reviewed this conditional use permit application in the same manner as other zoning change applications and has found that the following proposed conditions will assist in addressing, protecting, and promoting health, safety, and the general welfare of New Kent County citizens.

1. The applicant must maintain existing vegetation along the southern property line adjacent to parking areas to screen them from view from Rocky Road and adjacent properties.
2. All business-related activities are prohibited on the property between the hours of 10:00 p.m. and 8:00 a.m., all days of the week.
3. A site plan is required for all new construction or expansion of public semi-public, institutional, educational, and recreational uses and facilities unless specified otherwise in the specific performance standards below.
4. All off-street parking and loading spaces for public, semi-public, institutional, educational, and recreational uses and facilities will be located on the subject property, screened from view, and will not occur on adjacent properties or roadways.
5. A maximum number of 125 attendees may be on the property at any given time. The

term “Attendees” includes, but is not limited to, any event staff, caterers, photographers, and vendors.

6. The applicant must provide 32 off-street parking spaces, based on a requirement of 1 off-street parking space for every 4 attendees.
7. Unless found to be unnecessary and waived in writing by the zoning administrator at the time of site plan application, a traffic safety analysis must be submitted with all applications for public, semi-public, institutional, educational, and recreational uses and facilities uses. The analysis must find that such a facility will have no demonstrable safety hazards at the site entrance(s) or it must determine what improvements are necessary to making such a finding.
8. Outdoor lighting must be energy efficient with an Energy Star or comparable rating. Outdoor lighting must also be sufficient to protect public safety and must comply with the standards of the Crime Prevention through Environmental Design Guidelines produced by the Virginia Crime Prevention Association and dated December 2004; however, no outdoor lighting fixture must be installed, aimed, or directed to produce light or glare that spills over into neighboring properties or the public right-of-way that exceeds 0.5 foot candles within two feet of the property line of the light source. All site lighting fixtures must be mounted a maximum of 25 feet above ground, must be full-cutoff, as defined by the Illuminating Engineering Society of North America (IESNA), and must have fully shielded and/or recessed luminaires with horizontal-mount flat lenses that prevent upward light scatter and protect the dark night sky. All site lighting fixture styles and illumination levels must be compatible with the architecture of the principal building on the site.
9. Outdoor components of the use, not including parking, must be setback at least 50 feet from any adjacent property line and must not be operated after 9:00 p.m. or before 8:00 a.m.
10. Outdoor speaker or paging systems must be directed away from property lines and must not unreasonably interfere with use and occupancy of adjacent properties.
11. All dumpster pads, loading areas and outdoor storage areas must be screened from view of all streets or adjacent properties by landscaping supplemented by masonry or wooden fencing.
12. All public, semi-public, institutional, educational, and recreational uses and facilities will be operated and maintained in a neat and orderly manner, free from junk, inoperable equipment, trash, or debris. Trash and garbage must be disposed of properly in appropriate containers and removed at least weekly from the site in an approved manner. Buildings must be maintained in a sound condition, in good repair and appearance. Weeds must be cut as frequently as necessary to maintain a

neat and orderly appearance. Weeds and grass must be cut at least four times a year.

13. The applicant must submit a concept plan showing the proposed use of the property including, but not limited to, proposed indoor and outdoor event areas and parking areas.
14. No site access will be provided off of Rocky Road in relation to the assembly hall use.
15. No on-site food preparation is permitted. Any food warming areas must meet applicable Health Department requirements.
16. With a minimum of one week's advanced notice to the applicant, County Staff will have the right to enter the premises to determine whether the use complies with all conditions of approval associated with the assembly hall use.

PLANNING COMMISSION ACTION

The Planning Commission considered this application at their meeting on January 21, 2025 and voted 9:0:2 to forward a favorable recommendation to the Board of Supervisors.

Resolution R-03-25 is attached for your consideration

Attachments:

- Application CUP-04-2024
- Advertisement & Adjacent Property Owners List
- Resolution, R-03-25

Copies to:

- Applicant
- File



**CONDITIONAL USE PERMIT (CUP) /
OR CUP AMENDMENT
APPLICATION**

County of New Kent, Virginia

Web site: www.co.new-kent.va.us/209/Planning

New Kent County ♦ Planning Department ♦ P O Box 150 ♦ New Kent, VA 23124 ♦ Phone 804-966-9690 ♦ Fax 804-966-8531

Use P O Box for all mail. Street address: 12007 Courthouse Circle, New Kent, VA 23124 FOR DELIVERIES ONLY

DESCRIPTION OF PROPERTY

Tax Map Parcel Number(s): 26-92 Total Lot Area (Acres): 15.4
GPIN: 727-2219-0507
Property street address: 16305 New Kent Highway
Current Zoning: A-1
Current Use: Farming Proposed Use: Farming & Cents
Does proposed use include entire property? [] YES [X] NO
If no, how much will be used/disturbed for proposed use? 5.5 acre
CBT

OFFICE USE ONLY

DO NOT WRITE IN THIS BOX

Application No: CUP-000587-2024
AFD Status: Yes
Date Received: 11/14/24
Tax Receipts: Yes No
Fee Amount: \$1,885.00
Staff Initials: AR

PROPERTY OWNERS INFORMATION

Name: Cameo Properties LLC
Address: 7890 Richmond Rd.
City: Idaho State: VA Zip: 23168
Telephone: Cellular: 804 307 0227 Home: _____
E-mail Address: Cthomas@cameopropertiesva.com

APPLICANT'S INFORMATION

Name: Curtis Thomas
Address: 8191 Elphinstone Dr
City: Hamers State: VA Zip: 23089
Telephone: Cellular: 804 307 0227 Home: _____
E-mail Address: Curtis@ymail.com

AGENTS INFORMATION

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Telephone: Work: _____ Cellular: _____
E-mail Address: _____

WATER/SEWER SUPPLY

☐ Public Water ☐ Public Sewer ☒ Well ☒ Septic
☐ Other: _____

As part of the submission, the following questions must be answered in detail in narrative form. Answers of "Yes" or "No" are **NOT ACCEPTABLE** and the application is not complete until 25 copies of this narrative and any supplemental required information is received.

1. Describe in detail, the proposed use(s) of the property.
2. Describe in detail, how the proposed use may impact surrounding properties. Please relate your response to the existing zoning and land uses in the area, plus the characteristics of the proposed use—hours of operation, activity levels, appearance, etc.
3. Describe the proposed water and wastewater utility infrastructure including sources, discharges, permits, construction, ownership, and maintenance responsibilities.
4. Describe the environmental impact of the proposed development and the efforts to be undertaken to abate air, water, noise, stormwater, and other environmental impacts during and after construction.
5. Describe what techniques will be used to control traffic flow and what impacts the proposed use will have on existing roadways and provide a professionally prepared traffic impact analysis for any development expected to generate 1,000 vehicle trips per day or more.
6. Describe the impact of the proposed use on New Kent County's Schools.
7. Describe the impact of the proposed use on New Kent County public services—water service, wastewater disposal, solid waste disposal, fire, rescue, law enforcement, libraries, etc.
8. Describe the impact the proposed use(s) will have on any historic sites or structures on the property or in the vicinity.
9. Describe the impact the proposed use(s) will have on any rare, endangered, or irreplaceable species or natural areas.

In addition to 25 copies of the narrative, please submit 25 copies of a sketch or site plan and any additional information, to be provided to the Planning Commission. Please provide also an electronic copy of all application documents.

I/We as the property owner/applicant/agent give permission for County personnel to enter subject properties in relation to the administration of this application and to any applicable New Kent County, State of Virginia or U.S. Federal Government regulations. Additionally, if the County Planning Department deems it necessary for an outside agency or organizations review any technical part of this application, I/we agree to reimburse the County for all costs associated with such outside reviews and consultation within 15 business days of being billed by the County.

Property Owner Signature: _____

Date: _____

Property Owner Signature: _____

Date: _____

Property Owner Signature: _____

Date: _____

Applicant/Agent Signature: _____

Date: _____

Applicant/Agent Signature: _____

Date: _____

All property owners must sign the application

CONDITIONAL USE PERMIT FEES

The fees for this application consist of an application fee and a Map Maintenance fee (*see below for calculations*). The fee for this application is **\$1600.00 plus \$40.00 per disturbed use acre**. Make checks payable to *Treasurer of New Kent County*. **Fees must be submitted at time of application.**

	Fee: \$	1600.00
+ \$40.00 per acre(fraction),		
Number of acre(fraction): _____ x \$40=	\$	_____
Map Maintenance Fee:	\$	35.00
+ \$10.00 per acre(fraction),		
Number of acres(fraction): _____ x \$10=	\$	_____
Total Due:	\$	_____

CONDITIONAL USE PERMIT – AMENDMENT FEE

The fee for this application is \$1150.00. Make checks payable to *Treasurer of New Kent County*. **Fees must be submitted at time of application.**

1. Describe in detail, the proposed uses of the property.

Camco Properties LLC is owned by New Kent County residents Philip and Curtisa Thomas. The property serves as their second home, primarily used for livestock and farming purposes. We are requesting a conditional use permit to ensure compliance with local and state regulations. Our plan is to host upscale, intimate events, including:

- Weddings
- Milestone birthdays
- Garden and tea gatherings
- Farm visits
- Religious Retreats

2. Describe in detail, how the proposed use may impact surrounding properties. Please relate your response to the existing zoning and land uses in the area, plus the characteristics of the proposed use hours of operation, activity levels, appearance, etc.

There will be no changes to the appearance of the property or its land use. Livestock and farming activities will continue as usual. All outdoor activities will take place between the hours of 8:00 AM and 9:00 PM. Indoor activities are limited to the first floor. Property management will be present on-site for all activities.

3. Describe the proposed water and wastewater utility infrastructure including sources, discharges, permits, construction, ownership, and maintenance responsibilities.

The property features a private septic system for sewage and a well for water. A portable restroom rental will be required for guest counts exceeding 50 but not exceeding 125. There are no construction activities planned or required. Camco Properties LLC will be responsible for maintaining the grounds.

4. Describe the environmental impact of the proposed development and the efforts to be undertaken to abate air, water, noise, stormwater, and other environmental impacts during and after construction.

No development is planned or required. The property is naturally enclosed by trees and landscaped for privacy. There is no environmental impact on air, water, or stormwater. The local noise ordinance will be adhered to.

5. Describe what techniques will be used to control traffic flow and what impacts the proposed use will have on existing roadways and provide a professionally prepared traffic impact analysis for any development expected to generate 1,000 vehicle trips per day or more.

The events are intimate and will not disrupt traffic flow on New Kent Highway. They may generate a maximum of 10 to 40 cars per week.

- 6 Describe the impact of the proposed use on New Kent County's Schools.

No impact to New Kent County Schools.

- 7 Describe the impact of the proposed use on New Kent County public services-water service, wastewater disposal, solid waste disposal, fire, rescue, law enforcement, libraries, etc.

No impacts to public water service, wastewater disposal, solid waste disposal, fire, rescue, law enforcement, or libraries in New Kent County.

- 8 Describe the impact the proposed uses will have on any historic sites or structures on the property or in the vicinity.

No impact on any historic sites or structures on the property or in the vicinity.

- 9 Describe the impact the proposed use(s) will have on any rare, endangered, or irreplaceable species or natural areas.

No impact on any rare, endangered, or irreplaceable species or natural areas.

Area Used



**PLANNING COMMISSION
COUNTY OF NEW KENT
VIRGINIA**

PC-02-25

At the regular meeting of the Planning Commission of the County of New Kent, in the Boardroom of the Administration Building in New Kent, Virginia, on the 21st day of January 2025:

<u>Present:</u>	<u>Vote:</u>
Milton Hathaway	Aye
Patricia Townsend	Aye
Curtisa Thomas	Abstain
Gary Larochele	Aye
Dr. Joanne Schmit	Aye
Joseph Davis	Aye
Jacob Dombroski	Aye
V. Marc Bennett	Aye
Tammy Johnson	Aye
Laura Rose	Aye
John Moyer	Abstain

Motion was made by Milton Hathaway, which carried 9:0:2, to adopt the following resolution:

**A RESOLUTION TO APPROVE CONDITIONAL USE PERMIT APPLICATION
CUP-04-24, CAMCO PROPERTIES, LLC, TO ALLOW THE PROPOSED ASSEMBLY
HALL OPERATION LOCATED AT 16305 NEW KENT HIGHWAY (TAX MAP &
PARCEL 26-91 AND GPIN # J27-2219-0507)**

WHEREAS, Camco Properties, LLC. (the "Property Owner") and Curtisa Thomas (the "Applicant") have submitted a "Conditional Use Permit Application" dated November 14, 2024; and

WHEREAS, said application requests a conditional use permit to operate an assembly hall (as defined by the New Kent County Zoning Ordinance) at 16305 New Kent Highway, a parcel identified on the New Kent County digital map as GPIN # J27-2219-0507 and further identified as Tax Map Parcel 26-91 (the "Property"); and

WHEREAS, subsequent to receiving a complete application and within the timeframes established by Code, The Planning Commission scheduled and conducted a formal and duly advertised public hearing, carefully considering the public comment received; and

WHEREAS, the Commission finds that adding conditions to this conditional use permit is appropriate to address, protect, and promote public convenience, necessity, general welfare, and good zoning practices in the County and the health, safety, and general welfare of the citizens in the County; and

NOW THEREFORE, BE IT RESOLVED that on this, the 21st day of January 2025, by the New Kent County Planning Commission, that Conditional Use Permit Application CUP-04-24 submitted by Curtisa Thomas is recommended for approval, subject to the following conditions:

1. The Applicant must maintain existing vegetation along the southern property line adjacent to parking areas to screen them from view from Rocky Road and adjacent properties.
2. All business-related activities are prohibited on the Property between the hours of 10:00 p.m. and 8:00 a.m., all days of the week.
3. A site plan is required for all new construction or expansion of public, semi-public, institutional, educational, and recreational uses and facilities unless specified otherwise in the specific performance standards below.
4. All off-street parking and loading spaces for public, semi-public, institutional, educational, and recreational uses and facilities will be located on the Property, screened from view, and will not occur on adjacent properties or roadways.
5. A maximum number of 125 attendees may be on the Property at any given time. The term "Attendees" includes, but is not limited to, any event staff, caterers, photographers, and vendors.
6. The Applicant must provide 32 off-street parking spaces, based on a requirement of 1 off-street parking space for every 4 attendees.
7. Unless found to be unnecessary and waived in writing by the zoning administrator at the time of site plan application, a traffic safety analysis must be submitted with all applications for public, semi-public, institutional, educational, and recreational uses and facilities uses. The analysis must find that such a facility will have no demonstrable safety hazards at the site entrance(s) or it must determine what improvements are necessary to making such a finding.

8. Outdoor lighting must be energy efficient with an Energy Star or comparable rating. Outdoor lighting must also be sufficient to protect public safety and must comply with the standards of the Crime Prevention through Environmental Design Guidelines produced by the Virginia Crime Prevention Association and dated December 2004; however, no outdoor lighting fixture may be installed, aimed, or directed to produce light or glare that spills over into neighboring properties or the public right-of-way that exceeds 0.5 foot candles within two feet of the property line nearest to the light source. All site lighting fixtures must be mounted a maximum of 25 feet above ground, must be full-cutoff, as defined by the Illuminating Engineering Society of North America, and must have fully shielded and/or recessed luminaires with horizontal-mount flat lenses that prevent upward light scatter and protect the dark night sky. All site lighting fixture styles and illumination levels must be compatible with the architecture of the principal building on the site.
9. Outdoor components of the use, not including parking, must be setback at least 50 feet from any adjacent property line and must not be operated after 9:00 p.m. or before 8:00 a.m.
10. Outdoor speaker or paging systems must be directed away from property lines and must not unreasonably interfere with use and occupancy of adjacent properties.
11. All dumpster pads, loading areas, and outdoor storage areas must be screened from view of all streets or adjacent properties by landscaping supplemented by masonry or wooden fencing.
12. All public, semi-public, institutional, educational, and recreational uses and facilities will be operated and maintained in a neat and orderly manner, free from junk, inoperable equipment, trash, or debris. Trash and garbage must be disposed of properly in appropriate containers and removed at least weekly from the site in an approved manner. Buildings must be maintained in a sound condition, in good repair and appearance. Weeds must be cut as frequently as necessary to maintain a neat and orderly appearance. Weeds and grass must be cut at least four times a year.
13. The Applicant must submit a concept plan showing the proposed use of the Property including, but not limited to, proposed indoor and outdoor event areas and parking areas.
14. No site access will be provided from Rocky Road in relation to the assembly hall use.
15. No on-site food preparation is permitted. Any food warming areas must meet applicable Health Department requirements.

16. With a minimum of one week's advanced notice to the Applicant, County Staff will have the right to enter the premises to determine whether the use complies with all conditions of approval associated with the assembly hall use.

Attested:

Joseph Davis
Chair, New Kent County Planning Commission

NEW KENT COUNTY
Mailing of Notices

Applicants Name: Curtisa Thomas, on behalf of Camco Properties, LLC.
Application Number: CUP-04-24

STATE OF VIRGINIA
COUNTY OF NEW KENT, to wit

(I/We) Patrick Silva, Principal Planner of the New Kent County Planning Division, do make oath that notices as required by Section 15.2-2204 of the Code of Virginia, 1950, as amended, were mailed on the 28th day of January 2025, by first class mail, postage prepaid, to the persons whose names and addresses appear below.

Patrick C Silva
Signed

Subscribed and sworn to before me this 28th day of January, 2025.

Travis Hunter Solberg
Notary Public



My commission expires: October 31, 2027

TM #'s	Name	Address	City, State, Zip Code
26-105A	GREGORY P IANNUZZI	5005 LAUREL LN	LANEXA, VA 23089
26-96	LINDA & CHARLES BRYANT	PO BOX 754	WEST POINT, VA 23181
26-93I	TAMARA W SHARP	18101 POLISH TOWN RD	BARHAMSVILLE, VA 23011
26-93 & 26-92	JAMES W ASBURY	16415 ROCKY RD	LANEXA, VA 23089
36-40	PATRICK RENALDS & JENNIFER CARNEAL	10730 NE 187ST ST	BOTHELL, WA 98011
26-88 & 26-88A	CAMCO PROPERTIES LLC	7890 RICHMOND RD UNIT 402	TOANO, VA 23168
26-87B & 26-90	REBECCA C PHILBATES	PO BOX 28	NEW KENT, VA 23124

26-106G, 26-105, & 26- 105C	DONALD J SEETERLIN	16400 NEW KENT HW	LANEXA, VA 23089
26-105B	PATRICK BLYTHE & AMANDA BROWN	16500 NEW KENT HW	LANEXA, VA 23089

§ 15.2-2204. Advertisement of plans, ordinances, etc.; joint public hearings; written notice of certain amendments.

A. Plans or ordinances, or amendments thereof, recommended or adopted under the powers conferred by this chapter need not be advertised in full, but may be advertised by reference. Every such advertisement shall contain a descriptive summary of the proposed action and a reference to the place or places within the locality where copies of the proposed plans, ordinances or amendments may be examined.

The local planning commission shall not recommend nor the governing body adopt any plan, ordinance or amendment thereof until notice of intention to do so has been published once a week for two successive weeks in some newspaper published or having general circulation in the locality; however, the notice for both the local planning commission and the governing body may be published concurrently. The notice shall specify the time and place of hearing at which persons affected may appear and present their views, not less than five days nor more than 21 days after the second advertisement appears in such newspaper. The local planning commission and governing body may hold a joint public hearing after public notice as set forth hereinabove. If a joint hearing is held, then public notice as set forth above need be given only by the governing body. The term "two successive weeks" as used in this paragraph shall mean that such notice shall be published at least twice in such newspaper with not less than six days elapsing between the first and second publication. After enactment of any plan, ordinance or amendment, further publication thereof shall not be required.

B. When a proposed amendment of the zoning ordinance involves a change in the zoning map classification of 25 or fewer parcels of land, then, in addition to the advertising as required by subsection A, written notice shall be given by the local planning commission, or its representative, at least five days before the hearing to the owner or owners, their agent or the occupant, of each parcel involved; to the owners, their agent or the occupant, of all abutting property and property immediately across the street or road from the property affected, including those parcels which lie in other localities of the Commonwealth; and, if any portion of the affected property is within a planned unit development, then to such incorporated property owner's associations within the planned unit development that have members owning property located within 2,000 feet of the affected property as may be required by the commission or its agent. However, when a proposed amendment to the zoning ordinance involves a tract of land not less than 500 acres owned by the Commonwealth or by the federal government, and when the proposed change affects only a portion of the larger tract, notice need be given only to the owners of those properties that are adjacent to the affected area of the larger tract. Notice sent by registered or certified mail to the last known address of such owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed adequate compliance with this requirement. If the hearing is continued, notice shall be remailed. Costs of any notice required under this chapter shall be taxed to the applicant.

When a proposed amendment of the zoning ordinance involves a change in the zoning map classification of more than 25 parcels of land, or a change to the applicable zoning ordinance text regulations that decreases the allowed dwelling unit density of any parcel of land, then, in addition to the advertising as required by subsection A, written notice shall be given by the local planning commission, or its representative, at least five days before the hearing to the owner, owners, or their agent of each parcel of land involved, provided, however, that written notice of such changes to zoning ordinance text regulations shall not have to be mailed to the owner, owners, or their agent of lots shown on a subdivision plat approved and recorded pursuant to the provisions of Article 6 (§ [15.2-2240](#) et seq.) where such lots are less than 11,500 square feet. One notice sent by first class mail to the last known address of such owner as shown on the current real estate tax assessment books or current real estate tax

assessment records shall be deemed adequate compliance with this requirement, provided that a representative of the local commission shall make affidavit that such mailings have been made and file such affidavit with the papers in the case. Nothing in this subsection shall be construed as to invalidate any subsequently adopted amendment or ordinance because of the inadvertent failure by the representative of the local commission to give written notice to the owner, owners or their agent of any parcel involved.

The governing body may provide that, in the case of a condominium or a cooperative, the written notice may be mailed to the unit owners' association or proprietary lessees' association, respectively, in lieu of each individual unit owner.

Whenever the notices required hereby are sent by an agency, department or division of the local governing body, or their representative, such notices may be sent by first class mail; however, a representative of such agency, department or division shall make affidavit that such mailings have been made and file such affidavit with the papers in the case.

A party's actual notice of, or active participation in, the proceedings for which the written notice provided by this section is required shall waive the right of that party to challenge the validity of the proceeding due to failure of the party to receive the written notice required by this section.

C. When a proposed comprehensive plan or amendment thereto; a proposed change in zoning map classification; or an application for special exception for a change in use or to increase by greater than 50 percent of the bulk or height of an existing or proposed building, but not including renewals of previously approved special exceptions, involves any parcel of land located within one-half mile of a boundary of an adjoining locality of the Commonwealth, then, in addition to the advertising and written notification as required by this section, written notice shall also be given by the local commission, or its representative, at least 10 days before the hearing to the chief administrative officer, or his designee, of such adjoining locality.

D. When (i) a proposed comprehensive plan or amendment thereto, (ii) a proposed change in zoning map classification, or (iii) an application for special exception for a change in use involves any parcel of land located within 3,000 feet of a boundary of a military base, military installation, military airport, excluding armories operated by the Virginia National Guard, or licensed public-use airport then, in addition to the advertising and written notification as required by this section, written notice shall also be given by the local commission, or its representative, at least 30 days before the hearing to the commander of the military base, military installation, military airport, or owner of such public-use airport, and the notice shall advise the military commander or owner of such public-use airport of the opportunity to submit comments or recommendations.

E. The adoption or amendment prior to July 1, 1996, of any plan or ordinance under the authority of prior acts shall not be declared invalid by reason of a failure to advertise or give notice as may be required by such act or by this chapter, provided a public hearing was conducted by the governing body prior to such adoption or amendment. Every action contesting a decision of a locality based on a failure to advertise or give notice as may be required by this chapter shall be filed within 30 days of such decision with the circuit court having jurisdiction of the land affected by the decision. However, any litigation pending prior to July 1, 1996, shall not be affected by the 1996 amendment to this section.

F. Notwithstanding any contrary provision of law, general or special, the City of Richmond may cause such notice to be published in any newspaper of general circulation in the city.

G. When a proposed comprehensive plan or amendment of an existing plan designates or alters previously designated corridors or routes for electric transmission lines of 150 kilovolts or more, written notice shall also be given by the local planning commission, or its representative, at least 10 days before the hearing to each electric utility with a certificated service territory that includes all or any part of such designated electric transmission corridors or routes.

H. When any applicant requesting a written order, requirement, decision, or determination from the zoning administrator, other administrative officer, or a board of zoning appeals that is subject to the appeal provisions contained in § [15.2-2311](#) or [15.2-2314](#), is not the owner or the agent of the owner of the real property subject to the written order, requirement, decision or determination, written notice shall

be given to the owner of the property within 10 days of the receipt of such request. Such written notice shall be given by the zoning administrator or other administrative officer or, at the direction of the administrator or officer, the requesting applicant shall be required to give the owner such notice and to provide satisfactory evidence to the zoning administrator or other administrative officer that the notice has been given. Written notice mailed to the owner at the last known address of the owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall satisfy the notice requirements of this subsection.

This subsection shall not apply to inquiries from the governing body, planning commission, or employees of the locality made in the normal course of business.

Code 1950, § 15-961.4; 1962, c. 407, § 15.1-431; 1964, c. 632; 1968, cc. 354, 714; 1973, cc. 117, 334; 1974, cc. 100, 570; 1975, c. 641; 1976, c. 642; 1977, c. 65; 1982, c. 291; 1990, c. 61; 1992, cc. 353, 757; 1993, cc. 128, 734; 1994, c. [774](#); 1995, c. [178](#); 1996, cc. [613](#), [667](#); 1997, c. 587; 2001, c. [406](#); 2002, c. [634](#); 2004, cc. [539](#), [799](#); 2005, c. [514](#); 2007, cc. [761](#), [813](#); 2011, c. [457](#); 2012, c. [548](#); 2013, cc. [149](#), [213](#).

**BOARD OF SUPERVISORS
COUNTY OF NEW KENT
VIRGINIA**

R-03-25

At the regular meeting of the Board of Supervisors of the County of New Kent, in the Boardroom of the Administration Building in New Kent, Virginia, on the 10th day of February 2025:

Present:

Vote:

Ron Stiers
Jordan T. Stewart
John P. Moyer
Amy M. Pearson
Thomas W. Evelyn

Motion was made by _____, which carried _____, to adopt the following resolution:

**A RESOLUTION TO APPROVE
CONDITIONAL USE PERMIT APPLICATION CUP-04-24,
CAMCO PROPERTIES, LLC, TO ALLOW THE PROPOSED
ASSEMBLY HALL OPERATION LOCATED AT 16305 NEW KENT HIGHWAY
(TAX MAP & PARCEL 26-91 AND GPIN # J27-2219-0507)**

WHEREAS, **Camco Properties, LLC**, (the “Property Owner”) and Curtisa Thomas (the “Applicant”) have submitted a "Conditional Use Permit Application" dated November 14, 2024; and

WHEREAS, said application requests a conditional use permit to operate an assembly hall (as defined by the New Kent County Zoning Ordinance) at 16305 New Kent Highway, a parcel identified on the New Kent County digital map as GPIN # J27-2219-0507 and further identified as Tax Map Parcel 26-91 (the “Property”); and

WHEREAS, said application was considered by the New Kent County Planning Commission (the “Planning Commission”) in accordance with applicable procedures at a formal and duly advertised public hearing on January 21, 2025, where they carefully considered the public comment received and voted 9:0:2 to forward a recommendation of approval to the Board of Supervisors; and

WHEREAS, within the timeframe established by the Code of Virginia and New Kent County code, the Board of Supervisors scheduled and conducted a formal and duly advertised

public hearing on February 10, 2025, and carefully considered the comments received, the application and conditions; and

WHEREAS, the Board of Supervisors has evaluated the application based on the current zoning of the parcel, which is A-1, the standards set forth in the Conditional Use Permit Provisions of the Zoning Ordinance (Article XIX, § 98-741 et seq.), and the proposed conditions in the staff memo; and

NOW THEREFORE, BE IT RESOLVED that on this, the 10th day of February 2025, by the New Kent County Board of Supervisors, that Conditional Use Permit Application CUP-04-24 submitted by Camco Properties, LLC. (the “Property Owner”) and Curtisa Thomas (the “Applicant”) be, and it hereby is, **APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:**

1. The Applicant must maintain existing vegetation along the southern property line adjacent to parking areas to screen them from view from Rocky Road and adjacent properties.
2. All business-related activities are prohibited on the Property between the hours of 10:00 p.m. and 8:00 a.m., all days of the week.
3. A site plan is required for all new construction or expansion of public, semi-public, institutional, educational, and recreational uses and facilities unless specified otherwise in the specific performance standards below.
4. All off-street parking and loading spaces for public, semi-public, institutional, educational, and recreational uses and facilities will be located on the Property, screened from view, and will not occur on adjacent properties or roadways.
5. A maximum number of 125 attendees may be on the Property at any given time. The term “Attendees” includes, but is not limited to, any event staff, caterers, photographers, and vendors.
6. The Applicant must provide 32 off-street parking spaces, based on a requirement of 1 off-street parking space for every 4 attendees.
7. Unless found to be unnecessary and waived in writing by the zoning administrator at the time of site plan application, a traffic safety analysis must be submitted with all applications for public, semi-public, institutional, educational, and recreational uses and facilities uses. The analysis must find that such a facility will have no demonstrable safety hazards at the site entrance(s) or it must determine what improvements are necessary to making such a finding.
8. Outdoor lighting must be energy efficient with an Energy Star or comparable rating. Outdoor lighting must also be sufficient to protect public safety and must comply with the standards of the Crime Prevention through Environmental Design Guidelines produced by the Virginia Crime Prevention Association and dated December 2004; however, no

outdoor lighting fixture may be installed, aimed, or directed to produce light or glare that spills over into neighboring properties or the public right-of-way that exceeds 0.5 foot candles within two feet of the property line nearest to the light source. All site lighting fixtures must be mounted a maximum of 25 feet above ground, must be full-cutoff, as defined by the Illuminating Engineering Society of North America, and must have fully shielded and/or recessed luminaires with horizontal-mount flat lenses that prevent upward light scatter and protect the dark night sky. All site lighting fixture styles and illumination levels must be compatible with the architecture of the principal building on the site.

9. Outdoor components of the use, not including parking, must be setback at least 50 feet from any adjacent property line and must not be operated after 9:00 p.m. or before 8:00 a.m.
10. Outdoor speaker or paging systems must be directed away from property lines and must not unreasonably interfere with use and occupancy of adjacent properties.
11. All dumpster pads, loading areas, and outdoor storage areas must be screened from view of all streets or adjacent properties by landscaping supplemented by masonry or wooden fencing.
12. All public, semi-public, institutional, educational, and recreational uses and facilities will be operated and maintained in a neat and orderly manner, free from junk, inoperable equipment, trash, or debris. Trash and garbage must be disposed of properly in appropriate containers and removed at least weekly from the site in an approved manner. Buildings must be maintained in a sound condition, in good repair and appearance. Weeds must be cut as frequently as necessary to maintain a neat and orderly appearance. Weeds and grass must be cut at least four times a year.
13. The Applicant must submit a concept plan showing the proposed use of the Property including, but not limited to, proposed indoor and outdoor event areas and parking areas.
14. No site access will be provided from Rocky Road in relation to the assembly hall use.
15. No on-site food preparation is permitted. Any food warming areas must meet applicable Health Department requirements.
16. With a minimum of one week's advanced notice to the Applicant, County Staff will have the right to enter the premises to determine whether the use complies with all conditions of approval associated with the assembly hall use.

BE IT FURTHER RESOLVED, that the County Administrator be, and he hereby, directed to have fully executed copy of this Resolution recorded upon the Land Records of the County in the office of the Clerk of the Circuit Court.

Attest:

Rodney A. Hathaway
County Administrator

Thomas W. Evelyn
Board Chair

COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this _____ day of _____, 2025 by Rodney A. Hathaway, County Administrator and Clerk of the New Kent Board of Supervisors.

My Commission Expires: 12/31/2026
My Commission Number: 315272

Notary

COUNTY OF NEW KENT
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this _____ day of _____, 2025 by Thomas W. Evelyn, Chairman of the New Kent Board of Supervisors.

My Commission Expires: 12/31/2026
My Commission Number: 315272

Notary

SEE ATTACHED EXHIBIT "A" FOR DESCRIPTION.

EXHIBIT "A"

ALL that certain piece or parcel of land containing 15.684 acres and shown as Parcel B on that certain plat entitled, "Plat Showing Two Parcels of Land Situated on the Southern Line of State route No. 249, Weir Creek District, New Kent County, Virginia", dated October 3, 1990, prepared by Dewberry and Davis, Surveyors, a copy of which said plat is recorded in deed Book 222, page 473 (erroneously stated as page 471 in Deed recorded in Deed Book 636, page 346), reference to which is hereby made for a more particular description of property herein conveyed.

BEING a portion of the same real estate conveyed to Barry Goldstein and Amy Goldstein, or their Successors or Assigns in Trust, under the Barry S. Goldstein and Ami B. Goldstein Living Trust – 2010, dated March 5, 2010, by Deed from Ronald E. Grablewski and Julie G. Grablewski, husband and wife, dated August 18, 2014, recorded October 29, 2014, in the Clerk's Office, circuit Court, New Kent County, Virginia, in deed Book 636, page 346.

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

PUBLIC HEARINGS

Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)	adopt Resolution R-04-25 amending the fiscal year 2024-2025 budget by approving the appropriation and transfer of \$31,868,267.83 in restricted Colonial Downs funds received in prior years from the Capital Fund and \$7,867,175.52 from current year Colonial Downs Revenue from the General Fund to the Colonial Downs Revenue Fund.		
Subject	PUBLIC HEARING - FY24-25 Budget Amendment - Colonial Downs Revenue Fund - Resolution R-04-25 - Financial Services Director Tripp Lawrence		
Issue	The creation of the Colonial Downs Revenue Fund to provide enhanced internal controls over this revenue source and the amendment of the fiscal year 2024-2025 budget by transferring and appropriating \$39,735,443.35 to the Colonial Downs Revenue Fund.		
Recommendation	Staff recommends adoption of the proposed motion.		
Fiscal Implications	The requested action will increase the current budget by \$39,735,443.35. \$26,340,564.25 of this is currently allocated to active projects while the remainder has been budgeted in out years or is available for appropriation, pending Board approval.		
Policy Implications	State Code requires a public hearing when the budget is adjusted by more than 1%.		
Legislative History			
Discussion			

Time Needed:		Person Appearing:	Financial Services Director Tripp Lawrence
Request prepared by:	W. Watkins, Deputy Clerk of the Board	Telephone:	804-966-9687
Copy provided to:			

ATTACHMENTS:

Description	Type
Resolution R-04-25 (PDF)	Cover Memo
Colonial Downs Revenue Fund - Staff Memo and Supporting Documents (PDF)	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	1/30/2025 - 4:14 PM
Administration	Hathaway, Rodney	Approved	1/30/2025 - 4:37 PM
Attorney	Everard, Joshua	Approved	1/31/2025 - 2:02 PM

**BOARD OF SUPERVISORS
COUNTY OF NEW KENT
VIRGINIA**

R-04-25

At the regular meeting of the Board of Supervisors of the County of New Kent, in the Boardroom of the Administration Building in New Kent, Virginia, on the 10th day of February, 2025:

Present:

Vote:

Amy Pearson
Ron Stiers
Jordan T. Stewart
John P. Moyer
Thomas W. Evelyn

Motion was made by _____, which carried ____:____ to adopt the following resolution:

**A RESOLUTION TO AMEND THE FISCAL YEAR
2024-2025 BUDGET BY APPROVING SUPPLEMENTAL
APPROPRIATIONS IN THE AMOUNT OF \$39,735,443.35 AND
TO CREATE THE COLONIAL DOWNS REVENUE FUND**

WHEREAS, Section 15.2-2507 of the Code of Virginia provides that a locality may amend its budget to adjust the aggregate amount appropriated; however, any such amendment which exceeds one percent of the total expenditures in the adopted budget must be accomplished by publishing a notice of a meeting and a public hearing in the newspaper and that such notice shall state the governing bodies intent to amend the budget; and

WHEREAS, on May 29, 2024, the New Kent County Board of Supervisors voted 4:1 to adopt resolution R-15-24 approving the fiscal year 2024-2025 budget in the amount of \$112,844,288, and

WHEREAS, the New Kent County Administrator is requesting the appropriation of Colonial Downs revenue held in the General Fund in the amount of \$7,867,175.52 to the Colonial Downs Revenue Fund; and;

WHEREAS, the New Kent County Administrator is requesting the appropriation of Restricted Colonial Downs Fund Balance in the amount of \$31,868,267.83 to the Colonial Downs Revenue Fund; and;

WHEREAS, the New Kent County Administrator is requesting the creation of the Colonial Downs Revenue Fund to provide enhanced internal controls over this revenue source in conjunction with the County's financial policies, and;

NOW THEREFORE BE IT RESOLVED, by the New Kent County Board of Supervisors pursuant to the authority granted in the Code of Virginia, that the New Kent County 2024-2025 Budget be amended by the appropriation of \$39,735,443.35 as described in this resolution.

Adopted and enacted this 10th day of February, 2025.

Rodney A. Hathaway
County Administrator

Thomas W. Evelyn
Board Chair



Financial Services
12007 Courthouse Circle
Post Office Box 150
New Kent, Virginia 23124

MEMORANDUM

TO: Rodney Hathaway, County Administrator

FROM: Richard Lawrence, Director of Financial Services

DATE: January 29, 2025

RE: Creation of Colonial Downs Revenue Fund

Mr. Hathaway,

Earlier this fiscal year, we brought a proposal forward to the Board of Supervisors to create a standalone fund for revenues received from Colonial Downs. Staff believes that the creation of a standalone fund will help enforce the controls placed on this revenue type in the most recent revision to the County Financial Policy (Revision 4, May 2024). Our intent with this new fund is to increase the efficiency, clarity, and transparency with which this revenue source is allocated.

With this in mind, staff recommends approval of resolution R-04-25 to amend the fiscal year 2024-2025 budget by approving supplemental appropriations in the amount of \$39,735,443.35 and to create the Colonial Downs Revenue Fund. Of this amount, \$26,340,564.25 is currently allocated to active projects while the remainder has been budgeted in out years or is available for appropriation, pending Board approval. Further detail regarding specific projects, allocations, and financial system entries has been provided in the attached documentation. Please feel free to let me know if there is anything further you may need.

Richard Lawrence
Director of Financial Services

Obligation of Colonial Downs Funds thru 1/29/2025						
Project	Amount Allocated	Spent	Remaining Allocation	Budgeted Balance in FY25	Budgeted in Out Year	Notes
Quinton Elementary School	\$ (4,000,000.00)	4,000,000.00	-	-	-	Complete
2021 VA Derby Sponsorship	\$ (50,000.00)	50,000.00	-	-	-	Complete
Fire Station #4 Land Purchase	\$ (348,305.37)	348,305.37	-	-	-	Complete
2022 VA Derby Sponsorship	\$ (50,000.00)	50,000.00	-	-	-	Complete
Comprehensive Plan Update	\$ (195,762.00)	160,741.66	(35,020.34)	35,020.34	-	In progress
2022 VA Derby Day	\$ (6,167.00)	6,167.00	-	-	-	Complete
Cox Broadband Expension Project	\$ (11,902,500.00)	-	(11,902,500.00)	11,902,500.00	-	In progress
- \$4.2 million from ARPA Funding		-	-	-	-	
Parks & Rec Pickleball Courts	\$ (154,905.32)	154,905.32	-	-	-	Complete
Fire Station #4 Additional Costs	\$ (586,728.88)	586,728.88	-	-	-	Complete
Makemie Woods Property Purchase	\$ (1,005,302.00)	1,005,302.00	-	-	-	Complete
AutoZone Property Purchase Incentive	\$ (1,150,000.00)	1,150,000.00	-	-	-	Complete
- \$2.2 Million Due in 2024 - Per Emp Inc.			-	-	-	
Self Contained Breathing Apparatus Equipment	\$ (677,025.95)	677,025.95	-	-	-	Complete
FY23 Employee Holiday Bonus	\$ (230,909.25)	230,909.25	-	-	-	Complete
Olivet Church Rd Tower Repairs	\$ (36,745.00)	36,745.00	-	-	-	Complete
FY24 Budget Appropriations (\$10,052,948):			-	-	-	
Cybersecurity	\$ (107,852.55)	107,852.55	-	-	-	Complete
Contract Module Munis	\$ (16,064.00)	-	(16,064.00)	16,064.00	-	Pending
EDA Incentives	\$ (125,000.00)	125,000.00	-	-	-	Complete
Fire Station #6	\$ (7,029,000.00)	3,960,364.92	(3,068,635.08)	3,068,635.08	-	In progress
Refuse & Recycle Site (West End)	\$ (159,599.00)	-	(159,599.00)	159,599.00	-	Pending
Pine Fork Park Lighting	\$ (1,170,000.00)	995,772.70	(174,227.30)	174,227.30	-	Phase 1 Complete
School Buses	\$ (685,285.00)	685,285.00	-	-	-	Complete
Core I3 Harris Radio System Refresh	\$ (750,000.00)	-	(750,000.00)	750,000.00	-	Not started
Fire Truck/Ladder & Ambulance	\$ (1,970,000.00)	1,670,930.00	(299,070.00)	299,070.00	-	In progress
EDA Economic Incentive Grants	\$ (100,000.00)	100,000.00	-	-	-	Complete
EDA AutoZone Permit Incentive	\$ (336,792.00)	336,792.00	-	-	-	Complete
Animal Shelter Additional Funds	\$ (1,850,756.00)		(1,850,756.00)	1,850,756.00	-	In progress
EDA AutoZone Employee Incentive Grants	\$ (2,112,000.00)		(2,112,000.00)	2,112,000.00	-	In progress
EDA AutoZone W&S Tap Incentive Grant	\$ (105,000.00)	105,000.00	-	-	-	Budgeted in out year
EDA AutoZone Real Property Incentive Grant	\$ (4,708,750.00)		(4,708,750.00)	470,875.00	4,237,875.00	Budgeted in out year
EDA Buc-ee's BPOL Incentive Grant	\$ (144,000.00)		(144,000.00)	-	144,000.00	Budgeted in out year
EDA Buc-ee's Meals Tax Incentive Grant	\$ (900,000.00)		(900,000.00)	-	900,000.00	Budgeted in out year
EDA Buc-ee's W&S Availability Fees	\$ (155,000.00)		(155,000.00)	-	155,000.00	Budgeted in out year
Colonial Downs Reserve For Future Projects	\$ (2,759,882.00)	-	(2,759,882.00)	2,759,882.00	-	
EDA CarMax Incentive	\$ (150,000.00)	-	(150,000.00)	-	150,000.00	Budgeted in out year
2024 Colonial Downs Sponsorships	\$ (135,000.00)	135,000.00	-	-	-	Complete
Virginia Government Relations Consulting Proposal	\$ (78,000.00)	36,064.47	(41,935.53)	41,935.53	-	In progress
NKCPS Athletic Facility	\$ (2,700,000.00)		(2,700,000.00)	2,700,000.00	-	In progress
2025 Colonial Downs Sponsorships	\$ (125,000.00)	125,000.00	-	-	-	Complete
				-	-	
Total	\$ (48,767,331.32)	\$ 16,839,892.07	\$ (31,927,439.25)	\$ 26,340,564.25	\$ 5,586,875.00	

Required Budget Transfer - FY25				
ORG	OBJ	Description	Debit	Credit
<u>1- Moves remaining revenue budget to new fund from General Fund</u>				
340922	318102	OTB & Colonial Downs		3,201,787.78
34914000	409306	CD Reserve for Future Apprs	3,201,787.78	
110922	318102	OTB & Colonial Downs	3,201,787.78	
<u>2 - Adjusts the capital transfers related to current years OTB & Colonial Downs revenue</u>				
11931000	409211	Transfer to Captial Fund 1302		10,646,172.00
34931000	409211	Transfer to Captial Fund 1302	10,646,172.00	
<u>3 - Adjusts the Transfer Source in the Capital Fund</u>				
310949	349201	Trans From General	10,646,172.00	
310949	349215	Transfer from Colonial Downs Fund		10,646,172.00
<u>4- Adjusts Use of Restricted Fund Balance to Transfer from CD Revenue Fund</u>				
310948	348103	Col Downs Bal Forward - Budget	2,632,875.00	
310948	348102	Estimated Fund Balance Used	13,061,517.25	
310949	349213	Transfer from Colonial Downs Fund		15,694,392.25

Fund 1101
Fund 1302
Fund 1304

Required Budget Amendment - FY25				
ORG	OBJ	Description	Debit	Credit
<u>1- Accounts for the Transfer of FY25 Funds</u>				
340949	349201	Trans From General		7,867,175.52
34914000	409306	CD Reserve for Future Apprs	7,867,175.52	
11931000	409222	Trans to CD Fund	7,867,175.52	
110948	348102	Estimated Fund Balance Used		422,791.30
<u>2 - Accounts for the Transfer of Prior Year Funds held in Capital Fund Balance</u>				
31931000	409222	Transfer to CD Revenue Fund	31,868,267.83	
310948	348102	Estimated Fund Balance Used		31,868,267.83
340949	349211	Transfer from Captial Fund 1302		31,868,267.83
34931000	409211	Transfer to Captial Fund 1302	26,340,564.25	
34914000	409306	CD Reserve for Future Apprs	5,527,703.58	

Fund 1101
Fund 1302
Fund 1304

Overview of Total Budget Impact

Fund 1101						
ORG	OBJ	Description	Original Budget	Budget Adjustment (+/-)	Revised Budget	Budget Change
110922	318102	OTB & Colonial Downs	(12,121,784.00)	3,201,787.78	(8,919,996.22)	3,201,787.78
110948	348102	Estimated Fund Balance Used	(659,404.79)	(422,791.30)	(1,082,196.09)	(422,791.30)
11931000	409211	Transfer to Captial Fund 1302	10,646,172.00	(10,646,172.00)	-	(10,646,172.00)
11931000	409222	Trans to CD Fund	-	7,867,175.52	7,867,175.52	7,867,175.52
<u>Total General Fund</u>			(2,135,016.79)	-	(2,135,016.79)	-

Fund 1302						
ORG	OBJ	Description	Original Budget	Budget Adjustment (+/-)	Revised Budget	Budget Change
310949	349201	Trans From General	(10,646,172.00)	10,646,172.00	-	10,646,172.00
310949	349215	Transfer from Colonial Downs Fund	-	(26,340,564.25)	(26,340,564.25)	(26,340,564.25)
310949	348103	Col Downs Bal Forward	(2,632,875.00)	2,632,875.00	-	2,632,875.00
310948	348102	Estimated Fund Balance Used	(25,592,127.52)	(18,806,750.58)	(44,398,878.10)	(18,806,750.58)
31931000	409222	Transfer to CD Revenue Fund	-	31,868,267.83	31,868,267.83	31,868,267.83
<u>Total Capital Fund</u>			(38,871,174.52)	-	(38,871,174.52)	-

Fund 1304						
ORG	OBJ	Description	Original Budget	Budget Adjustment (+/-)	Revised Budget	Budget Change
340922	318102	OTB & Colonial Downs	-	(3,201,787.78)	(3,201,787.78)	(3,201,787.78)
340949	349201	Trans From General	-	(7,867,175.52)	(7,867,175.52)	(7,867,175.52)
340949	349211	Transfer from Captial Fund 1302	-	(31,868,267.83)	(31,868,267.83)	(31,868,267.83)
34931000	409211	Transfer to Captial Fund 1302	-	26,340,564.25	26,340,564.25	26,340,564.25
34914000	409306	CD Reserve for Future Apprs	-	16,596,666.88	16,596,666.88	16,596,666.88

Required Journal Entry - Restricted Cash Transfer				
ORG	OBJ	Description	Debit	Credit
31	100014	Cash-Colonial Downs-Restricted		31,868,267.83
34	100014	Cash-Colonial Downs-Restricted	31,868,267.83	
340949	349211	Transfer from Capital		31,868,267.83
31931000	409222	Transfer to Colonial Downs Fund - 1304	31,868,267.83	
Required Journal Entry - Reclass FY25 Revenue				
11931000	409222	Transfer to Colonial Downs Fund - 1304	7,867,175.52	
340922	318102	OTB & Colonial Downs		7,867,175.52
34	100014	Cash-Colonial Downs-Restricted	7,867,175.52	
11	100001	Cash in Fund		7,867,175.52

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

APPOINTMENTS

Motion: "Mr.
Chairman, I move to
(not required for Consent
Agenda items)

Subject

Appointments - Delegated by District

Issue

Recommendation

Fiscal Implications

Policy Implications

Legislative History

Discussion

Time Needed:

Request
prepared by:

Copy provided
to:

Person Appearing:

Telephone:

804-966-9687

W. Watkins, Deputy
Clerk of the Board

ATTACHMENTS:

Description

Appointments Delegated by District (PDF)

Type

Cover Memo

REVIEWERS:

Department

Clerk

Administration

Attorney

Reviewer

Watkins, Wanda

Hathaway, Rodney

Everard, Joshua

Action

Approved

Approved

Approved

Date

1/29/2025 - 9:10 AM

1/30/2025 - 12:02
PM

1/31/2025 - 2:08 PM

PROPOSED MOTIONS:

DISTRICT ONE APPOINTMENTS

I move to appoint _____ as District One representative to the Clean County Committee to complete a four-year term ending December 31, 2026. *(This seat was filled by Lily Brame who is away at college.)*

I move to appoint _____ as District One representative to the Historic Commission to serve a four-year term beginning January 1, 2025 and ending December 31, 2028. *(The term of Patti Gulick expired 12/31/24.)*

I move to appoint _____ as District One alternate representative to the Historic Commission to serve a four-year term beginning January 1, 2025 and ending December 31, 2028. *(The term of John Gulick expired 12/31/24.)*

I move to appoint _____ as a District One representative to the Housing Advisory Committee. *(This seat was held by Shana Abdus. Ms. Abdus is serving as the Department of Social Services representative.)*

I move to appoint _____ as District One representative to the Seniors' Volunteer Hall of Fame Selection Committee to serve a two-year term beginning January 13, 2025 and ending December 31, 2026. *(This is a new position created by the adoption of Resolution R-02-25 R1 on January 13, 2025.)*

I move to appoint _____ as District One representative to the Social Services Advisory Board to complete a term ending June 30, 2025. *(This seat was held by Larry Clark and he has indicated he is not able to complete this term.)*

PROPOSED MOTIONS:

DISTRICT TWO APPOINTMENTS

I move to appoint _____ as a District Two representative to the Housing Advisory Committee. (This seat was held by Elizabeth Remorenko. Ms. Remorenko resigned on January 6, 2025.)

I move to appoint _____ as District Two representative to the Seniors' Volunteer Hall of Fame Selection Committee to serve a two-year term beginning January 13, 2025 and ending December 31, 2026. *(This is a new position created by the adoption of Resolution R-02-25 R1 on January 13, 2025.)*

PROPOSED MOTIONS:

DISTRICT THREE APPOINTMENTS

I move to appoint _____ as District Three representative to the Seniors' Volunteer Hall of Fame Selection Committee to serve a two-year term beginning January 13, 2025 and ending December 31, 2026.

(This is a new position created by the adoption of Resolution R-02-25 R1 on January 13, 2025.)

I move to appoint **Connie Bennett** as District Three representative to the Wetlands Board, Chesapeake Bay Preservation Board and the Dunes & Beaches Board to serve a five-year term beginning January 1, 2025 and ending December 31, 2029. *(The term of Connie Bennett expired 12/31/24.)*

PROPOSED MOTIONS:

DISTRICT FOUR APPOINTMENTS

I move to appoint _____ as District Four representative to the Seniors' Volunteer Hall of Fame Selection Committee to serve a two-year term beginning January 13, 2025 and ending December 31, 2026.
(This is a new position created by the adoption of Resolution R-02-25 R1 on January 13, 2025.)

PROPOSED MOTIONS:

DISTRICT FIVE APPOINTMENTS

I move to appoint _____ as District Five representative to the Purchase of Development Rights Committee to complete a three-year term beginning July 1, 2024 and ending June 30, 2027. *(The term of Julian Ward expired 6/30/21.)*

I move to appoint _____ as District Five representative to the Seniors' Volunteer Hall of Fame Selection Committee to serve a two-year term beginning January 13, 2025 and ending December 31, 2026. *(This is a new position created by the adoption of Resolution R-02-25 R1 on January 13, 2025.)*

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

APPOINTMENTS

Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)			
Subject	Appointments - Not Delegated by District		
Issue			
Recommendation			
Fiscal Implications			
Policy Implications			
Legislative History			
Discussion			

Time Needed:		Person Appearing:	
Request prepared by:	W. Watkins, Deputy Clerk of the Board	Telephone:	804-966-9687
Copy provided to:			

ATTACHMENTS:

Description	Type
Appointments NOT Delegated by District (PDF)	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	1/29/2025 - 9:12 AM
Administration	Hathaway, Rodney	Approved	1/30/2025 - 12:03 PM
Attorney	Everard, Joshua	Approved	1/31/2025 - 2:11 PM

PROPOSED MOTIONS:

Boards and Commissions not Delegated by District

I move to appoint _____ as an alternate member of the Board of Building Code Appeals/Board of Fire Prevention Code Appeals to complete a term ending December 31, 2025. *(This position has been vacant since 2013.)*

I move to appoint _____ as an at large representative to the Clean County Committee to complete a term ending December 31, 2025. *(This seat was filled by Laura Clark who is away at college.)*

I move to appoint _____ as an at large representative to the Purchase of Development Rights Committee to complete a three-year term beginning July 1, 2023 and ending June 30, 2026. *(The term of Robert Gray expired 6/30/23. Mr. Gray was appointed as the District 2 representative on 1/10/24 and is not eligible to serve in this seat.)*

I move to appoint **Dora Turgeon** as an at large representative to the Board of Road Viewers to serve a four-year term beginning January 1, 2025 and ending December 31, 2028. *(The term of Dora Turgeon expired 12/31/24 and she has requested reappointment.)*

I move to appoint _____ as an at large representative to the Seniors' Volunteer Hall of Fame Selection Committee to serve a two-year term beginning January 13, 2025 and ending December 31, 2026. *(This is a new position created by the adoption of Resolution R-02-25 R1 on January 13, 2025.)*

I move to appoint _____ as an at large representative to the Seniors' Volunteer Hall of Fame Selection Committee to serve a two-year term beginning January 13, 2025 and ending December 31, 2026. *(This is a new position created by the adoption of Resolution R-02-25 R1 on January 13, 2025.)*

PLEASE NOTE – The following 9 appointments are for the Youth Community Service Committee. The term is one year and **your appointees DO NOT have to reside within your district.** Please note, **one adult member position is also open.**

I move to appoint _____ as a youth member of the New Kent County Youth Community Service Committee to serve a one-year term ending December 31, 2025. *(This appointment should be made by the District 1 BOS Member.)*

I move to appoint _____ as a youth member of the New Kent County Youth Community Service Committee to serve a one-year term ending December 31, 2025. *(This appointment should be made by the District 1 BOS Member.)*

I move to appoint _____ as a youth member of the New Kent County Youth Community Service Committee to serve a one-year term ending December 31, 2025. *(This appointment should be made by the District 1 BOS Member.)*

I move to appoint _____ as a youth member of the New Kent County Youth Community Service Committee to serve a one-year term ending December 31, 2025. *(This appointment should be made by the District 2 BOS Member.)*

I move to appoint _____ as a youth member of the New Kent County Youth Community Service Committee to serve a one-year term ending December 31, 2025. *(This appointment should be made by the District 2 BOS Member.)*

I move to appoint _____ as a youth member of the New Kent County Youth Community Service Committee to serve a one-year term ending December 31, 2025. *(This appointment should be made by the District 4 BOS Member.)*

I move to appoint _____ as a youth member of the New Kent County Youth Community Service Committee to serve a one-year term ending December 31, 2025. *(This appointment should be made by the District 4 BOS Member.)*

I move to appoint _____ as a youth member of the New Kent County Youth Community Service Committee to serve a one-year term ending December 31, 2025. *(This appointment should be made by the District 4 BOS Member.)*

I move to appoint _____ as a youth member of the New Kent County Youth Community Service Committee to serve a one-year term ending December 31, 2025. *(This seat was held by Caroline Bandy. Ms.*

*Bandy's term expired 12/31/24 and she does not wish to be reappointed.
This appointment should be made by the District 5 BOS Member.)*

I move to appoint _____ as an adult member of the New Kent County Youth Community Service Committee to complete a three-year term beginning January 1, 2024 and ending December 31, 2026. (*Tonnie Swartout had been serving and her term expired 12/31/23.*)

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

APPOINTMENTS

Motion: "Mr.
Chairman, I move to
(not required for Consent
Agenda items)

Subject

Appointments - Regional Boards and Commissions

Issue

Recommendation

Fiscal Implications

Policy Implications

Legislative History

Discussion

Time Needed:

Person Appearing:

Request
prepared by:

W. Watkins, Deputy
Clerk of the Board

Telephone:

804-966-9687

Copy provided
to:

ATTACHMENTS:

Description

Type

Appointments - Regional Boards and Commissions
(PDF)

Cover Memo

REVIEWERS:

Department

Reviewer

Action

Date

Clerk

Watkins, Wanda

Approved

1/29/2025 - 9:14 AM

Administration

Hathaway, Rodney

Approved

1/30/2025 - 12:03
PM

Attorney

Everard, Joshua

Approved

1/31/2025 - 2:14 PM

Regional Boards and Commissions

I move to appoint _____ as New Kent's alternate representative to the Richmond Regional Transportation Planning Organization's Citizen Transportation Advisory Committee to complete a term ending December 31, 2025. *(This seat was previously held by John P. Moyer prior to being elected as District Two Supervisor.)*

I move to appoint **Matthew Baumler** as a New Kent representative to the Thrive Virginia Board to serve a four-year term beginning January 1, 2025 and ending December 31, 2028. *(Joe Swartout had been serving and resigned. His term would have expired December 31, 2024. Matthew Baumler has requested appointment.)*

I move to appoint **Rev. Dr. Milton Hathaway** as New Kent's Planning Commission representative to the PlanRVA Regional Planning District Commission to serve a one-year term beginning January 1, 2025 and ending December 31, 2025. *(The Planning Commission has recommended Rev. Dr. Milton Hathaway for appointment.)*

AGENDA ITEM REQUEST
(TO BE SUBMITTED NO LATER THAN 12 DAYS PRIOR TO
THE MEETING)

Meeting Date: 2/10/2025

ADJOURNMENT

Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)	adjourn.
Subject	Adjournment
Issue	
Recommendation	Approval
Fiscal Implications	
Policy Implications	
Legislative History	
Discussion	The next regularly scheduled meeting of the Board of Supervisors will be held at 6:00 p.m. on February 10, 2025, and the next work session will be held at 9:00 a.m. on January 28, 2025, both in the Boardroom of the County Administration Building (subject to Board adoption of the proposed 2025 Meeting Schedule - Resolution R-01-25).

Time Needed:		Person Appearing:	
Request prepared by:	W. Watkins, Deputy Clerk of the Board	Telephone:	804-966-9687
Copy provided to:			

ATTACHMENTS:

Description	Type
Closed Session Motions (PDF)	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	1/29/2025 - 9:17 AM

MOTIONS FOR CONVENING A CLOSED SESSION

- 1 I move to go into closed session pursuant to §2.2-3711A.1 of the Code of Virginia for *(discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or County employees)* involving _____.
- 3 I move to go into closed session pursuant to §2.2-3711A.3 of the Code of Virginia for *(discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County)* involving _____.
- 4 I move to go into closed session pursuant to §2.2-3711A.4 of the Code of Virginia for *(the protection of the privacy of individuals in personal matters not related to public business)* involving _____.
- 5 I move to go into closed session pursuant to §2.2-3711A.5 of the Code of Virginia for *(discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community)* involving _____.
- 6 I move to go into closed session pursuant to §2.2-3711A.6 of the Code of Virginia for *(discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the County would be adversely affected)* involving _____.
- 7 I move to go into closed session pursuant to §2.2-3711A.7 of the Code of Virginia for *(consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel)* involving _____.
- 19 I move to go into closed session pursuant to §2.2-3711A.19 of the Code of Virginia for *(discussion of plans to protect public safety as it relates to terrorist activity and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such activity or a related threat to public safety; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure)* involving _____.
- 28 I move to go into closed session pursuant to §2.2-3711A.28 of the Code of Virginia for *(discussion or consideration of records excluded from this chapter pursuant to subdivision 11 of § 2.2-3705.6 by a responsible public entity or an affected local jurisdiction, as those terms are defined in § 56-557, or any independent review panel appointed to review information and advise the responsible public entity concerning such records)* involving _____.

- 29 I move to go into closed session pursuant to §2.2-3711A.29 of the Code of Virginia for *(discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board)* involving _____.
- 33 I move to go into closed session pursuant to §2.2-3711A.32 of the Code of Virginia for *(discussion or consideration of confidential proprietary records and trade secrets excluded from this chapter pursuant to subdivision 18 of § 2.2-3705.6.)* involving _____.

CERTIFICATION OF CLOSED SESSION

A. Motion

I move that the Board certify by roll call vote that to the best of each member's knowledge only public business matters lawfully exempted from open session requirements of the Freedom of Information Act and identified in the motion to go into closed session were heard, discussed or considered in the closed session.

B. Vote taken on certification.

Present:

Vote:

Thomas W. Evelyn
John P. Moyer
Amy M. Pearson
Ron Stiers
Jordan T. Stewart