

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

June 9, 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. March 10, 2025 Regular Meeting Minutes

#### 2. Miscellaneous

- a. Approval of Monthly Financial Reports March FY25
- b. Approval of Agreement between New Kent and Charles City for Professional Coordination Services Children's Services Act
- c. Approval of Sole Source Procurement Reinvestment Fund

#### 3. Refunds

- a. REFUND Sobieski Mechanical Contractors, Inc. BP #24411-2025 \$94.35
- b. REFUND Absolute Exterior Concepts BP#23840-2025 \$51
- c. REFUND Absolute Exterior Concepts BP#23644-2025 \$60

#### 4. Supplemental Appropriations

a. FY25 Supplemental Appropriations

#### 5. Interdepartmental Budget Transfers

a. FY25 Interdepartmental Budget Transfers

#### 6. Treasurer's Report

a. Treasurer's Report - April 2025

#### **CITIZENS COMMENT PERIOD**

#### RESIDENCY ADMINISTRATOR'S REPORT

Residency Administrator's Report for May 2025

#### **PRESENTATIONS**

- ITEM 1 Preston Hollow Land Exchange Proposal County Administrator Rodney Hathaway
- ITEM 2 Resolution R-21-25 Committing Local Funding for the I-64
  Exit 211 Diverging Diamond Interchange Improvement
  Project Transportation Development Director Amy Inman

Public Hearings to be held at 6:30 p.m. or as soon thereafter as possible. Speakers are <u>limited to three minutes each, should come to the podium and state their name and address.</u>

#### **PUBLIC HEARINGS**

- ITEM 3 PUBLIC HEARING ACE Flight Solutions, LLC Lease Airport Manager Duane Goss
- ITEM 4 PUBLIC HEARING New Kent County 2045 Comprehensive Plan Update Ordinance O-02-25 Principal Planner Patrick Silva
- TIEM 5 PUBLIC HEARING The Board of Supervisors will consider proposed changes to New Kent County Code regulations governing Accessory Structures (Sections 98-2 and 98-10) and Board of Zoning Appeals processes (Sections 98-1022, 98-1023, 98-1024, 98-1025, 98-1026, 98-1027, and 98-1028), Ordinance O-03-25 Zoning Administrator Angela Leflett

#### **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, July 14, 2025, and the next work session will be held at 9:00 a.m. on Tuesday, June 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.

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: 6/9/2025 Approval of Minutes

Motion: "Mr.	a part of the record	it Agenda as presente:	a and that it be made
Chairman, I move			
(not required for Conse Agenda items)	I move to approve t	the Consent Agenda as f the record, with the f	•
Subject	March 10, 2025 Reg	ular Meeting Minutes	
Issue			
Recommendation	Approval		
Fiscal Implication	s		
Policy Implication	S		
Legislative Histor	У		
Discussion			
Time Needed:		Person Appearing:	
prepared by:	W. Watkins, Deputy Clerk of the Board	Telephone:	(804) 966-9687
Copy provided to:			
ATTACHMENTS: Description March 10, 2025 M	leeting Minutes (PDF)	<b>Type</b> Cover Memo	
REVIEWERS:			
Department	Reviewer	Action	Date 5/16/2025 - 11:46
Clerk	Watkins, Wanda	Approved	AM
Administration	Hathaway, Rodney	Approved	5/18/2025 - 11:31 PM

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A REGULAR MEETING WAS HELD BY THE NEW KENT COUNTY BOARD OF SUPERVISORS ON THE  $10^{\text{TH}}$  DAY OF MARCH IN THE YEAR TWO THOUSAND TWENTY-FIVE IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 6:00 P.M.

IN RE: CALL TO ORDER

Chairman Thomas W. Evelyn called the meeting to order.

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

The Rev. Dr. Milton Hathway with Embracing the Beloved Community gave the invocation and led the Pledge of Allegiance.

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.

IN RE: CONSENT AGENDA

The Consent Agenda was presented as follows:

#### 1. Minutes

- a. December 19, 2024 Special Joint Session with the Economic Development Authority Minutes
- b. January 13, 2025 Regular Session Minutes

#### 2. Miscellaneous

- a. Approval of Monthly Financial Reports December FY25
- b. Approval of 2025 New Kent County Rabies/Microchipping Clinic April 19, 2025
- c. Approval of Agreement for Annual Audit Services with Brown, Edwards & Company, LLP

#### 3. Refunds

- a. REFUND Real Estate Tax Veteran Exemption \$4,041.43
- b. REFUND Ryan Homes BP #20875-2024 \$514.50
- c. REFUND US Home LLC/Lennar Business License Tax \$7,707.99

#### 4. FY25 Supplemental Appropriations

- a. Animal Shelter Donations \$174.
- b. Gifts & Donations Sheriff: New Kent County Sheriff's Office Employee Pepsi Fund (\$876.35), Link-Belt Mid-Atlantic (\$250), Curtis Contracting Inc. (\$500), Stone Property LLC (\$10,000), The Blackbaud Giving Fund (\$150) and The Blackbaud Giving Fund (\$86.62); Fire: Binns (100), \$11,962.97.
- c. Sheriff Extra Duty Private: Colonial Downs Group: 12/13/2024-1/3/2025 (\$2,144.64), 1/17/2025-2/8/2025 (\$2,757.40), Dominion Energy Inc.: 8/28/2024 (\$467.92) and B&B Signal Company: 10/4/2024 (\$501.35), \$5,871.31.

- d. Sheriff Extra Duty Schools: High School Football: 10/23/2024 11/8/2024 (\$2,249.89), 11/21/2024 12/5/2024 (\$2,279.49), 12/10/2024 1/10/2025 (\$6,527.63), \$11,057.01.
- e. Funds from VRSA Insurance Sheriff: Claim #02-24-62521-1-AL, DOL 11/27/2024 (\$150), Claim #02-24-62521-2-AL, DOL 11/27/2024 (\$3,650.67), Claim #02-24-63877-1-AP, DOL 2/10/2025 (\$476.76), Claim #02-24-62521-2-AL, DOL 11/27/2024 (\$22.84), Claim #02-24-62521-1-AL, DOL 11/27/2024 (\$200), Claim #02-24-62521-4-AL, DOL 11/27/2024 (\$200), Claim #02-24-62521-2-AL, DOL 11/27/2024 (\$200) and Fire: Claim #02-24-59784-1-AP, DOL 7/25/2024 2/3/2025 (\$38,725.62); General Services: Claim #02-24-63652-1-PR, DOL 1/27/2025 2/17/2025 (\$2,570.86), Claim #02-24-63650-2-PR, DOL 1/17/2025 2/17/2025 (\$2,731.60) \$48,928.35.
- f. Farmers Market Registration Fee, \$75.
- g. Photo Speed Enforcement Funds Blue Line Solutions LLC, \$13,955.
- h. Restitution Funds Sheriff: Khairi Wyatt, \$100.
- i. Department of Criminal Justice \$4,823.
- j. Interest Income for 2022 W&S Bond January 2025 -\$17,265.54.
- k. Interest Income for EDA Series 2022 Lease Revenue Bond January 2025, \$21,725.02.
- I. Vending Machine Sales Sheriff: (\$143.97); Administration (\$116.22), \$260.19.
- m. Virginia Cooperative Extension Program Sponsorship Wreath Making Class, \$450.
- n. DMV Animal Friendly Plates Sales \$735.68.

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$137,383.07 - Total
($ 98,392.51) - Total In/Out - General Fund (1101)
($ 21,725.02) - Total In/Out - Debt Service (1401)
($ 17,265.54) - Total In/Out - Water/Sewer (1514)
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- 5. Interdepartmental Budget Transfer
  - a. Sheriff's Office From CAD System Upgrade to Machinery & Equipment, \$20,256.87.
- 6. Treasurer's Report Cash as of January 31, 2025, \$128,733,403.53 including escrow funds.

Mr. Evelyn called for comments, questions or concerns regarding the Consent Agenda. There were none.

Mr. Moyer moved to approve the Consent Agenda as presented and that it be made a part of the record. The members were polled:

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

The motion carried.

IN RE: CITIZENS COMMENT PERIOD

Mr. Evelyn opened the citizens comment period and provided brief instructions. He called Joe Swartout of 5427 Saint Leger Drive, Providence Forge to the podium. Mr. Swartout was representing the New Kent Chamber of Commerce as their Vice President. He presented information on a series of events designed to build more community engagement, to celebrate local businesses and to connect local businesses and community members. The Chamber was also hosting a monthly networking event with the next event scheduled for 6:00 to 8:00 p.m. on March 18, 2025 at the New Kent Visitors and Commerce Center. These networking events offered local business owners, entrepreneurs and community members a platform upon which to connect with intention and purpose. The Chamber's first Food Truck Palooza event for the year would be sponsored by C&F Bank, Grub Trucks and WEBDMG and would be from 5:00 to 8:00 p.m. on April 19, 2025 at Kentwood Heights Baptist Church. This event would also include a spring market. A lunch and learn focused on "protect your land, protect your business" led by the Executive Director of the Historic Virginia Land Conservancy Elizabeth Friel, would be held from 12:30 to 2:00 p.m. on May 9, 2025 at the Royal New Kent Golf Club. This would be the first in a series of lunch and learn events. He encouraged members of the farming community, golf course superintendents and wineries to consider attending. He closed by thanking the Board for their time.

William Smith of 4240 Holly Fork Road, Barhamsville shared information on the Makemie Woods property. He noted he had been talking about this property for some time but had not mentioned the property location. He said the property was approximately eleven miles below the Courthouse off of Stage Road/Ropers Church Road. He noted that from what he could see, the property looked like a nice place, the buildings looked nice and there was a lot of land running down to the Diascund Creek. He noted this could be used for paddle boats, row boats and fishing. He thanked the Board for the opportunity to speak.

Mr. Evelyn thanked those who had spoken for their comments. He also reported that Supervisor Stewart, New Kent Parks and Recreation Director Kim Turner and representatives of PlanRVA would be meeting at the Makemie Woods property in the next few weeks.

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

VDOT Residency Administrator Marshall Winn reviewed a written report on recent work including but not limited to pothole repair, road grading, shoulder repair, pipe inspection/replacement/cleaning, ditching, tree/brush removal, sign repair/replacement and debris/ trash/litter removal. 156 work requests had been received and 125 completed. There had been ten after hours call outs involving trees down, signs down, high water, potholes and tree limbs over the roadway. Miscellaneous work had included various snow removal tasks in response to three February snow events. He entertained questions.

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

Mr. Moyer thanked Mr. Winn for all VDOT was doing and noted the three snow events had gone smoothly. He reported putting in a request for work to be done on ditches along Dispatch Road and that work had been completed. He also reported the westbound ramp on I-64 from Route 249 had been enlarged and this had taken care of many issues. He asked if VDOT could work with the contractor on the timing of the lights and said there had recently been significant issues with the light running through several cycles without giving a lefthand turn opportunity. When a lefthand turn was allowed, the light quickly changed to red. Mr. Winn indicated he would get with Shirley Contracting Company, LLC.

Ms. Pearson thanked Mr. Winn for his prompt responses and noted her constituents thought she was Super Woman because VDOT was fixing things so quickly. She noted a lot of potholes she had reported had been fixed and she appreciated all that had been done.

Mr. Stiers reported receiving several calls about a broken down VDOT salt truck parked at Chesapeake Circle. Mr. Winn reported the truck belonged to Interstate Maintenance and they had reached out to them asking that it be removed as soon as possible. Mr. Stiers also said East View Lane ran parallel to Route 60 near Providence Forge Ace Hardware. A constituent was working to convert a building in that area into a wedding venue. He noted this road, which was about one-eighth of a mile in length and thirteen feet wide, had not been repaved in many years and there were many potholes. He said residents of a new subdivision across from Ace Hardware were frequently using it as a cut through. He asked if this road could be repaved and possibly widened? Mr. Winn asked if East View Lane was in the VDOT system? Mr. Stiers indicated he thought it was. Mr. Winn indicated he would have to check and get back to him but noted if this had been a rural rustic project with a thirteen foot width, the width would not change. Mr. Stiers thanked him for all VDOT was doing.

Ms. Stewart echoed comments of other Supervisors and noted it had been very easy to get from her home to Richmond during the snow events and she appreciated having no snow days. She said Mr. Winn had reported in December that equipment needed to be repaired before work on a pipe at 4017 Good Hope Road could be done. Mr. Winn noted the pipe needed to be replaced and he would get with the Maintenance Superintendent on that project. Ms. Stewart also reported significant erosion at Holly Fork Road and Tabernacle Road. A resident had reported they had submitted an online request but the issue had not yet been addressed. She expressed appreciation for all they were doing.

Mr. Evelyn asked if VDOT had had an opportunity to go to St. Peters Lane since a recent significant rain storm? He reported the road had looked like a river and he had received calls from a number of residents. He suggested ditches needed to be cleaned. Mr. Winn indicated they would take a look. Mr. Evelyn reported it had been five to six years since work had been done on these ditches. He thanked Mr. Winn for his report.

IN RE: RAPPAHANNOCK COMMUNITY COLLEGE PRESENTATION OF BUDGET REQUEST AND UPDATE ON NEW KENT SITE PROGRAMS

Rappahannock Community College (RCC) President Dr. Shannon Kennedy thanked the Board for having her and noted she had been scheduled to come to the February work session but had been recovering from the flu. She reported RCC's budget request would be flat this year at \$5,356. She provided information on New Kent residents attending RCC. She reported there had been 73 graduates from New Kent in 2023-2024. RCC served a twelve county region and this graduation number had been second only to Gloucester. Total New Kent residents enrolled had been 309 which was fourth in the region. She had been with RCC for almost six years and had seen significant growth over that time. In 2019, New Kent residents had received about \$120,000 in financial aid and that number had more than doubled in 2024. She thanked the Board for allowing RCC to have a continued presence in New Kent. She reported it had taken some time but the welding lab in the old cafeteria at the Historic School had been completed. They were currently offering dual enrollment welding courses in the morning and afternoons and were holding evening classes Monday through Thursday year round. Interest in these courses was high and enrollments had been great. She also reported courses for the diagnostic medical sonography program where students were being trained for echocardiography certification were being offered in an upstairs classroom. The New Kent lab was the only sonography lab RCC currently had in operation but they would be expanding to VCU Tappahannock in the fall. The first New Kent

class had graduated in December and she reported one of these graduates had gotten a job with VCU Health and had received a \$25,000 signing bonus. She reported positions in this field were starting at over \$70,000. They were very pleased with their lab in New Kent and reported some students were driving from the Northern Neck and Middle Peninsula for these courses. She reminded the Board that only one other community college was currently offering this program and that was in Northern Virginia. She reported RCC was currently leasing the entire cafeteria space and plans were to add a marine electrical program in addition to the welding lab in a portion of that space. Funding for this program would be through the Marine Industrial Base in support of the U.S. Navy, shipbuilding and submarine building. She thanked the Board for the opportunity to speak and entertained questions.

Mr. Evelyn called for questions or comments for Dr. Kennedy.

Mr. Moyer said he had recently seen a presentation from the Director of AUKUS (Australia, United Kingdom, United States) at Newport News Shipbuilding and reported RCC had received a shoutout for its welding program. He speculated Newport News Shipbuilding was where New Kent students would find jobs. Dr. Kennedy said that was one option but noted there were also local needs for welders. Mr. Moyer reported the presentation had indicated 10,000 welders would be needed in the next five years. Dr. Kennedy reported RCC was running full classes in three locations including the Glenns Campus, Montross and New Kent. She also reported she was very pleased with the dual enrollment participation in New Kent. She noted that when this program had started in New Kent, some schools that had been bringing students to Glenns had shifted to New Kent. Students from King and Queen and Middlesex were now taking course in New Kent which had opened space for students from Lancaster and Essex to enroll at Glenns. She also noted New Kent students had previously not had an opportunity to participate in dual enrollment welding. She thanked the Board for allowing them to be able to expand this program to serve more students.

Mr. Evelyn thanked Dr. Kennedy for her presentation.

IN RE: UPDATE ON 2023-2027 NEW KENT COUNTY COMMUNITY HEALTH IMPROVEMENT PLAN

Chickahominy Health District (CHD) Director Dr. Thomas Franck thanked the Board for the opportunity to provide an update on the 2023-2027 New Kent County Community Health Improvement Plan (CHIP). He reported that in the past five to ten years public health had entered its third era frequently referred to as Public Health 3.0. Public Health was not only maintaining traditional public health roles in place for over one hundred years, but was also serving as the community health strategist for communities within the district. This entailed building partnerships through conducting Community Health Assessments (CHA) and developing CHIPs focused on forging a way to improve the health of a community. Dr. Franck considered this planning for the future of the public's health to be among the most important things he did as Health Director. He introduced CHD Population Health Planning and Improvement Coordinator Emily Hines and noted Ms. Hines had spearheaded community health efforts not only in New Kent but also other counties within the CHD (Charles City, Hanover and Goochland). She had organized community partnerships and had been the force behind the CHAs and CHIPs. He turned the floor over to Ms. Hines.

Ms. Hines thanked the Board for the opportunity to provide an update and noted it had been her pleasure to speak to the Board on several occasions regarding the CHA and CHIP. The New Kent CHA, which was a comprehensive report looking at the current health status of the community, had been published in 2022. The CHA process had been guided by a steering committee composed of various partners such as Parks and Recreation, Thrive

Virginia, United Way, Department of Social Services, etc. Data collection had included a community health survey with over 300 responses. The steering committee had utilized focus groups and key informant interviews with subject matter experts to establish health priorities. This had kickstarted the CHIP which detailed goals, objectives and strategies for how to improve health outcomes. Because the CHIP involved more than health, her update would also include information on quality of life topics such as housing. She noted public health included the air we breathe, the water we drink and the house we live in.

Ms. Hines said a QR code to be used to sign up for the newsletter and quarterly CHIP updates or to view the CHIP document had been provided. The CHIP was a five-year cyclical plan with initial implementation beginning on May 1, 2023. New Kent's CHIP was centered around three health priorities selected by the community. Those priorities included mental health and substance use including nicotine and alcohol, healthcare access and quality and affordable and safe housing. The CHD was charged with monitoring and evaluating the CHIP which would be reviewed quarterly. A more comprehensive annual progress report was available on the CHD website.

Ms. Hines provided a brief overview of the progress within each of the health priorities.

<u>Mental Health and Substance Use</u> – Fifteen strategies had been identified, eight of which were in progress, four had been completed and three had been removed or had not been started due to barriers. Successes within this category included:

- New Kent County Public Schools had hired two Student Support Specialists.
- New Kent Parks & Recreation had installed three "Share the Air" signs in local parks.
- Henrico Mental Health and Developmental Services had secured funding to obtain a mobile unit to disperse medication assisted treatment.
- Thrive Virginia had established a parent support group.
- Two "Every Day Strong" trainings had been provided through United Way.
- Twenty-two "REVIVE!" trainings (Naloxone) had been held in New Kent.

<u>Healthcare Access and Quality</u> – Nine strategies had been identified, seven of which were in progress, two had been completed and none had been removed or not started. Successes within this category included:

- Bay Transit had held three listening sessions with older adults to better understand transportation needs.
- Purpose Medical Outreach was building a free-standing clinic.
- The SPAN Center (formerly known as Senior Connections) had hosted three workshops focused around disease management.
- The Chickahominy Health District had coordinated a free health fair in Barhamsville. Purpose Medical Outreach and VCU Massey Cancer Center had attended.

<u>Affordable and Safe Housing</u> – Eight strategies had been identified, six of which were in progress, two had been completed and none had been removed or not started. Successes within this category included:

- The New Kent Housing Advisory Committee had begun meeting in May 2024.
- Three subcommittees had been established within the Housing Advisory Committee. Subcommittees included safe housing, new housing and research.

Ms. Hines said the Board had received an update from the Housing Advisory Committee on February 18, 2025 (This had been the Planning Commission and not the Board of Supervisors.). She looked forward to seeing what this committee would present and said it had been an honor to be a part of establishing this committee. The members were very

dedicated and she believed New Kent County would be the foundation for what other counties in Virginia would look to in terms of how to address housing issues.

In summary, she reported a total of thirty-two strategies had been identified, twenty-one of which were in progress, eight had been completed and three had been removed due to barriers. Given the current progress, she was confident most of the strategies could be accomplished as they worked to make New Kent the most accessible, inclusive, safe and healthy county in Virginia in which to thrive and grow. She issued a call to action to Board members and residents of New Kent to do the following:

- Sign up for the quarterly newsletter. The newsletter was delivered by email and would provide quick highlights to keep them in the know.
- Attend biannual steering committee meetings. Those interested could also join these meetings virtually.
- Submit new strategies that align with goals. The CHIP was a living document and new strategies could be added along the way.

She thanked the Board for the opportunity to provide this update and entertained questions.

Mr. Evelyn thanked her for the update and opened the floor to Board member questions.

Ms. Stewart noted Ms. Hines had reported three strategies under Mental Health and Substance Abuse had either been removed or not started. She asked if these had been removed or not started? Ms. Hines reported they had been removed. Ms. Stewart asked if they had been removed because the barriers were unsurmountable? Ms. Hines noted this was a great question and reported the local mental health organization had hoped to host mental health trainings but had not been able to do so due to staffing issues.

Mr. Moyer asked if there were enough providers in New Kent? Ms. Hines reported there was a gap in regard to Primary Care Providers (PCPs) and she believed the residents/providers ratio was about double the state ratio. She said there was a need for more PCPs and reported there had been numerous discussions with VCU. This shortage of PCPs was not only in New Kent and Virginia but was also a nation-wide issue.

There being no additional comments or questions, Mr. Evelyn thanked Ms. Hines and Dr. Franck for the presentation.

#### IN RE: FISCAL YEAR 2026 COUNTY ADMINISTRATOR'S BUDGET PRESENTATION

County Administrator Rodney Hathaway shared a presentation on proposed FY26 Budget recommendations. Detailed budget booklets had been placed at each Board member's seat. The proposed FY26 budget totaled \$131,071,628 compared to the \$113,379,280 FY25 adopted budget. The adopted FY25 real estate tax rate had been \$.59 per \$100 of assessed value and the proposed \$131,071,628 FY26 budget reflected no increase in that rate. He noted he would be sharing information on several potential projects later in his presentation that could impact the rate. This budget also reflected a school budget of \$53,680,296 but did not include the proposed FY26 Public Utilities budget totaling \$25,767,416. The Public Utilities budget was separate from the general fund because it was not supported by tax dollars but was solely supported by its own income and revenue. Each penny of the real estate rate would generate \$551,635 in revenue or \$540,602 with a 98% collection rate.

He drew attention to the Revenue Summary and reported they would spend more time reviewing this information at the Board's Budget Retreat on Friday, March 14, 2025. He drew attention to a graph of expenditures by functional area from largest to smallest and

said he believed this graph was no different than what was seen in many localities. While the numbers were different, he felt that proportionately, it was very similar.

He reported the proposed FY26 General Fund budget would total \$67,191,751 which was a decrease of \$7,329,493. This decrease was due to a change in accounting practices regarding revenue from Colonial Downs. This revenue had previously been deposited in the General Fund but a separate Colonial Downs Revenue Fund had been created. Revenue from Colonial Downs had previously been tracked by a series of spreadsheets but this change would result in much easier reporting through the County's financial system. This change would also result in a \$10,621,784 reduction in General Fund revenue. Taking this into consideration, revenue was actually expected to increase by approximately \$2.8 million over FY25. He said a large portion of this new revenue would be recommended to fund proposed personnel actions for FY26 totaling \$1.9 million. He was also recommending an additional \$750,000 in funding for schools and \$128,000 would be allocated to contingency.

Mr. Hathaway noted the total General Fund increase in personnel actions was \$1,967,588. He drew attention to a list providing details and specifically noted the following:

- Proposed new positions totaling \$313,771. A number of new positions and position upgrades were recommended for Courthouse staff solely due to the volume of activity. Recent changes in Code had resulted in a significant increase in jury trial frequency and a significant increase in work load. The recent change in jail systems had also impacted the work load. Proposed new positions included a Circuit Court Deputy Clerk (\$74,475), a part time Administrative Assistant in the Commonwealth Attorney's Office (\$22,088), a Permit Technician in Community Development (\$66,411), a Grounds/Maintenance Technician in General Services (\$69,770) and a GIS Technician (\$81,027). The previous year had set a record for Building Development in terms of the number of permits issued and this volume was not expected to slow in the near future. The County had also taken on additional properties resulting in the need for an additional Grounds/Maintenance Technician. The County currently had one GIS Manager which had an incredible amount of responsibility and they were requesting a new GIS Technician position.
- Proposed position upgrades totaled \$122,748. Upgrades were proposed for four Circuit Court Deputy Clerk positions, an Administrative Assistant II in the Commonwealth Attorney's Office, a Building Inspector I to Building Inspector II upgrade, an Environmental Inspector to Environmental Manager upgrade, salary adjustments for the Fire Chief and Parks & Recreation Director and a professional development upgrade from Deputy Treasurer II to Deputy Treasurer III. He reported similar clerk positions inside and outside of New Kent had been reviewed and it had been determined upgrades were needed. He reported a reconfiguration of positions the previous year had brought Building, Planning and Environmental under one umbrella creating the Community Development Department. Building and Planning currently had managers for day to day operations but Environmental did not. The Community Development Director was currently doing their duties as well as the duties of the Environmental Manager. Director salaries had been reviewed and it had been determined that the Fire Chief and Parks & Recreation Director were not consistent based on tenure and market.
- Other proposed personnel actions totaled \$1,411,657. Those actions included a 5% COLA (Cost of Living Adjustment) for all permanent County employees totaling \$769,866. The state had approved (budget was on Governor's desk for final approval.) a 3% increase for Constitutional Officers and Compensation Board staff. The General Assembly had also approved a 1.5% bonus for Constitutional Officers and staff. The recommendation was to pass this on to Constitutional Officers and Compensation Board staff but he noted this created an issue when some positions within a department were not funded by the Compensation Board. The recommendation was for all staff under Constitutional Officers to receive the 1.5% bonus. He said a 7.3% increase in health

insurance costs was projected for FY26 but reported the original communication from Anthem had been to plan for a 20% increase. The original plan had been that the County would cover 10% and the employee's premium would increase to cover 10%. Because the increase had been reduced to 7.3%, the recommendation was for the County to absorb the full 7.3%. He was also recommending a health insurance holiday for one month (probably December) where employees would not pay premiums.

 Proposed personnel increases in the Public Utilities enterprise fund totaled \$119,412 and included upgrading a part time Billing & Customer Service Assistant position to full time (\$23,518) and a 5% COLA for all permanent Public Utilities employees (\$95,895).

A review of employee compensation and benefits indicated the following:

- 5% COLA for all employees totaling \$769,866.
- Health insurance rates The County had received notice to anticipate a 7.3% increase. He was proposing the increase not be passed along to employees and that the County absorb the full cost \$355,697.
- Health Insurance Premium Holiday \$60,634.
- VML (Virginia Municipal League) Auto, Liability and Workers Compensation Insurance rates were estimated to increase approximately 8%.

A Capital Improvement Program (CIP) budget including proposed projects totaling \$25,079,760 was also recommended. Mr. Hathaway had reviewed the list of projects at a previous meeting and said he would not spend much time reviewing it again. CIP funding totaling \$6,051,908 would come from Colonial Downs revenue. Additional funding included \$10,738,596 in CIP cash reserves, \$5,359,867 in CVTA (Central Virginia Transportation Authority) funding and \$2,929,389 from federal and state grants.

He briefly reviewed the Public Utilities Fund and noted they would be spending much more time on this at the Budget Retreat where County financial consultants with Davenport & Company would present the Public Utilities pro forma. A 4% increase in water and sewer user rates was recommended for FY26. The business model would be reviewed at the Budget Retreat and would show this increase was based on collected revenue and proposed expenditures. Connection and availability fees would remain unchanged.

The proposed FY26 Public Utilities budget totaled \$25,767,416 compared to \$17,302,726 in FY25. Proposed FY26 Public Utilities CIP projects totaled \$17,368,600 compared to \$9,560,000 in FY25. Proposed projects included but were not limited to:

- \$7,000,000 for Water System Interconnections. New Kent was in the process of connecting independent water systems to create a centralized system. This was in support of the County's plans to move forward with a surface water withdrawal project on the Pamunkey River.
- \$6,250,000 for a Brickshire water tank. Additional water storage was needed to preserve water pressure within this community.
- \$1,500,000 for Parham Landing Wastewater Treatment solids handling.

Mr. Hathaway reported everything mentioned for the FY26 General Fund budget was proposed without any increase in the real estate tax rate. As previously mentioned, the Board had received some potential projects and requests requiring additional funding. A request had been received from New Kent County Schools for the replacement of the current New Kent Elementary School by building a new school. A request had also been received from Circuit Court Judge B. Elliott Bondurant for the replacement of the current courthouse. These projects collectively were estimated to cost \$130,000,000. He noted it was still very early in the planning and very little engineering and architectural work had been done. As engineering and architectural work moved forward, he was hopeful they

would be able to reduce the \$130,000,000 figure. He reported New Kent Schools had just begun the process with scheduling a focus group meeting to consider the design of the new school. The Board had taken action at their previous meeting to hire Moseley Architects to work with Courthouse staff on a feasibility study to determine the necessary size of a new courthouse. The findings would make it possible to begin getting better cost estimates.

Given a collective estimated cost of \$130,000,000, Mr. Hathaway presented the following information on possible funding. He noted \$130,000,000 with a thirty-year financing would result in an annual debt service of \$8.5 million. With one penny of the real estate tax rate generating \$540,000, an additional sixteen cents would be needed if the Board was looking at covering the new debt service with real estate revenue. He knew this was not feasible and reported staff had been challenged to think outside of the box to develop a creative financing plan. A schedule including a Fall 2026 borrowing had been developed with proposed borrowing most likely being through the VSA/VPSA (Virginia Public School Authority) for schools. He noted borrowing from these entities was only available at certain periods of the year usually once in the spring and again in the fall. These entities had provided the best rates in the past but an evaluation would be done to determine who would provide the best rates now. Financing through these entities utilized pool financing which usually produced lower rates when several localities were pooled together. He was recommending an initial funding contribution of \$5,000,000 to cover annual debt services and reported Davenport would walk the Board through the specifics of the financing plan at the Budget Retreat. This financing plan would require a FY26 real estate tax rate increase of \$0.02. He further noted that an additional \$0.02 increase may also be necessary in both FY27 and FY28. He said a \$0.06 total increase would be the worst case scenario but noted revenue growth in out years could result in a good portion of the increases being absorbed.

Ms. Pearson noted the County would be paying off some debt in the near future and asked if this would make the debt service on new borrowing less impactful? Mr. Hathaway reported paying off existing debts was a huge factor in why the County would be able to borrow such a large amount of money and for the worst case scenario to be tax increases totaling \$0.06 over the next few years. Debts to be paid off over the next five years included the Sheriff's Office Annex, the Vehicle Maintenance Facility and the Health and Human Services Building.

Mr. Stiers asked if the debt on New Kent High School was also included in those to be paid off over the next five years? Mr. Hathaway agreed and noted the High School had been the biggest part of the debt to be paid off in the near future. Mr. Stiers asked if clearing the High School debt would free up approximately \$5,000,000 for debt service? Mr. Hathaway confirmed the annual debt service payment on the High School was just under \$5,000,000.

Ms. Stewart asked if she had understood correctly that there would be an advantage in the form of a potential savings to borrowing this much money at one time? Mr. Hathaway reported there would be an advantage to going through the VSA/VPSA because they would be borrowing as a pool with other localities and the rates would tend to be better. Ms. Stewart asked if there was a way to quantify the savings ahead of time or would it be based on experience? Mr. Hathaway reported it could be quantified ahead of time and that Davenport & Company would perform an analysis and recommend the best route to receive the best rate before there would be any borrowing. He also reported some borrowing had been put out to bid in the past to see who would offer the best rates. Mr. Evelyn noted that when the Board had borrowed for Quinton Elementary School, they had sought rates through both options and had ended up with a very good rate. Mr. Hathaway concurred.

Mr. Hathaway presented information on Public Safety for consideration in the FY26 budget. He reported that while he considered Chesterfield, Henrico, Hanover and Goochland as New

Kent's regional partners, they were also New Kent's competitors because they were all competing for manpower. These counties were offering starting firefighters just over \$61,000 compared to New Kent's \$49,000. This was making New Kent much less competitive and recruiting and retention much more difficult. New Kent was also experiencing salary compression issues in Public Safety as employees were not moving through paygrades appropriately. New staff were starting at pay rates that were almost as much as staff who had been with the County for five or more years. He also reported pay for management positions within Public Safety were significantly below equal management positions in surrounding localities. In summary, there was a starting pay issue, a compression issue and an issue with management position pay being below market. He had worked with Public Safety leadership (Fire Chief Rick Opett and Sheriff Lee Bailey), Human Resources and Financial Services to develop a solution. The solution they recommended was establishing a Public Safety Pay Plan. He drew attention to a chart showing the proposed pay plan with pay grades and starting salaries for each had been reconfigured. He noted the chart only went out five years but the actual plan would be a twenty-five year plan. There would be an increase in pay each year which would move an employee through the pay grade scale. He drew attention to an employee listed as "John Doe" who had been hired as a firefighter in 2009. Based on the proposed Pay Plan chart, this employee would be making \$66,550, a \$10,680 increase over their current salary. He noted New Kent's starting firefighter salary was \$49,000 and this individual had been with the County for fifteen years and was making \$55,870. He also noted the availability of an ALS (Advanced Life Support) incentive of \$2,000. Mr. Evelyn noted the Fire Chief and Sheriff would be at the Budget Retreat and would provide a deeper look into this Public Safety Pay Plan.

Ms. Stewart asked the Fire Chief and Sheriff if it would be possible to have salary information for counties such as Powhatan, Charles City, Middlesex and King William with tax rates closer to New Kent's rate? She noted Goochland was frequently considered as a comparable but she thought Chesterfield, with a tax rate of \$0.90, was unrealistic. The Fire Chief and Sheriff both indicated they would provide the requested information.

Mr. Hathaway reported the cost to implement the Pay Plan would be \$1.1 million and if approved, the recommendation would be that Public Safety employees would not receive the proposed 5% employee salary increase. He noted most Public Safety employees would receive significant increases and those who would not, would be made whole by providing a bonus if their increase was below a specified amount. With the savings to be generated from not giving the 5% salary increase, the cost of funding the Pay Plan could be brought down to approximately \$540,000. The impact on the real estate tax rate would be \$0.01.

In summary, he noted the current tax rate was \$0.59 per \$100 of assessed value. The new courthouse and elementary school construction would require a \$0.02 tax rate increase and the Public Safety Pay Plan would require a \$0.01 tax rate increase resulting in a proposed real estate tax rate of \$0.62. He drew attention to a chart depicting how New Kent's real estate tax rate compared to other localities in the Richmond, Middle Peninsula and Peninsula regions. New Kent's rate was currently in the bottom half of the listed localities and would remain in the bottom half even with a \$0.03 rate increase.

He reported that one of the big reasons for the proposed 5% employee salary increase was the Consumer Price Index (CPI). The CIP was an indicator of inflation which measured the average change over time of prices paid by consumers for a basket of goods and services. He noted that over the past five years the CPI had increased 36.3% which meant the dollar was worth far less today in terms of buying power. New Kent was looking to provide employees with some relief with the proposed 5% salary increase and he noted it was no surprise to anyone that things were more expensive today.

The budget calendar included a Budget Retreat at 9:00 a.m. on March 14, 2025. Plans were to conduct public hearings on the tax rate and fees on April 14, 2025 and the budget public hearings would be scheduled for May 6, 2025. He reported State Code required separate public hearing dates for tax rates and the budget. The Board would be asked to consider adoption at its May 27, 2025 work session. He reported State Code required that the Board wait a period of time after the public hearing before taking action on the general budget. This concluded his presentation and he entertained questions.

Mr. Evelyn thanked Mr. Hathaway for the presentation and opened the floor to questions from the Board.

Referencing the proposed 5% salary increase for all employees, Ms. Stewart asked if the proposed upgraded positions would receive 5% in addition to the upgrades? Mr. Hathaway reported the 5% was not calculated in the proposed upgrades. Ms. Stewart asked if the Budget Retreat would be live streamed? Mr. Hathaway indicated there were no plans to live stream the meeting and noted this was the first time they would be using this facility (VCU Rice Rivers Center in Charles City). He further noted the meeting would be open to the public, the agenda was available online and he was not sure of the Wi-Fi capabilities at this facility. Ms. Stewart asked if he knew the status of cell phone service. Mr. Hathaway indicated he was not sure but could call to get more information.

Mr. Evelyn asked if the Budget Presentation shared this evening would be posted online? Mr. Hathaway confirmed and noted the full budget recommendation showing line item expenditures for each department would also be posted to the website the following morning. Mr. Evelyn called for any additional comments or questions. There were none.

IN RE: PUBLIC HEARING – EVRIFA (EASTERN VIRGINIA REGIONAL INDUSTRIAL FACILITY AUTHORITY) – ORDINANCE O-01-25

Before the Board for consideration was Ordinance O-01-25 to join the Eastern Virginia Regional Industrial Facility Authority (EVRIFA) pursuant to Section 15.2-6400 et seq. of the Code of Virginia as well as a joinder agreement. Economic Development Director Lindsay Hurt thanked the Board for the opportunity to present information on joining the EVRIFA and noted a joinder agreement and proposed ordinance had been included in the meeting packet. Hampton Roads Alliance (HRA) representatives had presented information on EVRIFA to the Board in November 2024. The recommendation was for the Board to approve the ordinance and joinder agreement for New Kent to join EVRIFA. Ms. Hurt said EVRIFA membership would leverage additional dollars for site acquisition and/or improvements for New Kent. It would also provide New Kent with an option to invest and share revenues for real estate with other partners in the EVRIFA. She reported the joining fee would be \$1,250 and annual operational dues would be \$2,000. The initial year would be \$3,250 and each year there after would be \$2,000. She entertained questions.

Mr. Evelyn thanked Ms. Hurt and noted he would open the public hearing prior to entertaining questions or comments from the Board.

He opened the public hearing and provided brief instructions. He called James Poole of 11332 Carriage Road, Providence Forge to the podium. Mr. Poole said he had reviewed the State Code which created these authorities and had discovered it created an independent entity in all legal form including buying property and taking loans. He said that when a project occurred in a municipality, the Board would lose all power over the project because the property would be owned by the authority. He had also reviewed the EVRIFA bylaws

and had found it mirrored State Code and described their authorities and the relationship of member municipalities. He had looked through the published EVRIFA 2024 minutes and had found thirteen entities as of August 29, 2024. If Norfolk had joined, there would now be fourteen and if New Kent joined, there would be fifteen. He said New Kent's control over a project in our county would become one-fifteenth which would mean the project would no longer be in the hands of the five New Kent Supervisors. He said matters the EVRIFA Board had dealt with over the course of their 2024 published minutes had included two things, counting who they could get to join and a warehouse project in York County. In reading about these matters, he had noted they had been talking with VDOT and DEQ (Department of Environmental Quality) and dealing with underground tanks they had not known were present. He said he had sat in this boardroom numerous times and had listened to the five Supervisors solve similar problems. (The timer sounded.) He said it was nicer to hear this coming from people he knew and who were responsible to New Kent tax payers. In closing, he said joining EVRIFA would mean that whatever they did, the taxpayers would have no say in it. Mr. Evelyn noted the timer had sounded and thanked Mr. Poole for his comments and noted it had been nice to see him again.

There being no other individuals wishing to speak, Mr. Evelyn closed the public hearing. He opened the floor to questions and comments from the Board.

Mr. Moyer asked Ms. Hurt if she could rebut comments made by Mr. Poole regarding loss of control over its own property? In regard to Mr. Poole's first concern regarding the EVRIFA and the locality being separate, Ms. Hurt noted this was similar to how the New Kent Economic Development Authority was organized. She said State Code required the creation of a separate entity which would allow the County and the EVRIFA to own and make improvements to property. In response to Mr. Poole's concerns that projects would not be in the hands of the County, Ms. Hurt drew attention to a page in a handout provided prior to the meeting which described how EVRIFA could acquire property in a community. The information indicated if New Kent decided to participate in a project, the County would then determine the percentage of the cost they would take on for the acquisition and associated development costs. She noted EVRIFA currently had only one project which was the York County project mentioned by Mr. Poole but because New Kent was not part of the EVRIFA at the time, they would not be recipients of revenue from this project. If New Kent chose to not participate or offer a site to be developed, they would not be expected to do so.

County Attorney Joshua S. Everard reported if New Kent chose to participate in a transaction, a participation agreement would be presented to the New Kent Board of Supervisors for approval. This participation agreement would set up the rules of the game for that particular transaction. If the Board did not approve the participation agreement, New Kent would not participate. Ms. Hurt concurred.

As an example, Mr. Moyer said suppose a project had come up in Isle of Wight and EVRIFA came to New Kent offering the County an opportunity to be a part of the project. If New Kent invested 10% of the cost, New Kent would receive 10% of the revenue. Ms. Hurt indicated all of the details would be set up in the agreement. She suggested the agreement could be that New Kent would receive 10% of the revenue from the sale of the property and that could be the end of the agreement or it could be that New Kent would receive revenue from the real estate and taxes for the next ten years. Each project would have its own separate agreement with varying provisions. Mr. Moyer noted the project would come to the Board first for consideration and if the Board decided to not engage, that would be the end of it. Ms. Hurt confirmed. She noted if there was an opportunity for New Kent to acquire or make improvements to a property where the potential for industrial development was

known, the agreement would be structured to be favorable to the County. If other EVRIFA localities would not agree, New Kent would not move forward.

Mr. Evelyn asked how long EVRIFA had been in place? Ms. Hurt reported it had been formed in 2018 but noted there were other RIFAs in Virginia which had been around much longer. Mr. Evelyn said his biggest concern would be that they would be taking New Kent taxpayer money to fund projects in other localities. Ms. Hurt indicated if New Kent chose to participate in another locality's project, that would be correct. Mr. Evelyn said New Kent already had a lot of good locations, he felt it was the best place to do business and he didn't know if he wanted to share revenue with other localities. He was also concerned that there had only been one EVRIFA project which was still ongoing. Ms. Hurt agreed and reported she believed they were almost out of land at the York County site. She noted the request before the Board was not to move forward with a specific project but only to join EVRIFA. She said there were many sites in New Kent with wetlands or other impacts which would cost significantly to get them ready for development. She added that not all private developers would have funding to move forward and sites could be identified that would be cost prohibitive. If other dollars could be leveraged, New Kent could control what would be shared with other investors. She again noted there were possible opportunities but that was not a part of what was before the Board.

Mr. Moyer stated this was something Chesterfield and Henrico were doing on their own and reported they were funding site management and getting sites ready for development by Lego, Amazon and others. If New Kent had a site like this, they could ask EVRIFA for help developing it. Ms. Hurt concurred. She also noted if New Kent owned the property, they would have some control over who purchased the property or what kind of company would locate there. Owners of publicly-owned sites would frequently turn down projects and not sell to certain companies because they felt they were not a good fit. She again noted this would give New Kent an opportunity but noted this was not a part of this discussion.

Mr. Stiers said he was not fond of this program and felt when considering businesses that had come to New Kent such as AutoZone, CarMax, LaRS, Buc-ee's and an upscale grocer, New Kent had done that work on their own. He was reluctant to join a regional board and noted the initial fee was \$1,250 and \$2,000 in operational dues and questioned what the cost would be the next year? Ms. Hurt said she did not believe the fees would increase. Mr. Stiers noted they had only been in operation since 2018 and asked if there had been any increases to any member localities? Ms. Hurt indicated she was not aware of any.

Ms. Stewart asked if this would be New Kent's only opportunity to join EVRIFA? If the Board decided to not join tonight, could this be revisited in a year after their original project had matured more? Ms. Hurt noted joining now would not allow New Kent to be a part of the York County project but New Kent could revisit joining the EVRIFA at any time. Ms. Stewart stated her chief concern was that there had only been one project and she felt the website was "a little sketchy" on records and minutes. She noted the average citizen looking at the website would not be able to find much information. She felt that as the York County project matured, EVRIFA may be something to look at in the future. Ms. Hurt reported the HRA had taken over management of the administration for EVRIFA and she would hope that more of the recent documents could be found on the website. Ms. Stewart noted she had last looked at the website in November and said it may be more up to date now.

Mr. Evelyn asked if there were any additional comments or questions?

Ms. Pearson stated she was not comfortable taking action on this tonight. She felt more research was needed and that they should talk with some of the other member localities.

Mr. Evelyn noted the Board could always come back and revisit joining at a later time. He called for a motion.

Mr. Moyer moved to table the decision on joining the Eastern Virginia Regional Industrial Facility Authority (EVRIFA) until a later date.

Mr. Evelyn asked Mr. Everard if they should table or deny the request? Mr. Everard indicated the Board could table the decision for a year or chose to deny it. At such time as the Board may wish to take this discussion back up, it would be necessary to readvertise and hold another public hearing. He stated the motion on the floor was a motion to table. The Board could approve the motion and come back later or they could deny the motion to table. If the motion was denied, it could be followed by a motion to deny Ordinance O-01-25. Mr. Evelyn stated that Robert's Rules said a tabled motion would have to be taken up within a year. Mr. Everard indicated that applied to certain land use decisions but not in a case with a motion to postpone indefinitely which was how he would interpret the motion on the floor.

Mr. Evelyn noted there was a motion on the floor and called for any further discussion. There being none, he called for a vote. 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.

Mr. Evelyn thanked Ms. Hurt for her presentation.

#### IN RE: ELECTED OFFICIALS REPORTS

Ms. Stewart reported on the following:

- District Five School Board representative Greg Reimer and she had rescheduled their office hours for 6:00 p.m. on March 18<sup>th</sup> at Lucano's Pasta Italian Restaurant in Eltham.
- Addressing William Smith in the audience, she noted as previously mentioned that there
  would be a meeting at Makemie Woods in the next few weeks and she wanted to be sure
  he received the information after that meeting.
- The Central Virginia Waste Management Authority (CVWMA) "Buck\$ for Boxes" program
  was rewarding residents for properly recycling boxes. She noted New Kent had been the
  last CVWMA member locality to recognize a resident and someone from District One had
  received a \$100 gift card earlier that day.

Mr. Stiers indicated he had nothing to report.

Ms. Pearson reported on the following:

- The Virginia Derby would be at Colonial Downs on March 15<sup>th</sup>.
- The 2025 Women's Health and Resources Fair would be in the parking lot at the Health and Human Services Building on March 15<sup>th</sup>.
- The New Kent Chamber of Commerce would be hosting New Kent Connect at the New Kent Visitors and Commerce Center at 6:00 p.m. on March 18<sup>th</sup>.
- She would be hosting office hours at Fire Station #5 on March 18<sup>th</sup>. District Three School Board Representative Heather Mae Donbrosky would not be attending.

- In celebration of the conservation of our region's rural lands, the Historic Virginia Land Conservancy would be hosting a Conservation Celebration including live music, oysters and barbecue at The Glebe in Charles City on March 30<sup>th</sup> from 1:00–4:00 p.m.
- The spring recycling event had tentatively been scheduled for April 16<sup>th</sup> at 9:00 a.m. in the County Administration Building parking lot. Recycling would include paper shredding, tires, electronics, eye glasses, hearing aids and plastic bags.
- The rabies clinic had been rescheduled for April 19<sup>th</sup>.
- She urged anyone who was able to consider helping to rebuild the Jamestown 4-H Camp facilities after they had sustained damage from recent storms. Those who were interested could go to <a href="www.jamestown4hcenter.org\giving">www.jamestown4hcenter.org\giving</a> to donate. She reported many New Kent children participated in the annual 4-H summer camp.

#### Mr. Moyer reported on the following:

- The SPAN Center (formerly known as Senior Connections) would be hosting a meeting at the Heritage Public Library at 9:00 a.m. on March 25<sup>th</sup>. This meeting was for senior citizens and information would be provided on scams and medical insurance.
- The Chickahominy Triad would be hosting its Spring Fling on April 16<sup>th</sup>.

Mr. Evelyn noted there were many charitable organizations in New Kent County. He had been in contact with some of these organizations as well as New Kent County Public Schools over recent weeks and reported it was amazing to see the number of scholarships being made available to New Kent seniors. He also noted it was amazing to learn that some of these scholarships may not be awarded due to a lack of applicants. He said it was time to apply and urged seniors and their parents to take advantage of this opportunity.

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#### IN RE: STAFF REPORTS

County Administrator Rodney Hathaway reported Sheriff Lee Bailey, Chief Deputy Joey McLaughlin, Fire Chief Rick Opett and he had received notice from CSX Railroad regarding maintenance work to be done on rail lines the last week of March. This work was expected to cause closures, some of which could be as long as three days. Detour plans would be established and he urged residents to be on the lookout for this work. The project would begin around March 26th and would impact all CSX Railroad crossings in New Kent. Mr. Evelyn asked if Sheriff Bailey or Chief Opett whished to make any comments? Chief Opett reported they had been advised that the first intersection would be at Riverside and South Waterside and they would work west from there to Charles City County. He noted the crossing at The Colonies would not be impacted. Work on crossings providing access to homes should be completed in about twelve hours depending on weather. Information on detours had been provided and while residents would be able to get into their communities, they may need to detour along the tracks. Mr. Evelyn asked if there were any questions from the Board? Ms. Stewart asked how New Kent would be getting the word out to residents? Sheriff Bailey reported they would be providing social media releases indicating where the work was scheduled as well as providing detour information. Information would also be provided to the County for release. Mr. Evelyn asked if electronic signs giving residents advance notice would be used? Sheriff Bailey indicated they could put out message boards but noted there was limited space at some crossings. Chief Opett reported the contractor would be positioning message boards at the crossings. Sheriff Bailey said his office and Fire-Rescue would work through the plan with the contractor to make sure the public was notified. Ms. Stewart said she wanted to be sure anyone needing to be somewhere in a time-sensitive fashion was able to do so.

IN RE: OTHER BUSINESS

There was no other business.

IN RE: APPOINTMENTS - DELEGATED BY DISTRICT

There were no appointments delegated by district.

IN RE: APPOINTMENTS - NOT DELEGATED BY DISTRICT

Ms. Pearson moved to appoint Elise Sandusky as an at large representative to the Clean County Committee to complete a term ending December 31, 2026.

Mr. Evelyn moved to appoint Chesney Naggy as a youth member of the New Kent County Youth Community Service Committee to serve a one-year term ending December 31, 2025.

The members were polled:

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

The motions carried.

IN RE: APPOINTMENTS - REGIONAL BOARDS AND COMMISSIONS

There were no appointments to regional boards and commissions.

IN RE: APPOINTMENTS - BOARD/STAFF APPOINTMENTS

Mr. Stiers moved to appoint Amy M. Pearson as the Board representative to the Seniors' Volunteer Hall of Fame Selection Committee to complete a two-year term ending December 31, 2026. The members were polled:

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

The motions carried.

IN RE: CLOSED SESSION

Mr. Moyer moved to go into closed session pursuant to Virginia Code Section 2.2-3711(A) (3) for discussion of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; specifically, discussion of the acquisition of real property for construction of a surface water intake system; and pursuant to Virginia Code Section 2.2-3711(A)(1) for discussion of the performance of a specific public officer, specifically the discussion of the County Attorney's performance. 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. Mr. Evelyn said there would be no additional business after the closed session. He thanked everyone for attending. Members left the dais at 7:38 p.m. and returned at 8:21 p.m.

Mr. Moyer moved to reconvene in an open meeting. 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.

Mr. Moyer moved to 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. The members were polled:

Aye
Aye
Aye
Aye
Aye

The motion carried.

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#### 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, April 14, 2025 and the next work session on Wednesday, March 26, 2025 both in the Boardroom of the County Administration Building. The Board would also meet for a Budget Retreat at 9:00 a.m. on Friday, March 14, 2025 at the VCU Rice Rivers Center, Walter L. Rice Education Building located at 3701 John Tyler Memorial Highway, Charles City, VA 23030.

Ms. Stewart moved to adjourn. The members were polled:

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

The motion carried.

The meeting adjourned at 8:22 p.m.

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: 6/9/2025 Miscellaneous

Motion: "Mr. Chairman, I move (not required for Conse Agenda items)	to or  I move to approve		
Subject	Approval of Monthly	/ Financial Reports - M	arch FY25
Issue			
Recommendation			
Fiscal Implications	See Attached Repo	rts	
Policy Implication	S		
Legislative History	/		
Discussion			
Time Needed: [		Person Appearing:	
	W. Watkins, Deputy Clerk of the Board	Telephone:	804-966-9687
Copy provided to:			
ATTACHMENTS:			

Description Type

General Fund Revenue - March FY25 (PDF) Cover Memo General Fund Expenditures - March FY25 (PDF) Cover Memo

#### **REVIEWERS:**

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	5/27/2025 - 11:23 AM
Administration	Hathaway, Rodney	Approved	5/28/2025 - 4:29 PM



Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		(74,521,244.00)	1,198,970.43	(73,322,273.57)	(68,528,330.26)	(958.71)	(4,792,984.60)	93.46 %
110101 PROP TX		(30,718,581.00)	0.00	(30,718,581.00)	(31,099,443.41)	0.00	380,862.41	101.24 %
		(30,718,581.00)	0.00	(30,718,581.00)	(31,099,443.41)	0.00	380,862.41	101.24 %
110102 PS CORP TX		(1,398,244.00)	0.00	(1,398,244.00)	(1,469,390.60)	0.00	71,146.60	105.09 %
		(1,398,244.00)	0.00	(1,398,244.00)	(1,469,390.60)	0.00	71,146.60	105.09 %
110103 PP TX		(11,198,521.00)	0.00	(11,198,521.00)	(9,907,178.45)	0.00	(1,291,342.55)	88.47 %
		(11,198,521.00)	0.00	(11,198,521.00)	(9,907,178.45)	0.00	(1,291,342.55)	88.47 %
110104 M & T TX		(62,987.00)	0.00	(62,987.00)	(77,748.30)	0.00	14,761.30	123.43 %
		(62,987.00)	0.00	(62,987.00)	(77,748.30)	0.00	14,761.30	123.43 %
110106 PEN & INT		(535,000.00)	0.00	(535,000.00)	(610,753.67)	0.00	75,753.67	114.16 %
		(535,000.00)	0.00	(535,000.00)	(610,753.67)	0.00	75,753.67	114.16 %
110201 SALES USE		(3,500,000.00)	0.00	(3,500,000.00)	(2,236,912.19)	0.00	(1,263,087.81)	63.91 %
		(3,500,000.00)	0.00	(3,500,000.00)	(2,236,912.19)	0.00	(1,263,087.81)	63.91 %
110202 C UTIL TX		(289,675.00)	0.00	(289,675.00)	(183,846.27)	0.00	(105,828.73)	63.47 %
		(289,675.00)	0.00	(289,675.00)	(183,846.27)	0.00	(105,828.73)	63.47 %
110203 BUS LIC TX		(1,590,519.00)	0.00	(1,590,519.00)	(1,047,617.88)	0.00	(542,901.12)	65.87 %
		(1,590,519.00)	0.00	(1,590,519.00)	(1,047,617.88)	0.00	(542,901.12)	65.87 %
110204 FRN LIC TX		(6,000.00)	0.00	(6,000.00)	(6,163.40)	0.00	163.40	102.72 %
		(6,000.00)	0.00	(6,000.00)	(6,163.40)	0.00	163.40	102.72 %
110205 MTR VEH TX		(758,288.00)	0.00	(758,288.00)	(684,220.68)	0.00	(74,067.32)	90.23 %
		(758,288.00)	0.00	(758,288.00)	(684,220.68)	0.00	(74,067.32)	90.23 %
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)	(491,755.83)	0.00	(308,244.17)	61.47 %
		(800,000.00)	0.00	(800,000.00)	(491,755.83)	0.00	(308,244.17)	61.47 %
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 %



Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		(74,521,244.00)	1,198,970.43	(73,322,273.57)	(68,528,330.26)	(958.71)	(4,792,984.60)	93.46 %
110210 ROOM TX		(56,800.00)	0.00	(56,800.00)	(31,493.22)	0.00	(25,306.78)	55.45 %
		(56,800.00)	0.00	(56,800.00)	(31,493.22)	0.00	(25,306.78)	55.45 %
110211 FOOD TX		(2,480,934.00)	0.00	(2,480,934.00)	(1,704,661.24)	0.00	(776,272.76)	68.71 %
		(2,480,934.00)	0.00	(2,480,934.00)	(1,704,661.24)	0.00	(776,272.76)	68.71 %
110218 OTHER LOC		0.00	0.00	0.00	(6,145.35)	0.00	6,145.35	100.00 %
		0.00	0.00	0.00	(6,145.35)	0.00	6,145.35	100.00 %
110301 ANML LIC		(11,000.00)	0.00	(11,000.00)	(6,459.00)	0.00	(4,541.00)	58.72 %
		(11,000.00)	0.00	(11,000.00)	(6,459.00)	0.00	(4,541.00)	58.72 %
110303 PRMTS&OTHR		(995,675.00)	0.00	(995,675.00)	(861,319.66)	0.00	(134,355.34)	86.51 %
		(995,675.00)	0.00	(995,675.00)	(861,319.66)	0.00	(134,355.34)	86.51 %
110401 FINES&FOR		(229,000.00)	(37,090.42)	(266,090.42)	(231,527.90)	0.00	(34,562.52)	87.01 %
		(229,000.00)	(37,090.42)	(266,090.42)	(231,527.90)	0.00	(34,562.52)	87.01 %
110501 REV FR MNY		(1,045,000.00)	0.00	(1,045,000.00)	(3,038,623.70)	0.00	1,993,623.70	290.78 %
		(1,045,000.00)	0.00	(1,045,000.00)	(3,038,623.70)	0.00	1,993,623.70	290.78 %
110502 REV FR PRP		(277,000.00)	0.00	(277,000.00)	(225,987.21)	0.00	(51,012.79)	81.58 %
		(277,000.00)	0.00	(277,000.00)	(225,987.21)	0.00	(51,012.79)	81.58 %
110601 CRT COSTS		(224,550.00)	0.00	(224,550.00)	(162,083.60)	0.00	(62,466.40)	72.18 %
		(224,550.00)	0.00	(224,550.00)	(162,083.60)	0.00	(62,466.40)	72.18 %
110602 CW ATY FEE		(2,000.00)	0.00	(2,000.00)	(2,158.14)	0.00	158.14	107.90 %
		(2,000.00)	0.00	(2,000.00)	(2,158.14)	0.00	158.14	107.90 %
110606 OTHR PROT		(6,100.00)	0.00	(6,100.00)	(4,455.72)	0.00	(1,644.28)	73.05 %
		(6,100.00)	0.00	(6,100.00)	(4,455.72)	0.00	(1,644.28)	73.05 %
110608 WASTE RMVL		(31,100.00)	0.00	(31,100.00)	(28,514.26)	0.00	(2,585.74)	91.68 %
		(31,100.00)	0.00	(31,100.00)	(28,514.26)	0.00	(2,585.74)	91.68 %
110612 P & R CHGS		(245,000.00)	(8,172.00)	(253,172.00)	(231,442.50)	0.00	(21,729.50)	91.42 %
		(245,000.00)	(8,172.00)	(253,172.00)	(231,442.50)	0.00	(21,729.50)	91.42 %



Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		(74,521,244.00)	1,198,970.43	(73,322,273.57)	(68,528,330.26)	(958.71)	(4,792,984.60)	93.46 %
110615 PLNG CM DV		(800.00)	0.00	(800.00)	(130.00)	0.00	(670.00)	16.25 %
		(800.00)	0.00	(800.00)	(130.00)	0.00	(670.00)	16.25 %
110918 MISC INC		(29,500.00)	(255,133.34)	(284,633.34)	(310,628.75)	0.00	25,995.41	109.13 %
		(29,500.00)	(255,133.34)	(284,633.34)	(310,628.75)	0.00	25,995.41	109.13 %
110919 RCVRD CSTS		(670,280.00)	(251,425.46)	(921,705.46)	(770,626.13)	(958.71)	(150,120.62)	83.71 %
		(670,280.00)	(251,425.46)	(921,705.46)	(770,626.13)	(958.71)	(150,120.62)	83.71 %
110922 S NON CATG		(14,829,067.00)	3,201,787.78	(11,627,279.22)	(11,329,751.78)	0.00	(297,527.44)	97.44 %
		(14,829,067.00)	3,201,787.78	(11,627,279.22)	(11,329,751.78)	0.00	(297,527.44)	97.44 %
110923 SHRD EXPNS		(2,244,324.00)	0.00	(2,244,324.00)	(1,424,011.13)	0.00	(820,312.87)	63.45 %
		(2,244,324.00)	0.00	(2,244,324.00)	(1,424,011.13)	0.00	(820,312.87)	63.45 %
110924 S CATG AID		(103,790.00)	(21,235.68)	(125,025.68)	(289,269.44)	0.00	164,243.76	231.37 %
		(103,790.00)	(21,235.68)	(125,025.68)	(289,269.44)	0.00	164,243.76	231.37 %
110933 F CATG AID		(61,509.00)	(5,273.97)	(66,782.97)	(51,985.85)	0.00	(14,797.12)	77.84 %
		(61,509.00)	(5,273.97)	(66,782.97)	(51,985.85)	0.00	(14,797.12)	77.84 %
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	(1,326,229.61)	(1,326,229.61)	0.00	0.00	(1,326,229.61)	0.00 %
		0.00	(1,326,229.61)	(1,326,229.61)	0.00	0.00	(1,326,229.61)	0.00 %
110949 TRANSFERS		0.00	(98,256.87)	(98,256.87)	0.00	0.00	(98,256.87)	0.00 %
		0.00	(98,256.87)	(98,256.87)	0.00	0.00	(98,256.87)	0.00 %
	Grand Total:	: (74,521,244.00)	1,198,970.43	(73,322,273.57)	(68,528,330.26)	(958.71)	(4,792,984.60)	93.46 %



Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		74,521,244.00	(1,198,970.43)	73,322,273.57	45,138,894.37	219,349.96	27,964,029.24	61.86 %
11110100 BRD SUP		148,694.00	96,950.12	245,644.12	171,511.70	8,926.84	65,205.58	73.46 %
		148,694.00	96,950.12	245,644.12	171,511.70	8,926.84	65,205.58	73.46 %
11110200 CLERK BD		933,482.00	(71,627.12)	861,854.88	510,924.59	17,991.74	332,938.55	61.37 %
		933,482.00	(71,627.12)	861,854.88	510,924.59	17,991.74	332,938.55	61.37 %
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	251,625.43	39,238.41	111,518.57	72.29 %
		375,549.00	26,833.41	402,382.41	251,625.43	39,238.41	111,518.57	72.29 %
11122200 HR		520,669.00	18,775.18	539,444.18	374,521.75	24,105.00	140,817.43	73.90 %
		520,669.00	18,775.18	539,444.18	374,521.75	24,105.00	140,817.43	73.90 %
11123100 COR		1,038,879.00	0.00	1,038,879.00	733,490.94	11,828.44	293,559.62	71.74 %
		1,038,879.00	0.00	1,038,879.00	733,490.94	11,828.44	293,559.62	71.74 %
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	379,493.71	405.00	125,597.29	75.15 %
		505,496.00	0.00	505,496.00	379,493.71	405.00	125,597.29	75.15 %
11124200 FINANCE		812,956.00	0.00	812,956.00	558,548.19	4,145.00	250,262.81	69.22 %
		812,956.00	0.00	812,956.00	558,548.19	4,145.00	250,262.81	69.22 %
11125100 IT		988,974.00	(15,632.25)	973,341.75	728,488.86	0.00	244,852.89	74.84 %
		988,974.00	(15,632.25)	973,341.75	728,488.86	0.00	244,852.89	74.84 %
11125300 CNT PURCH		522,265.00	(22,500.00)	499,765.00	439,646.70	4,586.91	55,531.39	88.89 %
		522,265.00	(22,500.00)	499,765.00	439,646.70	4,586.91	55,531.39	88.89 %
11131000 ELECT BRD		10,454.00	0.00	10,454.00	7,961.84	0.00	2,492.16	76.16 %
		10,454.00	0.00	10,454.00	7,961.84	0.00	2,492.16	76.16 %
11132000 REGISTRAR		478,373.00	0.00	478,373.00	251,155.13	5,741.25	221,476.62	53.70 %
		478,373.00	0.00	478,373.00	251,155.13	5,741.25	221,476.62	53.70 %



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1101 GENERAL FUND		74,521,244.00	(1,198,970.43)	73,322,273.57	45,138,894.37	219,349.96	27,964,029.24	61.86 %
11211000 CC JUDGE		99,532.00	0.00	99,532.00	70,058.37	0.00	29,473.63	70.39 %
		99,532.00	0.00	99,532.00	70,058.37	0.00	29,473.63	70.39 %
11212000 GEN DST CT		23,650.00	0.00	23,650.00	13,157.09	108.00	10,384.91	56.09 %
		23,650.00	0.00	23,650.00	13,157.09	108.00	10,384.91	56.09 %
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	3,044.26	177.00	4,898.74	39.67 %
		8,120.00	0.00	8,120.00	3,044.26	177.00	4,898.74	39.67 %
11216000 CLERK CC		521,438.00	0.00	521,438.00	354,542.19	75.00	166,820.81	68.01 %
		521,438.00	0.00	521,438.00	354,542.19	75.00	166,820.81	68.01 %
11217000 SH COURTS		1,136,633.00	2,912.00	1,139,545.00	846,599.68	405.00	292,540.32	74.33 %
		1,136,633.00	2,912.00	1,139,545.00	846,599.68	405.00	292,540.32	74.33 %
11219000 VCTM ASST		124,135.00	0.00	124,135.00	72,402.21	0.00	51,732.79	58.33 %
		124,135.00	0.00	124,135.00	72,402.21	0.00	51,732.79	58.33 %
11221000 COMM ATTNY		649,651.00	11,250.00	660,901.00	460,766.01	405.00	199,729.99	69.78 %
		649,651.00	11,250.00	660,901.00	460,766.01	405.00	199,729.99	69.78 %
11312000 *SHERIFF*		5,678,132.00	222,122.16	5,900,254.16	4,102,268.48	2,880.00	1,795,105.68	69.58 %
		5,678,132.00	222,122.16	5,900,254.16	4,102,268.48	2,880.00	1,795,105.68	69.58 %
11314000 E911 SYS		1,417,111.00	0.00	1,417,111.00	790,678.34	405.00	626,027.66	55.82 %
		1,417,111.00	0.00	1,417,111.00	790,678.34	405.00	626,027.66	55.82 %
11317000 PRIS CONF		1,447,680.00	5,489.28	1,453,169.28	765,866.23	0.00	687,303.05	52.70 %
		1,447,680.00	5,489.28	1,453,169.28	765,866.23	0.00	687,303.05	52.70 %
11318000 SH COMM SY		609,895.00	28,751.87	638,646.87	503,293.27	23,772.67	111,580.93	82.53 %
		609,895.00	28,751.87	638,646.87	503,293.27	23,772.67	111,580.93	82.53 %
11321000 FR EMER MN		7,849,668.00	614,531.37	8,464,199.37	6,056,364.18	29,859.72	2,377,975.47	71.91 %
		7,849,668.00	614,531.37	8,464,199.37	6,056,364.18	29,859.72	2,377,975.47	71.91 %



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1101 GENERAL FUND		74,521,244.00	(1,198,970.43)	73,322,273.57	45,138,894.37	219,349.96	27,964,029.24	61.86 %
11321500 FREM PREP		65,271.00	25,006.80	90,277.80	65,115.45	0.00	25,162.35	72.13 %
		65,271.00	25,006.80	90,277.80	65,115.45	0.00	25,162.35	72.13 %
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 UNT		138,586.00	0.00	138,586.00	112,153.73	0.00	26,432.27	80.93 %
		138,586.00	0.00	138,586.00	112,153.73	0.00	26,432.27	80.93 %
11334000 CORCTN DET		42,114.00	0.00	42,114.00	31,585.50	0.00	10,528.50	75.00 %
		42,114.00	0.00	42,114.00	31,585.50	0.00	10,528.50	75.00 %
11341000 BLD INSP		656,709.00	(78,588.00)	578,121.00	366,422.02	300.00	211,398.98	63.43 %
		656,709.00	(78,588.00)	578,121.00	366,422.02	300.00	211,398.98	63.43 %
11351000 SH-ANML PR		542,370.00	64,214.69	606,584.69	417,747.91	0.00	188,836.78	68.87 %
		542,370.00	64,214.69	606,584.69	417,747.91	0.00	188,836.78	68.87 %
11423000 REFUSE CLC		1,271,008.00	0.00	1,271,008.00	869,581.13	0.00	401,426.87	68.42 %
		1,271,008.00	0.00	1,271,008.00	869,581.13	0.00	401,426.87	68.42 %
11432000 BLDG & GRN		1,393,344.00	22,179.46	1,415,523.46	1,018,169.47	28,439.98	368,914.01	73.94 %
		1,393,344.00	22,179.46	1,415,523.46	1,018,169.47	28,439.98	368,914.01	73.94 %
11512000 SPL HLTH D		391,416.00	0.00	391,416.00	293,562.00	0.00	97,854.00	75.00 %
		391,416.00	0.00	391,416.00	293,562.00	0.00	97,854.00	75.00 %
11525000 CH 10 BRD		145,000.00	0.00	145,000.00	108,750.00	0.00	36,250.00	75.00 %
		145,000.00	0.00	145,000.00	108,750.00	0.00	36,250.00	75.00 %
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 AGNCY 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 %



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1101 GENERAL FUND		74,521,244.00	(1,198,970.43)	73,322,273.57	45,138,894.37	219,349.96	27,964,029.24	61.86 %
11681000 COMM COLL		5,356.00	0.00	5,356.00	5,356.00	0.00	0.00	100.00 %
		5,356.00	0.00	5,356.00	5,356.00	0.00	0.00	100.00 %
11711000 P&R ADMIN		459,855.00	0.00	459,855.00	310,603.08	405.00	148,846.92	67.63 %
		459,855.00	0.00	459,855.00	310,603.08	405.00	148,846.92	67.63 %
11715000 REC PRGM		543,732.00	18,656.52	562,388.52	268,740.85	0.00	293,647.67	47.79 %
		543,732.00	18,656.52	562,388.52	268,740.85	0.00	293,647.67	47.79 %
11726200 CLTRL ENR		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 %
11726300 FINE ARTS		10,000.00	0.00	10,000.00	7,500.00	0.00	2,500.00	75.00 %
		10,000.00	0.00	10,000.00	7,500.00	0.00	2,500.00	75.00 %
11732200 LIBRARY		228,855.00	0.00	228,855.00	171,641.25	0.00	57,213.75	75.00 %
		228,855.00	0.00	228,855.00	171,641.25	0.00	57,213.75	75.00 %
11811000 PLN & ZNNG		522,233.00	(74,157.00)	448,076.00	286,232.21	13,775.00	148,068.79	66.95 %
		522,233.00	(74,157.00)	448,076.00	286,232.21	13,775.00	148,068.79	66.95 %
11811100 PLN COMM		36,674.00	0.00	36,674.00	19,547.77	0.00	17,126.23	53.30 %
		36,674.00	0.00	36,674.00	19,547.77	0.00	17,126.23	53.30 %
11811200 HIST COMM		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 %
11812000 COM DEV AD		0.00	234,336.00	234,336.00	167,992.23	0.00	66,343.77	71.69 %
		0.00	234,336.00	234,336.00	167,992.23	0.00	66,343.77	71.69 %
11814000 BRD ZN AP		4,600.00	0.00	4,600.00	8,542.54	0.00	(3,942.54)	185.72 %
		4,600.00	0.00	4,600.00	8,542.54	0.00	(3,942.54)	185.72 %
11815000 ECON DEV		380,575.00	165,125.00	545,700.00	395,136.14	405.00	150,158.86	72.48 %
		380,575.00	165,125.00	545,700.00	395,136.14	405.00	150,158.86	72.48 %
11816500 PLUMPOINT		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 %



Account Number	Account Desc	Original Budget	Transfers	Revised Budget	YTD Actuals	Encumbrances	Available Budget	% Used
1101 GENERAL FUND		74,521,244.00	(1,198,970.43)	73,322,273.57	45,138,894.37	219,349.96	27,964,029.24	61.86 %
11817000 WTLND BRD		3,300.00	0.00	3,300.00	351.09	0.00	2,948.91	10.64 %
		3,300.00	0.00	3,300.00	351.09	0.00	2,948.91	10.64 %
11818000 AFD		4,700.00	0.00	4,700.00	24.32	0.00	4,675.68	0.51 %
		4,700.00	0.00	4,700.00	24.32	0.00	4,675.68	0.51 %
11823500 ENV COM DE		500,843.00	(81,591.00)	419,252.00	282,821.26	969.00	135,461.74	67.69 %
		500,843.00	(81,591.00)	419,252.00	282,821.26	969.00	135,461.74	67.69 %
11824000 SOIL WTR		22,450.00	0.00	22,450.00	16,837.50	0.00	5,612.50	75.00 %
		22,450.00	0.00	22,450.00	16,837.50	0.00	5,612.50	75.00 %
11830500 COOP EXT		68,921.00	605.00	69,526.00	19,165.09	0.00	50,360.91	27.57 %
		68,921.00	605.00	69,526.00	19,165.09	0.00	50,360.91	27.57 %
11914000 RSVRD CONT		300,000.00	(130,326.00)	169,674.00	0.00	0.00	169,674.00	0.00 %
		300,000.00	(130,326.00)	169,674.00	0.00	0.00	169,674.00	0.00 %
11915000 EMPLOEXP		3,300.00	0.00	3,300.00	16.98	0.00	3,283.02	0.52 %
		3,300.00	0.00	3,300.00	16.98	0.00	3,283.02	0.52 %
11918000 DISRECOVRY		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 %
11931000 TRNS OTHR		40,838,417.00	(2,313,375.84)	38,525,041.16	21,374,657.63	0.00	17,150,383.53	55.48 %
		40,838,417.00	(2,313,375.84)	38,525,041.16	21,374,657.63	0.00	17,150,383.53	55.48 %
	Grand Total:	74,521,244.00	(1,198,970.43)	73,322,273.57	45,138,894.37	219,349.96	27,964,029.24	61.86 %

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: 6/9/2025 Miscellaneous

Motion: "Mr.	approve the Consen a part of the record.	t Agenda as presented	d and that it be made					
Chairman, I move t	o or							
(not required for Consen Agenda items)	I move to approve t	I move to approve the Consent Agenda as presented and that it be made a part of the record, with the following changes:						
Subject		oval of Agreement between New Kent and Charles City for ssional Coordination Services - Children's Services Act						
Issue	Kent Children Service professional services	Annual renewal of agreement with Charles City County for New Kent Children Services Act (CSA) to provide technical and professional services in the administration of the Charles City Children's Services Act (CSA) program.						
Recommendation	Staff recommends a	doption.						
Fiscal Implications	(CSA) program will b	The cost of administering the Charles City Children Services Act (CSA) program will be funded by Charles City County as described in Attachment B (Page 7) of the agreement.						
Policy Implications								
Legislative History								
Discussion								
Time Needed:		Person Appearing:						
	/. Watkins, Deputy lerk of the Board	Telephone:	(804) 966-9687					
Copy provided to:		<del>-</del>						
ATTACHMENTS:								
Description		Type						
Agreement with Ch (PDF)	arles City for CSA Serv	ices Cover Memo						
REVIEWERS:								
Department	Reviewer	Action	Date					
Clerk	Watkins, Wanda	Approved	5/14/2025 - 8:48 AM					

Administration	Hathaway, Rodney	Approved	5/18/2025 - 11:30 PM
Attorney	Hathaway, Rodney	Approved	5/18/2025 - 11:35 PM

# AGREEMENT BETWEEN THE COUNTY OF NEW KENT, VIRGINIA AND THE COUNTY OF CHARLES CITY, VIRGINIA FOR PROFESSIONAL COORDINATION SERVICES

THIS AGREEMENT, made and entered into this, the 1st day of July, 2025, by and between the County of NEW KENT, Virginia, whose principal office is located at 12001 Courthouse Circle, NEW KENT, Virginia (hereinafter referred to as "NEW KENT"), and the County of CHARLES CITY, Virginia whose principal office is located at 10900 Courthouse Road, Charles City, VA 23030 (hereinafter referred to as "CHARLES CITY"), (Jointly, the "Parties").

**WITNESSETH**, NEW KENT does hereby agree with CHARLES CITY for the consideration named herein to provide professional services stipulated in this AGREEMENT and the enclosed "SCOPE OF SERVICES", Attachment A, which by reference is made a part hereof, for NEW KENT and CHARLES CITY Community Policy and Management Teams (CPMT).

#### ARTICLE I. BASIC DESCRIPTION OF PROFESSIONAL SERVICES

The NEW KENT Children's Services Act (CSA) Staff, on behalf of the NEW KENT/CHARLES CITY CPMT, shall provide technical and professional services in the administration of the CHARLES CITY Family Assessment and Planning Teams (FAPT) and shall act as a liaison and spokesperson for both NEW KENT and the CHARLES CITY FAPT and CPMT.

NEW KENT and CHARLES CITY will have its own identified fiscal agent separate from one another and separate operating budgets. Vendor service agreements shall be combined and authorized by New Kent County and include both counties for service provisions.

#### ARTICLE II. COMPENSATION AND MANNER OF PAYMENT

For professional services rendered on behalf of CHARLES CITY's CPMT, CHARLES CITY will pay NEW KENT \$40,561.00 to fund the salary and benefits of the CSA Director. An explanation of the annual cost is contained in Attachment B.

Payment and invoicing procedures shall be as follows:

- A. Payments shall be made to the NEW KENT twice per year.
- B. Invoices will be sent twice per year, no later than the 31st day of the month in January and July.

#### **ARTICLE III.** SPECIFIC TERMS OF THE AGREEMENT

#### A. DURATION

The initial term of this AGREEMENT shall be from July 1, 2025 until June 30, 2026. This Agreement shall continue in force, thereafter from year to year, not to exceed two additional years unless terminated by either party at the end of the first year or the end of any subsequent year by giving the remaining parties thirty (30) days written notice. Should this AGREEMENT continue in force, the fee may be adjusted

yearly, if required based on the annual budget of NEW KENT. The amount of the proposed annual fee will be presented to CHARLES CITY with at least thirty (30) days prior to the first day of such subsequent fiscal period or within five (5) days of the approval of the final budget for such fiscal year, whichever occurs later. The NEW KENT and CHARLES CITY Administrative teams will meet in January of 2024 to assess the program.

#### **B. TERMINATION**

Either of the parties may reserve the right to terminate this AGREEMENT with or without cause, by giving thirty (30) days' notice in writing to the other parties. NEW KENT shall be entitled to receive all expenses accrued until the date of termination.

#### C. ASSIGNMENT

Neither NEW KENT or CHARLES CITY shall assign or transfer their rights or obligations in the AGREEMENT.

#### D. AMENDMENT OF THE CONTRACT

No modifications or amendments of the terms hereof shall be effective unless written and signed by the authorized representative of all parties to this AGREEMENT.

#### E. SEVERABILITY

If any part, term, or provision of this AGREEMENT shall be found by the Court to be legally invalid or unenforceable, then such provisions or portion thereof shall be performed in accordance with applicable laws. The invalidity or unenforceability of any provision or portion of this AGREEMENT shall not affect the validity of any other provision or portion of this AGREEMENT.

#### F. SPACE and ITEMS NEEDED TO RUN PROGRAM

CHARLES CITY will provide appropriate office space to CSA Director while in CHARLES CITY County conducting CHARLES CITY business as well as appropriate office supplies and milage reimbursement at the state rate while conducting CHARLES CITY business. CHARLES CITY shall also provide appropriate access to the County's network.

#### G. NOTICE

Any notice, demand, or request by or made pursuant to this AGREEMENT shall be deemed properly made if personally delivered in writing of deposited in the United States mail, postage prepaid, to the representative specified below or as otherwise designated in writing and mutually agreed.

**NEW KENT's Representative:** 

Rodney Hathaway County Administrator 12007 Courthouse Circle NEW KENT, VA 23124

CHARLES CITY's Représentative :

Sanford B. Wanner Intérim County Administrator 10900 Courthouse Road

Charles City, VA 23030

NEW KENT's primary representative will be Rodney Hathaway, County Administrator, (804) 966-9683, or as otherwise designated in writing. CHARLES CITY's primary representative will be Sanford B. Wanner, Interim County Administrator, (804) 652-4701, or as otherwise designated in writing.

Nothing contained in this Section shall be construed to restrict the transmission of routine communication between representatives of NEW KENT or CHARLES CITY.

## H. CONTROLLING LAW: VENUE PENDING/DURING LITIGATION

This AGREEMENT is made, entered into, and shall be performed in the Commonwealth of Virginia, and shall be governed by the applicable laws of the Commonwealth of Virginia without regard to its conflict of law rules. In the Event of litigation concerning this AGREEMENT, the parties agree to the exclusive jurisdiction and venue of the appropriate state court for County of NEW KENT, Virginia, however, in the event that the federal court has jurisdiction over the matter, then the parties agree to the exclusive jurisdiction and venue of the U.S. District Court for the Central District of Virginia, Richmond Division.

#### I. ENTIRE AGREEMENT

This AGREEMENT comprises the entire understanding between the parties and cannot be modified, altered or amended, except in writing and signed by all parties.

## J. WAIVER

The failure by one party to require performance of any provision of this AGREEMENT shall not affect that party's right to require performance at any time thereafter, nor shall a waiver of any breach or default of the AGREEMENT constitute a waiver of any subsequent breach or default or a waiver of the provision itself.

## SIGNATURE PAGES FOLLOW

IN WITNESS WHEREOF, the parties hereto he year first above written.	nave executed and sealed this AGREEMENT as of the day and
APPROVED AS TO FORM:	
NEW KENT County Attorney	<del>_</del>
	County of NEW KENT, Virginia
·	County Administrator
ATTEST:	
County Clerk	

IN WITNESS WHEREOF, the parties hereto have executed and sealed this AGREEMENT as of the day and year first above written.

APPROVED AS TO EORM:

CHARLES CITY County Attorney

County of CHARLES CITY, Virginia

Interim County Administrator

Пиш

County Clerk

APPROVED BY THE BOARD OF SUPERVISORS

DATE

#### Attachment A

#### SCOPE OF SERVICES

#### General Statement of Services

## CHILDREN'S SERVICES ACT (CSA) STAFF NEW KENT DEPARTMENT OF CHILDREN SERVICES

Performs administrative duties in overseeing the CSA program for NEW KENT County and CHARLES CITY County. Work involves assessing client needs, facilitating, attending and providing staff support, negotiating service contracts with private and public vendors to provide services under the Act, and for preparing various fiscal and statistical reports.

Specific Duties and Responsibilities of CSA Staff:

- 1. Oversees the administration of the CSA program in multiple jurisdictions; develops policies and procedures.
- 2. Screens referrals for required information, agency staffing, eligibility criteria and timeliness; assesses needs of clients referred, utilizing clinical information.
- 3. Monitors implementation of service plans and results for on-going cases to determine suitability of services, utilizing clinical information.
- 4. Communicates with FAPT and CPMT members, service providers, case managers and family members.
- 5. Facilitates and provides staff support to the teams, assists the case managers in funding request cases.
- 6. Documents all CSA actions pertaining to each child in care; maintains official records for each
- 7. Recommends CSA program services, service providers and changes in service; negotiates service contracts with private and public vendors; investigates and audits questionable fees or services, and generates contracts.
- 8. Determines the effectiveness of programs to ensure cost effectiveness; administers interagency contracts.
- 9. Manages CSA program expenditures to comply with budget requirements and State guidelines. Assist County Administration with budget and applying for budget allocation request.
- 10. Collects and disseminates information on available services; compiles and submits fiscal and statistical reports.
- 11. Conduct joint CPMT and FAPT meetings for both localities.
- 12. Receive and process invoices.
- 13. Pay invoices and track budget expenditures.
- 14. Complete monthly CSA expenditure and reimbursement reports w/local fiscal agents.
- Manage both CPMT and FAPT in both localities.

## Attachment B

## **EXPLANATION OF CHARLES CITY'S ANNUAL FEE**

## Salary:

## **CSA Director**

Total Salary Cost	\$ 4	10,561.00
Workers' Comp	\$	17.00
	\$	27.00
VRS Health Ins. Credit	\$	397.00
VRS LIFE	_	3,979.00
VRS PLAN 1		-
Employment Taxes		2,569.00
Salary	\$	33,572.00

**Total Annual Cost** 

\$40,561.00

Figures are estimates and based on NEW KENT County annual fiscal budget for Fiscal Year 2025-2026. Funding request amounts for local share contributions will be invoiced annually based on current personnel costs which may reflect annual raise increases or other changes in personnel costs.

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: 6/9/2025 Miscellaneous

Motion: "Mr.

Chairman, I move to

(not required for Consent

Agenda items)

approve the Consent Agenda as presented as that it be made a part of the record.

or

I move to approve the Consent Agenda as presented and that it be made a part of the record, with the following changes:

Subject

Approval of Sole Source Procurement - Reinvestment Fund

Issue

Board approval is needed for the sole source procurement of a Market Value Analysis (MVA) for the Richmond, Virginia Region.

Recommendation

**Approval** 

Fiscal Implications

Purchase total - \$200,000 - This will be at no cost to New Kent County. PlanRVA has secured \$140,000 in grant funding from Virginia Housing and New Kent County has secured \$60,000 in grant funding from the Department of Housing and Community Development.

New Kent County Procurement Manual

Section 8.2 Process for Approval of Procurements over \$20,000.

**Policy Implications** 

All sole source procurements for non-technology goods and services over \$20,000 must be approved in advance by the Board of Supervisors. The written determination (Appendix 8B: Sole Source Procurement Approval Request form) documenting that there is only one source practicably available for that which is to be procured, must be maintained in the procurement file. The document shall include any market analysis conducted in order to ensure that the goods or service required was practicably available from only one source.

Legislative History

The MVA is a unique tool for characterizing markets because it creates an internally referenced index of a municipality's residential real estate market. It identifies areas that are the highest demand markets as well as areas of greatest distress, and the various market types in between. In the future, this analysis will provide a report of the housing market and how it has changed over time, which will be a valuable tool for making strategic housing and land use decisions.

Discussion

New Kent's Director of Transportation Development Amy Inman has worked closely with PlanRVA to develop and execute a

Memorandum of Understanding and scope of work to manage the stakeholder/community involvement and management of the project consultants.

Reinvestment Fund is a leading innovator in the financing of neighborhood and economic revitalization. Reinvestment Fund is a community development financial institution that builds wealth for low- and moderate-income people and places through the strategic use of capital, knowledge and innovation.

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

## **ATTACHMENTS:**

Description	Туре
Sole Source - Reinvestment Fund (PDF)	Cover Memo
Sole Source - Reinvestment Fund - Spreadsheet (PDF)	Cover Memo
New Kent County Residential Market Value Analysis PG - 2024 CDBG PG Award Letter	Cover Memo
24-PG-08 New Kent County Contract (PDF)	Cover Memo

#### **REVIEWERS:**

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	5/14/2025 - 10:13 AM
Administration	Hathaway, Rodney	Approved	5/18/2025 - 11:32 PM
Attorney	Hathaway, Rodney	Approved	5/18/2025 - 11:38 PM

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## **Department of Transportation Development**

DATE:

May 1, 2025

TO:

Mr. Rodney Hathaway, County Administrator

FROM:

Amy Inman, Transportation Development, Director

SUBJECT:

Market Value Assessment Sole Source Procurement Justification

#### **BACKGROUND**

Since spring of 2024, New Kent County has worked closely with PlanRVA to develop a scope of work and secure grant funding from the Department of Housing and Community Development (DHCD) to conduct a Market Value Assessment (MVA) for the rural localities within the PlanRVA jurisdiction. PlanRVA has previously facilitated the market value assessments for the entitlement jurisdictions, including Richmond, Chesterfield, Henrico, Ashland, and part of Hanover County. However, with the increased development taking place in the surrounding rural counties these areas are quickly becoming emerging suburban land use with a significant need for housing.

The MVA is a unique tool for characterizing markets because it creates an internally referenced index of a municipality's residential real estate market. It identifies areas that are the highest demand markets as well as the areas of greatest distress, and the various market types in between. In the future, this analysis will provide a report of the housing market and how it has changed over time, which will be a valuable tool for making strategic housing and land use decisions.

PlanRVA and New Kent County have developed and executed a Memorandum of Understanding (MOU) and scope of work to manage the stakeholder/community involvement and management of the project consultants.

#### SOLE SOURCE PROCUREMENT

After conducting significant research into Market Value Assessments, it was evident that the consulting firm, Reinvestment Fund (RF), is a leader in financing of neighborhood and revitalization. We have conducted a thorough analysis using a methodology that reviews similar market studies and analysis; however, the other methods did not have the same degree of community/stakeholder involvement or data validations, nor did they provide the same interactive tool as the proprietary MVA that is developed by Reinvestment Fund. Attached is a

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full report of the methodology used to evaluate the consulting services available that led to the selection of Reinvestment Fund as the consultant that has the proprietary approach to develop the MVA and supporting tools. Likewise, the full scope of work and budget breakdown is attached.

## **MIVA FUNDING**

Plan RVA and New Kent County have successfully secured \$200K in grant funding to support this Reinvestment Fund scope of work:

- PlanRVA has secured \$140K from Virginia Housing
- New Kent County has secured \$60K from the Department of Housing and Community Development (DHCD)

## RECOMMENDATION

After significant research and negotiation with PlanRVA and Reinvestment Fund on the scope of work and budget associated with the Market Value Assessment, we recommend advancing with a sole source procurement of Reinvestment Fund.

Amy In han, Director

Department of Transportation Development

5-1-2025

Date

#### APPENDIX 8B

# SOLE SOURCE PROCUREMENT APPROVAL REQUEST GOODS AND SERVICES

All requests for sole source purchases must meet the criteria established under 2.2-4303 E. The County Administrator and/or the Chairman of the Board of Supervisors must sign this form.

Department Name	_Transportation :		ű.
Department Head Signature	Enry M	1. Buman	uthorized to approve this request.
Print Department Head Nam			uniorized to approve this request.
Contact PersonAmy In		Telephone Number	804-682-0449
Total Amount of Sole Sourc	e \$ 60,000	Facsimile Number	. N/A

## Description of Goods / Services

Reinvestment Fund first developed its proprietary **Market Value Analysis** (MVA) for the city of Philadelphia in 2001 and has since produced more than 50 MVAs across the country for cities, regions, and states. This provides a robust and unique level of vetting over time and the ability to make comparisons between markets across the country. The MVA is an objective, data-driven tool to help residents and policymakers identify and understand the elements of their local real estate markets. With an MVA, public officials and private actors can more precisely target intervention strategies in distressed markets, support equitable growth in stronger markets, and encourage and preserve mixed-income neighborhoods. While it largely uses publicly available data, it classifies and combines a wide variety data in proprietary ways.

The MVA is unique in several regards. It uses administrative data and entails a validation process using field observation and a steering committee of local experts. This level of locality stakeholder investment is unlike any other market analysis, making both the regional analysis and cross-country comparison more impactful. The MVA is also conducted at a fine degree of geography, the census block group level. Reinvestment Fund's skilled analysts use a statistical cluster analysis to create a typology of housing sub-markets that is tailored to the specific geography (in this case, the Richmond region). Reinvestment Fund has conducted MVAs for more than 20 years, and has developed two previous MVAs for the Richmond region. This earlier work also makes Reinvestment Fund uniquely positioned to evaluate market change over time and the impacts of housing market interventions. The addition of new localities to the Richmond regional data hub will extend the equity and impact of previous MVAs even further.

Approved	
Disapproved	
More Information needed (specify and return to agency)	
Signature	

Note: This form must be filed with the contract/purchase order. Agencies and institutions are delegated authority to make contract award after appropriate approval. (Purchase using noncompetitive negotiation.)





# New Kent County & PlanRVA Staff Market Research Analysis for Market Value Analysis (MVA)

## August 2024

To assess whether there are comparable analyses for the residential Market Value Analysis (MVA), which uses a methodology proprietary to Reinvestment Fund. The examples considered are found below: a traditional housing study conducted by West Piedmont PDC; data compiled by The National Association of Realtors; A Housing and Urban Development Market Analysis; the housing study process of MarketNSight, and a regional market assessment by TischlerBise.

**Findings**: the other market studies and analyses considered did not provide the same kinds or intersections of data, did not have the same degree of community involvement or data validation, and did not provide the same interactive tool as does the proprietary Reinvestment Fund MVA.

## Proprietary, sole source methodology

Reinvestment Fund first developed its proprietary **Market Value Analysis** (MVA) for the city of Philadelphia in 2001 and has since produced more than 50 MVAs across the country for cities, regions, and states. This provides a robust and unique level of vetting over time and the ability to make comparisons between markets across the country.

The MVA is an objective, data-driven tool to help residents and policymakers identify and understand the elements of their local real estate markets. With an MVA, public officials and private actors can more precisely target intervention strategies in distressed markets, support equitable growth in stronger markets, and encourage and preserve mixed-income neighborhoods. While it largely uses publicly available data, it classifies and combines a wide variety data in proprietary ways.

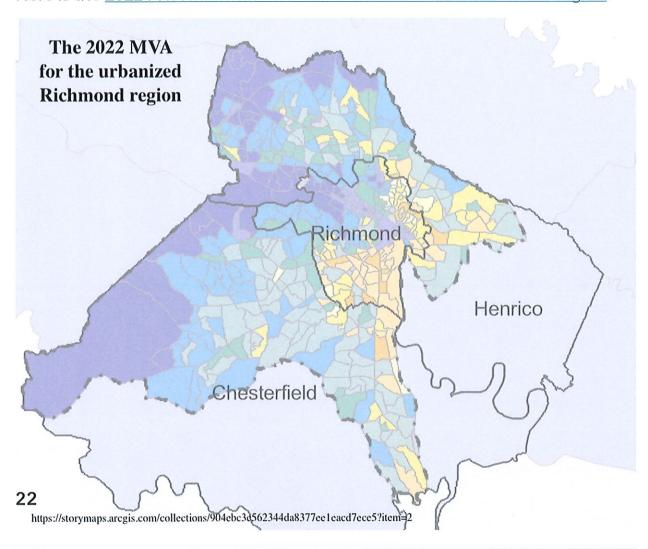
The MVA is unique in several regards. It uses administrative data and entails a validation process using field observation and a steering committee of local experts. This level of locality stakeholder investment is unlike any other market analysis, making both the regional analysis and cross-country comparison more impactful. The MVA is also conducted at a fine degree of geography, the census block group level. Reinvestment Fund's skilled analysts use a statistical cluster analysis to create a typology of housing sub-





markets that is tailored to the specific geography (in this case, the Richmond region). Reinvestment Fund has conducted MVAs for more than 20 years, and has developed two previous MVAs for the Richmond region. This earlier work also makes Reinvestment Fund uniquely positioned to evaluate market change over time and the impacts of housing market interventions. The addition of new localities to the Richmond regional data hub will extend the equity and impact of previous MVAs even further.

Here is the 2022 MVA Information Hub for the urbanized Richmond region.



Below is a comparison between how the MVA works and a more traditional housing study conducted by West Piedmont PDC.

**MVA - Reinvestment Fund** 

**Housing Study - WPPDC** 





Data: local administrative data:

- Median sales price (condo vs. noncondo)
- variance of sales price
- percent owner-occupied units
- vacancy percentages
- properties sold by banks
- density of units
- renovation or construction permits
- rental subsidies
- -Geocoded to census block groups and validated on the ground.
- -Statistical cluster analysis identifies areas with common attributes (markets)
- -Inspected by local experts to alter or confirm parameters

Data: publicly available housing data focused on stock, conditions, affordability, and gaps

Community input: All models are tested with local experts to incorporate qualitative feedback from each geography

challenges and vulnerable populations -Jurisdiction input into tailored

Market conditions: property value and (dis)investment, distress and vacancy, neighborhood and housing characteristics

- -Displacement risk ratio (DRR) (ratio between median sales prices over time and the income of a long-term resident at a fixed point in time (2010) and annually adjusted using the Consumer Price Index.)
- -Change in DRR over time
- -Investor transactions
- -Home mortgage lending and access to credit

Community input: conditions and solutions for each

Housing conditions: energy performance, maintenance, upgrade costs, unit age, location

- Young families and affordable starter homes
- Older homebuyers and age-inplace support (almost half the housing need)
- Workforce housing
- Cost burdened / housing insecure
- 10% at risk of homelessness

## Regional and local tool:

-Helping residents and policymakers identify and understand the elements of their local real estate markets.

## Regional solutions:

- Land bank for abandoned and blighted properties
- Home repair and rehab programs at a regional level



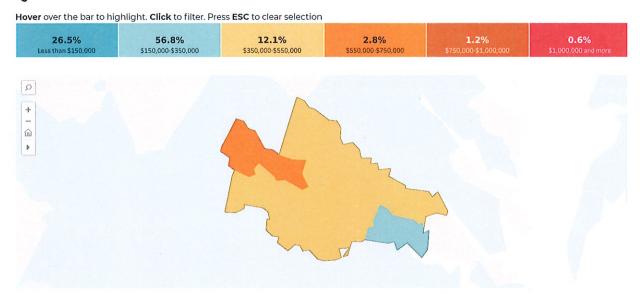


-Objective, data-driven tool built on local administrative data and validated with local experts.
-With an MVA, public officials and private actors can more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets.

-Policy and subsidy leveraging private investment or creating conditions for it to occur

The National Association of Realtors compiles data, with limited mapping.

## **County Median Home Prices** 01 2024



They provide their <u>methodology here</u>. The sources and intersections of data are significantly less comprehensive than those of the MVA.

HUD put together a <u>Comprehensive Housing Market Analysis</u> (2022) for the Richmond MSA (17 localities), which they consider in urbanized and rural submarkets. They cover population, sales market, delinquent mortgages and real estate owned properties, affordability, construction activity, rental market,





and renter cost burden. They pull out <u>housing market profiles</u>. They include detailed analysis of economic conditions—employers, nonfarm payrolls, unemployment rates— but it doesn't offer the interactive StoryMap option to explore specific tracts. They sourced some of their data from CoStar Group.

<u>MarketNSight</u>, a firm out of Atlanta that studies housing economics around the country.

They use a Feasibility Matrix® and Georgia Mortgage Matrix® to "put the power of decision making at the fingertips of every builder, banker, developer, investor, and broker."

Accurate granular housing and mortgage data, coupled with clear statistical graphic analytics, give you the optimum price and square footage to maximize absorption and profitability. Provides charts or visuals on:

- Supply and demand
- Advanced regression
- Lot residual calculator
- Ranking and mapping

No example reports provided.

## <u>TischlerBise</u>

TischlerBise conducts economic impact analyses, market and economic feasibility studies, site evaluations, highest and best use, pro forma and financial analyses, and business plans leading to sound investment/marketing strategies for both public and private sector clients throughout the U.S.

We also assist the public sector by providing targeted research, formulating specific economic development strategies, and defining roles aimed at furthering community revitalization.

TischlerBise recently completed a <u>Regional Market Assessment</u> and Fiscal Impact Analysis for the Pottstown Metropolitan Regional Planning Commission (through the Montgomery County Planning Commission along with funding from the Delaware Valley Regional Planning Commission).





The first phase of the assignment was a community assessment of land use and economic conditions and trends in the region and identification of potential market opportunities, which is home to eight jurisdictions.

Based on the findings of the first phase, three scenarios were evaluated to determine the fiscal impact of different rates and location of future growth.

From: Emily Dowdall
To: Emily Williams

Cc: Barbara Jacocks; Sarin Adhikari; Amy M. Inman; Rodney A. Hathaway

Subject: RE: MVA scope and sole source materials Date: Monday, March 10, 2025 1:04:46 PM

Attachments: image001.png

MVA Budget and Scope For contract comments.xlsx Reinvestment Fund Richmond MVA SOW 2025.docx

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

Hi all,

Attached please find a more complete scope document and a spreadsheet with deliverables, timeline, and budget. I started with the timeline spreadsheet you provided – I did make some adjustments as you'll see in the comments column. The main change is combining the field validation trips with the 3 in-person stakeholders meetings.

Please let me know if you have any questions.

Best, Emily

From: Emily Williams < EWilliams@planrva.org>

Sent: Friday, February 28, 2025 9:59 AM

To: Emily Dowdall < Emily. Dowdall@reinvestment.com>

Cc: Barbara Jacocks <BJacocks@planrva.org>; Sarin Adhikari <sadhikari@planrva.org>; Amy Inman

<aminman@newkent-va.us>; rahathaway@newkent-va.us

**Subject:** Re: MVA scope and sole source materials

Thanks for this, Emily! Have you had a chance to identify any items we should add to or update in the scope of work?

Best,

Emily Williams (she/her)

**Grants Specialist** 



Email: ewilliams@planrva.org

Office phone: 804-924-9617

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From: Emily Dowdall < Emily. Dowdall@reinvestment.com >

**Sent:** Friday, February 21, 2025 1:41 PM **To:** Emily Williams < EWilliams@planrya.org>

Cc: Barbara Jacocks < BJacocks@planrva.org >; Sarin Adhikari < sadhikari@planrva.org >; Amy Inman

<a href="mailto:sminman@newkent-va.us"><a href="mailto:rahathaway@newkent-va.us"><a href="mailto:rahathaway@newken

Subject: RE: MVA scope and sole source materials

Thanks, Emily!

The attached slide provides a general description of the Steering Committee/Stakeholder Group. Typically the committee meets 3-4 times throughout the process, and meetings are 1.5-2 hours. Please let me know if you have any questions about this.

I will gather the other materials but may not have time to send before next week.

Best, Emily D.

From: Emily Williams < <a href="mailto:EWilliams@planrva.org">EWilliams@planrva.org</a> Sent: Friday, February 21, 2025 10:38 AM

To: Emily Dowdall < Emily. Dowdall@reinvestment.com >

Cc: Barbara Jacocks < BJacocks@planrva.org >; Sarin Adhikari < sadhikari@planrva.org >; Amy Inman

<aminman@newkent-va.us>; rahathaway@newkent-va.us

**Subject:** MVA scope and sole source materials

Dear Emily,

Thanks for your time meeting with us today! I'm attaching the draft scope of work where I have a rough one/two thirds spilt between our funders per deliverable. Those deliverables may need to be updated, and as we discussed today, if we can identify a strong rationale for how to split the work between entitlement and non-entitlement localities, that will help too.

I'm also attaching the research I compiled on the sole source status of the MVA -- please let me know if I have missed or misstated anything that would strengthen our case!

We'll be working on our MOU and on getting the DHCD paperwork sorted out ASAP. I'm excited to

get everything underway!

Best,

Emily Williams (she/her)

**Grants Specialist** 



Email: ewilliams@planrva.org

Office phone: 804-924-9617

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## Attachment B: Market Value Analysis Proposal, Work Plan, Budget



**Policy Solutions** 

Market Value Analysis

Scope of Work for Richmond, VA Region

2025

### **Reinvestment Fund**

Reinvestment Fund is a leading innovator in the financing of neighborhood and economic revitalization. Central to its mission is a commitment to put capital and private initiatives to work for the public good. Reinvestment Fund is a community development financial institution (CDFI) that builds wealth for low-and moderate-income people and places through the strategic use of capital, knowledge and innovation. Reinvestment Fund uses its data analyses to guide its own investments, as well as to assist both public and private sector clients with their own strategies to preserve and rebuild vulnerable communities.

### Market Value Analysis (MVA) - Overview

Reinvestment Fund's MVA offers a tool for community revitalization and investment; it guides interventions not only to where there is a need for them, but also to places where public investment can stimulate private market activity and capitalize on larger revitalization efforts. Since 2001, Reinvestment Fund has created over 50 MVAs for municipal, county and state geographies, including Richmond, VA in 2022 and 2017 (see below).

The MVA is a unique tool for characterizing markets because it creates an internally referenced index of a municipality's residential real estate market. It identifies areas that are the highest demand markets as well as the areas of greatest distress, and the various market types in between. Reinvestment Fund's MVA offers insight into the variation in market strength and weakness within and between traditional neighborhood boundaries by using Census block groups as the unit of analysis. Where market types meet on the map becomes instructive about the potential direction of market change, and ultimately, the appropriateness of types of investment or intervention strategies.

Several cities now work with Reinvestment Fund to conduct the MVA analysis on a periodic basis to provide a report card of the housing market and how it has changed over time. Our

<sup>&</sup>lt;sup>1</sup>A Census block group is a geographic designation representing an area that is typically about one-fifth the size of a Census tract.

current and former clients include, but are not limited to, the Cities of Houston, Philadelphia, Baltimore, Pittsburgh, New Orleans, State of Delaware, Dallas and Atlantic City, NJ. To see examples of the MVA product, visit <a href="https://www.reinvestment.com/initiatives/market-value-analysis/">https://www.reinvestment.com/initiatives/market-value-analysis/</a>

0 PEHLYESTHEM FUND SHORT PUMP FOWN CENTER COLD HARBOR GAINES MILL BATTLEFIELD MVA 2022 A \$576,635 B \$478,570 C \$327,392 D \$258.893 E \$227,432 F \$209,868 City of Richmond G \$209,328 Water H \$130.615 Open Space 1\$103,375 Insufficient Data Non-Residentia

Figure 1. Richmond Area Market Value Analysis, 2022

## MVA Steering Committee

Reinvestment Fund works directly with an MVA Steering Committee throughout the study process. Steering Committee participants represent a diverse group of public agencies, real estate professionals and nonprofit institutions committed to ensuring the viability and growth of neighborhoods. Once Reinvestment Fund has internally validated the datasets, Steering Committee members, as people with local expertise, provide their insights into the validity of the data and the results. Periodic data validation meetings with the Steering Committee also provide an opportunity for decision makers to be involved throughout the process as they think about the programs and services currently being funded and assess their ongoing appropriateness to observed market conditions.

#### MVA Methodology and Assessment

The MVA yields a data-driven foundation for restoring market viability and wealth in distressed markets. It is designed to help government, philanthropic and private investors to target investment and prioritize actions in ways that can leverage resources and revitalize neighborhoods.

To perform an MVA, Reinvestment Fund collects and utilizes data that uniquely define the local real estate market. MVA cities secure and provide most of the information to Reinvestment Fund for the analysis, typically from local administrative sources. Components of the Richmond Area MVA will include:

- Residential Real Estate Sales
- Banks Sales
- Building Renovation and Construction Permits
- Vacant housing
- Vacant Residential Properties
- Subsidized Housing Units
- Subsidized rental housing units and Housing Choice Vouchers
- Tenure

To develop the MVA, Reinvestment Fund uses a statistical technique known as cluster analysis. A cluster analysis forms groups of areas (i.e., block groups) that are similar along the MVA descriptors, noted above. The goal is to form groups within which there is a similarity of characteristics within each group, but each group is itself different from the others.<sup>2</sup> Using this technique, the MVA condenses vast amounts of data for the universe of all properties to a manageable, meaningful typology of market types that can inform area-appropriate programs and decisions regarding the allocation of resources.

<sup>&</sup>lt;sup>2</sup> Depending upon the size of the area, MVA results can generate between five to eleven distinct market types.

Table 1. Richmond MVA Market Characteristics

	Number of Block Groups*	Median Sales Price 2019- 2021	Sales Price Variance, 2019-2021	Percent Bank Sales, 2019- 2021	Owner Occupancy, 2015-19	Percent Subsidized Rental,2021	Percent Vacant Residential, 2021	Housing Units per Acre, 2015-19	Percent Residential Parcels Built 2008-up	Percent Residential Parcels with Permits 2019-21
Α	49	\$576,635	0.63	2%	86%	1%	0%	2.8	12%	17%
В	32	\$478,570	0.94	4%	29%	22%	2%	21.9	2%	10%
С	97	\$327,392	0.37	4%	84%	3%	1%	3.1	4%	9%
D	60	\$258,893	0.80	6%	34%	6%	1%	8.0	5%	8%
E	102	\$ 227,432	0.37	7%	81%	5%	0%	2.5	3%	6%
F	18	\$209,868	0.50	23%	59%	9%	7%	4.9	3%	15%
G	44	\$209,328	0.81	11%	44%	96%	3%	5.0	5%	10%
Н	41	\$130,615	0.77	12%	42%	9%	3%	5.3	2%	5%
1	14	\$103,375	1.07	10%	23%	95%	4%	5.7	4%	6%
Block Group Avg.	457	\$292,885	0.60	7%	62%	17%	2%	5.3	4%	9%

Reinvestment Fund is committed to ensuring that our statistical analysis is accurate. Accordingly, during the research process, Reinvestment Fund spends an extensive amount of effort ensuring the data and analysis is accurate. In addition to testing data, staff physically examine the study area (usually accompanied by our local clients) to verify the data sets are the appropriate indicators and the resulting MVA categories accurately reflect the market. Reinvestment Fund staff will spend several days at the beginning and during the draft stages to systematically drive throughout the area to observe and document property and area conditions. When the data do not comport to what staff view on the street, Reinvestment Fund will seek out other datasets or find ways to present the data to more accurately depict the conditions.

## Expanding the Richmond Region MVA and adapting the Methodology for 2025

Reinvestment Fund will update and expand the MVA for the Richmond region. It will cover nine communities, three of which (Richmond, and portions of Henrico and Chesterfield) were included in previous MVA efforts in 2017 and 2022. Ashland, Hanover, New Kent, Charles City, Powhatan, and Goochland will be included in the MVA for the first time. Our proposed new methodology, detailed below, will develop a new means of gathering and assessing data, so that the MVA can expand to cover the full region.

We are calling this multi-jurisdictional expansion of the MVA the MVA+, to reflect how it substantially increases the reach of the project, including five new localities. Our goal with the MVA+ is two-fold:

1) to recalculate the original MVA for the urbanized localities, for best comparison to previous years'

data; 2) to use an innovative "MVA Lite" methodology to analyze data from the less densely populated areas in our region.

The planned MVA Lite employs a methodology developed by Reinvestment Fund's Ira Goldstein for a Housing and Urban Development project to cover a wider range of less data-dense territory. It is more time- and cost-efficient because it uses less on-the-ground verification but still accurately uncovers housing market clusters. We will standardize census home value data and sale transaction data for suburban and rural localities (Charles City, Goochland, Hanover, New Kent, and Powhatan), developing regional averages to be used as a benchmark against which to compare all Census tracts in each region.

#### **Deliverables**

Completion of the MVA will culminate with the following deliverables:

- A database that will include all information obtained from the client and any/all other sources used to create the MVA and MVA Lite, and all respective "context" layers. Any modifications made to the data will be documented and included in the database. It will be delivered to the client in .dbf and .shp file formats to allow for incorporation into other data systems with a metadata file.
- 2. Technical Assistance (TA) to the client or its designees to convey the methodology and structure of final database.
- 3. A presentation detailing MVA findings and the characteristics of each market type. The presentation will include maps and tables emblematic of each market type.
- 4. A memo documenting MVA methodology, results, key characteristics of each market type, and considerations for future redevelopment activity.
- 5. Facilitation of public meetings/briefings with key stakeholders to discuss strategic uses of MVA results
- 6. A web-based, interactive StoryMap displaying the results; contribution to creation of MVA dashboard.

## Work Plan

Activity	Description	Output	Responsible	Date finished
Preparation and Stakeholder Group Identification	Prepare for kickoff; identify and obtain commitments from stakeholders; prepare materials of prior MVA and more general housing policy, etc.	A steering committee ready to provide feedback throughout the process and share/use the finished MVA	PlanRVA Staff, RF consultants	3/31/2025
Kick-off	Virtual meeting with Reinvestment Fund consultants, stakeholder group, and Project Management Team to sketch timeline and get the project started	Timeline refined and tasks assigned, stakeholders engaged with one another, review of 2022 MVA; feedback mechanisms prepared	PlanRVA Staff, RF consultants	4/30/2025

Data - III - stian	Cathoring data validating	Data ready for	RF consultants,	6/30/2025
Data collection,	Gathering data, validating	validation	PlanRVA staff assist	6/30/2023
processing, and	the data with on-the-ground	validation	as needed	til
validation	observation in the urbanized		asneeded	
	areas, and using the lite			
	methodology to verify data			
	in suburban and rural regions			
Validation Trip	Workshop to gather	Field and Stakeholder	RF consultants,	July 2025
and First round of	feedback from stakeholders	validation to	PlanRVA staff assist	
data presented to	to validate or update the	incorporate into the	as needed	
stakeholders	data based on their day-to-	model development		
	day experience			
Model	Incorporating stakeholder	A complete set of draft	RF consultants,	9/30/2025
development and	feedback on data layers and	models to validate	PlanRVA staff assist	· · · · · · · · · · · · · · · · · · ·
validation	creating draft models		as needed	
Validation Trip	Larger workshop, conference	Draft model validation	RF consultants,	October 2025
and Draft 2	style, to review models and	complete and start of	PlanRVA staff assist	
presented to	develop	strategy for rollout	as needed	
stakeholders	dissemination/release	designed and final		
	strategy for the MVA	feedback gathered		
Final revisions,	Reinvestment Fund will	MVA+ model	RF consultants make	October-
creating	create a storymap to	completed. Major	storymap, PlanRVA	December
storymap, and	illustrate findings. PlanRVA	deliverables created	staff develop	2025
building	will create the interactive	and ready to share.	dashboard and	
dashboard	MVA+ dashboard and	100	instructional	100
	development of materials for		materials	
	how to use it.			
Final Field	Showcasing the final	Stakeholders leave	PlanRVA Staff, RF	December
Validation, MVA+	Storymap and MVA+ Hub	with a strong	consultants	2025 /
Launch	with stakeholder steering	understanding of how		January 2026
	committee, illustrating	to use the MVA+ Hub		8883
25	various uses and	and resources to		
	collaboratively suggesting	share with their		
4	additional uses.	constituents moving		
		forward.		

## Budget

Activity	Total RF Cost	PlanRVA (from VHDA)	New Kent (From DHCD)	
Preparation and Stakeholder Group Identification	\$1,200	\$900		
Kick-off	\$1,200	\$900	\$300	
Data collection, processing, and validation	\$33,000	\$22,000	\$11,000	
Validation Trip and First round of data presented to stakeholders	\$1,500	\$1,100	\$400	
Model development and validation	\$100,000	\$67,000	\$30,000	
Validation Trip and Draft 2 presented to stakeholders	\$1,600	\$1,100	\$500	
Final revisions, creating storymap, and building dashboard	\$60,000	\$46,000	\$17,000	
Final Field Validation, MVA+ Launch	\$1,500	\$1,000	\$500	
	\$200,000	\$140,000	\$60,000	

Activity	Description	Output	Date finished	Total RF Cost	PlanRVA	New Kent	Notes
Stakeholder Group	Prepare for kickoff; identify and obtain commitments from stakeholders; prepare materials of prior MVA and more general housing policy, etc.	A steering committee ready to provide feedback throughout the process and share/use the finished MVA	3/31/2025	\$1,200	\$900	\$300	
Kick-off	Virtual meeting with Reinvestment Fund consultants, stakeholder group, and Project Management Team to sketch timeline and get the project started	Timeline refined and tasks assigned, stakeholders engaged with one another, review of 2022 MVA; feedback mechanisms prepared	4/30/2025	\$1,200	\$900	\$300	
processing, and	Gathering data, validating the data with on-the- ground observation in the urbanized areas, and using the lite methodology to verify data in suburban and rural regions	Data ready for validation	6/30/2025	\$33,000	\$22,000	\$11,000	We typically combined a data validation trip with the stakeholder meeting to save on travel time/expenses, so I would suggest we have the same "due date" for validation and the meeting, and make "data for validation" this deliverable.
Validation Trip and First round of data presented to stakeholders	Workshop to gather feedback from stakeholders to validate or update the data based on their day-to-day experience	Field and Stakeholder validation to incorporate into the model development	July 2025	\$1,500	\$1,100	\$400	Made this Validation trip + Stakeholders
Model development and validation	Incorporating stakeholder feedback on data layers and creating draft models	A complete set of draft models to validate	9/30/2025				Same suggested as above
Validation Trip and Draft 2 presented to stakeholders	Larger workshop, conference style, to review models and develop dissemination/release strategy for the MVA	Draft model validation complete and start of strategy for rollout designed and final feedback gathered	October 2025	\$1,600	\$1,100	\$500	Made this Validation trip + Stakeholders
Final revisions & building dashboard	Creation of the interactive MVA+ dashboard and development of materials for how to use it.	MVA+ model completed. Major deliverables created and ready to share.	October- December 2025	\$60,000	\$46,000	\$17,000	Not sure about the "dashboard" - we proposed a <b>story map</b> , which is a little different, but perhaps this is a PlanRVA task?
Final Field Validation, MVA+ Launch	Showcasing the final MVA+ Hub with stakeholder steering committee, illustrating various uses and collaboratively suggesting additional uses.	Stakeholders leave with a strong understanding of how to use the MVA+ Hub and resources to share with their constituents moving forward.	December 2025 / January 2026	\$1,500	\$1,000	\$500	
TOTAL				\$200,000	\$140,000	\$60,000	



Glenn Youngkin Governor

Caren Merrick
Secretary of
Commerce and Trade

## COMMONWEALTH of VIRGINIA

Bryan W. Horn Director

# DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

March 26, 2025

The Honorable Thomas W. Evelyn Chair Board of Supervisors New Kent County 12007 Courthouse Circle New Kent, Virginia 23124

> Re: 2024 Virginia CDBG Planning Grant Offer New Kent County Residential Market Value Analysis Project

Dear Mr. Evelyn:

We have reviewed the County's request for CDBG Planning Grant assistance for the proposed New Kent County Residential Market Value Analysis Project. DHCD is prepared to offer Planning Grant funds for developing this project and will make a total of up to \$84,000.00 available to the County for researching and developing strategies for this project.

The next step for this project is that Kelly Charapich (Planning Grants Specialist) will contact you to schedule a facilitated planning session (FPS).

Should you have any questions, please contact Kelly Charapich, Planning Grants Specialist, <u>kelly.charapich@dhcd.virginia.gov</u>.

Sincerely,

Sandara favill

Sandra Powell

Senior Deputy Director

c: Rodney Hathaway, New Kent County Administrator
 Dr. Melissa Mason, DHCD
 Tonya Thomas, DHCD
 Kelly Charapich, DHCD





CONTRACT #: 24-PG-08
GRANTEE: New Kent County

CFDA #: 14,228

#### PLANNING GRANT AGREEMENT

This AGREEMENT, entered into as of this 18<sup>th</sup> day of April, by and between the Virginia Department of Housing and Community Development hereinafter referred to as "DHCD" and the New Kent County hereinafter referred to as "GRANTEE."

#### WITNESSETH

WHEREAS, the Commonwealth of Virginia has been authorized to distribute and administer Community Development Block Grant (CDBG) funds pursuant to the Housing and Community Development Act of 1974, as amended, and

WHEREAS, DHCD has been authorized by the Governor of the Commonwealth of Virginia to distribute and administer CDBG funds in the form of Planning Grants according to the CDBG Program Design, and

WHEREAS, the PROJECT as described in the Planning Grant Application as submitted by the GRANTEE has achieved a sufficiently high ranking through a non-competitive application selection system to qualify for Planning Grant funding on the basis of the CDBG Program Design,

Now THEREFORE, the above-mentioned parties hereto do mutually agree as follows:

- 1. DHCD agrees to award the GRANTEE a Planning Grant in an amount of the total allowable eligible costs in carrying out the activities included in the scope of work herein described. The maximum total of eighty-four thousand dollars (\$84,000.00) is available on a performance basis (see SPECIAL CONDITIONS).
- 2. DHCD agrees to provide the GRANTEE with technical assistance in setting up and carrying out the administration of its Planning Grant.
- 3. The GRANTEE will commence, carry out and complete the following scope of work (more thoroughly described in the GRANTEE'S Planning Grant Application).

PROJECT TITLE: New Kent County Residential Market Analysis Planning Project

OUTCOME: Completion of a residential Market Value Analysis (MVA) for the non-

entitlement jurisdictions in the greater Richmond region, including the counties of Goochland, Hanover, New Kent, and Powatan and the town of

Ashland, with New Kent County serving as the primary applicant.

#### **ACTIVITIES:**

- 1. <u>Project Mobilization—</u> Create a Management Team comprised of key community stakeholders, with representatives from each of the identified localities; complete project management plan; complete work plan; draft request for proposal (RFP) for consultant(s).
- 2. <u>Housing Assessment/Market Value Analysis</u> Utilizing a data-driven approach, complete a Market Value Analysis to strategically plan development and support the specific housing needs of residents of Goochland, Hanover, New Kent, and Powatan counties, and the town of Ashland.
- 3. Prioritized Improvement Plan—Based on the results of the Market Value Analysis (MVA), develop a plan for addressing specific actions to be taken for each individual locality, costs of recommended improvements, sources of financing of CDBG and non-CDBG funding to address proposed improvements, and mapping that denotes existing conditions and proposed improvements.
- 4. <u>Surveying and Documentation of LMI Beneficiaries</u>—Based on outreach to residents, determine potential LMI (low-and-moderate income) benefit for any proposed future construction project that would propose utilizing CDBG (and other funding sources as identified) grant funding.
- 5. <u>CDBG Pre-Contract Activities—Completion of all CDBG pre-contract activities as noted in Special Condition # 3 below, if applicable.</u>

- 4. The aforementioned ACTIVITIES shall be carried out, and grant payments made in strict conformance with the CONTRACT DOCUMENTS.
- 5. The GRANTEE will initiate work on the ACTIVITIES required by the CONTRACT DOCUMENTS beginning April 18, 2025 unless Planning Grant special condition(s) require additional action on specified ACTIVITIES before proceeding with that activity(s). In such instances the GRANTEE will initiate action to remove the SPECIAL CONDITION(S) beginning with the execution of this agreement.
- 6. The GRANTEE shall complete the work as described in the CONTRACT DOCUMENTS on or before **April 17**, **2026**. If the ACTIVITIES are not completed by that date all CDBG funding and this AGREEMENT shall be terminated and the Grantee shall return all unexpended funds, unless an amendment to the CONTRACT DOCUMENTS provide otherwise.
- 7. The GRANTEE shall complete the work as described in the CONTRACT DOCUMENTS by the dates identified in the SPECIAL CONDITIONS. If the ACTIVITIES are not completed by that date, all Planning Grant funding and this AGREEMENT may be terminated and the GRANTEE shall return all unexpended funds, unless an amendment to the CONTRACT DOCUMENTS provide otherwise.
- 8. DHCD agrees to make payment to the GRANTEE upon receipt of a properly completed and signed invoice. Requests for Payment may be made, allowing approximately thirty days to receive the funds. Funds are to be immediately disbursed by the GRANTEE and shall not be deposited in an interest-bearing account.
- 9. The term CONTRACT DOCUMENTS means the following documents which are part of this Agreement, and are incorporated by reference herein as if set out in full:
  - A. GRANTEE'S PLANNING GRANT APPLICATION (including revisions);
  - B. PLANNING GRANT AGREEMENT:
  - C. SPECIAL CONDITIONS:
  - D. GENERAL CONDITIONS:
  - E. ASSURANCES;
  - F. AMENDMENTS;
  - G. FACILITATED PLANNING SESSION;
  - H. CDBG PROGRAM DESIGN; and
  - I. LAST APPROVED BUDGET.

In witness whereof, the parties hereto have executed or caused to be executed by their duly authorized official this AGREEMENT in duplicate, each copy of which will be deemed an original.

COMMONWEALTH OF VIRGINIA,

DEPARTMENT OF HOUSING AND COM	MUNITY DEVELOPME	NT
BY: Sandratavell.		TE: 4/25/2025
Sandra Powell, Senior Deputy Direct Division of Community Development	tor at and Housing	
	and recomb	
City of Richmond,		
Commonwealth of Virginia		
I do certify that Sandra Powell personally a Deputy Director of the Department of Hou authorized to execute the foregoing docume	sing and Community Dev	
My commission expires: 5/31/2027		
Given under my hand this 25th day of A	pril , 2025 .	SANDRA G DAVIS NOTARY PUBLIC
Sandra Glascis	7620150	Commonwealth of Virginia Registration No. 7620150
Notary Public	Registration Number	My Commission Expires 5/31/2027
New Kent County, (GRANTEE)  BY:  Rodney Hathaway, New Kent County,		TE: 4-21-2025
Commonwealth of Virginia		
I do certify that Rodney Hathaway personally Administrator of New Kent County and that		
My commission expires: 3 31 2026		
Given under my hand this 21st day of A	pril , 2025.	
AMAJORAN PITALIC  NON PUBLIC  ON PUBLIC  COMMISSION  COMMISSION  REP  REP  REP  REP  REP  REP  REP  RE	7993305 Registration Number	
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#### SPECIAL CONDITIONS

- 1. Upon execution of this contract, the Associate Director of the Program Administration and Assistance Office is authorized to approve budgets, budget revisions, contract extensions, and contract closeouts.
- 2. The CDBG Pre-Contract documents due pre-application for the 2025 Competitive Grant Cycle are as follows:
  - A. Draft of the Environmental Review and Request for Release of Funds, including all applicable publications;
  - B. Adoption of a Section 3 business and employment plan;
  - C. Adoption of a local nondiscrimination policy;
  - D. Draft of a display advertisement soliciting the participation of local (Section 3) businesses and employees;
  - E. Completion of a Self-Evaluation Site Accessibility checklist; adoption of a "504 Self-Assessment and Policy Plan"; and draft of a display advertisement of HUD Handicapped Regulations:
  - F. Adoption of a local anti-displacement plan;
  - G. Certification of intent to take a yearly action to affirmatively further fair housing;
  - H. Documentation of the minutes and sign-in sheets of the two required public hearings;
  - I. Draft of a display advertisement and the Request for Proposals of the procurement of an engineer, rehab specialist, or grant manager, as applicable, and;
  - J. Completion of a draft housing program design, as applicable.
- 3. The activities being funded are strictly planning.
- 4. Ten percent (10%) of the total grant shall not be reimbursed unless and until the completion of the CDBG pre-contract requirements, if applicable, and all project deliverables have been completed, uploaded into CAMS and satisfactorily reviewed by DHCD. Please note that this 10% is NOT meant to pay for these activities. Rather, it is contract retainage. Neither PLANNING GRANT nor CDBG funds pay for development and submission of a CDBG application. Reasonable expenses involved in the completion of pre-contract requirements may be reimbursed out of a CDBG project (if the applicant is successful), and with a formally executed approval of those prior-authorized expenses.
- 5. There are no leverage funds committed to this project by the GRANTEE.
- 6. It must be documented that project area stakeholders are involved in all planning activities and phases of project development.
- 7. All grant-related work shall occur using a management team concept and representing all stakeholders, including but not limited to neighborhood residents (sparkplugs), the engineer and/or architect, the rehab specialist, the housing program administrator, the grant manager, the Chief Executive, the Director of Public Works, and the local Planner, as appropriate.
- 8. No PLANNING GRANT funds shall be obligated until a revised PROJECT BUDGET is received

and approved if applicable.

- 9. DHCD expects remittance requests for each CDBG-funded budget activity to be submitted at least quarterly. All remittance requests must be submitted via CAMS and shall be accompanied at least by a cover memorandum and copies of relevant invoices and checks. Remittances for administration expenses will be accepted and processed only on a pay-for-performance basis. The benchmarks to be used in determining eligibility for payment will be negotiated between the GRANTEE and the assigned Community Development Specialist. The benchmarks, compensation, and their schedule shall be considered as an ATTACHMENT to this CONTRACT. The GRANTEE must include a comparable compensation process for making payments to contractual service providers, and that process with benchmarks and a compensation schedule must be included in contracts with service providers.
- 10. DHCD reserves the right to end funding at any point beyond the initial investment outlined in number 1 above. DHCD may exercise this right at any time beyond the initial investment should the project prove not to be viable and to be a poor investment of CDBG resources.
- 11. Throughout the life of the project, the GRANTEE will ensure that the appropriate staff attends all required DHCD training, including the annual Grant Management Workshop. Depending upon the training being offered, the individuals who must attend may include the grant manager, the rehabilitation specialist, the federal labor standards contract compliance officer and/or the financial manager.
- 12. As the Centralized Application and Management System (CAMS) is implemented, at a minimum, the following must be observed:
  - A. The only CAMS User Role that a consultant or PDC staff may be assigned on the grantee's Manage Staff and/or Project pages is "Consultant." While documents may be prepared and uploaded into CAMS by a "Consultant," only the grantee can submit them.
  - B. Each file uploaded may be no larger than 100 megabytes, depending upon your connection. The file name may be no longer than 150 characters and not use special characters. Multiple files can be compressed (zip) into one file. Executed documents must be scanned in their entirety and as a single document.
  - C. The original executed GRANT AGREEMENT, Certification of Signatures and Address and Project Management Plan must be scanned or mailed to DHCD in its entirety. Copies must also be uploaded into "Reports & Documents" in CAMS as a contract document.
  - D. All ACTIVITIES required by this contract must be uploaded into "Reports & Documents" in CAMS.
  - E. All remittance requests must be submitted through "Remittances" in CAMS.
  - F. If ACTIVITIES are submitted at the same time as a draw down request, the explanation text box at the bottom of the Remittances screen must note this fact.
  - G. The following pre-contract activity documents must be uploaded into "Reports & Documents" in CAMS: draft program designs and other required plans, Fair Housing Certification, draft

NOI-FONSI advertisement, and draft Request for Release of Funds and Certification.

- H. The original executed Final Financial Report must be mailed to DHCD. A copy must also be uploaded into "Reports & Documents" in CAMS as a contract document.
- I. All annual financial audit reports as required by this contract shall be submitted through CAMS.

#### GENERAL CONDITIONS

- 1. **DEFINITIONS** Whenever used in the CONTRACT DOCUMENTS the following terms when written in all capital letters shall have the meanings indicated and shall be applicable to both the singular and plural thereof:
  - A. **ACTIVITY** A Project ACTIVITY constitutes a specific portion of the project, and as such is covered by its own budget account.
  - B. **AMENDMENT** A formal addition or modification to the CONTRACT DOCUMENTS which has been approved by both parties, and which affects the scope, objectives or completion date of the PROJECT, or which affects the manner in which the PROJECT is to be carried out. AMENDMENTS are to be submitted and approved as indicated in item 12 of these GENERAL CONDITIONS.
  - C. **APPLICANT** The entity which made the application for PLANNING GRANT funding and accepted responsibility for assuring compliance and performance of all conditions.
  - D. ASSURANCES The Assurances which are attached to this document.
  - E. PLANNING GRANT The funds, the project and activities to be funded, and all conditions, laws and regulations affecting administration of funds currently in effect or as subsequently amended, and provided by DHCD to GRANTEES from Community Development Block Grant (CDBG) funds allocated by the U.S. Department of Housing and Urban Development.
  - F CONTRACT DOCUMENTS The legal agreement between DHCD and the GRANTEE including the Agreement, and all documents referenced in paragraph 8 thereof.
  - G. **GRANTEE** The entity which is the recipient of PLANNING GRANT funds and as such must comply with CONTRACT Documents.
  - H. **PROJECT** The physical activities undertaken to meet the overall stated outcome for which PLANNING GRANT funding is utilized.
  - I. WRITTEN NOTICE Any notice from one party to the AGREEMENT to the other signed by an authorized official which transmits binding statements of fact or condition and shall be considered transmitted when delivered in person, uploaded into CAMS or through the United States mail.
  - J. MANUAL The Grant Management Manual, which contains the required procedures and best practices for the management of a CDBG project.
- 2. **ADMINISTRATIVE PROCEDURES** The GRANTEE shall deliver all contracted ACTIVITIES and administer all grant funds and activities in conformance with the general terms and special conditions set forth where required in DHCD's MANUAL and any WRITTEN NOTICES from DHCD.

3. **ACCOUNTING RECORDS** - The GRANTEE shall establish and maintain separate accounts within its existing accounting system or set up accounts independently which are in conformity with the requirements of 24 CFR Part 85, the MANUAL requirements, and any written instructions from DHCD. The GRANTEE shall record in its accounting system all Grant payments received by it pursuant to this Grant and all other funds provided for, accruing to, or otherwise received on account of the Grant.

All costs, including paid services contributed by the GRANTEE or others, charged to the Grant shall be supported by properly executed payrolls, time records, invoices, contracts, or vouchers evidencing in proper detail the nature and propriety of the charges. All checks, payrolls, invoices, contracts, vouchers, orders, or other accounting documents pertaining in whole or in part to the PLANNING GRANT shall be clearly identified, readily accessible, and separate and distinct from all other such documents. Such documents shall reside at the offices of the GRANTEE.

- 4. **COSTS INCURRED PRIOR TO GRANT AGREEMENT EXECUTION** No costs incurred prior to the execution of the AGREEMENT shall be eligible for reimbursement with Grant funds, unless such incurred costs are authorized in writing by DHCD.
- 5. **GRANT BUDGET** The GRANTEE shall carry out activities and incur costs only in conformance with the latest approved budget for the PLANNING GRANT and subject to the provisions of these CONTRACT DOCUMENTS. The budget may be revised through Administrative Procedures detailed in the MANUAL, but not such budget or revision shall be effective unless and until the Department shall have approved the same in writing or as indicated in item 12 of these General Conditions.
- 6. **RECORDS** The GRANTEE shall maintain accurate, complete and orderly documentation of CDBG-funded activities in conformance with the provisions of these CONTRACT DOCUMENTS. Records shall be readily accessible to DHCD, appropriate State and Federal agencies, or any of their duly authorized representatives, and the general public during the course of the project. The records shall remain intact and accessible for ten (10) years from the day of DHCD's acceptance of the final audit or financial statements. If any litigation claim or audit is started before the expiration of the ten (10) year period, the records shall be retained until such action is resolved. Notwithstanding, records of any nonexpendable property must be retained for a ten (10) year period following final disposition.
- 7. **REPORTS** The GRANTEE shall furnish, regularly and in such form as DHCD may require, reports concerning the status of project activities and grant funds. All reports shall be completed in full and submitted at the time prescribed by DHCD. Reports shall contain accurate information and shall detail any problems, delays or adverse conditions experienced.
- 8. **QUALITY CONTROL** The GRANTEE accepts the responsibility to assure that all grant funded activities shall be implemented with the highest possible degree of competence, workmanship, quality and cost effectiveness. To this end the GRANTEE shall provide a system of quality control to include all aspects of grant administration and project implementation.
- 9. **COMMUNICATIONS** WRITTEN NOTICES shall constitute the only means of binding statements of fact or condition between the parties of this agreement. All required reports and requests to be issued by the GRANTEE must be made by way of a WRITTEN NOTICE unless other

means are specified in the CONTRACT DOCUMENTS. Please note that project-specific technical assistance provided via email does NOT have the weight of official WRITTEN NOTICE. Rather, it is comparable to oral technical assistance discussions. All directives, findings and other formal issuance by DHCD must be transmitted through a WRITTEN NOTICE unless otherwise specified in the CONTRACT DOCUMENTS.

WRITTEN NOTICES shall be signed by and addressed to the appropriate authorized official and shall be considered transmitted when delivered in person, uploaded into CAMS or through the United States mail.

The GRANTEE shall act upon and respond to WRITTEN NOTICES promptly as directed.

- 10. **EXCESS GRANTS FUNDS** At the completion of all Grant activities DHCD shall have the right to recapture any excess grant funds, provided that the GRANTEE has not had DHCD approval on any amendments or reprogramming of the funds.
- 11. **METHOD OF PAYMENT** DHCD agrees to pay to the Grantee the amounts specified in paragraph I of the Agreement, which shall constitute full and complete funding for the GRANTEE'S work and activities set forth in the application. Remittances against this contract will be accepted and processed **only** on a pay-for-performance basis. The benchmarks to be used in determining eligibility for payment will be negotiated between the GRANTEE and the assigned Community Development Specialist. The benchmarks, compensation, and their schedule shall be considered as an ATTACHMENT to this CONTRACT. All remittance requests must be submitted in the manner proscribed by DHCD, including a cover memorandum and copies of relevant 7 invoices and checks.
- 12. **BUDGET REVISIONS/AMENDMENTS** The GRANTEE shall not obligate, encumber, spend or otherwise utilize PLANNING GRANT funds for any activity or purpose not included or not in conformance with the budget as apportioned and as submitted to DHCD unless:
  - A. The GRANTEE has received explicit approval by WRITTEN NOTICE from DHCD via CAMS to undertake such actions; or
  - B. The activity or purpose is consistent with the objectives and scope of the approved PROJECT and does not entail a budget change between ACTIVITIES or between line items within ACTIVITIES exceeding 5% of the total Grant amount cumulatively, including all previous budget changes.
- 13. **CHANGE ORDERS** DHCD must approve all change orders on contracts. Any change order, regardless of cost or funding source, which results in a change of project scope will be a disallowed cost.
- 14. TERMINATION, SUSPENSION, CONDITIONS -
  - A. For cause If through any cause, the GRANTEE or DHCD fails to comply with the terms, conditions or requirements of the CONTRACT DOCUMENTS the other party may terminate or suspend this AGREEMENT by giving WRITTEN NOTICE of the same and specifying the effective date of termination or suspension at least five (5) days prior to such action.

If, after the effective date of any suspension of this AGREEMENT, it is mutually agreeable to

DHCD and the GRANTEE upon remedy of any contract violation by the GRANTEE or DHCD, the suspension may be lifted and the agreement shall be in full force and effect at a specified date after the parties have exchanged WRITTEN NOTICES stating a mutual understanding that the cause for suspension has been identified, agreed to and remedied.

In the case of contract violations by the GRANTEE, DHCD may impose conditions other than termination or suspension which are appropriate to ensure proper grant and project administration and adherence to the terms of the CONTRACT DOCUMENTS. Such conditions must be imposed through WRITTEN NOTICE.

B. For convenience - DHCD may terminate this AGREEMENT for convenience in the event that DHCD is no longer authorized as an agency to administer the CDBG program or if the federal funds allocated are no longer available.

The GRANTEE may terminate this AGREEMENT for convenience at any time provided that all of the following conditions are met:

- i. The GRANTEE gives DHCD ten (10) days WRITTEN NOTICE; and
- ii. The activities which have been initiated either have been completed and may be utilized in their stage of completion in a manner consistent with the objectives in the GRANTEE'S Planning Grant Application, or will be completed by the GRANTEE through its own or other resources; and
- iii. The GRANTEE had honored or will honor all contractual obligations to third parties affected by the PROJECT; and
- iv. DHCD agrees to the termination.

A GRANTEE'S valid termination for convenience in accordance with these CONTRACT DOCUMENTS shall not affect nor prejudice the GRANTEE'S future relationship with DHCD nor its future consideration as a CDBG recipient.

15. SUBSEQUENT CONTRACTS - The GRANTEE shall remain fully obligated under the provisions of the CONTRACT DOCUMENTS notwithstanding its designation of any subsequent or third parties for the undertaking of all or part of the activities for which the grant assistance is being provided to the GRANTEE.

Any GRANTEE or CONTRACTOR or SUBCONTRACTOR which is not the APPLICANT shall comply with all the lawful requirements of the APPLICANT necessary to insure that the PROJECT for which this assistance is being provided under this AGREEMENT is carried out in accordance with the APPLICANT's Assurances and Certifications.

- 16. **POLITICAL ACTIVITY PROHIBITED** None of the funds, materials, property or services contributed by the DHCD or the GRANTEE, under this AGREEMENT, shall be used in the performance of this AGREEMENT for any partisan political activity, or to further the election or defeat of any candidate for public office.
- 17. **INTEREST OF MEMBER OF AGENCY AND OTHERS** No officer, member, or employee of the GRANTEE and no member of its governing body, and no other public official of the governing body of the locality or localities in which the project is situated or being carried out, who exercises any functions or responsibilities in the review or approval of the undertaking or carrying out of this project, shall participate in any decision relating to this AGREEMENT which affects his personal interest or have any personal or pecuniary interest, direct or indirect, in this AGREEMENT or the proceeds thereof.
- 18. **OFFICIALS NOT TO BENEFIT** No member of or delegate to the Congress of the United States of America and no Resident Commissioner shall be admitted to any share or part hereof or to any benefit to arise herefrom.
- 19. **CERTIFICATIONS** The GRANTEE certifies that it will comply with the following: a) Freedom of Information Act; b) Virginia Conflict of Interest Act; c) Virginia Fair Employment Contracting Act; and d) Virginia Public Procurement Act.
- 20. **BENEFICIARIES** There are no third party beneficiaries of this contract. The provisions contained in these CONTRACT DOCUMENTS represent the entire agreement between DHCD and the GRANTEE. The provisions are designed to assist in meeting the community needs of the GRANTEE identified in the GRANTEE'S Planning Grant Application, but are not designed to accrue to the specific benefit of any individual person or entity residing or located in the GRANTEE'S community or elsewhere. Consequently, the terms of these CONTRACT DOCUMENTS may be enforced by DHCD or the GRANTEE exclusively and not by any individual person or entity residing or located in the GRANTEE'S community or elsewhere as a third-party beneficiary of this contract.
- 21. **AUDITS** All GRANTEES that receive funding during a program year and/or have projects in progress are required to submit financial statements to DHCD. Required statements are as follows: Financial Statement\*\*, Reviewed Financial Statement prepared by an independent Certified Public Accountant (CPA), Financial Statements that have been audited by an independent CPA or an audit required by the Code of Federal Regulations (CFR), (2 CFR 200 Subpart F), audited by an independent CPA. Please see the table below to determine which document your organization is required to submit.

The threshold requirements outlined below are the *minimal* standards required by DHCD. We strongly encourage all organizations receiving funds from DHCD to undertake the highest level of financial management review to ensure practices and procedures are fully examined and evaluated.

Threshold Requirement	Document
Total annual expenditures ≤\$100,000	Financial Statement(s) prepared by
(Regardless of source)	organizations**
Total annual expenditure between \$100,001	Reviewed Financial Statement(s) prepared by an
and \$300,000 (Regardless of source)	Independent Certified Public Accountant (CPA)

Total annual expenditures > \$300,000	Financial Statement(s) that have been audited by
(Regardless of source)	an Independent CPA
Federal expenditures ≥\$750,000	2 CFR 200 Subpart F Audit – Audited by an
	Independent CPA

Does not require preparation by a CPA

Required financial statements must be submitted yearly, within nine (9) months after the end of your fiscal year or 30 (thirty) days after it has been accepted (reviewed financial Statement(s), audited financial statement(s), and 2 CFR 200 Subpart F audit only) -whichever comes first.

Entities must electronically submit their financial statement(s), reviewed financial statement(s), audit financial statement(s), 2 CFR 200 Subpart F audit in DHCD's Centralized Application and Management System (CAMS,) which requires the organization to register in CAMS at <a href="https://dmzl.dhcd.virginia.gov/camsportal/Login.aspx">https://dmzl.dhcd.virginia.gov/camsportal/Login.aspx</a>. Entities are required to have a DHCD reviewed and approved current audit or financial statement(s) in order to submit a remittance request.

Additional reporting requirement (for local governments and non-profit organizations)

In accordance with the Code of Federal Regulations, Title 2 CFR Part 200 Subpart F, non-Federal entities that expend \$750,000 or more in federal awards within the entity's fiscal year are required to complete a "Data Collection Form for Reporting on Audits of States, Local Governments, and Non-Profile Organizations" (see Appendix A for sample form), upload your audit to CAMS and submit a copy of your Audited Financial Statement to the Federal Audit Clearinghouse at <a href="https://harvester.census.gov/facweb/files/2013%20Form%20SF-SAC.pdf">https://harvester.census.gov/facweb/files/2013%20Form%20SF-SAC.pdf</a>.

The full DHCD Audit Policy, including an explanation of the specific document requirements, can be found online at <a href="https://www.dhcd.virginia.gov/sites/default/files/Docx/audit-policy/dhcd-audit-policy.pdf">https://www.dhcd.virginia.gov/sites/default/files/Docx/audit-policy/dhcd-audit-policy.pdf</a>.

### ASSURANCES

The Grantee hereby assures and certifies that:

- 1. It possesses legal authority to execute the project.
- 2. Its governing body has duly adopted or passed as an official act a resolution, motion, or similar action authorizing the filing of the Planning Grant Application including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the grantee to act in connection with the Planning Grant Application and to provide such additional information as may be required.
- 3. Its chief executive officer or other officer of grantee approved by the Virginia Department of Housing and Community Development:
  - A. Consents to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969 (NEPA) and other provisions of Federal law, as specified at 24 CFR 58.5(a) through (h) which further the purposes of NEPA insofar as the provisions of such Federal law apply to this Grant;
  - B. Is authorized and consents on behalf of the grantee and himself to accept the jurisdiction of the Federal and Commonwealth of Virginia courts for the purpose of enforcement of his responsibilities as such an official.
- 4. It will comply with the regulations, policies, guidelines and requirements of the Code of Federal Regulations (CFR) 2 CFR 200, as amended or replaced from time to time, as they relate to the PROJECT, acceptance, and use of Federal funds under this Grant; and, as applicable, all State laws and administrative requirements which may supersede them (by virtue of being more stringent).
- 5. It will comply with:
  - A. Executive Order 11063 on equal opportunity in housing and nondiscrimination in the sale or rental of housing built with Federal assistance.
  - B. Section 906 of Public Law 100-625 (Cranston-Gonzalez National Affordable Housing Act) which prohibits discrimination on the basis of religion or religious affiliation. No person shall be excluded from participation in, denied the benefit of, or be subjected to discrimination under any program or activity funded in whole or in part with CDBG funds on the basis of his or her religion or religious affiliation.
  - C. Executive Order 11246, as amended (Contracts/subcontracts above \$10,000)

During the performance of this contract, the GRANTEE agrees as follows:

- (1) The GRANTEE will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The GRANTEE will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The GRANTEE agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.
- (2) The GRANTEE will, in all solicitations or advertisements for employees placed by or on behalf of the GRANTEE, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, or national origin.
- (3) The GRANTEE will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers ' representatives of the GRANTEE's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- (4) The GRANTEE will comply with all provisions of Executive Order 11246, as amended, and of the rules, regulations, and relevant orders of the Secretary of Labor.
- (5) The GRANTEE will furnish all information and reports required by Executive Order 11246, as amended, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- (6) In the event of the GRANTEE's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the GRANTEE may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246, as amended, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246, as amended, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- (7) The GRANTEE will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246, as amended, so that such provisions will be binding upon each subcontractor or vendor. The GRANTEE will take such action with respect to any subcontract or purchase order as the

administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, That in the event a GRANTEE becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency the GRANTEE may request the United States to enter into such litigation to protect the interests of the United States.

### D. Subcontracts

Each contractor or subcontractor shall include the equal opportunity clause in each of its subcontracts.

- 6. All parties to this contract hereby agree to comply with the provisions of Title VI of the *Civil Rights Act of 1964* (Public Law 88-352) which provides: that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance of any dollar amount no minimum threshold.
- 7. All parties to this contract hereby agree to comply with the provisions of Section 109 of the Housing and Community Development Act or 1974, as amended which provides: No person in the United States shall on the ground of race, color, national origin, or sex be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title. Any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975 or with respect to an otherwise qualified handicapped individual as provided in section 504 of the Rehabilitation Act of 1973 shall also apply to any such program or activity of any dollar amount no minimum threshold.
- 8. It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
- 9. It will comply with the provisions of the Hatch Act which limits the political activity of employees.
- 10. It will require buildings or facilities designed with funds provided under this Grant to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A-117.1-R 1980, in accordance with the Virginia Uniform Statewide Building Code. The Grantee will be responsible for conducting inspections to insure compliance with these specifications by the contractor.
- 11. It will comply with Section 3 of the *Housing and Urban Development Act of 1968*, as amended, requiring that to the greatest extent feasible opportunities for training and employment be given to lower-income residents of the project area and <u>contracts</u> for work in connection with the project be awarded to eligible business concerns which are located in, or owned in substantial part by, persons residing in the area of the project.

- 12. It will comply with the provisions of Executive Order 11988, relating to evaluation of flood hazards and Executive Order 12088 relating to the prevention, control, and abatement of water pollution.
- 13. It will comply with Section 104 (I) of the *Housing and Community Development Act of 1974*, as amended, in that: it has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations and a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is subject of such nonviolent civil rights demonstration within its jurisdiction.

Rodney Hathaway, County Administrator

4-21-2025

Date

# **AGENDA ITEM REQUEST**

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

Meeting Date: 6/9/2025 Refunds

	approve the Consena part of the record.	t Agenda as presented	and that it be made	
Motion: "Mr. Chairman, I move (not required for Conse Agenda items)	e to or  I move to approve to	he Consent Agenda as the record, with the fo		
Subject	REFUND - Sobieski M 2025 - \$94.35	REFUND - Sobieski Mechanical Contractors, Inc BP #24411-2025 - \$94.35		
Issue				
Recommendation	Approval			
Fiscal Implication	S			
Policy Implication	S			
Legislative Histor	у			
Discussion				
Time Needed:		Person Appearing:		
prepared by:	Office Manager Community Development Tracee McLeod	Telephone:	804-966-9680	
Copy provided to:				

# **CONSENT AGENDA REFUND REQUEST**

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

Meeting Date: 6/9/2025

Reason for refund Duplicate permit was issued - BP#24411-2025

Refund Amount \$94.35

Sobieski Mechanical Contractors, Inc. 1325 Old Cooch's Bridge Rd

Name and complete mailing address for refund recipient

Newark, DE 19713 Attn: Victoria Smith

Line item identification and breakdown

Plumbing - \$94.35 (refund full amount due to a duplicate permit for this job was issued)

Request prepared

Office Manager Community Development Tracee McLeod by:

Telephone: 804-966-9680

Date of Request: 4/29/2025

### **ATTACHMENTS:**

Description Type

REFUND - Sobieski Mechanical Contractors, Inc. Cover Memo 24411 (PDF)

## **REVIEWERS:**

Department	Reviewer	Action	Date
Clerk	Stanger, Amanda	Approved	4/30/2025 - 11:54 AM
Administration	Hathaway, Rodney	Approved	5/18/2025 - 11:36 PM
Attorney	Hathaway, Rodney	Approved	5/18/2025 - 11:38 PM

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# CONSENT AGENDA REFUND REQUEST

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

Meeting Date	June 9, 2025	·
Reason for refund	Duplicate permit was issued BP# 24411-2025	d.
Refund Amount	\$94.35	
Name and complete m address for refund reci	1325 Old Cook Newark, DE 19 Attn: Victoria 9	9713
Line item identificatior breakdown		94.35 (refund full amount due to a duplicate permit for this job was issued)
I certify this to be a complet		uested by the Commissioner of Revenue st for refund. Certified this day of, 20
Signature of Commissioner	of Revenue, his deputy or ot	ther designated official
Request prepared by:	Tracee McLeod, Office Mana	ger, Comm Dev., Building Telephone 804-966-9680
Date of Request 4	4/29/2025	
For Clerk's Use: Approval date by Board:		REVIEWS Admin: Finance:  Print Form

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Residential, Commercial & Industrial 1325 Old Cooch's Bridge Rd Newark, DE 19713 Phone: (302) 402-3645 Fax: (302) 993-0681

April 29, 2025

New Kent County Attn: Tracee McLeod

Hi Tracee,

This letter is to request a refund for a double permit fee we paid for 7817 ARBOR MARSH TER.

Permit PLUMB-024224-2025 was originally issued then PLUMB-024411-2025 was also issued.

Can you please refund us the \$94.35 paid twice for this location?

Sincerely,

Vicky Smith
Project Administrator
New Home Construction



Sobieski Mechanical Contractors, Inc 1325 Old Cooch's Bridge Rd. Newark, DE 19713

Direct Dial: 302-402-3645

Main Line: 302-993-0104 ext 223

Fax: 302-993-0681



# **County of New Kent**

P.O. Box 150 12007 Courthouse Circle New Kent, VA 23124

# **PERMIT NUMBER**

# PLUMB-024411-2025

Issue Date: 04/22/2025

VUSBC: USBC 2021

Use: R-5

Permit Type: Plumbing (Residential)

Work Class: New Construction

GPIN	Site Address	District
J12-2035-3739	7817 Arbor Marsh Ter , New Kent	3

	Owner Information	Mechanics Lien Agent	Contractor Information
Name:	D R HORTON INC	Name: NONE DESIGNATED	Name: J F SOBIESKI MECHANICAL CONTR
Address:	2820 Waterford Lake Dr MIDLOTHIAN, VA 23112	Address:	Address: 1325 Old Cooches Bridge Rd NEWARK, DE 19713
Phone:	(804) 418-9869	Phone: ()-	Phone: (302) 402-3645
			Lic No: 2705179947
			Issue Date:
			Lic Exp: 6/30/2025

Project Description	
2.5BATH	

Zone Code	Firm Zone
PUD, PUD	X

Nature of Work	
NEW SINGLE FAMILY DWELLING 1953SF / 4BED 2.5BATH (PINE-RH)	

Signature of Approving Official

Date: 04/22/2025

PER SEC. 110.6 OF THE VUSBC, ANY PERMIT ISSUED EXPIRES SIX (6) MONTHS AFTER ISSUANCE IF NO INSPECTIONS HAVE BEEN MADE.

**TOTAL FEES:** 

\$94.35

# **AGENDA ITEM REQUEST**

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

Meeting Date: 6/9/2025 Refunds

	approve the Consent a part of the record.	t Agenda as presented	I and that it be made
Motion: "Mr. Chairman, I move	or		
(not required for Conser Agenda items)	I move to approve the	he Consent Agenda as the record, with the f	
Subject	REFUND - Absolute E	Exterior Concepts - BP	#23840-2025 - \$51
Issue			
Recommendation	Approval		
Fiscal Implications			
Policy Implications	;		
Legislative History			
Discussion			
Time Needed:		Dorcon Annopring	
<u> </u>	Watking Donuty	」Person Appearing:	
-	V. Watkins, Deputy Clerk of the Board	Telephone:	804-966-9687
Copy provided to:			

# CONSENT AGENDA REFUND REQUEST

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

Meeting Date: 6/9/2025

Reason for refund Contractor canceled permit - BP#23840-2025

Refund Amount \$51

Name and complete mailing address for refund recipient Absolute Exterior Concepts 1600 Pocahontas Trl Quinton, VA 23141

Line item identification and breakdown

Build - \$68.00 (Minus 25% Administrative Fee) Surcharge - \$1.36 (non-refundable) Zoning - \$30.00 (non-refundable)

Request prepared by:

W. Watkins, Deputy Clerk of the Board

Telephone:

804-966-9687

Date of Request:

5/15/2025

### **ATTACHMENTS:**

Description Type

REFUND - Absolute Exterior Concepts 51 (PDF) Cover Memo

### **REVIEWERS:**

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	5/15/2025 - 9:36 AM
Administration	Hathaway, Rodney	Approved	5/18/2025 - 11:39 PM
Attorney	Hathaway, Rodney	Approved	5/18/2025 - 11:40 PM

# CONSENT AGENDA REFUND REQUEST

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

Meeting Date	June 9, 2025
Reason for refund	Contractor canceled permit. Resubmitting under one project. BP# 23840-2025
Refund Amount	\$51.00
Name and complete raddress for refund rec	
Line item identificatio breakdown	Build - \$68.00 (Minus 25% administrative fee) Surcharge - \$1.36 (Non-refundable) Zoning - \$30.00 (Non-refundable)
I certify this to be a comple	For Refunds Requested by the Commissioner of Revenue ete, full, true and exact request for refund. Certified this day of, 20
Signature of Commissione	r of Revenue, his deputy or other designated official
Request prepared by:	Tracee McLeod, Office Manager, Comm Dev. Building l Telephone 804-966-9680
Date of Request	
For Clerk's Use: Approval date by Board: _	
	Print Form 89



# **County of New Kent**

P.O. Box 150 12007 Courthouse Circle New Kent, VA 23124

## **PERMIT NUMBER**

BLDG-023840-2025

Issue Date: 03/14/2025

VUSBC: USBC 2021

Use: R-5

Permit Type: Building (Residential)
Work Class: Garage (Not Attached)

GPIN	Site Address	District
K06-2987-3914	8135 Sweet Dixie Ln , Quinton	2

	Owner Information		Mechanics Lien Agent	C	Contractor Information
Name:	VERONICA PAVON	Name:	NONE DESIGNATED	Name:	ABSOLUTE EXTERIOR CONCEPTS
Address:	8135 Sweet Dixie Nck QUINTON, VA 23141	Address:		Address:	1600 Pocahontas Trl QUINTON, VA 23141
Phone:	(804) 690-9084	Phone:	<u></u>	Phone: Lic No: Issue Date:	(804) 346-6055 2705143049
				Lic Exp:	9/30/2025

Project Description		
DETACHED GARAGE 24X28	672SE W/ FINISHED 2ND FLOOR (GAME RM AND OFFICE ) 575SE	- two sh

Zone Code	Firm Zone
R1	X

Nature of Work
DETACHED GARAGE 24X28 672SF W/ FINISHED 2ND FLOOR (GAME RM AND OFFICE ) 575SF

Signature of Approving Official Date: 03/14/2025

PER SEC. 110.6 OF THE VUSBC, ANY PERMIT ISSUED EXPIRES SIX (6) MONTHS AFTER ISSUANCE IF NO INSPECTIONS HAVE BEEN MADE.

TOTAL FEES: \$99.36



To whom it may concern:

Please cancel building permits BLDG-023644-2025 and BLDG-023840-2025 because we are resubmitting under one project. We would like to request a refund for the fees for these projects.

Thank you for your consideration,

Scott Newton Absolute Exterior Concepts Owner, 804-557-3931

# **AGENDA ITEM REQUEST**

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

Meeting Date: 6/9/2025 Refunds

	approve the Conse	nt Agenda as presente I.	d and that it be made
Motion: "Mr. Chairman, I move	or		
(not required for Conse Agenda items)	If move to approve	the Consent Agenda as of the record, with the	
Subject	REFUND - Absolute	Exterior Concepts - BF	P#23644-2025 - \$60
Issue			
Recommendation	Approval		
Fiscal Implication	S		
Policy Implication	S		
Legislative History	У		
Discussion			
Time Needed:		Person Appearing:	
-	W. Watkins, Deputy Clerk of the Board	Telephone:	804-966-9687
Copy provided			

# CONSENT AGENDA REFUND REQUEST

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

Meeting Date: 6/9/2025

Reason for refund Contractor canceled permit - BP#23644-2025 Refund Amount \$60 Absolute Exterior Concepts Name and complete 1600 Pocahontas Trl mailing address for Quinton, VA 23141 refund recipient Build - \$80.00 (Minus 25% Administrative Fee) Line item Surcharge - \$1.60 (non-refundable) identification and Zoning - \$30.00 (non-refundable) breakdown Request prepared W. Watkins, Deputy Clerk of Telephone: 804-966-9687 the Board by:

### **ATTACHMENTS:**

Date of Request:

Description Type

5/15/2025

REFUND - Absolute Exterior Concepts 60 (PDF) Cover Memo

### **REVIEWERS:**

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	5/15/2025 - 9:40 AM
Administration	Hathaway, Rodney	Approved	5/18/2025 - 11:32 PM
Attorney	Hathaway, Rodney	Approved	5/18/2025 - 11:36 PM

# CONSENT AGENDA REFUND REQUEST

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

94

Meeting Date	June 9, 2025
Reason for refund	Contractor canceled permit. Resubmitting under one project. BP# 23644-2025
Refund Amount	\$60.00
Name and complete m address for refund reci	
Line item identification breakdown	Build - \$80.00 (Minus 25% administrative fee) Surcharge - \$1.60 (Non-refundable) Toning - \$30.00 (Non-refundable)
	For Refunds Requested by the Commissioner of Revenue
I certify this to be a complet	e, full, true and exact request for refund. Certified this day of, 20
Signature of Commissioner	of Revenue, his deputy or other designated official
Request prepared by:  Date of Request	Fracee McLeod, Office Manager, Comm Dev. Building   Telephone 804-966-9680
L	REVIEWS
For Clerk's Use:	Admin: Attorney
Approval date by Board:	Finance:
	Print Form



# County of New Kent P.O. Box 150

12007 Courthouse Circle New Kent, VA 23124

# **PERMIT NUMBER**

BLDG-023644-2025

Issue Date: 02/26/2025

VUSBC: USBC 2021

Use: R-5

Permit Type: Building (Residential)

Work Class: Addition

GPIN	Site Address	District
K06-2987-3914	8135 Sweet Dixie Ln , Quinton	2

	Owner Information		Mechanics Lien Agent	C	Contractor Information
Name:	VERONICA PAVON	Name:	NONE DESIGNATED	Name:	ABSOLUTE EXTERIOR CONCEPTS
Address: Phone:	8135 Sweet Dixie Nck QUINTON, VA 23141 (804) 690-9084	Address: Phone:		Address: Phone:	1600 Pocahontas Trl QUINTON, VA 23141 (804) 346-6055
Phone:	(804) 880-8004	Phone:		Lic No: Issue Date: Lic Exp:	2705143049 9/30/2025

Project Description	
ROOM ADDITION 22X14 3	308 SF W/ COVERED PATIO AREA 16X14 224SF

Zone Code	Firm Zone	
R1	X	

Nature of Work	
<b>ROOM ADDITION</b>	X14 308 SF W/ COVERED PATIO AREA 16X14 224SF

Date: 02/26/2025

PER SEC. 110.6 OF THE VUSBC, ANY PERMIT ISSUED EXPIRES SIX (6) MONTHS AFTER ISSUANCE IF NO INSPECTIONS HAVE BEEN MADE.

**TOTAL FEES:** 

\$113.10



To whom it may concern:

Please cancel building permits BLDG-023644-2025 and BLDG-023840-2025 because we are resubmitting under one project. We would like to request a refund for the fees for these projects.

Thank you for your consideration,

Scott Newton Absolute Exterior Concepts Owner 804-557-3931

# **AGENDA ITEM REQUEST**

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

Meeting Date: 6/9/2025 Supplemental Appropriations

approve the Consent Agenda as presented and that it be made a part of the record. Motion: "Mr. Chairman, I move to (not required for Consent I move to approve the Consent Agenda as presented and that Agenda items) it be made a part of the record, with the following changes: FY25 Supplemental Appropriations Subject Issue Recommendation 1. Animal Shelter Donations: \$1,780. 2. Gifts & Donations: Fire-Rescue: Powhatan (\$15), Baker (\$100) & Sheriff: Wehmann (\$20), The Blackbaud Giving Fund (\$175), \$310 3. Farmers Market: Registration Fees: Golden Greens (\$50), Pomocray Farm LLC (\$75), Urban Egg-Scape Farm LLC (\$150), Elizabeth Hall (\$45), The Neon Toad LLC (\$50), George A. Tate Jr. (\$75), Kam's Klay Creations (\$50), Westwood Homestead (\$75), Wigglebutts (\$75), Risen Farm (\$75), Rockahock Farm (\$75), Two Sisters Provisions (\$50), Devine Foods (\$50), The Twisted Soda Lab (\$50), Jackie's Batch (\$75), Designs by Karen & Working Class Soap (\$150), Port & Pearl (\$75), Aunt DDs Lakeside Kitchen (\$50), Netta's Treats (\$50), Zammito Family Farm (\$75), Miss Henny's Woodworks (\$5) and The Homeplace Farm (\$150), \$1,575. 4. Parks and Recreation Co-Sponsorship Fees: New Kent Youth Association Football, \$2,256. 5. Metal Recycling Waste Fees from Park Cleanup: Bee Green Recycling LLC, \$31.20. 6. Restitution Funds: Sheriff - Michael Morman (\$600), Martin Williams (\$22.94), Khari Wyatt (\$200) & Moorad Mooradian (\$132), \$954.94. 7. Sheriff Extra Duty: Private: Linda Baker: 2/1/2025 (\$183.82); Colonial Downs Group, LLC: 3/15/2025 (\$11,458.52), 3/14/2025 - 3/15/2025 (\$1,225.51), 3/15/2025 - 4/13/2025 (\$5,085.86), 3/22/2025 (\$735.31), \$18,689.02. 8. Sheriff Extra Duty: Schools: New Kent High School: 1/15/2025 - 2/7/2025 (\$5,535.90), 2/10/2025 - 2/28/2025 (\$4,618.19) and 3/29/2025 (\$503.26), \$10,657.35. Fiscal Implications 9. Photo Speed Enforcement Funds: Blue Line Solutions LLC: March 2025 (\$3,685) & April 2025 (\$2,115.90), \$5,800.90.

10. Funds from GovDeals Sale: Sheriff: Axon Body 3 Cameras, \$15,711. 11. Opioid Abatement Program Funds: Walgreens Settlement Fund Account, \$2,332.40. 12. Funds Received from VRSA Insurance: Sheriff: Claim # 02-24-64944-1-AP, DOL 4/23/2025 (\$417.05), Public Utilities: Claim # 02-24-64467-2-PR, DOL 2/13/2025 -4/21/2025 (\$250), General Services: Claim # 02-24-63650-2-PR, DOL 1/17/2025 - 4/22/2025 (\$1,603.11) & Fire-Rescue: Claim # 02-24-59912-1-AP, DOL 5/9/2025 (\$14,542.68), \$16,812.84. 13. 2025 CASC Spring Institute Conference Reimbursement: Commonwealth's Attorney: CASC, \$992.07. 14. Interest Income for 2022 W&S Bond April 2025, \$16,811.80. 15. Interest Income for EDA Series 2022 Lease Revenue Bond April 2025, \$19,947.17. 16. 2024 Virginia CDBG Planning Grant, \$84,000 (\$59,609.32) - Total In/Out - General Fund (1101) (\$ 2,332.40) - Total In/Out - Grant Fund (1106) (\$119,658.17) - Total In/Out - Capital (1302) (\$17,061.80) - Total In/Out - Water/Sewer (1514) \$198,061.80 - Total **Policy Implications** Legislative History Discussion Time Needed: Person Appearing: A. Stanger, Executive Request Telephone: 804-966-9683 prepared by: Assistant Copy provided to:

### **ATTACHMENTS:**

Description Type

Supplemental Appropriations for 060925 (PDF) Cover Memo

### **REVIEWERS:**

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	5/29/2025 - 9:52 AM
Administration	Hathaway, Rodney	Approved	5/30/2025 - 9:15 AM
Attorney	Hathaway, Rodney	Approved	6/3/2025 - 12:21 PM

To: Rodney A. Hathaway, County Administrator

From: Richard E. Lawrence, Director of Financial Services

Subject: FY25 Supplemental Appropriations For Munis (June 9, 2025 BOS Meeting)

Date: May 27, 2025

FY2024-2025			
This memo is to request the following supplemental appropriations:		Revenue	Expenditure
To Appropriate Animal Shelter Donations			
Donations totaling \$1,780.00 received by the Sheriff's Department  REVENUE:			
110918-318402	\$	(1,780.00)	
Animal Shelter Donations	Ą	(1,780.00)	
EXPENDITURE:			
11351000-403190		\$	1,780.00
Veterinarian Services		·	,
To Appropriate Gifts & Donations			
Fire-Rescue: Powhatan (\$15.00), Baker (\$100.00)			
Sheriff: Wehmann (\$20.00), The Blackbaud Giving Fund (\$175.00)			
REVENUE:			
110918-318401	\$	(310.00)	
Gifts & Donations			
EXPENDITURE:			445.00
11321000-405894		\$	115.00
Public Education Donations - Fire 11312000-406015		\$	195.00
K9 Supplies and Other		Ş	193.00
ko supplies and other			
To Appropriate Funds for Farmers Market			
Registration Fees: Golden Greens (\$50.00), Pomocray Farm LLC (\$75.00), Urban Egg-3	Scape Farm	LLC (\$150.00);	
Elizabeth Hall (\$45.00), The Neon Toad LLC (\$50.00), George A Tate Jr (\$75.00);	·		
Kam's Klay Creations (\$50.00), Westwood Homestead (\$75.00), Wigglebutts (\$75.00)	);		
Risen Farm (\$75.00), Rockahock Farm (\$75.00), Two Sisters Provisions (\$50.00);			
Devine Foods (\$50.00), The Twisted Soda Lab (\$50.00), Jackie's Batch (\$75.00);			
Designs by Karen & Working Class Soap (\$150.00), Port & Pearl (\$75.00);			
Aunt DDs Lakeside Kitchen (\$50.00), Netta's Treats (\$50.00), Zammito Family Farm (\$	375.00);		
Miss Henny's Woodworks (\$5.00), The Homeplace Farm (\$150.00)			
REVENUE:		/·\	
110918-318305	\$	(1,575.00)	
Farmers Market Reg. Fee			
EXPENDITURE:		÷	1 575 00
11110200-405843 Special Events		\$	1,575.00
Special Events			
To Appropriate Parks and Recreation Co-Sponsorship Fees			
New Kent Youth Association Football (\$2,256.00)			
REVENUE:			
110612-316553	\$	(2,256.00)	
P&R Co-Sponsorship			
EXPENDITURE:			
11715000-405844		\$	2,256.00
Sponsor Facility Improvement			
To Annuanista Metal Panulina Wests For Company			
To Appropriate Metal Recycling Waste Fees from Park Cleanup			
Bee Green Recycling LLC (\$31.20)  REVENUE:			
110918-318601	\$	(31.20)	
Miscellaneous Income	Ą	(31.20)	
EXPENDITURE:			
11715000-406053		\$	31.20
Lawn Maintenance Supplies		*	

Page 1 of 5

To: Rodney A. Hathaway, County Administrator

From: Richard E. Lawrence, Director of Financial Services

Subject: FY25 Supplemental Appropriations For Munis (June 9, 2025 BOS Meeting)

Date: May 27, 2025

FY2024-2025		
This memo is to request the following supplemental appropriations:	 Revenue	Expenditure
To Appropriate Restitution Funds Sheriff: Michael Morman (\$600.00), Martin Williams (\$22.94); Khari Wyatt (\$200.00), Moorad Mooradian (\$132.00) REVENUE: 110918-318501 Restitution EXPENDITURE: 11351000-403190 Veterinarian Services  To Appropriate Funds for Sheriff Extra Duty - Private	\$ (954.94) \$	954.94
Linda Baker: 2/1/2025 (\$183.82); Colonial Downs Group LLC: 3/15/2025 (\$11,458.52), 3/14/2025 - 3/15/2025 (\$1,225.51), 3/15/2025 - 4/13/2025 (\$5,085.86), 3/22/2025 (\$735.31)  REVENUE: 110919-319204 Recovered Cost Misc. EXPENDITURE: 11312000-401304 Salaries-Supp Activities	\$ (18,689.02)	18,689.02
To Appropriate Funds for Sheriff Extra Duty - Schools  New Kent High School: 1/15/2025 - 2/7/2025 (\$5,535.90),  2/10/2025 - 2/28/2025 (\$4,618.19), 3/29/2025 (\$503.26)  REVENUE:  110919-319204  Recovered Cost Misc.  EXPENDITURE:  11312000-401320  Extra Security Detail-Schools  To Appropriate Photo Speed Enforcement Funds	\$ (10,657.35)	10,657.35
Blue Line Solutions LLC: March 2025 (\$3,685.00), April 2025 (\$2,115.90)  REVENUE: 110401-314105 Photo Speed Enforcement EXPENDITURE: 11312000-406019 Photo Speed Enforcement Supply	\$ (5,800.90)	5,800.90
To Appropriate Funds from GovDeals Sale Sheriff: Axon Body 3 Cameras (\$15,711.00) REVENUE: 310934-334001 Sale of Surplus Property EXPENDITURE: 31380000-438180 Body Camera Purchase - Sheriff	\$ (15,711.00)	15,711.00
To Appropriate Opioid Abatement Program Funds Walgreens Settlement Fund Account (\$2,332.40) REVENUE: 130924-324200-12012 Opioid Abatement Program EXPENDITURE: 13312000-405899-12012 Opioid Abatement Program	\$ (2,332.40)	2,332.40

Page 2 of 5 100

To: Rodney A. Hathaway, County Administrator

From: Richard E. Lawrence, Director of Financial Services

Subject: FY25 Supplemental Appropriations For Munis (June 9, 2025 BOS Meeting)

Date: May 27, 2025

This memo is to request the following supplemental appropriations:	 Revenue		Expenditure
To Appropriate Funds Received from VRSA Insurance			
Sheriff: Claim # 02-24-64944-1-AP, DOL 4/23/2025 (\$417.05)			
Public Utilities: Claim # 02-24-64467-2-PR, DOL 2/13/2025 - 4/21/2025 (\$250.00)			
General Services: Claim # 02-24-63650-2-PR, DOL 1/17/2025 - 4/22/2025 (\$1,603.11)			
Fire-Rescue: Claim # 02-24-59912-1-AP, DOL 5/9/2025 (\$14,542.68)			
REVENUE:			
110918-318203	\$ (16,562.84)		
nsurance Recoveries			
370966-366107	\$ (250.00)		
nsurance Recoveries			
EXPENDITURE:		<u>,</u>	447.0
11312000-405840		\$	417.0
nsurance Damages/Recoveries		ć	350.0
87910300-405840		\$	250.0
nsurance Damages/Recoveries L1432000-405840		\$	1,603.1
nsurance Damages/Recoveries		٧	1,003.1
1321000-405840		\$	14,542.6
nsurance Damages/Recoveries		7	14,542.0
industrial Danisges, Neoditeries			
To Appropriate 2025 CASC Spring Institute Conference Reimbursement			
Commonwealth's Attorney: CASC (\$992.07)			
REVENUE:			
110924-324000	\$ (992.07)		
Miscellaneous Reimbursements from State Agencies			
EXPENDITURE:			
1221000-405540		\$	655.7
Fravel (Convention & Education)			
1221000-405530		\$	182.4
Fravel (Subsistence & Lodging)			
11221000-405510		\$	153.84
Mileage			
To Appropriate Interest Income for 2022 W&S Bond			
April 2025 (\$16,811.80)			
REVENUE:			
370961-361101	\$ (16,811.80)		
nterest on Investments			
EXPENDITURE:			
37940000-408642		\$	16,811.80
Solids Stabiliation Dewatering			
To Appropriate Interest Income for EDA Series 2022 Lease Revenue Bond			
April 2025 (\$19,947.17)			
REVENUE:			
310501-315107	\$ (19,947.17)		
nterest on Bond Proceeds			
EXPENDITURE:			
31680000-458010		\$	13,069.6
Historic School Campus-Renov		_	6 077 5
81380000-438015 Animal Shelter		\$	6,877.5
unitui sticici			
To Appropriate 2024 Virginia CDBG Planning Grant			
/irginia Department of Housing and Community Development			
REVENUE:			
310933-333300-30133			
DHCD Planning Grant	\$ (84,000.00)		
EXPENDITURE:			
31490000-498030		\$	84,000.0
Market Study	 		
	\$ (198,661.69)	\$	198,661.6

Page 3 of 5

To: Rodney A. Hathaway, County Administrator

From: Richard E. Lawrence, Director of Financial Services

Subject: FY25 Supplemental Appropriations For Munis (June 9, 2025 BOS Meeting)

Date: May 27, 2025

#### FY2024-2025

This memo is to request the following supplemental appropriations: Revenue Expenditure

\$ (59,609.32) Total In/Out - General Fund (1101)
\$ (2,332.40) Total In/Out - Grant Fund (1106)
\$ (119,658.17) Total In/Out - Capital (1302)
\$ (17,061.80) Total In/Out - Water/Sewer (1514)
Check
\$ 198,661.69 Total

Page 4 of 5 102

To: Rodney A. Hathaway, County Administrator

From: Richard E. Lawrence, Director of Financial Services

Subject: FY25 Supplemental Appropriations For Munis (June 9, 2025 BOS Meeting)

Date: May 27, 2025

#### FY2024-2025

This memo is to request the following supplemental appropriations: Revenue Expenditure

cc: The Honorable Lee Bailey, Sheriff

Joey McLaughlin III, Chief Deputy 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

Kimberly C. Turner, Director of Parks and Recreation

Jason M. Baldwin, Assistant Director of Parks and Recreation

Amber Bise, Administrative Assistant

Carrie Weber, General Services Office Manager Gary Martin, Director of General Services Scott Renick, Commonwealth's Attorney Michelle Sorensen, Administrative Assistant

# **AGENDA ITEM REQUEST**

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

Meeting Date: 6/9/2025 Interdepartmental Budget Transfers

Motion: "Mr.	approve the Consen a part of the record.	t Agenda as presented	and that it be made				
Chairman, I move to	or						
(not required for Consent Agenda items)	I move to approve the Consent Agenda as presented and the it be made a part of the record, with the following changes:						
Subject	FY25 Interdepartme	ntal Budget Transfers					
Issue							
Recommendation							
Fiscal Implications	<ol> <li>Sheriff's Department - From Vehicle &amp; Pwerd Equip. Fuel to Vehicle Acquisition-Sheriff, \$4,765.47.</li> <li>Sheriff's Department - From Sheriff Firearms &amp; Range Constr to Firearm &amp; Ammunition, \$9,962.98.</li> </ol>						
Policy Implications							
Legislative History							
Discussion							
Time Needed:		Person Appearing:					
	Watkins, Deputy k of the Board	Telephone:	804-966-9687				
Copy provided to:							
ATTACHMENTS: Description		Type					

Interdepartmental Budget Transfers for 060925 Cover Memo (PDF)

# **REVIEWERS:**

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	5/29/2025 - 8:28 AM
Administration	Hathaway, Rodney	Approved	5/30/2025 - 9:15 AM

# **BUDGET TRANSFER FORM**

ACCOUNTING PERIOD: FY25

BATCH#	
REF#	

FUNDS COMING FROM Account Number	(CREDIT) Account Description	Amou	unt		FUNDS GOING TO Account Number		Account Description	1	Amo	<u>ount</u>
11312000-406008	Vehicle & Pwerd Equip. Fuel	\$	4,765.47		31380000-438090		Vehicle Acc	uisition-Sheriff	\$	4,765.47
				THE REAL						
				100						
-										
		\$	4,765.47						\$	4,765.47
Explanation for transfer:										
	This money is to be transferred to co	over the neces	ssary expens	se f	for this department	for the fi	iscal year.			
	NLC 5/PREPARE'S INITIALS DATE	5/2025								
FOR FINAN	ICE OFFICE USE ONLY				DEPARTMENT:		New Kent Sheriff's	Department		
ENTERED:					DEPT HEAD SIGNAT	TURE:	L.S. Bailey, Sheriff	-20257	. 1 11	
POSTED:					COUNTY ADMINISTR	RATOR AI	PPROVAL:	4		n

# **BUDGET TRANSFER FORM**

ACCOUNTING PERIOD: FY25

BATCH#	4
DEE#	

FUNDS COMING FROM Account Number	(CREDIT) Account Description	4	Amour	<u>nt</u>		FUNDS GOING TO (DEBIT Account Number	Account Des	cription	Amou	<u>nt</u>
31380000-438270	Sheriff Firearms & Ra	nge Constr	\$	9,962.98	\$ WKS	11312000-406018	Fire	earm & Ammunition	\$	9,962.98
					- 22					
					16					
			\$	9,962.98					\$	9,962.98
Explanation for transfer:	To cover remaining cost o and/or purchase of person	f purchasing depa	rtment	duty pistols	s. 1	It should be noted this is t	the remaining	g balance after trand	e-in of old duty	weapons
	NLC	5/9/2025								-
	PREPARE'S INITIALS	DATE								
	CE OFFICE USE ONLY					DEPARTMENT:	New Kent S	heriff's Department-		-
CHECKED FOR FUNDS:		_				DEPT HEAD SIGNATURE:	78	Se-	)	
ENTERED:		_				DATE:	L.S. Bailey, May 9, 2025	Sheriff 5	1	
POSTED:		<del>-</del> -				COUNTY ADMINISTRATOR			7	<u>5-12-2</u> 02

# **AGENDA ITEM REQUEST**

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

Meeting Date: 6/9/2025 Treasurer's Report

Motion: "Mr.		approve the Consent Agenda as presented and that it be made a part of the record.		
Chairman, I move				
(not required for Cons Agenda items)	I move to approve	I move to approve the Consent Agenda as presented and that it be made a part of the record, with the following changes:		
Subject	Treasurer's Report	Treasurer's Report - April 2025		
Issue				
Recommendation	Approval	Approval		
Fiscal Implication	ıs			
Policy Implication	ns			
Legislative Histor	ТУ			
Discussion	Cash as of April 30 funds.	Cash as of April 30, 2025, \$108,786,507.74 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 Treasurer's Report	t - April 30, 2025 (PDF	<b>Type</b> Cover Mem	0	
REVIEWERS:				
Department	Reviewer	Action	Date	
Clerk	Watkins, Wanda	Approved	5/12/2025 - 11:30 AM	
Administration	Hathaway, Rodney	y Approved	5/18/2025 - 11:31 PM	



Cash Account Balance (total per statements)	24,989,167.17	
Investments (per statements)		
C&F - Certificates of Deposit	8,407,629.61	
Local Government Investment Pool	4,773.75	
Virginia Investment Pool	74,712,828.16	
Total Investments	83,125,231.52	
Total Cash and Investments	108,114,398.69	
Escrow Accounts (Soil and Erosion)	672,109.05	
Total Cash in Bank	<b>108,786,507.74</b> including esc	crow fund

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: 6/9/2025 RESIDENCY ADMINISTRATOR'S REPORT

Motion: "Mr. Chairman, I move (not required for Cons Agenda items)			
Subject	Residency Administr	rator's Report for May 2	2025
Issue			
Recommendation			
Fiscal Implication	ıs		
Policy Implication	ns		
Legislative Histor	-у		
Discussion			
Time Needed:		Person Appearing:	
Request prepared by:	A. Stanger, Executive Assistant	Telephone:	804-966-9683
Copy provided to:		_	
ATTACHMENTS: Description	istrator's Report for May	Type 2025 Cover Memo	
REVIEWERS:			
Department Clerk	Reviewer Watkins, Wanda	Action Approved	Date 6/2/2025 - 1:01 PM



# ASHLAND RESIDENCY MARSHALL WINN RESIDENCY ADMINISTRATOR

VDOT Call Center (800) 367-ROAD

#### NEW KENT COUNTY May 2025

MAINTENANCE: Jeff Allgood

#### Pothole Repair:

- 677 Piney Branch Rd
- 273 Farmers Dr
- 106 Emmaus Church Rd
- 611 Quaker Rd
- 612 Airport Rd
- 1306 Hingham Dr
- 1129 Villa Green Dr
- 1020 Wedgewood Dr & 621 Ropers Church Rd
- 1037 Brown Ave
- 106 Vineyards Pkwy
- 1130 Virginia Park Dr & 1110 Kentland Trl
- 1132 Virginia Rail Dr & 1139 Pine Warbler Dr
- 1165 Deerpath Dr & 612 Tunstall Rd
- 1212 Ridge Rd
- 1213 Forest Dr & 1216 Willow Ln
- 1238 Sassafras Dr & 665 Henpeck Rd
- 1266 Doronhurst Dr & 1267 Ashborough Dr
- 249 New Kent Hwy
- 30 Eltham Rd
- 30 Old Stage Rd
- 60 Pocahontas Trl & 618 Adkins Rd
- 600 Holly Fork Rd
- 605 Egypt Rd
- 607 Steel Trap Rd
- 608 Old River Rd
- 618 Olivet Church Rd
- 619 Hopewell Rd
- 627 Riverside Dr
- 628 Mount Pleasant Rd
- 645 Crumps Mill Rd
- 659 Parks Rd & 641 Curtis Rd

#### **Ender Pothole Patching:**

- 30 Eltham Rd
- 106 Emmaus Church Rd
- 273 Farmers Dr
- 600 Holly Fork Rd
- 612 Airport Rd

#### **Asphalt Repair:**

- 30 New Kent Hwy
- 60 Pocahontas Trl
- 613 Dispatch Rd

- 636 Plum Point Rd
- 618 Olivet Church Rd
- 677 Piney Branch Rd
- 273 Farmers Dr
- 600 Holly Fork Rd

#### **Grade Roads:**

- 614 Whitehouse Rd
- 623 Pamunkey Church Rd
- 642 Saint Peters Ln

#### **Erosion Repairs:**

- 1002 Carter Rd
- 249 New Kent Hwy
- 600 Holly Fork Rd
- 623 Cooks Mill Rd

#### **Shoulder Repairs:**

- 600 Holly Fork Rd & 273 Farmers Dr
- 613 Dispatch Rd
- 634 Polish Town Rd & Tuckers Pines Ln
- 636 Plum Point Rd

#### **Pipe Inspection:**

- 600 Holly Fork Rd
- 632 Stage Rd

#### **Pipe Repair:**

- 1037 Brown Ave
- 632 Stage Rd & 621 Ropers Church Rd

#### **Pipe Cleaning:**

- 1219 Baylor Grove Ct
- 273 Farmers Dr
- 615 Mountcastle Rd
- 618 Olivet Church Rd
- 623 Cooks Mill Rd
- 647 Old Telegraph Rd

#### **Ditch Inspection:**

- 1037 Brown Ave
- 249 New Kent Hwy

#### Ditching:

- 600 Holly Fork Rd
- 636 Plum Point Rd
- 615 Mountcastle Rd
- 662 Golden Wheel Rd
- 629 Boulevard Rd
- 642 St Peters Rd
- 614 Whitehouse Rd
- 1002 Carter Rd

- 1037 Brown Ave
- 155 N Courthouse Rd
- 60 Pocahontas Trl
- 603 Good Hope Rd
- 607 Steel Trap Rd
- 608 Old River Rd
- 613 Dispatch Rd
- 618 Olivet Church Rd
- 620 Homestead Rd
- 623 Cooks Mill Rd
- 634 Polish Town Rd
- 640 Old Roxbury Rd

#### Tree Removal / Cleanup:

- 601 Tabernacle Rd
- 627 Stage Rd
- 609 Talleysville Rd
- 611 Quaker Rd
- 623 Cooks Mill Rd & Cooks Mill Ct

#### **Tree Trimming / Cleanup:**

- 1018 John Smith Trl
- 1054 Stingray Point Blvd & 612 Tunstall Rd
- 249 New Kent Hwy
- 273 Farmers Dr & 30 Eltham Rd
- 601 Tabernacle Rd
- 609 Talleysville Rd & 1301 Monroe Dr
- 612 Airport Rd
- 627 S Waterside Dr
- 627 Stage Rd & 249 New Kent Hwy
- 642 Saint Peters Ln
- 648 Courthouse Cir
- 665 N Henpeck Rd & 249 New Kent Hwy

#### Weeding:

- 106 Emmaus Church Rd
- 155 N Courthouse Rd
- 249 New Kent Hwy
- 273 Farmers Dr
- 30 Eltham Rd
- 60 Pocahontas Trl

#### Mowing:

- 1052 Gentry Dr
- 106 Emmaus Church Rd
- 1065 Kentland Ct
- 1110 Kentland Trl
- 1307 Shewsbury Dr
- 155 N Courthouse Rd
- 249 New Kent Hwy
- 273 Farmers Dr
- 30 Eltham Rd

- 60 Pocahontas Trl.
- 614 Whitehouse Rd
- 678 Clark Rd

#### **Tree Debris Cleanup:**

- 601 Tabernacle Rd
- 618 Olivet Church Rd
- 677 Piney Branch Ln
- 627 N Waterside Dr
- 632 Stage Rd
- 640 Old Roxbury Rd
- 642 Saint Peters Ln
- 647 Old Telegraph Rd & Claymont Rd
- 623 Cooks Mill Rd

#### Sign Repair / Replace:

- 1232 Magnolia Woods Ln
- 155 N Courthouse Rd
- 249 New Kent Hwy
- 30 New Kent Hwy
- 60 Pocahontas Trl
- 611 Quaker Rd & 670 Sherwood Dr; Route
- 638 Cosby Mill Rd & Skivers Ln; School Bus Stop Ahead
- 640 Old Roxbury Rd; School Bus Stop Ahead
- 702 Jimmy Burrell Ln; No Parking

#### **Debris:**

- 106 Vineyards Pkwy
- 1307 Shewsbury Dr
- 249 New Kent Hwy; box and pallet
- 249 New Kent Hwy & 1066 Mystic Oak Trl; bag of trash
- 273 Farmers Dr; car tire
- 30 Eltham Rd; metal on shoulder
- 30 New Kent Hwy; air conditioner unit
- 33 Eltham Rd & 249 New Kent Hwy; trash
- 615 Mountcastle Rd; glass
- 640 Old Roxbury Rd; refrigerator

#### AAH Trash Bag Pickup: (6 Bags)

- 60 Pocahontas Trl & 640 Old Roxbury Rd
- Tow Ink Wayside

#### **Trash / Litter Pickup:**

- Park & Ride County wide
- 617 Criss Cross Rd
- 106 Old Roxbury Rd
- 60 Pocahontas Trl
- 33 Eltham Rd
- 1065 Kentland Ct
- 1110 Kentland Trl
- 249 New Kent Hwy

#### Miscellaneous:

- Dead animal removal county-wide
- Snow post season maintenance

#### **Work Requests:**

- 182 Received
- 203 Completed

#### **Emergency Call Out After Hours (7):**

- 273 Farmers Dr; tree down blocking roadway
- 609 Talleysville Rd; tree leaning into roadway
- 623 Cooks Mill Rd; sinkhole
- 623 Cooks Mill Rd; tree down in roadway
- 623 Cooks Mill Rd; high water and tree down in road
- 106 Emmaus Church Rd; fatal vehicle accident
- 273 Farmers Dr & 30 New Kent Hwy; Stop sign down

#### PROJECT DEVELOPMENT

John Arms, P.E.

#### **Projects**

 120444 Park and Ride Improvements; I-64/60 Bottoms Bridge. Limited Notice to Proceed February 12 2025. JL Kent planning to install temporary construction signs for the Park and Ride. Construction ongoing.

#### **NON-ORDINARY MAINTENANCE**

Phillip Frazer, P.E.

#### **Studies**

- Roadway Safety Study; 30 New Kent Hwy in New Kent County. This study is a joint effort between Richmond District and Hampton Roads District. The study will analyze the corridor and intersections for potential safety improvements.
  - Limits of the study: from 273 Farmers Drive to I-64 in James City County.

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: 6/9/2025 **PRESENTATIONS** 

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

Agenda items)

Issue

direct the County Administrator to proceed with scheduling a public hearing for the July 14th regular meeting for the proposed exchange of County owned land with adjacent land owned by Preston Hollow.

Preston Hollow Land Exchange Proposal - County Subject

Administrator Rodney Hathaway

Consideration of proposal from Preston Hollow Community Capital for the exchange of land located within the Farms of

New Kent Planned Unit Development.

Recommendation Staff recommends adoption of the proposed motion.

Fiscal Implications No fiscal impact is anticipated.

A public hearing will be required prior to proceeding with the Policy Implications

proposed land exchange.

The subject properties are located within the Farms of New Legislative History Kent Planned Unit Development originally approved in March

2005.

Please see the attached document which summarizes the proposed land exchange involving 5 acres of County owned land and 5.9 acres of land owned by Preston Hollow Community Capital. The properties are located near the New Kent County Visitors and Commerce Center (7324 Vineyards Parkway, New

Kent, VA).

Rodney Hathaway, Time Needed:

15 minutes Person Appearing: County

Administrator

Request Rodney Hathaway, County Administrator prepared by:

Telephone: (804) 966-9683

Copy provided

Discussion

to:

#### **ATTACHMENTS:**

Description Type

Preston Hollow Proposal Cover Memo

**REVIEWERS:** 

Department Reviewer Action Date

Administration Hathaway, Rodney Approved 5/30/2025 - 3:40 PM Hathaway, Rodney Administration Approved 5/30/2025 - 3:40 PM



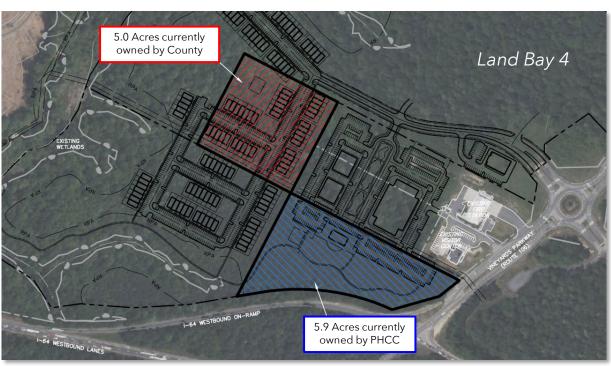
# LAND SWAP PROPOSAL



# Land Swap Proposal

In hopes of maximizing the benefit to both the County and FONK, we propose that New Kent County consider a land swap with PHCC to:

- Provide the County with a cohesive area of land to develop a civic center, parks, and permanent home for the Farmer's Market
- ✓ Incorporate the Heath property into the FONK Community





# Land Swap Proposal

FONK Land

**County Land** 





After Swap



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: 6/9/2025 PRESENTATIONS

Motion: "Mr. Chairman, I move (not required for Conse Agenda items)	Exit 211 Diverging I	·21-25 committing loca Diamond Interchange l	improvement Project.		
Subject	Exit 211 Diverging	Resolution R-21-25 - Committing Local Funding for the I-64 Exit 211 Diverging Diamond Interchange Improvement Project - Transportation Development Director Amy Inman			
Issue					
Recommendation	Adoption of Resolut	Adoption of Resolution R-21-25			
Fiscal Implication		The total cost for this project is \$94 million and New Kent County will be committing to funding \$20 million of that cost.			
Policy Implication	S				
Legislative History	у				
Discussion					
Time Needed:		Person Appearing:	Transportation Development Director Amy Inman		
prepared by:	W. Watkins, Deputy Clerk of the Board	Telephone:	804-966-9687		
Copy provided to:					
ATTACHMENTS:					

Description Type

Resolution R-21-25 (PDF) Resolution Letter

#### **REVIEWERS:**

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	6/2/2025 - 12:50 PM
Administration	Hathaway, Rodney	Approved	6/2/2025 - 12:56 PM
Attorney	Hathaway, Rodney	Approved	6/3/2025 - 12:22 PM

#### BOARD OF SUPERVISORS COUNTY OF NEW KENT VIRGINIA

#### R-21-25

At a 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 9<sup>th</sup> day of June, 2025:

	Present:	Vote:		
	Ronald P. Stiers			
	Jordan T. Stewart			
	John P. Moyer			
	Amy M. Pearson			
	Thomas W. Evelyn			
	as made by	, which carried	:	to adopt
the following reso	olution:			

# RESOLUTION TO COMMIT LOCAL FUNDING FOR THE I-64 EXIT 211 DIVERGING DIAMOND INTERCHANGE IMPROVEMENT PROJECT

**WHEREAS**, the New Kent County Board of Supervisors desires to provide local funding for the I-64 Exit 211 Interchange Improvement Project in New Kent County; and

**WHEREAS**, the existing interchange at Exit 211 does not provide for adequate capacity to serve major commercial, manufacturing, and distribution centers located just north and south of I-64 Exit 211 along Route 106; and

**NOW, THEREFORE, BE IT RESOLVED**, by the New Kent County Board of Supervisors that \$20,000,000 in funding be committed for the design and construction of the I-64 Exit 211 Diverging Diamond Interchange Improvement Project; and

**BE IT FURTHER RESOLVED**, that the County Administrator and/or his/her designee(s) is/are authorized to act on behalf of the Board of Supervisors to execute any and all documents necessary to advance design and construction of the I-64 Exit 211 Diverging Diamond Interchange Improvement Project.

Adopted and enacted this 9 <sup>th</sup> day of June, 2025.				
Rodney A. Hathaway	Thomas W. Evelyn			
County Administrator	Board Chair			

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: 6/9/2025 PUBLIC HEARINGS

Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)	the ACE Flight Sc	ze the County Admir Dutions, LLC leas Iew Kent County Airpo	e for aircraft	
Subject	PUBLIC HEARING - ACE Flight Solutions, LLC Lease - Airport Manager Duane Goss			
Issue	The proposed lease is to include approximately 147 square feet of office space and approximately 5800 square feet of hangar space for the purpose of performing aircraft maintenance, located at 6901 Terminal Road, Quinton, VA.			
Recommendation	Approval			
Fiscal Implications	Will generate revenue for the County for maintenance of based aircraft as well as transient aircraft.			
Policy Implications				
Legislative History				
Discussion	Mr. Andrew Gordon is the owner and Chief Executive Officer of ACE Flight Solutions, LLC, a Virginia Limited Liability Company with a principal place of business located at 95 Aviation Way, Fredericksburg, Virginia.			
Time Needed:		Person Appearing:	Airport Manager Duane B. Goss	
	Watkins, Deputy rk of the Board	Telephone:	(804) 966-9687	
Copy provided to:				

#### **ATTACHMENTS:**

Description Type

DRAFT Lease with ACE Flight Solutions LLC (PDF) Cover Memo

Legal Notice (PDF) Cover Memo

#### **REVIEWERS:**

Department	Reviewer	Action	Date
Clerk	Watkins, Wanda	Approved	6/2/2025 - 10:45 AM
Administration	Hathaway, Rodney	Approved	6/2/2025 - 12:44 PM
Attorney	Hathaway, Rodney	Approved	6/3/2025 - 12:22 PM

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# Lease Agreement

THIS LEASE AGREEMENT ("Lease") is made this \_\_\_\_\_ day of June, 2025 by and between NEW KENT COUNTY, a political subdivision of the Commonwealth of Virginia ("Lessor"), and ACE FLIGHT SOLUTIONS, LLC, a Virginia Limited Liability Company, whose principal place of business is located at 95 Aviation Way, Fredericksburg, Virginia, and whose Owner and Chief Executive Officer is Andrew Gordon ("Lessee").

The Manager of the New Kent County Airport, Duane B. Goss, ("Airport Manager") is hereby designated as the primary contact person by New Kent County for this lease agreement.

This lease agreement incorporates the New Kent County Airport Rules, Regulations, and Minimum Standards (Attachment "A") which is incorporated by reference to this lease; it also incorporates any future versions of the New Kent County Airport Rules, Regulations, and Minimum Standards approved by the New Kent County Board of Supervisors of which the Lessee will be responsible for the contents thereof. Should any provision of this lease be in conflict with the New Kent County Rules, Regulations, and Minimum Standards, the New Kent County Rules, Regulations, and Minimum Standards will have priority.

This lease agreement also incorporates by reference Lessee's Proposal for Maintenance, Repair, and Overhaul Services for New Kent, County Airport, and New Kent County Request for Proposals RFP# 2025-01 ACFT. MAINT.

#### 1. Premises

#### 1.1 Legal Description

In consideration of the rent hereinafter described and the covenants hereinafter contained, Lessor does hereby lease to Lessee for general aviation aircraft maintenance services and Lessee does hereby lease from Lessor, that certain space located at 6901 Terminal Road, Quinton, Virginia 23141-2427 and known as the "Airport" to include approximately 147 square feet of office space and 5,480 square feet of hangar space as designated by Duane B. Goss, Manager, New Kent County Airport (the "Premises").

#### 2. Term

#### 2.1 Commencement of Tenancy

The term of this Lease ("Term") will commence on June 15, 2025 (the "Commencement Date") and expire on June 14, 2026, with two (2) successive one (1) year terms upon mutual agreement in writing.

Lessee to commence limited maintenance operations at the airport within 2 months of the

Page 1 of 25

#### Commencement Date.

Lessee to commence fully staffed and operational maintenance within 3 months of the Commencement Date.

#### 2.2 Lessor and Lessee's right to Terminate

Lessor or Lessee may terminate the Lease for convenience by notifying the other party in writing of its desire to do so at least 60 days in advance.

#### 3. Rent

#### 3.1 Covenant to Pay Rent

This section, 3.1, applies to designated maintenance hangar area only.

The rental amount Lessee agrees to pay Lessor per month, as base rent, to be equivalent to 3% of Lessee's previous year's gross annual revenue, per this location.

Lessee to be exempt from rental payment the first 4 months following the Commencement Date.

#### 3.1.1 Base Rent

Lessee hereby covenants and agrees to pay to Lessor \$ 150.00 per month, commencing the 4<sup>th</sup> month as base rent for business office space, to support administrative responsibilities.

#### 3.1.2 Additional Rent

Transient aircraft arriving to New Kent County Airport for the purpose of receiving aircraft maintenance under the care of Lessee, will have a five-calendar-day grace period before tiedown or hangar fees are incurred at the current published County rate when service is delayed by Lessee.

#### 3.1.3 Maintenance Hangar Heating Oil

Lessee to be responsible for heating oil as needed for cold periods.

#### 3.2 Payment Method

The Base Rent and all Additional Rent as provided for under this Lease will be paid promptly when due, in cash or by check, in lawful money of the United States of America, without notice or demand and without deduction, diminution, abatement, counterclaim or set-off of any amount or for any reason whatsoever payable and delivered to Treasurer, New Kent County, Post

Office Box 109, 12007 Courthouse Circle, New Kent, Virginia, 23124-0198 or to such other person and place as may be designated by notice in writing from Lessor to Lessee from time to time. If Lessee will present to Lessor more than once during the Term checks or drafts not honored by the institution upon which they are issued, then Lessor may require that future payments of Rent and other sums thereafter payable be made by certified or cashier's check.

#### 3.3 Security Deposit

Lessor does not require a security deposit from Lessee.

#### 3.4 Late Fee

If Lessee fails to pay the Rent specified in Section 3.1.1 above before the 5<sup>th</sup> day of the month in which it is due, the Lessee will be charged a 10% late fee. Payments made towards Rent will be applied towards Late Fees before they are applied towards Rent payments.

#### 4. Real Estate Taxes

#### **4.1 Definition of Real Estate Taxes**

Code of Virginia § 58.1-3203 requires the taxation of leasehold interests in real property from which the owner is otherwise exempt from assessment will be assessed to the Lessee for local taxation. The term "Real Estate Taxes" means all taxes, rates and assessments, general or special, levied or imposed with respect to the Premises (including all taxes, rates and assessments, general or special, levied or imposed for school, public betterment and/or general or local improvements). The term "Base Real Estate Taxes" means the assessed value of said Premises multiplied by the then current rate, for the tax year during which this Lease commences. The term "Real Estate Tax Year" means each successive 12-month period following and corresponding to the period or periods which may from time to time in the future be established by competent authority for the purposes of levying or imposing Real Estate Taxes. Nothing in this Article 4 will be construed to reduce the rent payable hereunder.

### 4.2 Determining Obligations to Pay Increases in Real Estate Taxes

Should any Real Estate Taxes be assessed, levied, or due, Lessee will pay them directly to the Treasurer of New Kent County. If the system of real estate taxation will be altered or varied and any new tax or levy will be levied or imposed on said Premises then any such new tax or levy will be included within the term "Real Estate Taxes."

#### 4.3 Items Not Considered in Determining Real Estate Taxes

It is understood and agreed that Lessee will not be liable for any increase in the Real Estate Taxes which is occasioned solely by an increase in the tax assessment due to an expansion of the Premises or any part thereof, or by Lessor's failure to pay Real Estate Taxes when due.

#### 5. Use of Premises

#### 5.1 Use Provision

Lessee covenants to use the Premises only for administering their services, (aircraft maintenance) in New Kent County and conducting its corporate purposes and for no other purpose, subject to and in accordance with all applicable zoning and other governmental regulations, to include the New Kent County Airport Minimum Standards. Lessee, at its own expense, will comply with and promptly carry out all orders, requirements or conditions imposed by the ordinances, laws and regulations of all of the governmental authorities having jurisdiction over the Premises, which are occasioned by or required in the conduct of Lessee's business within the Premises and to obtain all licenses, permits and the like required to permit Lessee to occupy the Premises.

#### 5.2 "As Is" Acceptance of Property

Lessee accepts the Premises and the rest of the Project from Lessor in "as is" condition.

#### 5.3 Restriction on Unlawful Activity

Lessee will not permit the Premises, or any part thereof, to be Subleased, nor used for any disorderly, unlawful or hazardous purpose, nor as a source of annoyance or embarrassment to Lessor or other tenants, nor for any purpose other than herein before specified, nor for the manufacture of any commodity therein, without the prior written consent of Lessor.

#### **5.4** Common Areas

Lessee will have the access, use and enjoyment of the areas of the premises designated as "Common Areas." This will include, but may not be limited to the parking lot, common bathrooms, a common meeting room, a common waiting area, a common break room, common corridors, and common entranceways. The common areas also include those listed in Section 1.05 of the New Kent County Airport Rules, Regulations and Minimum Standards. Lessee will only use these areas in an appropriate manner that will not interfere with the access, use and enjoyment of the areas by the other tenants.

#### 5.5 Exclusivity

Lessee will not have exclusivity of services provided at the New Kent County Airport. The Lessor may allow other tenants to enter into similar agreements conferring similar rights.

#### 6. Repairs and Maintenance

#### 6.1 Lessor's Obligations

Subject to the provisions hereinafter contained with regard to damage by fire or other casualty, Lessor agrees to maintain the Premises in good order and repair during the Term unless damage thereto will have been caused by the act or neglect of Lessee or its Permittees, in which case the same will be required by and at the expense of Lessee. If Lessee fails to make such repairs promptly, Lessor, at its option, may make such repairs and Lessee must pay Lessor on demand Lessor's actual costs in making such repairs plus a fee of 5% to cover Lessor's overhead. Lessor will not be liable to Lessee for any damage or inconvenience and Lessee will not be entitled to any abatement or reduction of Rent because of any repairs, alterations, or additions made by Lessor under this Lease.

#### **6.2** Lessee's Obligations

Lessee will maintain the non-structural portions of the interior of the Premises in good repair and condition, damages by causes reasonably beyond Lessee's control and ordinary wear and tear excepted.

#### 7. Lessor's Services

#### 7.1 Basic Services Provided by Lessor

Lessor covenants and agrees that the Airport Operations Areas ("AOA") will be maintained to Federal Aviation Administration ("FAA") standards for the Airport Reference Code as defined on the most current Airport Layout Plan. Lessor covenants and agrees that it will furnish without additional charge electricity for lighting purposes, water and sewage. General landscaping and snow removal will be provided in the same manner as the Airport provides for itself. Lessee hereby acknowledges and agrees that Lessor will not be liable in any way for any damage or inconvenience caused by the cessation or interruption of such heating, air-conditioning, water, electricity, landscaping, or snow removal service occasioned by fire, accident, strikes, necessary maintenance, alterations or repairs, or other causes beyond Lessor's control and Lessee will not be entitled to any abatement of Rent by reason thereof.

#### 7.2 Lessor's Right to Repair

Lessor reserves the right to erect, use, connect to, maintain and repair pipes, ducts, conduits, cable, plumbing, vents and wires in, to and through the Premises as and to the extent that Lessor deems necessary or appropriate for the proper operation and maintenance of the Project (including the servicing of other tenants in the Project) and the right at all times to transmit water, heat, air-conditioning, and electric current through such pipes, ducts, conduits, cables, plumbing,

vents, and wires.

#### 8. Lessee's Agreement

#### 8.1 Lessee's Use of Property; Lessee covenants and agrees:

- **8.1.1** not to obstruct or interfere with the rights of other tenants, injure or annoy them or those having business with them or conflict with them, or conflict with the fire code or regulations, or with any insurance policy upon said Project or any part thereof, or with any statutes, rules or regulations now existing or subsequently enacted or established by the local, state or federal governments and Lessee will be answerable for all nuisances caused on the Premises, or caused by Lessee in the Project, or on the approaches thereto;
- **8.1.2** not to place a load on any floor exceeding the floor load which such floor was designed to carry in accordance with the plans and specifications of the Project, and not to install, operate, or maintain in the Premises any unsafe or heavy item of equipment except in such manner and in such location as Lessor will prescribe so as to achieve a proper distribution of weight;
- **8.1.3** not to strip, overload, damage, or deface the Premises, hallways, stairways, parking facilities or other public areas of the Project, or the fixtures therein or used therewith, nor to permit any hole to be made by any of the same;
- **8.1.4** not to suffer or permit any trade or occupation to be carried on or use made of the Premises which will be unlawful, offensive, or injurious to any person or property, or such as to increase the danger of fire or affect or make void or voidable any insurance on the Project, or which may render any increased or extra premium payable for such insurance, or which will be contrary to any law or ordinance, rule or regulation from time to time established by public authority;
- **8.1.5** to, at Lessee's own expense, promptly comply with and carry out laws, ordinances, rules, regulations and requirements (including zoning) of the federal, state, municipal governments, relating to the demised premises and/or the business conducted therein.
- **8.1.6** not to move any furniture or equipment into or out of the Premises except at such times and in such manner as Lessor may from time to time designate;
- **8.1.7** not to paint or place (nor to permit to be painted or placed) any sign or other advertising device, bill or billboard upon or about the demised premises (or the exterior of the

building in which the demised premises are located), or any part thereof, without the prior written permission of Lessor;

- **8.1.8** to conform to all rules and regulations from time to time established by the appropriate insurance rating organization and to all reasonable rules and regulations from time to time established by Lessor;
- **8.1.9** to be responsible for the cost of removal of Lessee's bulk trash at time of move-in, during occupancy and move-out;
- **8.1.10** not to conduct, nor permit, in the Premises either the generation, treatment, improper storage or improper disposal of any hazardous substances and materials or toxic substances of any kind as described in the Hazardous Material Laws, and Lessee will prohibit its Permittees from doing so and Lessee will indemnify, defend and hold Lessor and its agents harmless from all costs, foreseeable and unforeseeable, direct and consequential; damages; liability fines' prosecutions; judgments; litigation; and expenses, including but not limited to, clean-up costs, court costs and reasonable attorneys' fees arising out of any violation of the provisions of this Article 8 by Lessee or its Permittee.
- **8.1.11** to be responsible for the removal and cost of removal of Lessee's proper disposal of all waste or hazardous materials generated through Lessee's operation.
- **8.1.12** to comply with all of Lessor's current or future security requirements. Lessor will issue to the Lessee key (s) to the exterior doors and office. Lessee will issue keys to lessee's staff only as necessary and will provide the Airport Manager with a list of keys in circulation and updated as necessary. The Premises will be under camera surveillance 24 hours per day.
- **8.1.13** to not place additional locks or bolts of any kind upon any of the doors or windows, nor make any changes to existing locks or the mechanism thereof. Lessee must not make or permit to be made any keys for any door to the Premises or the Building. Lessee, upon the termination of this tenancy, must restore to Lessor all keys furnished to the Lessee, and in the event of the loss of any keys, so furnished, Lessee must reimburse Lessor the cost of installing new locks and keys, as well as resetting any alarm system.
- **8.1.14** to comply with the Lessor's rules and regulations for itself, its employees, agents, clients, customers, invitees and guests. Lessee agrees that Lessor may amend, modify, and delete its rules and regulations or add new and additional reasonable rules and regulations for the use and care of the leased premises, the building of which the leased premises are a part, the parking and other common areas. Lessee agrees to comply with all such rules and regulations upon notice to

Lessee from Lessor. In the event of any breach of any rules and regulations set forth in this Lease or any amendments or additions to it, Lessor will have all remedies in this lease provided for default of Lessee.

- **8.1.15** to load and unload goods at such times, in the areas and through the entrances designated for such purpose by lessor;
- **8.1.16** to not install radio or television or other similar devices, and no aerial will be erected on the roof, on exterior walls of the leased premises, or on the parking or other common areas. Any such device or aerial, so installed, will be subject to removal without notice at any time;
- **8.1.17** to not place or permit any obstructions or merchandise in any parking area and/or in the service corridors, fire-lanes, sidewalks, entrances, or passages;
- **8.1.18** to allow its employees to park their cars only in those portions of the parking area designated for employee parking by Lessor; main parking lot.
- **8.1.19** to not make or permit any noise or odor which lessor deems reasonably objectionable to emanate from the leased premises. No person may use the leased premises as sleeping quarters, sleeping apartments, or lodging rooms;
  - **8.1.20** to obtain all permits, insurances or licenses necessary to conduct its business.
  - **8.1.21** to prohibit aircraft owners from using maintenance hangar access for self-purpose.
- **8.1.22** to permit aircraft owner assisted maintenance only with the presence of Lessee's staff.

#### 9. Alterations

#### 9.1 Limitations on Lessee's Ability to Alter Property

Lessee must not paint the Premises or make any alterations, additions, or other improvements in or to the Premises or install any equipment of any kind that will require any alterations or additions or affect the use of the Project's water system, heating system, plumbing system, air-conditioning system, electrical system or other mechanical system, or install any telephone antennae on the roof, in the windows or upon the exterior of the Building without the prior written consent of Lessor. If Lessee makes any such alterations or additions without Lessor's consent, Lessor may correct or remove them and Lessee will be liable for any and all costs and expenses incurred by Lessor in the correction or removal of such work. All plans and specifications

for any such work will be prepared by Lessee at Lessee's expense and must thereafter be submitted to Lessor for its review. All alterations and additions to the Premises will be performed by Lessor, or Lessor's contractor, unless Lessor otherwise agrees in writing. If any alterations or additions are not, with Lessor's consent, performed by Lessor or its contractor, Lessee will nevertheless pay Lessor's fee of 5% of the total cost of the work to be performed, payable upon completion of the work, to compensate Lessor for coordinating Lessee's contractor's use of the Project's systems and access to the electrical, mechanical and telephone closets, as necessary.

As a further condition of Lessor's consent to the use of the Lessee as contractor, Lessee or Lessee's contractor must evidence insurance coverage to include: (a) Worker's Compensation Coverage and (b) Comprehensive General Liability Property Damage insurance in the amount of not less than One Million Dollars (\$1,000,000.00) in the aggregate. All work done with respect to such alterations and additions will be done in a good and workmanlike manner and diligently prosecuted to completion to the end that Premises must at all times be a complete unit except during the period necessarily required for such work. Lessee will not permit a mechanic's lien(s) to be placed upon the Premises, the Building or the Project as a result of any alterations or improvements made by it and agrees, if any such lien be filed on account of the acts of Lessee, promptly to pay the same. If Lessee fails to discharge such lien within five days of its filing, then, in addition to any other right or remedy of Lessor, Lessor may, at its election, discharge the lien. Lessee must pay on demand any amount paid by Lessor for the expenses of Lessor incurred in defending or obtaining the discharge of such action or in connection therewith. Lessee hereby expressly recognizes that in no event will it be deemed the agent of Lessor and no contractor of Lessee will by virtue of its contract be entitled to assert any lien against the Premises, Building, or Project. All alterations or additions will become a part of the realty and be surrendered to Lessor upon the expiration or termination of this Lease, unless Lessor will at the time of its approval of such work require removal or restoration on the part of Lessee as a condition of such approval.

#### 10. Hold Harmless; Indemnification

#### 10.1 Hold Harmless

Lessor will not be liable for any damage to, or loss of, property in the Premises belonging to Lessee, its Permittees, or other persons in or about the Premises, or for damage or loss suffered by the business of Lessee, from any cause whatsoever, including, without limiting the generality thereof, such damage or loss resulting from fire, steam, smoke, electricity, gas, water, rain, ice or snow, which may leak or flow from or into any part of the Premises, or from breakage, leakage, obstruction or other defects of the pipes, wires, appliances plumbing, air-conditioning or lighting fixtures of the same, whether the said damage or injury results from conditions arising upon the Premises or upon other portions of the Project of which the Premises are a part, or from other sources. Lessor will not be liable in any manner to Lessee, its Permittees, or their property, caused

by the criminal or intentional misconduct, or by any act of neglect of third parties or of Lessee, Lessee's Permittees, or any other tenant of the Project. Lessee covenants that no claim will be made against Lessor by Lessee, or by any agent or servant of Lessee, or by others claiming the right to be in the Premises or in the Project through or under Lessee, for any injury, loss or damage to the Premises or to any person or property occurring upon the Premises from any cause other than the gross negligence of Lessor. In no event will Lessor be liable to Lessee for any consequential damages sustained by Lessee arising out of the loss or damage to any property of Lessee.

#### 10.2 Indemnification of Lessor

Lessee covenants and agrees to save Lessor and Lessor's officers, employees, and agents from all loss, damage, liability or expense of any kind including without limitation attorneys' fees and court costs incurred, suffered or claimed by any person whomsoever, or for any cause whatsoever, by reason of the use of occupancy by Lessee or its permittees unless caused solely by the gross negligence of Lessor.

#### 10.3 Survival of Indemnification Provisions

The provisions of this Article 10 will survive the expiration of the Term.

#### 11. Lien on Lessee's Property

#### 11.1 Security Interest

To protect Lessor in the event Lessee defaults hereunder, Lessee hereby grants to Lessor a continuing security interest for all rent and other sums of money becoming due hereunder from Lessee, and upon all goods, wares, chattels, fixtures, furniture and other personal property of Lessee which are or may be located on the Premises and the proceeds thereof, none of which may be removed from the Premises without Lessor's consent so long as any Rent or other such sums from time to time owed to Lessor hereunder remains unpaid. Upon its receipt of a written request therefor from Lessor, Lessee will execute such financing statements, continuation statements and other instruments as are necessary or desirable, in Lessor's judgment, to perfect such security interest.

#### 12. Insurance

#### 12.1 Lessee's Obligation to Provide Insurance

Lessee must, at its cost and expense, obtain and maintain at all times during the Term, for the protection of Lessor and Lessee, Insurance as listed in the Airport Rules, Regulations, and Minimum Standards, insuring against all liability of Lessee and its representatives arising out of and in connection with Lessee's use or occupancy of the Premises. Lessor and Lessor's officers, agents, and employees will be named as additional insureds.

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#### 12.2 Fire Insurance

Lessee must, at its own cost and expense, obtain and maintain at all times during the Term, fire and extended coverage on the Premises and on its contents, including any leasehold improvements made by Lessee in an amount sufficient so that no co-insurance penalty will be invoked in case of loss.

#### 12.3 Increasing Insurance Coverage

Lessee must increase its insurance coverage, as required, but not more frequently than each calendar year if, in the opinion of the Lessor or any mortgagee of landlord, the amount of public liability and/or property damage insurance coverage at that time is not adequate.

#### 12.4 Insurer's Credit Rating and Policy Requirements

All insurance required under this Lease will be issued by insurance companies licensed to do business in the Commonwealth of Virginia. Such companies will have a policyholder rating of at least "A" and be assigned a financial size category of at least "Class X" as rated in the most recent edition of "Best Key Rating Guide" for insurance companies. Each policy must contain an endorsement requiring not less than 10 business days written notice from the insurance company to Lessor before cancellation or any change in the coverage, scope, or amount of any policy. Each policy, or a certificate showing it is in effect, together with evidence of payment of premiums, will be deposited with Lessor on or before the Commencement Date, and renewal certificates or copies of renewal policies will be delivered to Lessor at least 10 business days prior to the expiration date of any policy.

#### 12.5 Cancellation of Insurance May Terminate Lease

If any of Lessor's insurance policies will be canceled or cancellation will be threatened or the coverage thereunder reduced or threatened to be reduced in any way because of the use of the Premises or any part thereof by Lessee or any assignees or subtenant of Lessee or by anyone Lessee permits on the Premises, and if Lessee fails to remedy the condition within 24 hours after notice thereof, Lessor may at its option either terminate this Lease or enter upon the Premises and attempt to remedy such condition, and Lessee will promptly pay the cost thereof to Lessor. Lessor will not be liable for any damage or injury caused to any property of Lessee or of others located on the Premises from such entry.

#### 12.6 Denial of Right to Subrogation

All policies covering real or personal property which either party obtains affecting the Premises must include a clause or endorsement denying that insurer any rights of subrogation or recovery against the other party to the extent rights have been waived by the insured before the occurrence of injury or loss. Lessor and Lessee hereby waive any rights of subrogation or recovery

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against the other for damage or loss to their respective property due to hazards covered or which should be covered by policies of insurance obtained or which should be or have been obtained pursuant to this Lease, to the extent of the injury or loss covered thereby assuming that any deductible will be deemed to be insurance coverage.

#### 13. Assignment and Subletting

#### 13.1 Prior Written Consent of Lessor

Lessee must not assign, transfer, mortgage, or encumber this Lease or sublet the Premises without obtaining prior written consent of Lessor, nor will any assignment or transfer of this Lease be effectuated by operation of law or otherwise without the prior written consent of Lessor, in any such case, such consent may be withheld in the sole and absolute subjective discretion of landlord. In the event that Lessee defaults hereunder, Lessee hereby assigns to Lessor any and all rent due from any subtenant of Lessee and hereby authorizes each such subtenant to pay said rent directly to Lessor. Without limiting the generality of the foregoing, if Lessor consents to an assignment or sublease pursuant to this Article 13, Lessor may condition its consent upon the entry by such transferee into an agreement (in form and substances satisfactory to Lessor) with Lessor, by which such transferee assumes all of Lessee's obligations hereunder.

#### 14. Lessor's Right of Access

#### 14.1 Right to Enter

Lessor may, at any time during Lessee's occupancy, during reasonable business hours enter either to view the Premises to show the same to others, or to facilitate repairs to the Building, or to introduce, replace, repair, alter, or make new or change existing connections from fixtures, pipes, wires, ducts, conduits, or other construction therein, or remove, without being held responsible thereof, placards, signs, lettering, window or door coverings and the like not expressly consented to by Lessor.

#### 14.2 Right to Enter to Show Property to Prospective Lessee

During the last 30 days of the Term, Lessor may enter the Premises free from hindrance or control of Lessee to show the Premises to prospective tenants at times that will not unreasonably interfere with Lessee's business. If Lessee vacates the Premises during the last month of the Term, Lessor will have unrestricted right to enter the same after Lessee's moving to commence preparations for the succeeding tenant or for any other purpose whatsoever, without affecting Lessee's obligation to pay rent for the full Term.

#### 15. Fire Clause

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#### 15.1 Obligations of Parties after Fire

In the event the Premises or any part thereof, hallways, stairways, or other approaches thereto, becomes damaged or destroyed by fire or other casualty from any cause so as to render said Premises and/or other approaches unfit for use and occupancy, a just and proportionate part of the Rent according to the nature and extent of the damage or injury to said Premises and/or approaches, will be suspended or abated until said Premises and/or approaches have been put in as good condition for use and occupancy as at the time immediately prior to such damage or destruction. Lessor will proceed, at its expense and as expeditiously as may be practicable, to repair the damage unless, because of the substantial extent of the damage or destruction, Lessor should decide not to repair or restore the Premises of the Project, in which event and at Lessor's sole option Lessor may terminate this Lease forthwith by giving Lessee a written notice of its intention to terminate within five days after the date of the fire or other casualty. Lessor will not be obligated to repair, restore, or replace any fixture, improvement, alteration, furniture, or other property owned, installed, or made by Lessee, all of which will be repaired, restored, or replaced by Lessee.

#### 15.2 Notification of Lessor

Lessee will immediately notify Lessor of any damage to the Premises caused by fire or any other casualty.

#### 15.3 Repair of Premises

No damage, compensation, or claim will be payable by Lessor for inconvenience, loss of business or annoyance arising from any repair or restoration of any portion of the Premises or the Project. Lessor will diligently proceed to have such repairs made promptly.

#### 16. Condemnation

#### 16.1 Effect on Lease

This Lease will be terminated and the Rent will be abated to the date of such termination in either of the following events: (a) condemnation of the Premises, the Building or any part thereof by any competent authority under right of eminent domain for any public or quasi-public use or purpose; or (b) condemnation by competent authority under right of eminent domain for any public or quasi-public use or purpose of the Project in which the Premises are located. The forcible leasing by any competent authority of any portion of the Project other than the Premises will have no effect upon this Lease. In case of any taking or condemnation, whether or not the Term will cease and terminate, the entire award will be the property of Lessor, and Lessee hereby assigns to Lessor all its right, title and interest in and to any such award. Lessee however, will be entitled to claim, prove, and receive in the condemnation proceeding such awards as may be allowed for fixtures and other equipment installed by it, but only if such awards will be made by the court in addition to (and will in no manner whatsoever reduce) the award made by it to Lessor

for the land and improvements or part thereof so taken.

#### 16.2 Effect on Lease for Temporary Loss

In the event of a temporary taking or condemnation of all or any part of the Premises for any public or quasi-public use or purpose, this Lease will be unaffected and Lessee will continue to pay in full Basic Rent and all Additional Rent payable for any such period. In the event of any such temporary taking, notwithstanding the provisions of Paragraph 20.1, Lessee will be entitled to claim, prove and receive the portion of the award for such taxing that represents compensation for use or occupancy of the Premises during the Term, and Lessor will be entitled to appear, claim, prove and receive the portions of the award that represent the cost of restoration of the Premises and the use or occupancy of the Premises after the end of the Term.

#### 17. Defaults; Remedies

#### 17.1 Definition of Default

It is hereby mutually agreed that:

- (a) if Lessee will fail
- (i) to pay Rent or other sums which Lessee is obligated to pay by any provision of this Lease, when and as it is due and payable hereunder and without demand therefor, or
- (ii) to keep and perform each and every covenant, condition and agreement herein contained on the part of Lessee to be kept and performed; or
- (b) if Lessee will abandon or evidence any intention to abandon all or any portion of the Premises; or
  - (c) if the estate hereby created will be taken by execution or other process of law; or
  - (d) if Lessee will
  - (i) generally not pay Lessee's debts as such debts come due,
  - (ii) becomes insolvent,
  - (iii) make an assignment for the benefit of creditors,
- (iv) file, be the entity subject to, or acquiesce in a petition in any court (whether or not filed by or against Lessee pursuant to any statute of the United States or any state and whether or not for a trustee, custodian, receiver, agent, or other officer of Lessee or for all or any portion of Lessee's property) in any proceeding, whether in bankruptcy, reorganization, composition, extension, arrangement, insolvency proceedings, or otherwise, then, and in each and every case listed above under subsections (a), (b), (c), and (d), from thenceforth and at all times thereafter, at the sole option of Lessor, Lessor may seek the remedies set forth in sections 17.1.1, 17.1.2, 17.1.3, 17.1.4, or 17.1.5 below.

#### 17.1.1 Lessor's Right to Terminate Lease and Recover Possession

Terminate this Lease, in which event Lessee will immediately surrender the Premises to

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Lessor. If Lessee fails to do so, Lessor may without notice and without prejudice to any other remedy Lessor may have, enter upon and take possession of the Premises and expel or remove Lessee and its effects without being liable to prosecution or any claim for damages therefor; and Lessee will indemnify Lessor for all loss and damage which Lessor may suffer by reason of such termination, whether through the inability to relet the Premises or otherwise including any loss of Rent for the remainder of the Term.

#### 17.1.2 Lessor's Right to Sue Lessee for Breach of Contract

Sue Lessee for breach of contract, in which event Lessee's event of default should be considered a total breach of Lessee's obligations under this Lease and Lessee immediately will become liable for damages for such breach, in an amount equal to the total of the costs of recovering the Premises; the unpaid Rent earned as of the date of termination, plus interest thereon at a rate per annum from the due date equal to the legal judgment rate; and all other sums of money and damages owing by Lessee to Lessor. Lessee's right of possession will cease and terminate and Lessor will be entitled to the possession of the Premises and will remove all persons and property therefrom and reenter the Lease without process of law and without becoming liable to prosecution therefor, any notice to quit or intention to reenter being hereby expressly waived by Lessee.

#### 17.1.3 Lessor's Right to Collect Balance

Declare the present worth (as of the date of such default) of the entire balance of rent for the remainder of the Term to be due and payable, and collect such balances in any manner not inconsistent with applicable law. For the purpose of this Paragraph 17.1.3, "present worth" will be computed by discounting the entire balance to present worth at a discount rate equal to the discount rate then in effect at the Federal Reserve Bank nearest the location of the Building.

#### 17.1.4 Lessor May Pursue Numerous Remedial Options

Pursue any combination of such remedies and/or other remedy available to Lessor on account of such default under applicable law.

#### 17.1.5 Lessee's Liability

In the event of any reentry or retaking of the Premises by Lessor and/or any termination of this Lease by Lessor due to Lessee's default and exercise of Lessor's rights pursuant to this section. Lessee in all events will remain liable and answerable nevertheless for the rent to the date of such retaking, reentry or termination and Lessee will also be and remain answerable in damages for the deficiency or loss of rent as well as all related expenses which Lessor may thereby sustain in respect to the balance of the Term. In such case, Lessor reserves full power, which is hereby acceded to by Lessee, to let said Premises for the benefit of Lessee, in liquidation and discharge, in whole or in part, as the case may be, of the liability of Lessee under the terms and provisions of this Lease. Such damages and related expenses that will have been made more easily ascertainable

by reletting of the Premises, or such action by Lessor may, at the option of Lessor, be deferred until the expiration of the Term, in which latter event the cause of action will not be deemed to have accrued until the date of the termination of the Term.

#### 17.2 Limitation of Lessor's Rights

The provisions of this Article 17 are subject to the bankruptcy laws of the United States of America that, in certain cases, may limit the rights of Lessor to enforce some of the provisions of this Article in proceedings thereunder. To the extent that limitations exist by virtue thereof, the remaining provisions hereof will not be affected thereby but will remain in full force and effect. The provisions of this Article 17.2 will be interpreted in a manner that results in a termination of this Lease in each and every instance, and to the fullest extent and at the earliest moment that such termination is permitted under the federal and state bankruptcy laws.

#### 17.3 Application of Lessee's Payments

All rents received by Lessor in any reletting after Lessee's default will be applied, first to the payment of such expenses as Lessor may have incurred in recovering possession of the Premises and in reletting the same (including brokerage fees), second to the payment of any costs and expenses incurred by Lessor, either for making the necessary repairs (including fitting up the space for such reletting) to the Premises or in curing any default on the part of Lessee of any covenant or condition herein made binding upon Lessee. Any remaining rent will then be applied toward the payment of Rent due from Lessee, together with interest and penalties and Lessee expressly agrees to pay any deficiency then remaining. Lessor will in no event be liable in any way whatsoever (nor will Lessee be entitled to any set off) for Lessor's failure to relet the Premises, and Lessor, at its option, may refrain from terminating Lessee's right of possession, and in such case may enforce against Lessee the provisions of this Lease for full Term.

#### 17.4 Costs Associated With Collecting from Lessee

In the event Lessee defaults in the performance of any of the terms, covenants, agreements or conditions contained in this Lease and Lessor places in the hands of an attorney or collection agency the enforcement of all or part of this Lease, the collection of any Rent due or to become due or recovery of the possession of the Premises, Lessee agrees to pay Lessor's costs of collection and enforcement including reasonable attorneys' fees, whether suit is actually filed or not.

#### 17.5 Period to Cure

In the event of default under the terms of this Lease Agreement, Lessee must within five days of the receipt of the notice, either pay the overdue rent or quit the Premises. Should the default be for other than overdue rent, Lessee will have 30 days in which to cure the default or quit the premises. Failure to cure within the prescribed time will result in the immediate termination of this Lease Agreement and Lessee's immediate suit for eviction.

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#### 18. Subordination

#### 18.1 Subordination Clause

This Lease is subject and subordinate at all times to the lien of any mortgage or deed of trust or other encumbrance(s) including but not limited to the New Kent County Airport Rules, Regulations and Minimum Standards and any Federal Aviation Administration or Commonwealth of Virginia Grant Assurances which may now or which may at any time hereafter be made upon the Project of which the Premises is a part or any portion thereof, or upon Lessor's interest therein. This clause is self-operative, and no further instrument or subordination is required to effect the subordination of this Lease. Nonetheless, in confirmation of such subordination, Lessee will execute and deliver such further instrument(s) subordinating this Lease to the lien of any such mortgage or deed of trust or any other encumbrance(s) as will be desired by any mortgagee or party secured or proposed to be secured thereby, and Lessee hereby appoints Lessor the attorneyin-fact of Lessee, irrevocably, to execute and deliver any such instrument(s) for Lessee. If the interests of Lessor under this Lease are transferred by reason of foreclosure or other proceedings for enforcement of any mortgage or deed of trust on the Premises or Project, Lessee will be bound to the transferee at the option of the transferee, under the terms, covenants and conditions of this Lease for the remaining Term, including any extensions or renewals, with the same force and effect as if the transferee were Lessor under this Lease, and, if requested by such transferee, Lessee agrees to attorn to the transferee as its Lessor. The holder of any mortgage or deed of trust encumbering the Project will have the right, unilaterally, at any time to subordinate fully or partially its mortgage or deed of trust or other security instrument to this Lease on such terms and subject to such conditions, as such holder may consider appropriate in its discretion. Upon request, Lessee will execute and deliver an instrument confirming any such full or partial subordination.

#### 19. Surrender of Possession

#### 19.1 Lessee's Obligations and Rights

Upon the expiration or earlier termination of the Term, Lessee must surrender to Lessor the Premises and all keys, gate cards, parking passes, security cards, and locks connected therewith to Lessor in good order and repair (ordinary wear and tear excepted). Subject to the provisions of Article 13, any and all improvements, repairs, alterations and all other property attached to, used in connection with or otherwise installed upon the Premises (i) will, immediately upon the completion of the installation thereof, be and become Lessor's property without payment therefor by Lessor, and (ii) must be surrendered to Lessor upon the expiration or earlier termination of the Term, except that any machinery, equipment or fixtures installed by Lessee and used in the conduct of the Lessee's trade or business (rather than to service the Premises or any of the remainder of the Building or the Project generally) and all other property of Lessee will remain Lessee's property

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and will be removed by Lessee upon the expiration or earlier termination of the Term, and Lessee will promptly thereafter fully restore any of the Premises or the Building damaged by such installation or removal thereof.

#### 20. Lessee Holding Over

#### 20.1 Rights of Lessor

If Lessee or any person claiming through Lessee will not immediately surrender possession of the Premises at the expiration or earlier termination of the Term, Lessor will be entitled to recover compensation for such use and occupancy at 100% of the Basic Rent and Additional Rent payable hereunder just prior to the expiration or earlier termination of the Term. Lessor will also continue to be entitled to retake or recover possession of the Premises as herein before provided in case of default on the part of Lessee, and Lessee will be liable to Lessor for any loss or damage it may sustain by reason of Lessee's failure to surrender possession of the Premises immediately upon the expiration or earlier termination of the Term. Lessee agrees that all the obligations of Lessee and all rights of Lessor applicable during the Term will be equally applicable during such period of subsequent occupancy.

#### 21. Estoppels

#### **21.1** Elements of Estoppel Certificates

Lessee must, without charge therefor, at any time and from time to time, within five business days after request by Lessor, execute, acknowledge and deliver to Lessor a written estoppel certificate certifying to Lessor, any mortgagee, assignee of a mortgagee, or any purchaser of the Project, or any other person designated by Lessor, as of the date of such estoppel certificate:

- (a) that Lessee is in possession of the Premises;
- (b) that this Lease is unmodified and in full force and effect (or if there have been modifications, that this Lease is in full force and effect as modified and setting forth such modification);
- (c) whether or not there are then existing any setoffs or defenses against the enforcement of any right or remedy of Lessor, or any duty or obligation of Lessee hereunder (and, if so, specifying the same in detail);
- (d) the amount of the Basic Rent and the dates through which Basic Rent and Additional Rent have been paid;
- (e) that Lessee has no knowledge of any then uncured defaults on the part of Lessor under this Lessee has such knowledge, specifying the same in detail);
- (f) that Lessee has no knowledge of any event having occurred that authorizes the termination of this Lease by Lessee (or if Lessee has knowledge of any such uncured defaults, specifying the same in detail);

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- (g) that Lessor has no knowledge of any event having occurred that authorizes the termination of this Lease by Lessor (or if Lessor has such knowledge, specifying the same in detail):
  - (h) the amount of any Security Deposit held by Lessor; and
- (i) such reasonable other information requested by Lessor, such mortgagee, assignee of such mortgagee, such purchaser or such other person.

Failure to deliver the certificate within five business days after request by Lessor will be conclusive upon Lessee for the benefit of Lessor and any successor to Lessor that this Lease is in full force and effect and had not been modified except as may be represented by the party requesting the certificate. If Lessee fails to deliver the certificate within five business days after requested by Lessor, then by such failure Lessee will irrevocably constitute and appoint Lessor as its attorney-in-fact to execute and deliver the certificate to any third party.

### 22. Miscellaneous

### **22.1** Definition of Lessee

The term "Lessee" includes legal representatives, successors and permitted assigns. All covenants herein made binding upon Lessee will be construed to be equally applicable and binding upon its Permittees and others claiming the right to be in the Premises or in the Project through or under Lessee.

### **22.2** Joint Lessees

If more than one individual, firm or corporation will join as Lessee, singular context will be construed to be plural wherever necessary and the covenants of Lessee will be the joint and several obligations of each party signing as Lessee and when the parties signing as Lessee are partners, will be the obligation of the firm and of the individual members thereof.

### 22.3 References to Gender

Feminine or neuter pronouns will be substituted for those of the masculine form and the plural will be substituted for the singular, wherever the context will require. It is also agreed that no specific words, phrases or clauses herein used will be taken or construed to control, limit or cut down the scope or meaning of any general words, phrases or clauses used in connection therewith.

### 22.4 Waiver

No waiver or breach of any covenant, condition or agreement herein contained will operate as a waiver if the covenant, condition or agreement itself, or of any subsequent breach thereof.

### 22.5 Limitation of Lessor's Liability

Notwithstanding anything to the contrary contained in this Lease, Lessee will look only to

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Lessor's ownership in the Project for satisfaction of Lessee's remedies for collection of a judgment (or other judicial process) requiring the payment of money by Lessor in the event of any default by Lessor hereunder, and no other property or assets of Lessor or its agents, disclosed or undisclosed, will be subject to levy, execution or the enforcement procedure for satisfaction of Lessee's remedies with respect to this Lease, the relationship of Lessor and Lessee hereunder, or Lessee's use or occupancy of the Premises. No personal liability or personal responsibility is assured by, nor will at any time be asserted or enforceable against Lessor's agents, or their respective heirs, legal representatives, successors and assigns on account of this Lease or any covenant, undertaking, or agreement to Lessor not to unreasonably withhold its consent or approval, an action for declaratory judgment or specific performance will be Lessee's sole right and remedy in any dispute as to whether Lessor has breached such obligation.

### 22.6 Warranty of Habitability and Fitness for Particular Purpose

Lessee and Lessor expressly agree that there are and will be no implied warranties of merchantability, habitability, fitness for a particular purpose, or any other kind arising out of this lease, and there are no warranties which extend beyond those expressly set forth in this lease.

### 22.7 Final Agreement

It is understood and agreed by and between the parties hereto that this Lease contains the final and entire agreement between said parties, and that they will not be bound by any terms, statements, conditions or representations, oral or written, express or implied, not herein contained. This Lease may not be modified orally or in any manner other than by written agreement signed by the parties hereto.

### 22.8 Provisions that are Unlawful or Against Public Policy

Every agreement contained in this Lease is, and will be construed as a separate and independent agreement. If any term of this Lease or the application thereof to any person or circumstances is held to be invalid and unenforceable, the remaining provisions of this Lease, the applications of such term to persons or circumstances other than those as to which it is invalid or unenforceable, will not be affected.

### **22.9 Conditions That Prevent Performance**

Whenever a period of time is herein prescribed for action to be taken by Lessor, Lessor will not be liable or responsible for, and there will be excluded from the computation for any such period of time, any delays due to strikes, riots, acts of God, shortages of labor or materials, war, governmental laws, regulations or restrictions, or any other cause of any kind whatsoever which is beyond the reasonable control of Lessor.

### 22.10 Execution

The submission of this Lease to Lessee will not be construed as an offer nor will Lessee have any rights with respect thereto unless Lessor executes a copy of this Lease and delivers same to Lessee.

### 22.11 Assignment

This Lease is binding upon and inures to the benefit of the parties hereto and their respective heirs, personal representatives, successors, and assigns. This provision will not be deemed to grant Lessee any right to assign this Lease or sublet the Premises or any part thereof other than as provided in Article 17 hereof.

### 22.12 Time Is of Essence Clause

All times, whenever stated in this Lease, are declared to be of the essence of this Lease.

### 23. Brokers

### 23.1 Payment of Broker Fees

Lessee represents and warrants that it has not entered into any agreement with, nor otherwise had any dealings with, any broker or agent in connection with the negotiation or execution of this Lease which could form the basis of any claim by any such broker or agent for a brokerage fee or commission, finder's fee, or any other compensation of any kind or nature in connection herewith, and Lessee will indemnify, defend and hold Lessor harmless from and against any costs (including, but not limited to, court costs and attorneys' fees), expenses, or liability for commissions or other Compensation claimed by any broker or agent other than those listed or dealings, or alleged agreement or dealings, between Lessee and any such agent or broker.

### 24. Notices

### 24.1 Contacting Lessee and Lessor

All notices required or permitted hereunder will be deemed to have been given if mailed in any United States Post Office by certified or registered mail, postage prepaid, return receipt requested, addressed to Lessor or Lessee respectively, at the following addresses or to such other addresses as the parties hereto may designate to the other in writing from time to time:

### LESSOR

County Administrator Post Office Box 150 12007 Courthouse Circle New Kent, Virginia 23124-0150 LESSEE

Andrew Leigh Gordon, R/A ACE Flight Solutions 95 Aviation Way Fredericksburg, Virginia 22406

With a copy to:

County Attorney Post Office Box 150 12007 Courthouse Circle New Kent, Virginia 23124-0150

### 25. Quiet Enjoyment

### 25.1 Scope of Implied Covenant of Quiet Enjoyment

Lessor covenants and agrees that upon Lessee paying the Rent and any other charges due and payable and observing and performing all the terms, covenants and conditions, Lessee may peaceably and quietly enjoy the Premises hereby demised, subject, nevertheless, to the terms and conditions of this Lease and to any mortgages and deeds of trust hereinbefore mentioned.

### 26. Waiver of Trial by Jury

### 26.1 Waiver of Jury Trial

Lessor and Lessee each agree to hereby waive trial by jury in any action, proceeding or counterclaim brought by either of the parties hereto against the other on any matter whatsoever arising out of or in any way connected with this lease, the relationship of lessor and lessee, lessee's use or occupancy of this premises, any claim of injury, damage, and/or any statutory remedy.

### 27. Governing Law

### **27.1** Law Governing Contract

This Lease will be construed and governed by the laws of the Commonwealth of Virginia, without respect to its conflict of law's provisions. The Courts of New Kent County or the Federal Courts for the Eastern District of Virginia, Richmond Division will hear any legal action regarding the interpretation or enforcement of this writing. Should any provision of this Lease and/or its conditions be illegal or not enforced under the laws of said state, it or they will be considered severable and the Lease and its conditions will remain in force and be binding upon the parties

Page 22 of 25

hereto as though the said provision had never been included.

### 28. Documentation and Authorizing Resolutions

The Lessee will furnish and deliver to the Lessor with this Agreement and at no cost to the Lessor, documentation and authorizing resolutions to evidence the Lessee's existence in good standing and its authority to execute this Agreement.

The signatures of the parties are set out below in acknowledgment of this Lease Agreement and warrant their respective authority to enter this Lease Agreement.

# SIGNATURES ON SEPARATE PAGES

Page 23 of 25

Lessee: ACE Flight Solutions, LLC **New Kent County** By: \_\_\_\_\_ Rodney A. Hathaway County Administrator COMMONWEALTH OF VIRGINIA County of New Kent, to wit: Rodney A. Hathaway, New Kent County Administrator, acknowledged the foregoing instrument before me this \_\_\_\_\_\_, 2025. Notary Public My Commission Expires: \_\_\_\_\_ Notary Number: Approved as to form.

Lease Agreement Lessor: New Kent County

County Attorney

Page 24 of 25

	ACE Flight Solutions, LLC
	By: Andrew Gordon Its: MEMBER/MANAGER
(Attach the appropriate resolution authoriz	ing this person to execute this Agreement.)
COMMONWEALTH OF VIRGINIA, COUNTY/CITY OF  Andrew Gordon, as Member/Mana foregoing instrument before me this	ager of ACE Flight Solutions, LLC. acknowledged the
	My Commission Expires: Notary Number:
	Notary Public

### NOTICE OF PUBLIC HEARINGS NEW KENT COUNTY BOARD OF SUPERVISORS

Notice is hereby given that the New Kent County Board of Supervisors will hold public hearings, and may or may not take action, on Monday, June 9, 2025 at 6:30 p.m. or as soon thereafter as possible, in the Boardroom of the County Administration Building located at 12007 Courthouse Circle, New Kent, VA 23124, to consider the following:

- 1. **ACE Flight Solutions, LLC Lease**: Authorizing the County Administrator to execute a lease agreement between the County of New Kent and ACE Flight Solutions, LLC, 95 Aviation Way, Fredericksburg, VA 22406. The lease to include approximately 147 square feet of office space and approximately 5800 square feet of hangar space for the purpose of performing aircraft maintenance, located at 6901 Terminal Road, Quinton, VA 23141.
- 2. O-02-25 NEW KENT 2045 COMPREHENSIVE PLAN UPDATE: The Board of Supervisors will consider the proposed New Kent 2045 Comprehensive Plan, which will replace the current plan, adopted in 2017. The Comprehensive Plan serves as a long-range guide for growth and development and addresses key topics such as land use, housing, economic development, transportation, and natural resources. It outlines objectives and strategies developed through extensive public outreach to address the county's most pressing issues and priorities. A copy of the draft plan is available at <a href="https://www.newkent2045.com">www.newkent2045.com</a>.
- 3. O-03-25 ZONING TEXT AMENDMENTS REGARDING ACCESSORY STRUCTURES & BOARD OF ZONING APPEALS: The Board of Supervisors will consider proposed changes to New Kent County Code regulations governing Accessory Structures (Sections 98-2 and 98-10) and Board of Zoning Appeals processes (Sections 98-1022, 98-1023, 98-1024, 98-1025, 98-1026, 98-1027, and 98-1028).

All interested persons may appear and present their views at the above time and place. If a member of the public cannot attend, comments may be submitted by mail to P. O. Box 150, New Kent, VA 23124; by fax to (804) 966-9370; or by email to <a href="mailto-bos@newkent-va.us">bos@newkent-va.us</a>. Comments received by 12:00 noon on the day of the hearings will be distributed to Board members and made a part of the public record. Copies of any proposed ordinances, resolutions, applications and staff reports may be viewed approximately one week prior to the hearing in the Office of the County Administrator at 12007 Courthouse Circle, New Kent, VA 23124, during regular business hours or at <a href="http://www.newkent-va.us">http://www.newkent-va.us</a>. Anyone needing assistance or accommodation under the provisions of the Americans with Disabilities Act should call the County Administrator's Office at (804) 966-9687.

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

By authority of Rodney A. Hathaway Clerk of the Board 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: 6/9/2025 PUBLIC HEARINGS

Motion: "Mr. Chairman, I move to Ordinance O-02-25. (not required for Consent Agenda items) PUBLIC HEARING - New Kent County 2045 Comprehensive Plan Update - Ordinance O-02-25 - Principal Planner Patrick Subject Silva The Board of Supervisors will consider the proposed New Kent County 2045 Comprehensive Plan update. The draft Comprehensive Plan update has been prepared in accordance with Section 15.2-2223 of the Code of Virginia which requires that every governing body adopt a comprehensive plan for the territory under its jurisdiction. Issue A copy of the draft plan was made available for public review in March 2025 on the official New Kent County website and paper copies were made available to all members of the public upon request. In order to address the minor edits requested the Planning Commission at their April 21, 2025 meeting, a revised version was subsequently published on May 21, 2025. The Planning Commission considered this item at their meeting Recommendation on April 21, 2025 and voted 8:0:3 to forward a favorable recommendation to the Board of Supervisors. Fiscal Implications NA Policy Implications NΑ NA Legislative History The Board of Supervisors will consider the proposed New Kent County 2045 Comprehensive Plan update. The draft Comprehensive Plan update has been prepared in accordance with Section 15.2-2223 of the Code of Virginia which requires that every governing body adopt a comprehensive plan for the territory under its jurisdiction. Discussion A copy of the draft plan was made available for public review in March 2025 on the official New Kent County website and paper copies were made available to all members of the public upon

request. In order to address the minor edits requested the Planning Commission at their April 21, 2025 meeting, a revised

version was subsequently published on May 21, 2025.

Time Needed:	20 minutes	iparenn annaaring:	Principal Planner, Patrick Silva
Request prepared by:	Patrick Silva	Telephone:	804-966-8563
Copy provided to:			

### **ATTACHMENTS:**

Description Type

BOS Memorandum

Draft Comprehensive Plan

PC Resolution

BOS Ordinance O-02-25

BOS Memorandum

Backup Material

Backup Material

### **REVIEWERS:**

Department	Reviewer	Action	Date
Planning & Zoning	Airaghi, Josh	Approved	5/30/2025 - 12:34 PM
Administration	Hathaway, Rodney	Approved	5/30/2025 - 3:37 PM
Attorney	Hathaway, Rodney	Approved	6/3/2025 - 12:23 PM



#### **MEMORANDUM**

**DATE:** June 9, 2025

**TO:** New Kent County Board of Supervisors

**SUBJECT:** New Kent 2045 Comprehensive Plan

### **ISSUE**

Included for your review is a copy of the New Kent 2045 Comprehensive Plan document. This draft has been prepared in accordance with Section 15.2-2223 of the Code of Virginia which requires that every governing body adopt a comprehensive plan for the territory under its jurisdiction.

This update is the result of the efforts of many individuals and organizations over a period of approximately three years from Fall 2021 to Spring 2025. The Plan is based on both professional and public input. The plan includes a distillation of a number of professional studies and analyses that are available as background material for the document. It is also the result of a series of public information sessions and work sessions designed to elicit the input of a cross-section of the County citizenry.

The central factor in this Comprehensive Plan is the widely-held desire of the citizens of New Kent County to maintain the County's attractive, rural character while providing opportunities for the creation of income. As with the current Comprehensive Plan the overarching goals for this plan are the same:

- Preserve the County's existing rural character.
- Protect the natural environment.
- Encourage responsible economic development with a target of realizing thirty percent of local tax revenues from business sources by the year 2045.
- Maintain as low a real property tax rate as possible into the future.

### **COMPREHENSIVE PLAN PROCESS**

In the Fall of 2021, County staff and the Planning Commission were given direction from the Board of Supervisors to conduct an update to the existing Comprehensive Plan with the Board approving creation of a Comprehensive Plan Steering Committee to act as an advisory committee to the Board relating to Comprehensive Plan update efforts. In addition, the County retained the

services of EPR P.C. to assist staff and County leaders in conducting the plan update process and assembling the updated Comprehensive Plan.

A series of three Public Information Sessions were held in the Fall of 2022, Summer of 2023, and Fall of 2024. These sessions were advertised through a variety of media types and sources to encourage public participation. Citizens were afforded an opportunity to address staff, County leaders, consultants, and members of the Board of Supervisors at these meetings which were used to gauge the public's satisfaction with the direction of the proposed Comprehensive Plan update.

A copy of the draft plan was made available for public review in March 2025 on the official New Kent County website and paper copies were made available to all members of the public upon request. In order to address the minor edits requested the Planning Commission at their April 21, 2025 meeting, a revised version was subsequently published on May 21, 2025.

### **RECOMMENDATION**

At their April 21, 2025 meeting, the Planning Commission considered the draft Comprehensive Plan and voted 8:0:3 to favorably recommend adoption of the New Kent County 2045 Comprehensive Plan to the Board of Supervisors.

Ordinance O-02-25 is attached for your consideration.

#### Attachments:

- New Kent 2045 Comprehensive Plan
- Signed PC-07-25
- Ordinance, O-02-25



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# **ACKNOWLEDGEMENTS**

## **Board of Supervisors**

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

## **Planning Commission**

Van "Marc" Bennett
Joseph C. Davis
Jacob Dombroski
Rev. Dr. Milton Hathaway
Gary Larochelle
Tammy L. Johnson
Laura Rose
Dr. Joanne K. Schmit
Curtisa Thomas
Patricia E. Townsend

## **County Staff**

Joshua Airaghi, Director of Community Development Lee Bailey, Sheriff Rodney Hathaway, County Administrator Amy Inman, Director of Transportation Development Mike Lang, Director of Public Utilities Brian Nichols, Public Schools Superintendent Rick Opett, Fire and Rescue Chief Kimberly Turner, Director of Parks and Recreation Matthew Smolnik, Director of Economic Development

## **Steering Committee**

**Marc Bennett** Russell Bever Joseph Davis **Kenneth Eades** Jess Fowler Isabel Ada Jarvis **Charles Karow Sharron Oakley** Theresa Peterson Laura Rose **Jacqueline Smith Mathew Starr Pete Sweet James Talley Nick Totten** John Wilgus

## **Prepared By**

EPR, P.C.

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Public Input

Appendix A: Maps

Appendix B: Future Land Use Matrix

Appendix C: Proposed Transportation Projects

Appendix D: VDOT Six Year Improvement Program (SYIP) Projects

# **EXECUTIVE SUMMARY**

The New Kent County 2045 Comprehensive Plan is a strategic vision document guiding the county's growth and development over the next two decades. It outlines policies and recommendations to manage population growth, economic development, land use, infrastructure, and environmental sustainability while preserving the county's rural character and historical significance. Developed through extensive public engagement, the plan ensures that New Kent County remains a desirable and well-balanced community.

The county has experienced rapid population growth, surpassing regional trends. Between 2010 and 2023, the county's population increased by 31%, making it the fastest-growing locality in the Richmond metropolitan area. This growth is projected to continue at a rate of 1.25% per year, leading to a 49.5% increase in population by 2050. The influx of new residents is driven by affordable housing compared to neighboring counties, access to major transportation routes, and the county's rural appeal.

The county can prepare for this growth by adequately expanding public services, schools, transportation networks, and utilities. Managing the strain on resources will be a key challenge, particularly in ensuring sustainable development while maintaining the county's rural charm. The plan addresses these concerns through strategic land-use planning, infrastructure improvements, and policies that support responsible growth.

New Kent County seeks to strengthen and diversify its economy by encouraging commercial and industrial development. Currently, the county relies heavily on residential tax revenue, with 81.7% of its tax base coming from residential sources and only 18.3% from commercial and

industrial sectors. Expanding business investment is essential to balancing the tax base and reducing the burden on homeowners. The plan supports initiatives such as attracting new businesses to the county, particularly near Interstate 64 interchanges, where infrastructure is already in place and encouraging tourism growth, including promoting the county's historic sites, outdoor recreation, and agritourism ventures such as vineyards and equestrian facilities. Expanding retail and service options will help reduce the need for residents to travel outside the county for shopping and dining.

Two major recent and planned development projects, the AutoZone Distribution Center and the Buc-ee's Travel Center, are expected to create hundreds of new jobs and stimulate economic activity in the region. Additionally, the county aims to improve workforce opportunities by attracting employers offering higher-wage jobs and diverse career options beyond entry-level positions.

As population growth continues, managing land use effectively is critical to preserving the county's rural identity while accommodating new development. The plan prioritizes directing growth to designated development areas, particularly around Interstate 64 exits, where public water and sewer infrastructure can support higherdensity housing and commercial growth. It also focuses on preserving open space and agricultural land by maintaining large rural lots in designated conservation areas and encouraging mixed-use development to integrate residential, commercial, and recreational spaces efficiently.

Housing affordability is a growing concern, with home prices rising significantly over the past decade. The median sale price for homes

in the county was \$423,917 between January 2023 and January 2025. The plan promotes the development of diverse housing options, including affordable workforce housing and senior housing and assisted living facilities to accommodate the county's aging population. Multifamily housing and townhomes in designated growth areas will provide more housing options for young professionals and retirees. The county aims to balance housing availability, affordability, and preserving rural character by implementing strategic zoning policies and infrastructure investments.

New Kent County's rivers, forests, wetlands, and agricultural land are essential to its environmental and economic well-being. The plan emphasizes proactive conservation measures to protect natural resources from the impacts of development, including enforcing Chesapeake Bay Preservation Act regulations to safeguard water quality, expanding stormwater management practices to prevent runoff pollution, prioritizing development in areas with stable soils to minimize erosion and environmental degradation, and protecting wetlands, floodplains, and riparian buffers to maintain healthy ecosystems and reduce flood risks.

As the county grows, investment in critical infrastructure will be necessary to support new development. The plan outlines strategies for expanding public water and wastewater systems to reduce reliance on individual wells and septic systems, encouraging septic-to-sewer conversions in areas where public utilities are available, and enhancing broadband and telecommunications access to support residents and businesses. Public facilities such as schools, fire and rescue services, and law enforcement must also prepare for the impacts of an increasing population. The plan prioritizes school expansions, additional fire stations, and improved emergency response capacity to maintain high levels of service.

With population growth comes increased traffic congestion, necessitating transportation improvements to ensure safe and efficient mobility. To manage traffic flow, key transportation priorities include widening and improving key roadways. Enhancing commuter options by expanding public transit connections to Richmond and Williamsburg, improving pedestrian and bicycle infrastructure to support alternative transportation modes, and addressing roadway safety issues, particularly in high-traffic areas near new developments, are also components of the transportation chapter.

Agriculture remains a significant part of New Kent County's economy and cultural identity. The plan promotes policies to support small farms and agritourism initiatives, such as vineyards and farmers' markets, encourage sustainable farming practices to protect soil health and water resources and preserve agricultural land through zoning protections and conservation easements.

The plan includes a tactics matrix that outlines short-, medium-, and long-term strategies for achieving the county's goals. Implementation will require collaboration between county officials, businesses, and residents to guide responsible development. Regular zoning and land-use policy updates will align with the comprehensive plan's vision. Ongoing public engagement will ensure that residents continue to have a voice in shaping the county's future.

The New Kent County 2045 Comprehensive Plan provides a strategic framework to manage growth, preserve natural resources, and enhance quality of life. By implementing these policies and investments, the county will continue to be a thriving, well-balanced community for future generations.

# I. INTRODUCTION

## **Public Input**

- » New Kent should remain a caring and dedicated community. (Open House)
- » New Kent should continue to be a place to live, retire, work, and play. (Open House)
- » A strength of the County is its rural, safe environment. (Open House)
- » New Kent should be protective of its rural character. (Open House)
- » A strength of the County is the slow pace of life. (Open House)
- » A challenge for the County is integrating future growth while maintaining the values and historical roots that makes people want to come and stay. (Open House)
- » A strength of the County is its historic structures. (Open House)
- » Survey respondents ranked "loss of pleasant surroundings" as the third-biggest concern, on average, as New Kent County continues to grow. (Round 1 Survey)

## What Is a Comprehensive Plan?

A comprehensive plan is a document that outlines a community's vision for its future development and growth. It serves as a framework for decision-making by local governments and provides guidance for zoning ordinances, capital improvement projects, and other planning initiatives to ensure coordinated and sustainable development within the community. Comprehensive plans are typically developed through a collaborative process involving input from various stakeholders, including residents, businesses, local government officials, and planning professionals.

Virginia law mandates that localities develop comprehensive plans to guide the physical development of their jurisdictions. Comprehensive plans must address various elements, including land use, transportation, housing, economic development, natural resources, and community facilities and services.

Local governments in Virginia must follow a prescribed process for preparing and adopting comprehensive plans. This typically involves conducting public hearings, soliciting input from residents and stakeholders, and obtaining approval from the local governing body.

Localities must periodically review and update their comprehensive plans to ensure that they remain relevant and responsive to changing community needs and conditions. Virginia law requires that localities review their comprehensive plans at least every 5 years to determine if updates are needed. This periodic review ensures that plans remain relevant and responsive to evolving conditions and priorities within the community. Localities may update their plans at any time if significant changes occur or new planning issues arise. Updates may be prompted by factors such as population growth, economic changes, or new legislative requirements.

Local governments in Virginia have the legal authority to adopt and enforce comprehensive plans under the provisions of the Code of Virginia. However, compliance with comprehensive plans is typically achieved through voluntary adherence and coordination with other land use regulations and development review processes.

## Plan Organization

This plan is designed to guide readers through a logical and comprehensive exploration of the County's vision and strategies for its future development. The document is organized into several key sections: the Introduction, which sets the context and goals of the plan, including the County's vision, public input, and planning process; followed by thematic chapters such as Demographics, Economy, Housing, Natural Resources, Public Facilities, Transportation, Land Use, and Implementation.

Each chapter details relevant data, analysis, and strategic priorities while incorporating input from the community. An Implementation Matrix further outlines actionable tactics, responsible parties, and resources needed to achieve the plan's goals. Supporting materials, including project matrices and larger versions of each map, are provided in appendices for reference.

## **Relation to Other Plans**

Comprehensive plans must be coordinated with other local planning documents, such as zoning ordinances, subdivision regulations, and capital improvement programs, to ensure consistency and integration of planning efforts.

### Envision New Kent Strategic Plan

The Envision New Kent Strategic Plan, adopted in June 2021, outlined a Vision for New Kent County for the next twenty years. Its purpose was to guide the Board of Supervisors, County departments, and partner organizations to continue making decisions that preserve the County's unique character while planning for its vibrant future.

The document resulted from approximately twelve months of discovery, discussion, visioning, and planning, providing a roadmap reflecting the community's rural identity and local values. Envision New Kent was a bridge to this Comprehensive Plan, which will lead to codifying the development vision and rural character that is New Kent's greatest asset.

## **Comprehensive Plan Process**

The New Kent 2045 Comprehensive Plan update follows the County's previous Comprehensive Plan, adopted in 2012. While small updates and revisions to the plan were made in the interim, County leaders initiated a full update in 2022. After issuing a Request for Proposals, New Kent selected EPR, P.C. to assist local staff and leaders in conducting the plan update process and assembling the updated Comprehensive Plan.

### Steering Committee

The New Kent County Board of Supervisors appointed a Comprehensive Plan Steering Committee to help guide the planning process, approve the plan's direction, and provide local insight. Appointed members included two appointees from each County district, as well as representatives from the County's Economic Development Authority, Agriculture and Forestal Advisory Committee, County staff, and the Planning Commission. The Steering Committee met approximately quarterly throughout the planning process, including helping to plan public engagement events and draft and approve plan elements.

## Project Website

To provide clear information about the Comprehensive Plan update process, the County established a project-specific website to host engagement surveys, provide project background information, and post project documents. Additionally, project activities, including public input opportunities, were promoted through a

variety of forums, including social media posts, flyers posted as public facilities, handouts at community events, and via email.

## **Public Engagement**

The vision and experiences of New Kent residents, business owners, and other members of the public are critical to planning for the County's future. A public engagement plan was created at the outset of the Comprehensive Plan update process, laying out three phases of public engagement: at the beginning, middle, and end of the process. During each engagement phase, in-person and online activities allowed the public to provide input and review draft plan products. The input of the New Kent County public is specifically called out in each chapter of the plan and is incorporated into all plan elements.

## Phase One Public Engagement

The plan update's public launch came in October 2022, with an open house at the New Kent Visitors and Commerce Center. The event included display boards presenting the purpose of the Comprehensive Plan, summarizing local demographics, and inviting residents' input on their vision and priorities for the future. Specific input included participants' views of the County's strengths and challenges and what participants wanted New Kent to look like in 2045.

An online survey, launched in October 2022 and running for two months, gave members of the public an additional opportunity to learn about the Comprehensive Plan process and provide input on their vision and priorities for the future. Survey questions paralleled the input prompts from the open house event, collecting opinions on the County's strengths and challenges and the desired character of New Kent's future growth and development. A total of 492 survey responses were collected in this phase.

## Phase Two Public Engagement

A second phase of public engagement during the development of plan update materials sought specific input on the County's transportation and land use needs. Engagement activities in this phase allowed participants to work with maps of New Kent to locate preferred areas to be preserved, areas for residential development. and areas for commercial development, as well as areas with traffic issues, roadway safety concerns, preferred locations for pedestrian and bicycle infrastructure, and needs for public transit. In-person land use and transportation meetings were held in June 2023 at Quinton Elementary School, New Kent Middle School, and Liberty Baptist Church in Lanexa. An interactive mapping exercise also allowed online input on the same map prompts.

## Committees and Leadership

The plan update process involved various local and regional staff, agencies, and committees throughout. Interim project presentations were made to the County's Board of Road Viewers, Planning Commission, and Board of Supervisors. Additional input was gathered from County departments, including parks and recreation, utilities, economic development, finance, human resources, administration, and state and regional health and transportation agencies.

## **New Kent Historical and Regional Setting**

New Kent County was formally established in 1654, emerging from York County. Initially encompassing an area including parts of present-day King and Queen, King William, Caroline, Hanover, Spotsylvania, Louisa, and James City Counties, it became a thriving colonial community. The county's name originated because several inhabitants, including William Claiborne, had recently been forced from their settlement at Kent Island, Maryland. Claiborne had named the island for his birthplace in Kent, England.

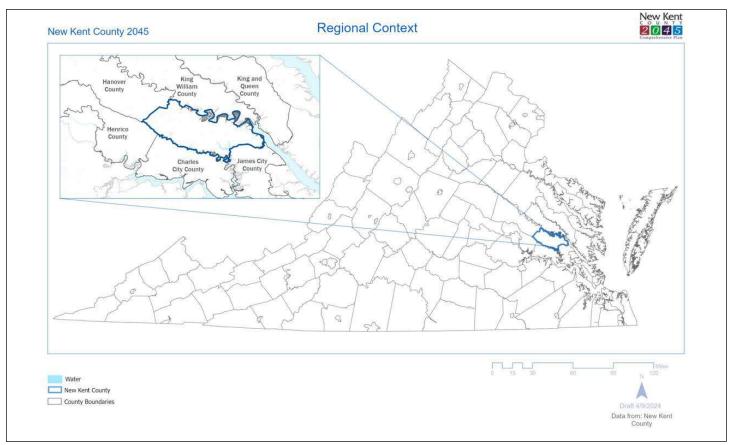
During colonial times, New Kent County flourished, aided by vital transportation links provided by ferries along the Pamunkey and York Rivers. Settlements began to cluster around Eltham and West Point, with the establishment of the first town, Brick House, in 1680. However, a setback occurred when the county records were lost in a fire during Bacon's Rebellion in 1687, prompting the relocation of the county seat to New Kent Courthouse in 1691. Providence Forge emerged as a new commercial hub in subsequent years, bolstered by canal construction along the Chickahominy River. Despite facing destruction during Cornwallis' invasion, the town remained significant, hosting a forge and mill that served both Revolutionary and Civil War efforts.

The 19th century saw a period of relative dormancy in New Kent County, attributed partly to the challenging topography inhibiting large-scale plantation development. However, the County witnessed three Civil War engagements in May 1862, further impacting its landscape and populace. After the Civil War, inhabitants gradually returned, with a notable settlement by Polish immigrants in Barhamsville.

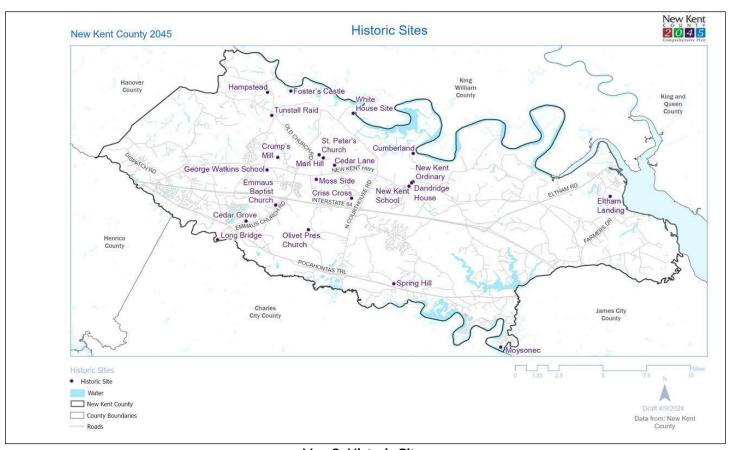
The Chickahominy Tribe Eastern Division, a state-recognized Indian tribe, is based in New Kent County, with a history tracing back to the 17th century. The tribe organized formally in the early 20th century to preserve its identity, facing challenges such as racial laws that marginalized Virginia Indians. It achieved state recognition in 1983 and federal recognition in 2018.

Transportation infrastructure, particularly the construction of highways like U.S. Route 60 and Interstate 64, spurred growth, connecting New Kent County to urban centers like Richmond and Hampton Roads. Today, New Kent County occupies a strategic location in the Virginia Coastal Plain, serving as a gateway to the Middle Peninsula with vital bridge crossings over the Pamunkey and Mattaponi Rivers. Its land area covers approximately 212 square miles, bordered by the Pamunkey and York Rivers to the north and east and the Chickahominy River to the south and west. As part of the Richmond-Petersburg Metropolitan Statistical Area, it plays a crucial role in the region's economy and development





Map 1: Regional Context



Map 2: Historic Sites

# II. DEMOGRAPHICS

## **Public Input**

- » A strength of the County is its community. (Open House)
- » New Kent will be more diverse in the future. (Open House)
- » New Kent will be inclusive in the future. (Open House)
- » New Kent has a growing, friendly community. (Open House)
- » Providing services based on population growth presents a challenge for the County. (Open House)
- » Rapid growth is a challenge for New Kent County. (Open House)

## **Population Growth**

New Kent County has undergone rapid population fluctuations over its 350-year history. The County's population increased steadily from 1950 to 1970, jumping 65.7% following the completion of Interstate 64 eastward from Bottoms Bridge in the 1970s. The 1990s saw the County's population increase to 13,462 (a 28.9% increase). By 2010, the population had grown to 18,429. As of 2023, the County's population had risen to 24,139 a 31% increase since 2010. Since 1970, the County's population growth rate has been higher than those of the Richmond Regional Planning District (PDC) and the state overall.

Place	2010	2023	Numeric Change 2010-2023	Percent Change 2010-2023
Charles City County	7,256	6,586	-670	-9.2%
Chesterfield County	316,236	383,876	67,640	21.4%
Goochland County	21,717	25,613	3,896	17.9%
Hanover County	99,863	114,148	14,285	14.3%
Henrico County	306,935	334,760	27,825	9.1%
James City County	67,009	82,654	15,645	23.3%
King William County	15,935	18,232	2,297	14.4%
New Kent County	18,429	24,139	5,710	31.0%
Powhatan County	30,333	31,074	741	2.4%
City of Richmond	204,214	229,247	25,033	12.3%
City of Williamsburg	14,068	15,847	1,779	12.6%
Richmond Regional PDC	1,004,983	1,149,443	144,460	14.4%
Virginia	8,001,024	8,715,698	714,674	8.9%

Table 1: Area Population Growth, 2010 & 2023 (est.). Source: U.S. Census Bureau.

Between 2010 and 2020, New Kent County was the fastest-growing community, on a percentage basis, in the Richmond metropolitan area.

The most significant numerical population gains were recorded in Chesterfield County, Henrico County, and the City of Richmond. While development pressures are strongest in these communities, new residents will continue to be attracted to New Kent due to such factors as the existence of approximately 4,039 vacant parcels on which homes can presently be constructed and the fact that vacant land is still a relative bargain in the County compared to land values in neighboring jurisdictions.

1930	1940	1950	1960	1970	1980	1990	2000	2010	2023
4,300	4,092	3,995	4,504	5,300	8,781	10,445	13,462	18,429	24,139
-	-4.84%	-2.37%	12.7%	17.7%	65.9%	19%	28.9%	36.9%	31%

Table 2: New Kent County Population Growth, 1930-2023. Source: U.S. Census Bureau and New Kent County Planning Division.

**Table 2** demonstrates the County's drastic increase in population, especially since 1990. New Kent County's population grew by 119.7% between 1990 and 2020. Even with this population increase, the population density in 2020 was 109.2 persons per square mile, demonstrating that the County still maintains its rural nature.

Over the past decade, New Kent has seen an increase in the average household size, and the number of households is also increasing. The number of households in New Kent County increased by 38.7% from 2010 to 2023, which is in line with the 31% increase in population from 2010 to 2023. The average household size in New Kent County was 2.6 in 2023 (see **Table 3**).

Place	1970	1980	1990	2000	2010	2023
New Kent County	3.51	2.95	2.77	2.65	2.62	2.60
Richmond Metro Area	3.11	2.70	2.51	2.48	2.60	2.62
Virginia	3.20	2.77	2.56	2.54	2.56	2.49

Table 3: Average Household Size. Source: U.S. Census Bureau and New Kent County Planning Division.

This pattern of in-migration of new families creates pressures for new housing opportunities and increased spending on public education and other services. It may also lead to conflict between suburban and rural lifestyles and development patterns.

## **Demographic Profile**

## Age and Sex

This age pyramid shown in **Figure 1** compares total population by age cohort between 2010 and 2023. Overall, there has been an increase in the population across most age cohorts, particularly among middle-aged and older adults. The 55-59, 60-64, and 65-69 age groups have grown significantly, suggesting an aging population. Meanwhile, the younger cohorts, such as those under 5 and 5-9 years old, have either remained stable or shown slight increases. The working-age population has also expanded, particularly in the 30-34 and 35-39 cohorts. The increase in the senior population (75+ years) highlights potential future challenges related to healthcare and services for the elderly. These trends indicate both population growth and aging, which could influence long-term planning in areas such as infrastructure, healthcare, and education.

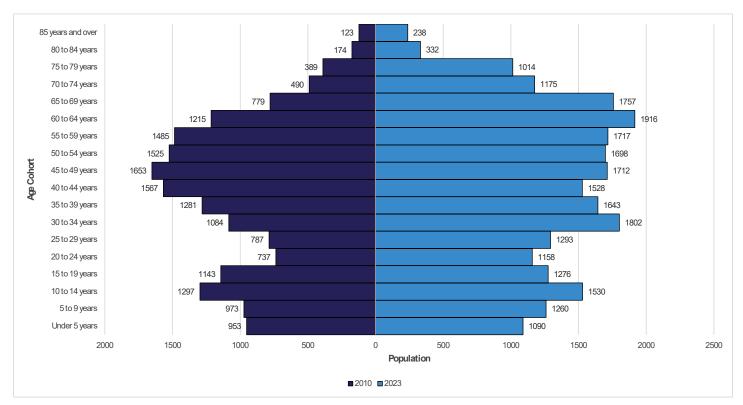


Figure 1: Age, 2010-2020. Source: U.S. Census Bureau.

**Figure 2** shows the percentage breakdown of the county's total population by age and sex by age cohort for 2023. It displays a relatively balanced distribution across most age cohorts, with a slight female predominance in older age groups. The largest percentage of the population falls within middle-aged cohorts, which indicates an aging population.

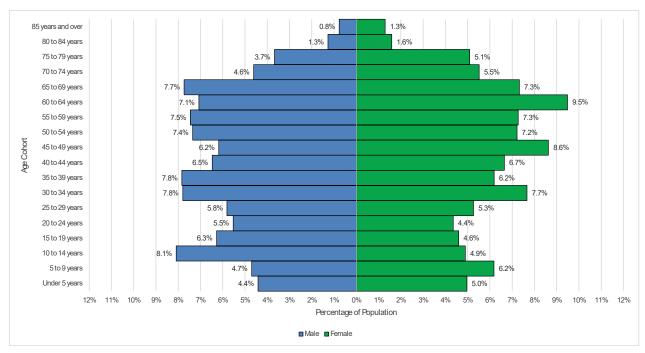


Figure 2: Age and Sex, 2023. Source: U.S. Census Bureau.

### Race

The County's racial composition has not changed significantly in the past decade, as shown in **Figure 3**. Since 2010, the number of residents identifying as White or Black alone has decreased slightly, while the number of residents identifying as Two or More Races has increased from 2.3% to 5.2%.

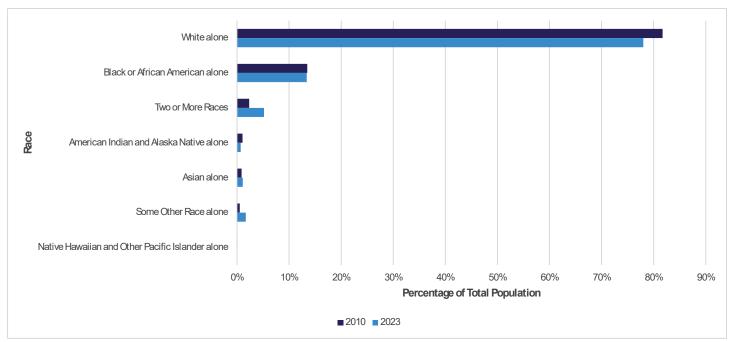


Figure 3: Race, 2010-2023. Source: U.S. Census Bureau.

## **Population Projections**

The county's population is projected to grow over the coming decades, significantly outpacing state averages. The Weldon Cooper Center projects a growth rate of 1.25% per year in the County through 2045, as shown in **Figure 4**. According to the center's projections, the overall population growth rate from 2023 to 2050 will be 49.5%. By comparison, the population growth rate for the state from 2023 to 2050 is projected to be 20.1%.

Implications of population growth include:

- **Increased Demand for Services**: A rapidly growing population typically demands more services such as healthcare, education, public transportation, and infrastructure.
- **Increased Demand for Housing**: High population growth often leads to increased demand for housing. This can drive up housing prices and rents, potentially making housing less affordable for residents unless new housing developments are built quickly enough to keep pace.
- **Economic Opportunities**: A growing population can attract businesses seeking to cater to the expanding market. This can lead to increased economic opportunities, job creation, and potentially higher incomes for residents.
- **Strain on Resources**: Natural resources such as water, energy, and land can come under pressure with a growing population. Sustainable management becomes crucial to avoid depletion and environmental degradation.
- **Traffic and Infrastructure Challenges**: With more people comes increased traffic congestion and strain on transportation infrastructure. New Kent County may need to invest in upgrading roads, public transit, and other facilities to accommodate the growing population.

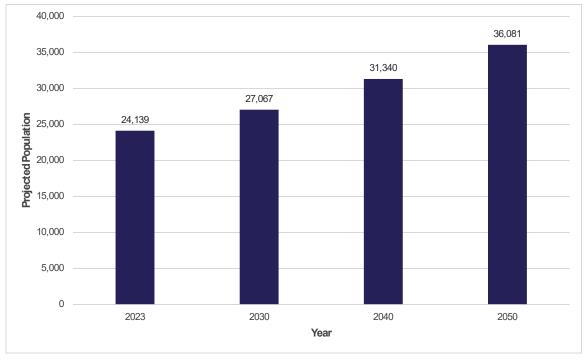


Figure 4: Population Growth, 2023-2055. Source: Weldon Cooper Center.

# III. ECONOMY

## **Public Input**

- » Low tax rates are a strength of the County. (Open House)
- » A strength of New Kent County is "the untapped potential for historical tourism." (Open House)
- » Agriculture is a strength of the County. (Open House)
- » New Kent County needs more local work opportunities beyond entry-level. (Open House)
- » There is a lack of retail business and business tax revenue. (Open House)
- » The County needs critical businesses—healthcare, long-term care, restaurants, shops—to help draw new business. (Open House, Station 4 Challenges)
- » There is a need for more diverse shopping options. (Open House)
- » There is a need for higher quality groceries near I-64 exits 211 and 205. (NK Middle School Report)
- » The County could generate more tax revenue by improving retail selection and inviting visitors. (Open House)



## **Income and Employment**

### Income

According to American Community Survey estimates, the 2023 median household income in New Kent County was \$120,125. As reflected in **Table 5**, New Kent County had the highest median household income of the seven counties in the Richmond Region. The County's median household income was 28.7% higher than that of the state as a whole. Median household income represents the midpoint of all household incomes, meaning half of the households earn more and half earn less. This metric differs from average (mean) income, which can be skewed by extreme high or low values. Median household income tends to provide a more accurate reflection of the typical financial situation of residents within a community.

Year	Per Capita Income
2010	\$42,981
2011	\$41,741
2012	\$41,977
2013	\$40,840
2014	\$42,771
2015	\$42,274
2016	\$43,915
2017	\$44,266
2018	\$43,436
2019	\$43,981
2020	\$45,912
2021	\$46,606
2022	\$49,666
2023	\$51,609

Table 4: Estimated Per Capita Income, Past 12 Months (2023 Inflation-Adjusted Dollars). Source: U.S. Census Bureau.

Place	Median Household Income (2023)
Charles City County	\$70,339
Henrico County	\$85,817
Virginia	\$89,931
Chesterfield County	\$99,658
Powhatan County	\$110,667
Hanover County	\$112,243
Goochland County	\$118,695
New Kent County	\$120,125

Table 5: Estimated 2023 Median Household Income. Source: U.S. Census Bureau.

Annual per capita income trends for New Kent County from 2010 to 2023 in 2023 inflation-adjusted dollars are shown in **Table 4**. Per capita income fluctuated slightly between 2010 and 2018, but has steadily increased since 2018.

A higher per capita income suggests that individuals in the county, on average, have more disposable income. However, because New Kent County has a limited number of businesses, job opportunities, and production facilities, a higher per capita income may not necessarily indicate economic expansion. Instead, it may be driven by a higher percentage of higher-income earners living in the county but working elsewhere. This dynamic can shape future economic development strategies, including efforts to attract businesses and expand job opportunities within the county itself.

## **Poverty**

According to U.S. Census Bureau estimates, the estimated average percentage of the population below the poverty level in New Kent County between 2012 and 2023 was 5.4%. **Figure 5** shows estimates for each year.

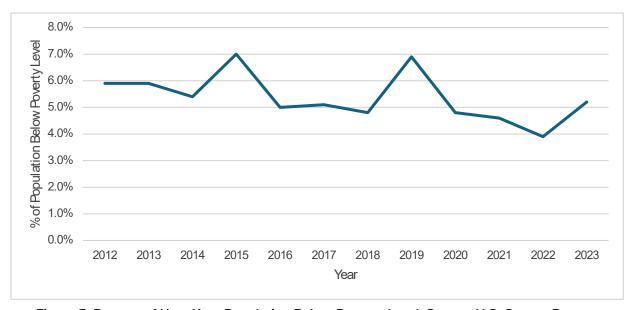


Figure 5: Percent of New Kent Population Below Poverty Level. Source: U.S. Census Bureau.

## **Employment**

New Kent County's unemployment rate has remained low in recent years (see **Table 6**). It dropped steadily between 1970 and 1990 and continued to decrease until 2000. During the 2008 recession, the unemployment rate climbed to around 7 percent. Once the economy recovered, New Kent's unemployment rate remained below national and state rates. The beginning of the COVID-19 pandemic and guarantine caused a spike in 2020 unemployment rates, which has declined in recent years.

Year	Unemployment Rate
2010	7.4%
2015	3.8%
2018	2.7%
2019	2.4%
2020	4.7%
2021	3.0%
2022	2.4%
2023	2.4%

# Table 6: New Kent County Unemployment Rates. Source: Virginia Employment Commission **Tax Revenue**

New Kent County receives tax revenues from a range of sources. These funds are then used to provide necessary government services. Sources of tax revenue include:

- » Real estate tax, paid based on the value of real property
- » Personal property tax, paid based on the value of certain property, largely automobiles
- » Business, professional and occupational license taxes, paid by certain businesses
- » Sales and use tax, paid as a percentage of any goods or services purchased
- » Meals and lodging taxes, paid on hotel stays and restaurant meals

**Table 7** shows tax revenue types and estimated tax revenue amounts for 2024.

Tax Revenue Type	Revenue	Percent of Total	
Real Estate Tax *	\$33,532,309	59.8%	
Personal Property Tax *	\$14,223,482	25.4%	
Business, Occupation and Professional	\$1,981,698	3.5%	
License Taxes	\$1,501,050	3.370	
Meals and Lodging Taxes	\$2,676,640	4.8%	
Sales Tax	\$3,618,526	6.5%	
Total	\$56,032,655		

Table 7: Estimated Tax Revenue (2024) \*incl. both residential and commercial revenues

The County's various tax revenues come from both residential and commercial taxpayers, but far more is paid by residents than by businesses (see **Figure 6**). New Kent's relatively small retail and employment economies see many residents leaving the county for shopping and for work, meaning lower business tax revenue.

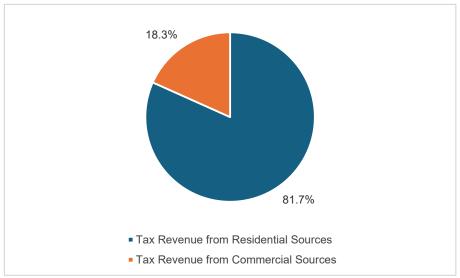


Figure 6: Estimated Tax Revenue Breakdown (2024)

Adding additional retail, service, and employment growth has the potential to shift the balance of County tax revenue in the future, building a strong and diverse local economy that puts less tax burden on residents.

## **Agriculture**

The County has about 112 farms, covering about 21,533 acres, and the average farm size is 192 acres. Farmland makes up about 15 percent of the entire county's land. The main crops in the county are corn, soybeans, wheat, hay and haylage, vegetables, and orchards (including vineyards). The main livestock is beef and dairy cattle and calves, along with hogs and pigs. (see **Table 8**).

Locality	Number of Farms	Acreage	Average Size (Acres)
New Kent County	112	21,533	192
Hanover County	512	91,864	179
Henrico County	84	7,927	94
Charles City County	84	33,617	400
James City County	79	6,219	79
King William County	122	57,926	475
Virginia (State)	38,995	7,309,687	187

Table 8: Number and Size of Farms, Regionally (2022). Source: USDA Agricultural Census.

As **Table 9** shows, the trend has been generally downward, both in the number of farms and their acreage in the county. However, the number of farms has increased since 1997 with the addition of small "hobby" and specialty farms within the county. From 2017 to 2022, the number of farms decreased by 19 percent; however, the size of farms increased by 17 percent. This could be due to farm consolidation or the closure of smaller farms, though the exact cause is unknown.

Year	Number of Farms	Acreage
1954	279	63,391
1959	196	43,149
1964	147	34,017
1969	102	30,410
1974	97	30,327
1982	91	25,404
1987	72	not available
1992	67	18,367
1997	76	17,139
2002	100	19,303
2004	100	19,300
2007	121	20,361
2017	138	18,335
2022	112	21,533

Table 9: Number of Farms, 1954-2022. Source: USDA Agricultural Census.

Compared to surrounding counties, New Kent County is fourth in the estimated market value of agricultural products, as shown in **Figure 7**. The estimated market value of agricultural products sold in the county makes up about 0.2 percent of the state's overall estimated market value, ranking 76th out of 98 counties producing agricultural products in the state. The county's net income from farms is \$1,095,000, which is a 187 percent increase since 2017, as shown in **Table 10**.

Locality	Net Farm Income	% Change since 2017
New Kent County	\$1,095,000	187%
Hanover County	\$ 13,500,000	100%
Henrico County	\$1,100,000	8%
Charles City County	\$4,811,000	7%
James City County	\$(1,060,000)	70%
King William County	\$9,093,000	220%
Virginia (State)	\$1,484,076,000	78%

Table 10: Net Farm Income and Percent Change Since 2017, Regionally. Source: USDA Agricultural Census.

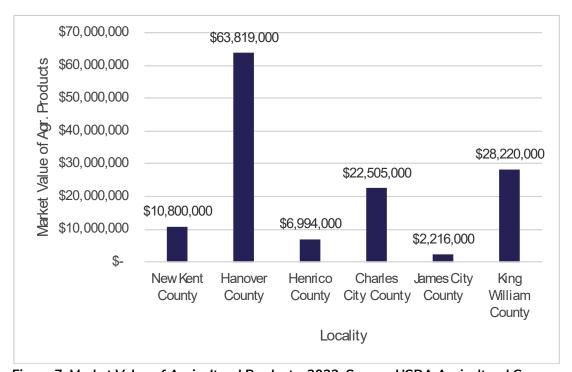


Figure 7: Market Value of Agricultural Products, 2022. Source: USDA Agricultural Census.

## **Major Projects**

### AutoZone Distribution Center

AutoZone has recently completed a new \$185.2 million warehouse and distribution center in New Kent County, projecting the creation of roughly 350 jobs. Spanning 800,000 square feet, this facility serves as AutoZone's key East Coast distribution hub. The project was supported by a \$2.5 million grant from the Commonwealth's Opportunity Fund and is eligible to receive benefits from the Port of Virginia Economic and Infrastructure Development Zone grant program. The distribution center, which broke ground in July 2023, is located at New Kent City Center, an industrial park located near the intersection of Interstate 64 and Route 106.

### Buc-ee's

A Buc-ee's travel center is expected to be completed by 2027 as a part of the Texas-based chain's expansion into Virginia. Situated on Route 106 near Interstate 64's Exit 211, near the new AutoZone distribution center, the facility will feature a 74,000-square-foot store, 120 fueling positions, 557 parking spaces, electric vehicle charging stations, and amenities tailored for family-focused travel needs. This

development will be a significant economic catalyst, enhancing commercial growth and employment prospects while complementing existing infrastructure like the nearby visitors' center and fire station. The project aims to integrate with ongoing transportation improvements, including I-64 expansion and interchange enhancements.

### **Envision New Kent Strategic Plan (2021) Goals**

- » GM.1: Recruit business investment to offset residential tax burden, provide job opportunities, and meet the retail and commercial demands of county residents.
- » GM.4: Continue to grow outdoor recreation and tourism as a viable form of economic development in New Kent County.
- » GM.5: Maintain a high-quality work force supported by livable wage jobs that require skills and trades.

### **Tactics**

- » Expand the development capacity of existing County-owned sites by extending water, sewer, and road infrastructure.
- » Support events and organizations that connect and promote local small businesses and rural heritage.
- » Develop a mapped "trail" connecting New Kent agri-tourism and eco-tourism sites, businesses, and activities for cooperative promotion.
- » Grow the County's non-residential tax base to provide at least 30% of tax revenue from commercial, industrial, and business sources.
- » Direct future commercial development to designated areas near the County's Interstate 64 interchanges, where it can be served by utility and transportation infrastructure.
- » Develop a proffer policy ensuring new development can fiscally sustain County schools, fire and rescue, and other necessary services.
- » Organize a County tourism advisory group of local businesses and residents to actively participate in marketing New Kent County attractions.

#### **Metrics**

Residential vs. Non-Residential Tax Revenue (2024)

81.7% Residential 18.3% Non-Residentia

# IV. HOUSING

# **Public Input**

- » New Kent County could use more affordable housing for singles, retirees, and apartment residents. (Open House)
- » Younger generations and their families are being priced out of the County. (Liberty Baptist Report Out)
- » A challenge for the County is finding a balance in affordable housing. It is especially in need of affordable senior housing. (Open House)
- » The county needs more affordable multifamily housing. (Liberty Baptist Report)
- » The County is in need of rental housing. (Open House)
- » New Kent County needs assisted living and age-in-place housing. (Open House)

### **Housing Statistics**

According to American Community Survey estimates, there were 9,495 housing units in New Kent County in 2023. 87.6% of housing units were owner-occupied, 7.5% were renter-occupied, and 4.9% were vacant or seasonally occupied (see **Table 11**).

	Estimated Number of Units	Percentage of Total Units
Owner-occupied	8,321	87.6%
Renter-occupied	713	7.5%
Vacant or Seasonally Occupied	461	4.9%
Total	9,495	100%

Table 11: Housing Units by Tenure, 2023 Estimates, U.S. Census Bureau.

## **Building Permit Data**

According to the Weldon Cooper Center, the number of annual building permits issued in New Kent County was on an upward trend between 2010 and 2020. While the center does not provide data for housing units specifically, the data indicates that overall development activity in the county increased during that decade (see **Figure 8**). **Map 3** shows where building permits were issued throughout the County from 2006 to 2023.

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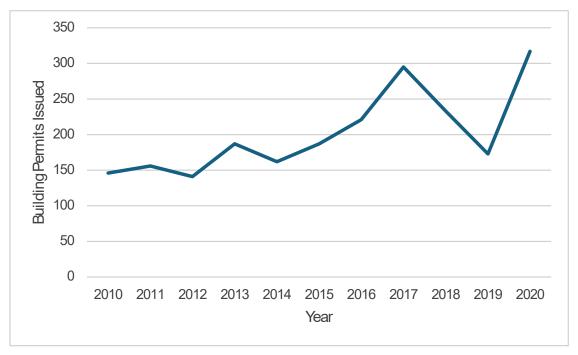
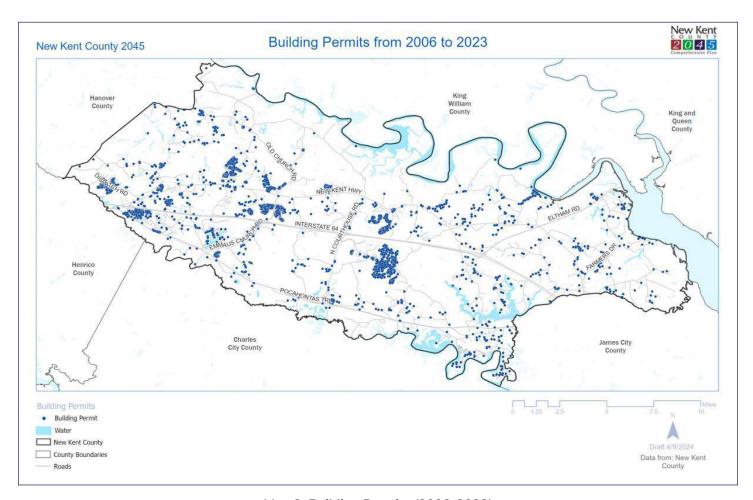


Figure 8: Building Permits by Year. Source: Weldon Cooper Center for Public Service.



Map 3: Building Permits (2006-2023)

### **Housing Values & Sale Prices**

In 2021, the American Community Survey estimated the median home value in New Kent County at \$309,000, and the average home value at \$322,671.

According to Long & Foster, the median sale price for homes in New Kent County was from January 2023 to January 2025, was \$423,917 (see **Figure 9**).

### **Affordability Calculations**

The U.S. Department of Housing and Urban Development (HUD) utilizes income thresholds to assess the eligibility of households for various federally funded housing assistance initiatives. These thresholds are derived from American Community Survey data.

HUD establishes income limits based on the median family income, termed the "Area Median Income" (AMI), and delineates thresholds at 30, 50, and 80 percent of AMI, tailored to different household sizes. These thresholds correspond to recognized categories for income ranges:

- » Households earning between 80 and 50 percent of AMI are classified as low-income,
- » Those earning between 50 and 30 percent of AMI fall into the category of very low-income, and
- » Households earning below 30 percent of AMI are deemed extremely low-income.

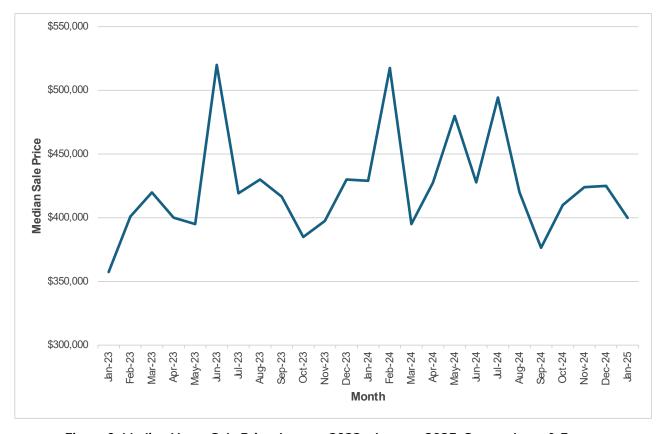


Figure 9: Median Home Sale Price, January 2023 - January 2025. Source: Long & Foster.

For metropolitan areas, income limits are determined regionally. New Kent County is part of the Richmond, VA Metropolitan Statistical Area (MSA). The information presented in **Table 12** applies to the entire MSA.

FY 2023 Income Limit Area	Median Family Income	FY 2023 Income Limit	mit								
			Category	1	2	3	4	5	6	7	8
Richmond, VA MSA \$109,400	Low (80%) Income Limits (\$)	59,750	68,250	76,800	85,300	92,150	98,950	105,800	112,600		
	\$109,400	Very Low (50%) Income Limits (\$)	37,350	42,650	48,000	53,300	57,600	61,850	66,100	70,400	
		Extremely Low Income Limits (\$)	22,400	25,600	28,800	32,000	35,140	40,280	45,420	50,560	

Table 12: FY 2023 Income Limits Summary. Source: HUD.

### **Housing for Seniors**

As New Kent County's senior population continues to grow, the County has recognized the importance of ensuring that its senior population has access to a variety of housing options that cater to different needs, preferences, and levels of independence.

Independent living communities in New Kent County offer a convenient and active lifestyle for seniors who are healthy and able to live on their own. Facilities such as The Groves at New Kent provide a range of housing options, with accessibility and senior-friendly features in mind. These communities foster a social environment, allowing seniors to engage with peers and participate in various activities and amenities.

For seniors who need assistance with daily activities such as bathing, dressing, and medication management, assisted living facilities are available in neighboring localities. These facilities aim to provide a balance between independence and care, ensuring that residents receive the support they need while maintaining as much autonomy as possible. Notable facilities are located in more urban areas of the region, including Brookdale Chambrel Williamsburg in James City County and Heritage Green in Mechanicsville, which are known for their quality care and supportive environments. However, there is currently a lack of assisted living facilities in New Kent.

In terms of their impact on public facilities, senior households usually don't include school-age children, so their effect on the public school system is typically minimal. However, senior households tend to produce more calls for emergency services.

# **Manufactured Housing**

Manufactured homes, often referred to as mobile homes, are built in a factory setting and then transported to a designated site. These homes are constructed under controlled conditions, ensuring consistent quality and adherence to the HUD Code, which sets the standards for design, construction,

and safety. Manufactured housing plays a significant role in providing affordable and flexible housing options in New Kent County.

According to the U.S. Census Bureau's Manufactured Housing Survey (MHS), there has been a steady demand for manufactured homes in the region. These homes are popular due to their affordability and the ability to place them on individual lots or within mobile home parks that offer community amenities. Recent data indicates a variety of options available in New Kent County, ranging from smaller, budget-friendly models to larger, more luxurious units designed for comfortable living.

The Manufactured Housing Survey provides detailed data on the cost and characteristics of manufactured homes. As of recent estimates, the average sales price for new manufactured homes in the South region, which includes Virginia, is significantly lower than traditional site-built homes. This cost advantage makes manufactured homes an attractive option for seniors looking to downsize or those seeking affordable housing solutions.

While manufactured homes offer many benefits, there are also challenges to consider. Ensuring that these homes and the communities they are part of are well-maintained and safe is paramount. Financing for manufactured homes can sometimes be more complex than traditional mortgages, necessitating targeted financial assistance programs to make these homes more accessible.

### **Accessory Dwelling Units (ADUs)**

Accessory Dwelling Units (ADUs) are small, self-contained living spaces built on the same lot as a primary residence, offering flexible housing solutions that can help ease affordability challenges and support aging-in-place. By providing homeowners the opportunity to create a rental unit, ADUs generate additional income that can help offset rising housing costs. They also offer an ideal option for seniors who wish to remain independent while staying close to family members, fostering multigenerational living arrangements that combine both privacy and support. In regions facing escalating housing prices and an increasing senior population, such as New Kent County, allowing ADU development can be an effective strategy to diversify housing options and enhance the community's capacity to meet evolving needs.

### **Envision New Kent Strategic Plan (2021) Goals**

- » 1.3: Ensure that new development can be served by public infrastructure with adequate capacity and a sufficient level of service.
- » GM.3: Ensure that development incorporates high-quality site and architectural design principles that complement the rural character of the County.

### **Tactics**

- » Continue to conduct regular housing steering committee meetings to fully assess housing affordability, quality, and types in New Kent County
- » Encourage the development of housing and facilities allowing seniors to age in place in the County.
- » Conduct a residential build-out analysis to fully understand the number and type of residential units buildable under existing zoning.
- » Conduct a study of the workforce housing affordability needs, including those of County administration, school, fire, rescue, and law enforcement employees.

## **Metrics**

#### **Cost Burdened Households**

(housing costs exceed 30% of household income)

17.6%

51.9%

of Renters

\* 2020 HUD Comprehensive Housing Affordability Strategy

Attached and Multi-Family Unit Share

96.4%

3.6%

Single Family Attach

Attached & Multi-Family

\* New Kent County GIS Data, 2023

# V. NATURAL RESOURCES

# **Public Input**

- » Rivers are a strength of the County. (Open House)
- » New Kent should continue to maintain its rural status of very controlled growth [to] keep the natural woods and streams. (Open House)
- » Runoff from 64 to Kent Lake is a concern. (NK Middle School Report)
- » The County should preserve our valuable water resources. (Open House)
- » The County should preserve [the] quality of tributaries and green space. (Open House)
- » Growth should be limited to preserve the natural environment that makes New Kent so attractive. (Open House)
- » Survey respondents ranked "preserving nature and rural areas" as the highest priority, on average, for New Kent in the next 20 years. (Round 1 Survey)
- » Survey respondents ranked "loss of farmland, forests, and open space" as the secondbiggest concern, on average, as New Kent continues to grow. (Round 1 Survey)
- » 47.5% of survey respondents felt that there was not enough environmental conservation. (Round 1 Survey)
- » One commented they "would like to see the Plan include protection for the wetlands, feeder streams, riverbanks, and water quality of the Chickahominy River; this includes protecting buffer zones from clearing and preventing runoff and pollution from development. The Chickahominy as a wildlife corridor and fisheries recreational resource should be more specifically recognized as an asset to the County and to the Chesapeake watershed." (Social Pinpoint Comment)

## **Topography**

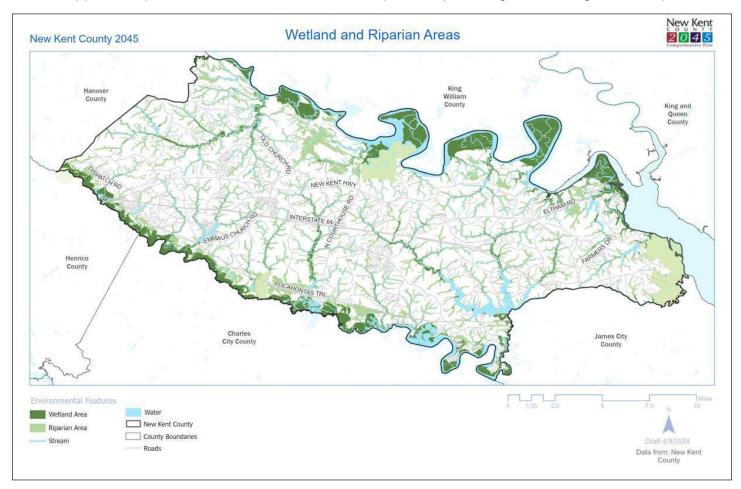
New Kent County is located in the Coastal Plain physiographic region, which runs north to south along Virginia's eastern seaboard. In general, the County has a gently rolling topography. However, extensive flat, low-lying areas are found along the Pamunkey River, with less extensive areas along the Chickahominy River. Overall, elevations average between 50 and 100 feet above sea level. The highest elevations are around 170 feet, and the lowest are at sea level along the two major rivers.

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### Waterways

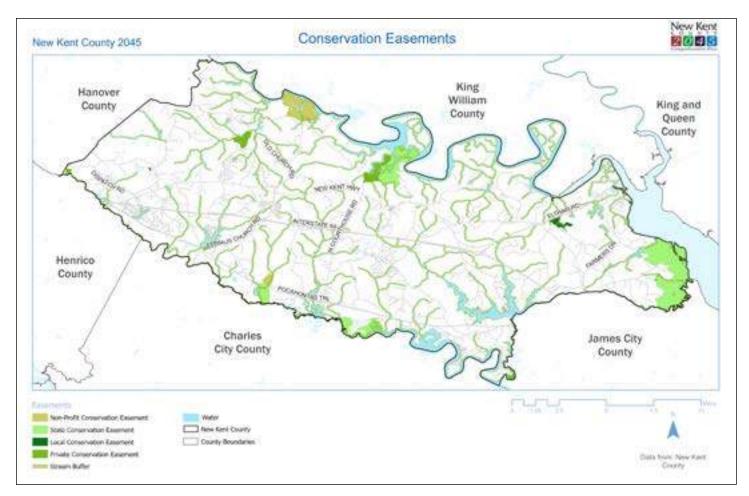
New Kent County, situated within the York and James River basins, hosts a network of subwatersheds feeding smaller rivers like the Pamunkey and Chickahominy. These waterways significantly impact the Chesapeake Bay's well-being. Surface water from the County's rivers and streams is prized for its softness, which is ideal for municipal and industrial purposes. Notably, Newport News Waterworks, supplying Newport News and other regional customers, relies on the Chickahominy River for drinking water, supported by the Diascund Creek Reservoir, capable of providing 30 million gallons daily.



Map 4: Wetland and Riparian Areas

Regulations by the Virginia Water Control Board ensure strict water quality standards for the Chickahominy River, particularly for wastewater discharge facilities. Tidal influences vary, with the Chickahominy River being tidal below Walkers Dam, while the Pamunkey River exhibits tidal freshwater characteristics.

New Kent County's wetlands are significant features along major rivers and tributaries. Currently, the County is solely served by groundwater, regulated by the Virginia Department of Environmental Quality, and surface water withdrawal is slated for the Pamunkey River. Water conservation efforts, outlined in plans submitted to the DEQ, aim to manage water usage efficiently, protect water sources, and prepare for emergencies. These initiatives underscore New Kent's commitment to safeguarding its water resources for current and future generations.



Map 5: Conservation Easements

### Soils

New Kent County contains about 46,000 acres of prime land for agricultural uses, representing about 1/3 of the County's land mass. While prime agricultural land can be found throughout the County, it is primarily concentrated along the Pamunkey and York Rivers.

### **Chesapeake Bay Preservation Act**

New Kent County is dedicated to preserving the health and vitality of its natural resources in accordance with the Chesapeake Bay Preservation Act. This act defines Resource Protection Areas (RPAs), including all tidal wetlands, tidal shores, and non-tidal wetlands hydrologically connected by surface flow and bordering on tidal wetlands or water bodies with perennial flow, and a 100-foot vegetated buffer area located adjacent to and landward of these components. These areas, which comprise approximately 19% of the County, are protected to maintain water quality and prevent erosion.

Development in RPAs may be allowed only if it (I) is water dependent or (II) constitutes redevelopment. Private roads, driveways, and regional stormwater management or flood control facilities may be permitted in the RPA under certain conditions. Trees and woody vegetation may be removed for shoreline erosion control projects, provided certain conditions are met. Utilities, railroads, and public roads are exempt under certain conditions. Other conditional exemptions include water wells, passive recreation areas such as boardwalks, trails, and pathways, and historic preservation and archaeological activities. Encroachments into the RPA may be allowed on lots recorded prior to the adoption of the

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Chesapeake Bay Preservation Area regulations if a sufficient buildable area is not available outside of the RPA. Any land disturbance within the RPA requires submission and approval of a Water Quality Impact Assessment (WQIA), including mitigation for the encroachment.

Resource Management Areas (RMAs) include land types that, if improperly used or developed, have the potential to cause significant water quality degradation or diminish the functional value of the resource protection area. Land categories included as RMAs are floodplains, nontidal wetlands that are contiguous to an RPA, highly erodible soils, including steep slopes that are contiguous to an RPA, highly permeable soils that are contiguous to an RPA, and a 100-foot land area located along any RPA, where none of the land categories listed are present. Approximately 59 percent of New Kent County is located in a Resource Management Area. See **Map 6** for the locations of RMAs and RPAs within the County.

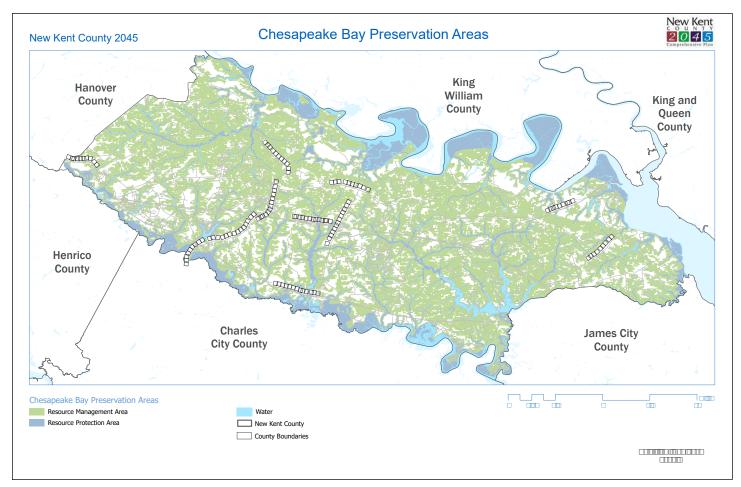
In accordance with 9VAC 25-830-155, updates to New Kent County's Chesapeake Bay Preservation Ordinance must be completed by September 2025 to address climate resilience, including sea-level rise, storm surge, and flooding.

#### Shoreline and Streambank Erosion

In addition to Resource Protection Areas (RPAs), steep slopes have been identified as areas of potential stream and shoreline erosion. Such steep gradients pose development challenges and are particularly prone to erosion if disturbed during construction or landscaping activities. These areas are susceptible to shoreline instability. Without proper management, soil erosion can increase, threatening nearby properties, water quality, and wildlife habitats.

Shoreline and streambank erosion in New Kent County is influenced by a combination of natural and human-induced factors. Natural causes such as tidal action, wave energy, and storm events can accelerate erosion, especially in areas with unstable soils or limited vegetation. Human activities, including land development, deforestation, and improper land management, can exacerbate these effects by increasing surface runoff and reducing the natural stabilizing properties of vegetation along waterways.





Map 6: Chesapeake Bay Preservation Areas

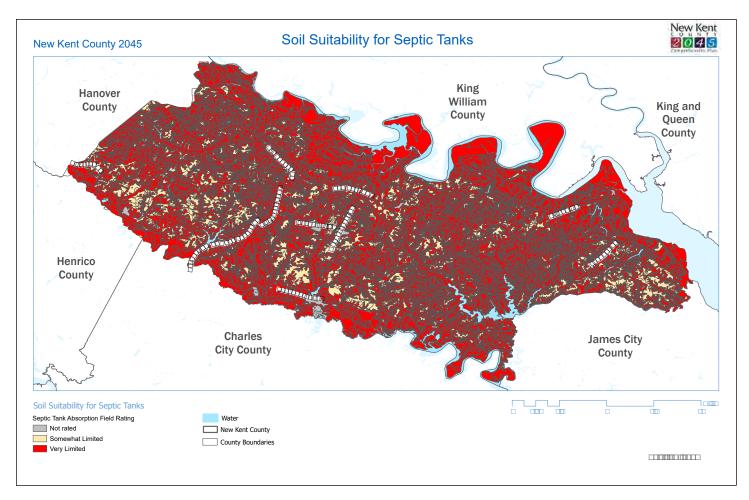
#### Physical Constraints to Development

New Kent County contains various physical characteristics that influence land use and development as they relate to the Chesapeake Bay Preservation Act. Floodplains, which are areas adjacent to rivers and streams that are subject to periodic flooding, present significant constraints for development due to the risk of property damage and environmental impact. Similarly, wetlands, which provide essential ecosystem services such as water filtration, flood control, and habitat preservation, are highly sensitive areas protected from disturbance under environmental regulations. Steep slopes pose another challenge, as they can be prone to erosion, instability, and increased runoff, making development on such terrain potentially hazardous and ecologically damaging.

Soil conditions further complicate development, particularly regarding the suitability of septic systems. According to the USGS Web Soil Survey, approximately 81.8% of soils in New Kent County are rated as "very limited" for septic tank absorption fields, indicating significant constraints such as poor effluent absorption, high maintenance needs, or expensive design requirements due to factors like saturated hydraulic conductivity, shallow water tables, ponding, and flooding risks. About 11.2% of soils are "somewhat limited," meaning they present moderate limitations that can be managed through specialized planning, design, or installation, offering fair performance with moderate maintenance. The remaining 7.1% of soils were either "not rated" or had undetermined limitations (see **Map 7**). Inappropriate soil conditions can lead to system failures, contributing to groundwater contamination and water quality issues, underscoring the County's focus on managing land use to protect and preserve the Chesapeake Bay watershed.

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Physical constraints such as unsuitable soils for septic systems, flood zones, steep banks, and shoreline erosion should guide development decisions in New Kent County to minimize environmental and public health risks. Poor soil conditions can lead to septic system failures, contaminating groundwater and surface water, while development in flood-prone areas increases the risk of property damage, water pollution, and habitat loss. Steep banks and eroding shorelines contribute to sedimentation in waterways, degrading water quality and aquatic ecosystems. To mitigate these risks, the County should prioritize development in areas with stable soils, direct infrastructure investments toward centralized wastewater treatment where feasible, enforce stringent stormwater management practices, and implement erosion control measures to protect water bodies and coastal habitats.



Map 7: Soil Suitability for Septic Tanks

### Existing and Potential Water Pollution Sources

New Kent County faces several existing and potential water quality pollution risks, including petroleum storage and releases, Virginia Pollutant Discharge Elimination System (VPDES) discharge outfall sites, stormwater runoff, and hazardous waste sites. More detailed information on the protection of the potable water supply from pollution sources can be found in the 2023 New Kent County Water Master Plan, which outlines strategies for water resource management, contamination prevention, and long-term sustainability, and the County's Water Resources Element adopted in April 2019, which examines issues related to water in the County and presents several goals, objectives, and strategies for protecting this important natural asset.

**Petroleum Storage and Releases:** The county hosts multiple registered petroleum tank facilities, which, if not properly managed, pose contamination risks to groundwater. The DEQ regulates over 600 aboveground storage tank (AST) facilities statewide to prevent environmental contamination from leaks and spills. Additionally, numerous petroleum release sites have been reported in the area, with the DEQ overseeing remediation efforts to mitigate soil and water pollution.

**VPDES Discharge Outfalls:** New Kent County has several VPDES permit outfalls regulated under the Virginia Pollutant Discharge Elimination System. Outfalls are locations where stormwater exits a drainage system into natural water bodies. Major outfall sites are larger discharge points that drain areas of 36 acres or more in highly urbanized regions or 50 acres or more in non-urbanized areas, while minor outfall sites are smaller discharge points that do not meet these size thresholds. These sites are monitored by the DEQ to ensure compliance with stormwater management and water quality standards. These discharges, if mismanaged, could introduce pollutants such as nutrients and sediment into local waterways. The DEQ's VPDES program aims to control and reduce pollutants discharged into surface waters.

**Stormwater Runoff:** Runoff from roads, parking lots, and agricultural areas contributes to water quality issues by carrying pollutants into streams and rivers, a common challenge in developed areas like New Kent County. The DEQ emphasizes the importance of managing stormwater to protect water quality.

**Abandoned or Improperly Sealed Wells:** These present significant contamination risks by providing direct pathways for surface pollutants to enter the groundwater system. Proper management of wells is crucial to protect drinking water supplies. For more information, refer to the Virginia State Water Resources Plan and the Virginia Annual Water Resources Report.

**Impaired Waters:** Nearby waters have been flagged for impairments by the DEQ due to excess nutrients, sedimentation, and bacteria. These impairments are often linked to agricultural runoff, stormwater discharges, and failing septic systems. For more information, refer to the DEQ's 2024 305(b)/303(d) Water Quality Assessment Integrated Report.

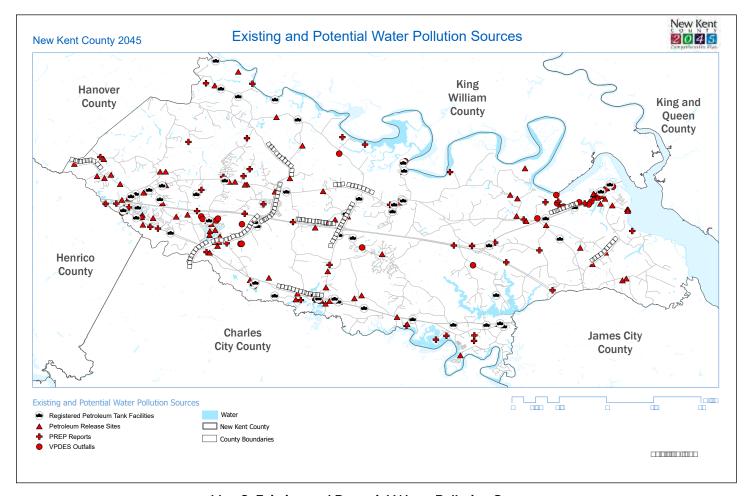
**Commercial and Recreational Fisheries:** While New Kent County does not host large-scale fishing operations, small-scale fishing and aquaculture are prominent in the surrounding areas, contributing to the local seafood economy. The county's access to various water bodies may also see watermen involved in such small-scale, sustainable activities.

**Hazardous Waste Sites:** Hazardous waste sites and brownfields monitored by the DEQ could pose a threat if left unremediated, potentially impacting water quality through contaminated runoff or leachate. It is essential to identify and manage these sites to prevent environmental contamination.

New Kent County has several hazardous waste cleanup sites under environmental protection programs. These sites are part of ongoing environmental remediation efforts to address contamination and protect public health and safety:

- » Chickahominy River Lime Spill, located on Pocahontas Trail in Bottoms Bridge.
- » New Kent Wood Preservatives, Inc., located at 4101 S. Mountcastle Road in Providence Forge.
- » CH Evelyn Piling Co., Inc., located on State Route 155 in Providence Forge.
- » George Philbates Junkyard, located at the intersection of Route 249 and Route 30 in New Kent.
- » The former New Kent County Landfill site

Addressing these pollution risks requires ongoing vigilance, proper management practices, and adherence to environmental regulations to protect and improve water quality in New Kent County. See **Map 8** for the locations of existing and potential water pollution sources throughout the county.



Map 8: Existing and Potential Water Pollution Sources

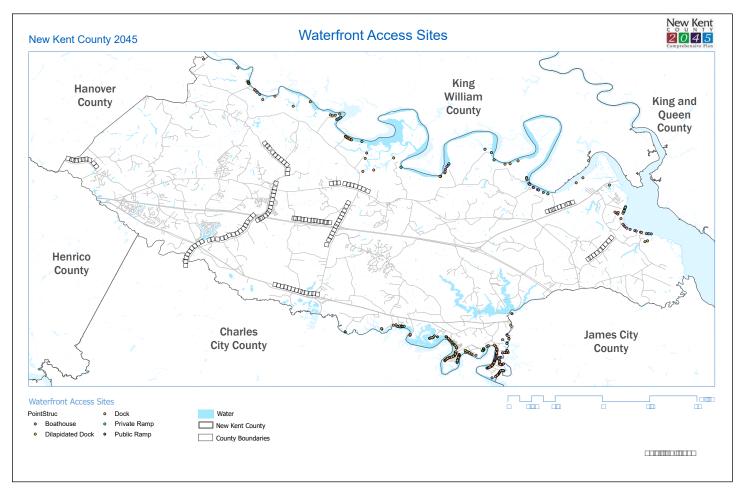
#### Public and Private Waterfront Access Sites

New Kent County offers limited waterfront access points, providing residents and visitors with opportunities for boating, fishing, and recreation. Public access is available at the Diascund Reservoir, located near Lanexa off Route 60, featuring a boat ramp and parking area managed by the Virginia Department of Wildlife Resources (DWR) and located just outside of New Kent in James City County. Additionally, the Chickahominy Lake area provides public access through Ed Allen's Boats and Bait, which offers boat rentals, a tackle shop, and a fishing pier. Development of recreational access to the Pamunkey and Chickahominy Rivers remains a goal for the County.

Private access points include Colonial Harbor Marina, situated on the Chickahominy River in Lanexa, offering boat slips, a boat ramp, and a marine store with boating and fishing supplies. Riverside Camp & Marina provides a boat launch, rentals, and storage services, catering to both short-term and long-term needs. Rockahock Campground and RV Resort Park, located on the banks of the Chickahominy River, features fishing, boating, canoeing, and swimming facilities, along with live musical entertainment during the camping season.

These access points, both public and private, play a crucial role in promoting recreational activities and

supporting the local economy, while also emphasizing the importance of environmental stewardship in line with the Chesapeake Bay Preservation Act. See **Map 9** for the locations of waterfront access sites throughout the county.



Map 9: Waterfront Access Sites

## **Natural Hazards & Dam Inundation**

### Natural Hazards and Environmentally Sensitive Areas

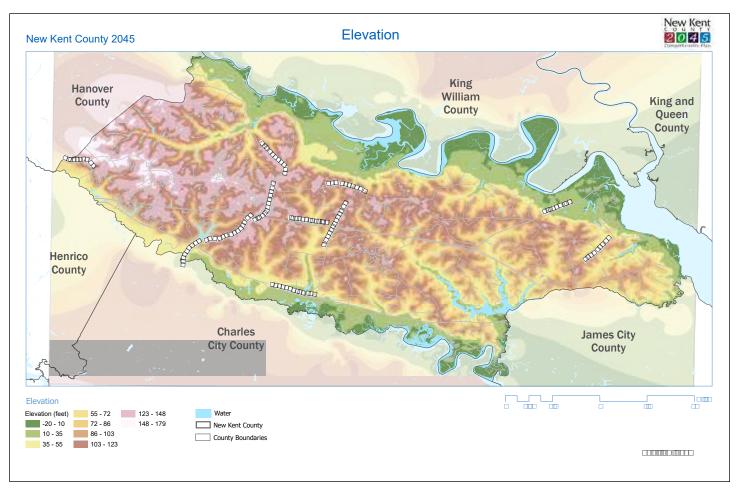
New Kent's land use and natural elements make it vulnerable to naturally hazardous events. Historically, the County has experienced significant flooding and severe wind events, including hurricanes, tropical storms, tornadoes, wildfires, winter storms, thunderstorms, droughts and extreme heat, landslides, and shoreline erosion. The county's vulnerability is not significant compared to other counties in the surrounding region; however, acknowledging and assessing the hazardous events can benefit the county's preparedness for these events in the future

### Flooding & Shoreline Erosion

The county's location along three major river tributaries (York, Pamunkey, and Chickahominy) makes floodplain areas susceptible to flooding and shoreline erosion. In the past, the County has seen 21 major flooding events between 1993 and 2020, costing an estimated \$109,340 in property damages. In the 100-year floodplain, the area projected to flood during major storm events, the county has an estimated \$4,980,000 in potential building loss and \$257,000 in potential content loss. Repetitive flood loss areas

are locations where flood damage has been the greatest in the past and can be expected to continue without large-scale intervention efforts. The repetitive flood loss area in the county contains low-lying groups of residential structures in the meander bends of the Chickahominy River.

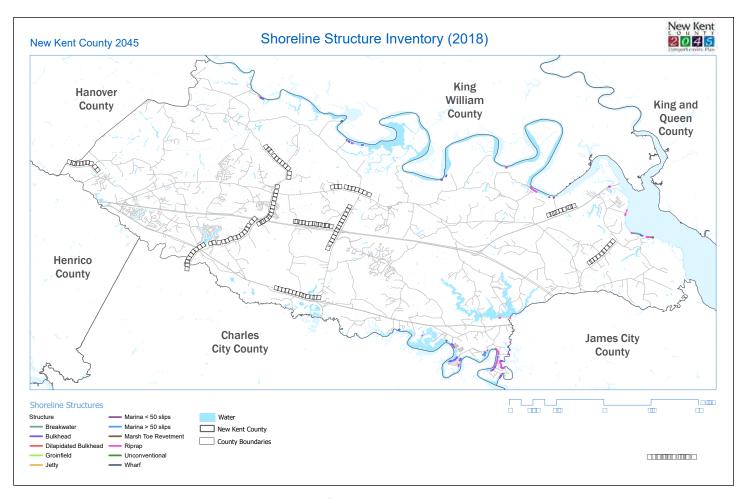
Shoreline erosion is a natural hazard where large storms, flooding, intense wave action, sea level rise, and human activities wear away beaches, banks, and bluffs. Erosion degrades the integrity of banks and can destroy homes, businesses, and public infrastructure. The county contains some highly erodible areas, which tend to be steep sloped, and allow for increased sedimentation and surface water pollution when disturbed. These steeply sloped regions include areas along the York, Pamunkey, and Chickahominy Rivers tributaries. **Map 10** displays elevations throughout the County.



Map 10: Elevation

#### Thunderstorms, Severe Wind Events, & Tornadoes

Thunderstorms are the most common natural hazard in the county. They can produce torrential downpours of rain, causing flooding, erosion, and land subsidence. Strong winds can erode shorelines, topple trees and buildings, and destroy critical utilities and infrastructure. Thunderstorms and severe wind events often go hand-in-hand and sometimes result from oncoming hurricanes, tropical storms, or tornadoes, causing severe damage to vulnerable structures and critical facilities. New Kent is susceptible to high winds, and the county's eastern portion is the most vulnerable to high wind events, according to the Richmond-Crater Hazard Mitigation Plan (2022).



Map 11: Shoreline Structure Inventory (2018)

### Wildfires, Droughts, & Extreme Heat

Fire probability depends on local weather conditions, outdoor activities such as camping, debris burning, and construction, and the degree of public cooperation with fire prevention measures. Drought conditions and other natural disasters (such as hurricanes, tornadoes, and lightning) increase the probability of wildfires by producing fuel in urban and rural settings. There have been 149 fires in the county from 2005 to 2020, amounting to 256.7 acres burned and \$128,751 in total damages. The majority of New Kent is at high risk of wildfires according to the Virginia Department of Forestry (2021). The chance of wildfires is expected to increase as drought, hotter weather, higher intensity storms, and windy weather continue to be more common.

Droughts can occur hand in hand with other natural hazards, such as extreme heat with limited humidity. A heat wave is a prolonged period of high temperatures that remain at least 10 degrees or more above an area's average temperature. According to National Centers for Environmental Information (NCEI), New Kent has experienced an annualized crop loss due to heat and drought of \$59,142.

### Earthquakes & Landslides

New Kent County does not have a particularly significant earthquake risk; however, there is still a possibility they can happen. Most property damage and earthquake-related deaths are caused by the collapse of improperly constructed structures from the ground shaking. Secondary earthquake hazards include fires, hazardous material release, landslides, flash flooding, and dam failure.

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Landslides are the downhill movement of land caused by rainfall, rapid snow melt, steep slopes by stream incision, earthquakes, or manufactured changes to the land like slope modification or steep road cuts. Landslides are more common in the mountainous areas of Virginia; however, according to the Richmond-Crater Hazard Mitigation Plan, New Kent County has a relatively high vulnerability to landslides. During Hurricane Irene in 2011, the Claytor Landslide occurred in the county. This landslide occurred close to a home where, historically, there had been a series of concave erosional scarps along the riverbank near the home, making the ground slip away easily during the hurricane event.

### Current Vulnerability Mitigation Efforts

The county has applied for and will retain StormReady certification from the National Weather Service. A prior mitigation action related to continuing participation in the National Flood Insurance Program and Community Rating System, including training, certifications and other related actions, is echoed in the County's 2012 Comprehensive Plan. County officials report that road construction in the Fannies Creek area has been mitigated as suggested in the 2012 plan. The county has also completed measures that require substantial coordination with regional stakeholders, including coordination with various state agencies regarding traffic management concerns related to a Hampton Roads evacuation. The county has also assessed earthquake vulnerability in the area as recommended by the previous Richmond-Crater Hazard Mitigation Plan.

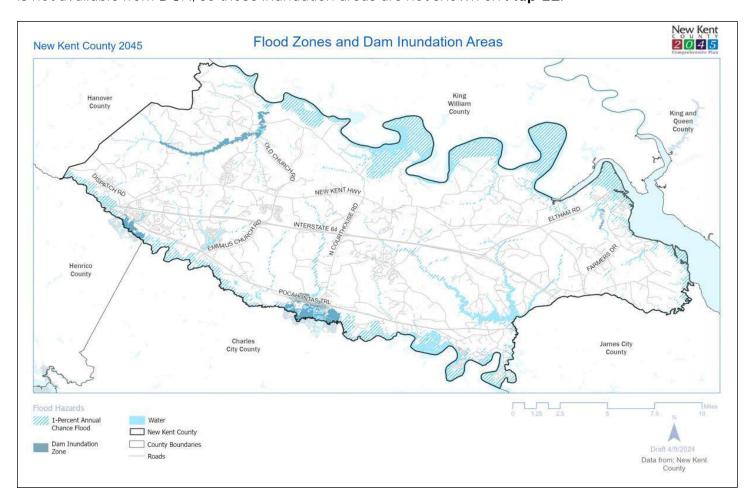
### Dams And Flooding From Impoundment Failure

The Virginia Department of Conservation and Recreation (DCR) administers The Virginia Dam Safety Act. All dams in Virginia are subject to the Dam Safety Act and Dam Safety Regulations unless expressly excluded. A dam is excluded if it:

- » Is less than six feet high;
- » Has a maximum capacity of less than 50 acre-feet and is less than 25 feet in height;
- » Has a maximum capacity of less than 15 acre-feet and is more than 25 feet in height;
- » Is used primarily for agricultural purposes and has a maximum capacity of less than 100 acre-feet or is less than 25 feet in height;
- » Is owned or licensed by the federal government;
- » Is operated for mining purposes under 45.1-222 or 45.1-225.1 of the Code of Virginia;
- » Is an obstruction in a canal used to raise or lower water levels:
- » The height of the dam is defined as the vertical distance from the streambed at the downstream toe to the top of the dam;
- » The dam's maximum capacity is defined as the maximum volume capable of being impounded at the top of the dam.

Flooding from dam failure occurs when a collapse, overtopping, breaching, or other shortcomings cause the uncontrolled release of restricted water. This results in downstream flooding, and in some cases, upstream or adjacent flooding. Dam failure may happen from intense storms upstream, flash flooding, debris jams, or the accumulation of melting snow. Dams are classified as having a hazard potential depending upon the downstream losses anticipated in the event of a failure. Hazard potential is unrelated to the structural integrity of a dam. Instead, it is directly related to potential adverse downstream impacts should the dam fail.

In New Kent County, six dams are considered "high hazard", meaning failure would cause probable loss of life or severe economic damage, according to the Richmond-Crater Hazard Mitigation Plan: Woodhaven Dam, Diascund Creek Dam, Old Forge Pond Dam, Lake Stafford Dam, Lake Parker Dam, and Lake Washington Dam. The Woodhaven Dam was built in 1961 north of Route 60 for recreational purposes. Composed of rockfill material, the dam stands 23 feet tall and has a maximum capacity of 1,297 acre-feet. The downstream impact contains ten homes, one railroad, and two roads. The other dam, Diascund Creek Dam, was built for water supply and recreation in 1961 on the county's southeastern boundary. Diascund Creek Dam comprises of earth-type materials with a top height of 35 feet and a maximum capacity of 29,093 acre-feet. Downstream of the dam are 208 homes and 25 roads. Note that GIS data showing dam inundation areas for Woodhaven Dam and Diascund Creek Dam is not available from DCR, so those inundation areas are not shown on **Map 12**.



Map 12: Flood Zones and Dam Inundation Areas

### **Envision New Kent Strategic Plan (2021) Goals**

- » GM.2: Preserve the rural character of county (visual, environmental, social) through targeted development in designated growth areas.
- » Q.2: Protect and maintain the cherished rural character of New Kent County where people can live and work in an attractive, viable, sustainable community.

## **Tactics**

- » Update the New Kent County Code to reflect updated Chesapeake Bay Preservation Act, Erosion and Sediment Control, and Stormwater Management guidance and requirements.
- » Develop outreach materials to educate residents and property owners about the requirements of the Chesapeake Bay Preservation Act and best practices.
- » Incorporate site-specific delineations of wetlands and Resource Protection Area boundaries into the County's GIS system.
- » Study the location of groundwater recharge boundaries and consider the creation of a groundwater protection overlay district, or other local regulations, to protect these areas.
- » Prioritize development that connects to public utility systems and incentivize properties with existing well and septic systems to connect to public utilities where service is available.
- » Land use policies will focus on safeguarding Resource Protection Areas (RPAs) and minimizing runoff, erosion, and sedimentation.
- » Assess soil conditions before approving septic systems to prevent contamination and system failures. Areas with sandy, poorly draining, or highly erodible soils should be restricted from intensive development to safeguard groundwater and surface water quality.
- » Safeguard potable water supplies by minimizing the use of pesticides, fertilizers, and other hazardous materials near water sources. Land use policies will govern the placement and maintenance of underground storage tanks to prevent groundwater contamination.
- » Incorporate strategies to minimize disruption to fish habitats and aquatic ecosystems.
- » Ensure that docks and piers are sited in locations that minimize impacts on aquatic ecosystems and avoid disrupting tidal flows.
- » Development will follow guidelines to mitigate stormwater runoff and prevent pollution from reaching waterways.
- » Assess high-risk areas along the shoreline and stream banks to identify zones prone to erosion. Restoration efforts, such as living shorelines and native plantings, will be encouraged to combat erosion and enhance habitats.
- » Redevelopment projects should incorporate measures that reduce pollution, such as stormwater management systems and water-efficient landscaping. The County will coordinate with regional partners to reduce pollution sources, including nutrient loads from agriculture and stormwater systems, ensuring continuous improvement in water quality over time.

### **Metrics**

Acres in Conservation

(private easements and publicly owned)

11,113 Acres

\* Virginia Department of Conservation and Recreation Conservation Lands Database, 2024

# **VI. UTILITIES**

## **Public Input**

- » New Kent County needs a better power grid because the loss of power is too frequent. (Open House)
- » The County experiences slow internet reliability. (Open House)
- » Connecting existing wells and septic to town water and sewage presents a challenge for the County. (Open House)
- A concern for the County is providing enough water for a growing population. (Open House)
- » A concern for the County is not pricing out current residents on wells and septic needing to be placed on town water. (Open House)

#### Water

The New Kent County Department of Public Utilities (DPU) provides safe drinking water to approximately 4,500 homes and businesses and wastewater collection, transmission, and treatment for approximately 2,500 homes and businesses. Water customers are served by 10 separate water systems stretching from Bottoms Bridge to the Colonies and Parham Landing. Sewer service begins at Bottoms Bridge and flows to the Parham Landing Wastewater Treatment Plant near Eltham via 27 sewer pumping stations serving key developed areas.

Drinking water for the County is obtained from 19 groundwater wells. The County is located within Virginia's Groundwater Management Area, and six groundwater withdrawal permits are required. During the most recent renewal process, DEQ informed New Kent that existing permits for the largest water systems did not meet the criteria for re-issuance. As of this writing, an agreement on permitted withdrawal limits had not been reached. As a result, DPU has invested in exploring alternative sources for its water supply. Two potential sources have been identified that can meet the future needs of a rapidly growing county – the purchase of finished water from Henrico County and the withdrawal and treatment of raw water from the Pamunkey River.

New Kent County's Water Master Plan, updated in 2023, provides a comprehensive evaluation and projection of the county's water system needs and improvements over a 20-year planning period (2022-2042). The plan includes an assessment of existing water systems, future demand projections, and recommended system improvements.

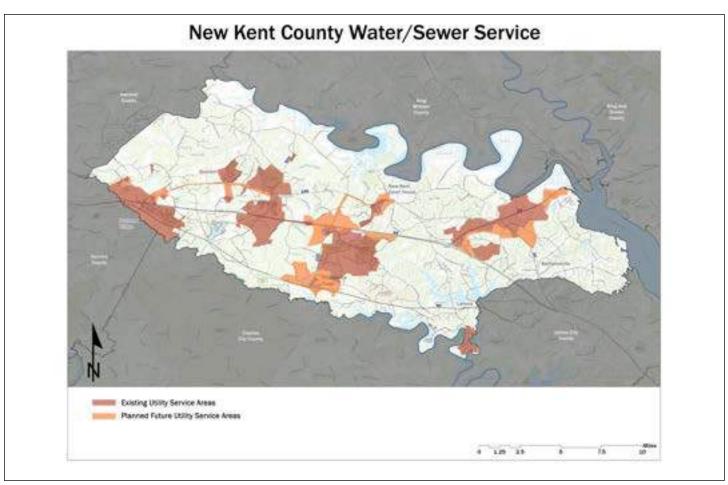
### Wastewater

Wastewater collection, transportation and treatment are all functions of DPU. The County operates a

wastewater treatment plant at Parham Landing near Eltham. The state-of-the-art Parham Landing WWTP operates 24 hours per day and is currently treating approximately 500,000 gallons of wastewater per day with a maximum capacity of up to two million gallons per day.

#### **Reclaimed Water**

DPU also provides reclaimed water (effluent from the Parham Landing WWTP) for irrigation purposes for the Colonial Downs Racetrack, Brickshire Golf Course, Farms of New Kent, New Kent Winery, Royal New Kent Golf Course, Vinterra Golf Course, and WestRock Log Yard. Not only does this project reduce the nutrients the County sends to the Chesapeake Bay, it also reduces the dependency and demand on the potable water system for irrigation of these important businesses for the County.



Map 13: Water and Sewer Service Areas

### **Natural Gas**

A 16-inch natural gas trunk line owned by Virginia Natural Gas (VNG) traverses the southwestern corner of the County and the southern part east of Providence Forge. Distribution lines exist in Five Lakes Farms of New Kent and Patriot's Landing, with a transmission line running from Lanexa to West Point. In December 2020, VNG opened a 20,000-square-foot operations facility in New Kent County to better serve its northern territory from Ashland to Williamsburg.

VNG expands natural gas infrastructure based on population density, projected demand, economic feasibility, proximity to existing pipelines, and environmental considerations. Areas with higher

residential, commercial, or industrial growth are more likely to be prioritized for future expansion, guiding development and planning within the County.

## **Electricity**

Dominion Virginia Power is the electrical supplier for New Kent County. There are major transmission lines in the southeastern and eastern portions of the County. One of these lines serves the Route 33 industrial corridor, and three-phase power is available in this area.

### **Telecommunications**

In November 2021, the County issued a Request for Proposals for broadband providers to partner with the County to expand fiber optic high-speed broadband services to every household and business in the County. After lengthy reviews, the County received three proposals and interviewed each firm in February 2022. The County selected two firms to negotiate with and after a long and thorough negotiation, the County selected Cox Communications for a broadband expansion services contract.

On Monday, August 8, 2022, The New Kent County Board of Supervisors voted 5-0 to approve an agreement with Cox Communications to expand fiber optic high-speed broadband services to every household and business in New Kent County.

- There are approximately 3,053 homes in the County with limited to no broadband service that will be connected within 28 months of Cox receiving its permits. Work began in October 2022.
- The project will also involve upgrading infrastructure for existing customers so that the entire County network will be fiber optic service; therefore, existing Cox customers will receive a noticeable upgrade in their service.
- The upgrade to existing services is scheduled to begin in July 2023 and is projected to be complete by August 2026.
- The project cost for the expansion to unserved areas is \$12,102,500, and the cost to upgrade existing customers is \$4,000,000 for a total of \$16,102,500.
- The funding for this project will not impact the County's tax rate as all funding is available now. \$11,902,500 will come from revenues that have been received from Rosie's Gaming Emporium and Colonial Downs, and \$4.2 million will come from Federal American Rescue Plan Act (ARPA) funding.
- Per the agreement, the Cox Communications contribution for this expansion is \$17,797,500. This makes the estimated total cost \$33,900,000.
- The County will also be applying for Virginia Telecommunication Act Initiative (VATI) funding, which would reduce the amount of County funds needed for the project.

## **Solid Waste Disposal**

There are four convenience centers in the County where solid wastes and recyclable items are collected. These facilities are located along Route 612 near the New Kent County Airport, Route 618 in the center of the county, Route 634 across from the Regional Jail, and at the intersection of Routes 60 and 647. Each site accepts household waste, newspaper, mixed paper, glass, cardboard, plastics, aluminum, and bimetal cans for recycling, as well as used motor oil and oil filters. The main waste disposal facility on Route 618 also accepts batteries and appliances.

## **Envision New Kent Strategic Plan (2021) Goals**

- » I.1: Work with community partners to improve access to quality and reliable internet and telecommunications for households and businesses across the County.
- » 1.2: Extend and enhance infrastructure in a cost-effective manner to support economic development in designated growth priority areas.
- » I.3: Ensure that new development can be served by public infrastructure with adequate capacity and a sufficient level of service.
- » R.1: Capitalize on the amplified need for the provision of broadband/internet/communication services for enhanced education, distance learning, telemedicine, and home businesses.

### **Tactics**

- » Continue to pursue alternative water sources, including surface water withdrawal from the Pamunkey River.
- » Pursue the interconnection of all ten existing public water systems.
- » Ensure the availability of adequate fire flow in approving new developments.
- » Establish partnerships with nearby water and sewer utilities to provide backup utility services and increase reliability.
- » Engage partners and advocate for expanded natural gas infrastructure to sites identified for economic development and investment.
- » Create and promote permanent Wi-Fi hotspots at key public locations in the County.

#### **Metrics**

Public Utility Customers **4,500** 

\* New Kent Department of Public Utilities, 2024

# **VII. PUBLIC FACILTIES**

## **Public Input**

- » The County could use more before- and after-school childcare services. (Open House)
- » New Kent County could use more public parks and public access to water. (Open House)
- » New Kent County has no public access to the river systems providing boundaries to the County, while a few of the private launch facilities are limiting public access. A public ramp in the northwest part of the County could provide access to the river on safe water. (Social Pinpoint Comment)
- » New Kent County is in need of urgent care facilities other than emergency rooms. (Open House)
- » The County could use additional healthcare options. (Open House)
- » Easy access to local government is a strength of the County. (Open House)
- » New Kent is a safe place to live. (Open House)
- » There have been many improvements to public safety over the years but more is needed.
  (Open House)
- » Survey respondents ranked "investing in public safety (police/fire/rescue)" as the third-highest priority, on average, for New Kent in the next 20 years. (Round 1 Survey)
- » The County needs more entrances at three schools for emergency access. (NK Middle School Report)
- » Survey respondents ranked "improving or expanding public schools" as the secondhighest priority, on average, for New Kent in the next 20 years. (Round 1 Survey)
- "We need some defined plans for additional schools and plans to ensure they offer many opportunities for our kids. We have 3 elementary schools and a growing population of young kids that will need to go through the system." (Social Pinpoint Comment)
- "I would like to see a middle school and high school on [the western] end of the county [so] as to [relieve] the whole county [attending] one middle and one high school." (Social Pinpoint Comment)

## **Library**

The Heritage Public Library is a regional library serving New Kent County and Charles City County with two branches: one in Maidstone Village and the other in the Charles City Courthouse. Organized as a private, not-for-profit corporation, it opened its doors to the public in 1981. The library system holds over 53,000 materials, including books, audiobooks, DVDs, videos, newspapers, and magazines. Services available include WiFi, high-speed Internet, public computers, fax, copying, and programs for all ages.

#### Fire and Rescue

The Department of Fire & Rescue is responsible for emergency medical services, rescue, fire suppression, and fire prevention. The department currently has five stations: Station 1 (Providence Forge), Station 2 (Quinton), Station 3 (Eltham), Station 4 (Lanexa), and Station 5 (Talleysville). Station 6 (Bottoms Bridge), currently under construction and located at 1835 Pocahontas Trail in Bottoms Bridge, is expected to be completed by Spring 2025.

The Department of Fire & Rescue answers over 5,000 calls annually. Due to projected population growth, the department expects to answer roughly 14,000 calls annually by 2045.

The Fire Marshal's Office is responsible for enforcement of the Virginia Statewide Fire Prevention Code (VSFPC) in New Kent County. Inspections of all nonresidential uses are made pursuant to the requirements of the VSFPC. All state and county fire prevention laws are enforced, and permits are issued as required.

Emergency Management is responsible for all planning and response activities relating to natural and technological disasters. Plans that address response activities to emergencies, including storms, tornadoes, hurricanes, drought, hazardous materials, and incidents involving radiological

materials, are maintained by Emergency Management. Weather systems are monitored continuously via a direct link to current radar and satellite information.

New Kent County serves as a host jurisdiction for evacuees from the City of Williamsburg and the County of York regarding emergency events at the Dominion Energy Surry Nuclear Power Station.

All major emergency incidents are coordinated from the New Kent County Station 1 Emergency Operations Center.

The County has written mutual aid agreements for the provision of fire and rescue and emergency medical services with the Town of West Point, James City County, Hanover County, Henrico County, and Charles City County.

#### **Law Enforcement**

The New Kent County Sheriff's Office is the County's principal provider of law enforcement. The office operates through several specialized sections:

- » The Administrative and Records Section manages budget and finance records, police records, and daily correspondence.
- » The Animal Protection Unit focuses on pet adoption and protection.
- » Communications handles all emergency and non-emergency calls and dispatches personnel.
- » The Courts and Civil Process Section is responsible for courthouse security, prisoner transportation, civil process, and warrant tracking.
- » Investigations oversees state and local ordinance violations.
- » Patrol enforces criminal and traffic laws.
- » The School Resource Unit ensures school security, handles complaints and investigations, and enforces ordinances across New Kent County schools.

### **County Offices and Courts**

Most County offices are located at New Kent Courthouse, where a complex of several buildings houses departments including County Administrator, County Attorney, Financial Services, Information Technology, Commissioner of Revenue, Treasurer, Community Development, Building Development, General Services, Geographic Information Systems, and Human Resources, as well as the New Kent County Sheriff's Office, Courts and court-related functions, and the County's Health and Human Services departments.

Public Utilities operates from an office on Poindexter Road, while the Economic Development Authority operates out of the Visitor's and Commerce Center on State Route 106.

### **Schools**

New Kent County operates five public schools:

- » George Watkins Elementary School
- » New Kent Elementary School
- » Quinton Elementary School
- » New Kent Middle School
- » New Kent High School

The elementary school program spans kindergarten to fifth grade, focusing on reading, writing, math, science, social studies, art, music, physical education, and health. Middle school, covering sixth to eighth grade, incorporates interdisciplinary instruction and exploration.

New Kent High School offers honors, advanced placement, and vocational education courses, as well as electives in music, visual arts, drama, and foreign languages. Gifted and enriched services are available throughout K-12, along with comprehensive special education. The school division supports adult education and joint use of facilities with the New Kent Parks and Recreation Department.

There are 260 teachers and 75 support employees in the New Kent County public school system.

There are three attendance zones for elementary school students. Those living in western New Kent County attend Quinton Elementary School. Students living east of the Quinton Elementary attendance zone but west of N. Courthouse Rd. and those living in the Providence Forge area attend Watkins Elementary School. Students in eastern New Kent County attend New Kent Elementary School.

At the time of this plan's writing, the County was in the early phases of replacing New Kent Elementary School. The school board allocated \$2.3 million for architectural and engineering services, transferring funds from the recently completed Quinton Elementary School project. This investment will support the design and planning phase. The plan includes demolishing the existing school, originally built in 1973 with an open-concept design that no longer meets modern security standards, and constructing a new facility on the same site. As of December 2024, the board was seeking approximately \$55 million in debt service to fund the project.

If the County plans to build additional public schools in the future, parcels of specific sizes based on the type of school will be required. For an elementary school, a parcel size of 5-10 acres would be suitable. Middle schools generally require larger parcels, ranging from 15 to 20 acres, to support additional facilities. For high schools, even more space is needed, with recommended parcel sizes between 25 to 30 acres.

As shown in **Table 13**, except for the 2020-21 school year during the height of the COVID-19 pandemic, total enrollment for County schools has steadily increased. An increase of 12.9% is projected for total enrollment from 2024-2025 to 2028-2029, as shown in **Table 14**, while a statewide decrease is projected for the same period, highlighting the County's strong population growth trends and the need for expanded and upgraded school facilities in the coming years. **Table 15** shows the capacity limit and current capacity of each school in the County.

School Year	Number of Students	Percent Change from Previous School Year		
2017-2018	3,244	2.8%		
2018-2019	3,306	1.9%		
2019-2020	3,354	1.5%		
2020-2021	3,040	-9.4%		
2021-2022	3,272	7.6%		
2022-2023	3,436	5%		
2023-2024	3,536	2.9%		
2024-2025	3,572	1.0%		

Table 13: Total Enrollment. Source: Virginia Department of Education.

School Year	Place	Grades K-5	Grades 6-8	Grades 9-12	Total	Percent Change from Previous School Year
2025-2026	New Kent County	1,636	852	1,103	3,591	0.3%
2026-2027	New Kent County	1,720	851	1,160	3,731	3.9%
2027-2028	New Kent County	1,740	977	1,140	3,857	3.4%
2028-2029	New Kent County	1,826	1,025	1,182	4,033	4.6%
2025-2026	Virginia	536,355	280,815	392,739	1,209,909	-0.8%
2026-2027	Virginia	533,444	279,858	387,440	1,200,742	-0.8%
2027-2028	Virginia	525,694	283,089	385,120	1,193,903	-0.6%
2028-2029	Virginia	521,322	283,088	385,522	1,189,932	-0.3%

Table 14: Enrollment Projections. Source: Weldon Cooper Center.

School	Capacity	Enrollment (2023)	Percent Capacity
George Watkins Elementary	700	425	61%
New Kent Elementary	700	670	96%
Quinton Elementary	750	425	57%
New Kent Middle School	900	800	89%
New Kent High School	1,600	1,200	75%

Table 15: School Capacity. Source: New Kent County.

#### **Parks and Recreation**

The Department of Parks and Recreation operates the following facilities:

### Parks & Recreation Gymnasium

The Parks and Recreation Gymnasium, situated at 11825 New Kent Highway adjacent to the Parks and Recreation Office, underwent renovations in the past decade, including upgrades such as new bleachers, an HVAC system, and adjustable goals/backboards. Primarily utilized for activities such as Youth Basketball, Summer Camps, Affiliate groups, and shared use with New Kent County Public Schools, it is occasionally available for rent during the fall and spring seasons. Access to the gym is restricted to designated programs and with permission from Parks and Recreation.

#### Pine Fork Park

Opened in July 2021, Pine Fork Park spans 55 acres and is situated near I-64 between Route 106 and Route 612 at 7600 Bristlecone Boulevard, accessible via Pine Fork Road. Visitors can enjoy a 1.3-1.5 mile paved trail suitable for various activities, including walking and jogging, accompanied by leashed dogs encouraged to use provided waste stations. An enclosed one-acre dog park offers agility equipment and separate areas for small and large breeds. Outdoor fitness equipment and a playground cater to various age groups. The concession building includes multi-stalled bathrooms, a family room, and two pavilions. Recent additions in early 2023 include four pickleball courts, with potential future amenities planned based on community feedback and space availability, including field lighting and shade structures.

#### Quinton Community Center

The Quinton Community Center, located at 3041 New Kent Highway in Quinton, was acquired by the County from the Ruritans Club and serves as a versatile venue for various events such as birthday parties, showers, dinners, and graduations. Equipped with a kitchen featuring essential appliances, two bathrooms, 20 six-foot tables, and 60 chairs, the center comfortably accommodates around 50 guests. Additional outdoor space includes a pavilion for overflow activities.

#### Quinton Park

Quinton Park, spanning approximately 10 acres in the western part of the County, offers diverse recreational amenities, including a regulation-size softball field, open green space for various sports and leisure activities, and a nearly half-mile asphalt walking path. A playground tailored for toddlers and youth adds to the park's appeal. The park also features a full-sized basketball court with pickleball lines. Quinton Park is the venue for the long-running fitness program New Kent Kids in Motion and hosts activities in collaboration with the New Kent Girls Softball Association.

#### Wahrani Nature Trail

In 2001, New Kent County took over jurisdiction of the trail system from the Chesapeake Corporation, renaming it Warreneye Church after an 18thcentury church believed to be located on the property. However, in 2003, the name was changed to Wahrani Nature Trail to reflect its Native American origins. Spanning 138 acres, the trail offers a main loop of over a mile, with additional trail loops extending up to 5 miles, catering to both hikers and mountain bikers. Maintained by the Eastern Virginia Mountain Bike Association (EVMBA), the trail is rated as an intermediate-level mountain biking experience. The trail features colonial gravestones at an overlook on the back loop, while a pavilion and small playground are located at the trailhead.

### Other Programs and Facilities

Programs are held in the New Kent County School facilities during non-school hours based on a shared use agreement between the New Kent County School Board and the New Kent County Board of Supervisors. Activities are also held at the New Kent County Airport and the County's Community Centers. The County also has privately owned golf courses, meeting halls, community recreation facilities, and boat ramps.

#### **Human Services**

Many active service providers provide human services in New Kent County, including the Virginia Department of Social Services and Thrive Virginia, among others. The primary access point for County residents is the New Kent Department of Social Services.

The Department offers some of the following state- and/or federally-funded temporary assistance programs:

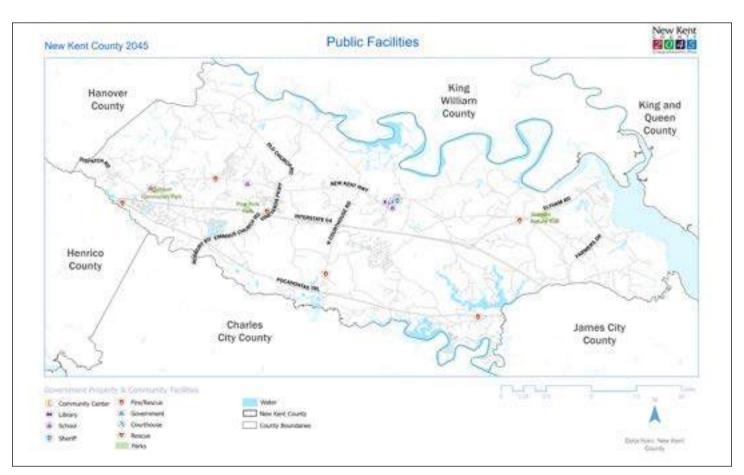
- » Employment Services Program
- » Supplemental Nutrition Assistance Program (SNAP)

- » Temporary Assistance for Needy Families (TANF)
- » Medicaid
- » IV-E Foster Care
- » State and Local Hospitalization
- » Auxiliary Grants
- » Energy Assistance

Additionally, Social Services staff review and/or investigate allegations of the following:

- » Public Assistance Fraud
- » Child Abuse, Neglect, and Exploitation
- » Adult Abuse, Neglect, and Exploitation

Social Workers also handle cases of Adoption, Foster Care, Court-Ordered Home Studies, and Visitations, in addition to several other state and federal requirements.



Map 14: Public Facilities

## **Envision New Kent Strategic Plan (2021) Goals**

- » GM.4: Continue to grow outdoor recreation and tourism as a viable form of economic development in New Kent County.
- » Q.1: Provide and expand access to key services and amenities including high-quality education, safe and affordable housing, comprehensive healthcare, and parks and green space.
- » Q.3: Provide extended services and facilities for fire, safety, law enforcement and emergency medical to areas based on documented demand in accordance with an adopted Facility Master Plan.
- » G.3: Provide citizens of New Kent County with high-quality government services in a customer-focused, competent, professional, ethical, and efficient manner.
- » R.2: Maintain a safe, secure and healthy community.

### **Tactics**

- » Create individual master plan documents for each department of County government, incorporating the guidance of the Comprehensive Plan and Strategic Plan.
- » Pursue opportunities to develop public access points for kayaking, canoeing, and other water activities.
- » Develop plans for recreational, economic, and other public use for county-owned properties, including the newly-acquired Makemie Woods property.
- » Pursue acquisition of public land suitable for recreational and other public uses in underserved areas of the County.
- » Ensure adequate access points for fire and rescue to all parks, schools, and other public facilities.
- » Provide adequate fire and rescue staffing and locate necessary facilities to meet NFPA standards for shift staffing and response time.
- » Increase school capacity or construct new schools to maintain appropriate classroom sizes and building capacity under 90%.
- » Conduct a space study to identify facility needs for local government administration as the County grows.
- » Model environmental sustainability in the planning and construction of future County facilities.

## Metrics

Fire & Rescue Staff

15
Per Shift
\* 17 Staff per Shift Needed

Fire & Rescue Average Response Time

**8 Minutes**\* <6 Minutes Needed

Percent Capacity - Most Crowded School

96%

New Kent Elementary

\* 2023/24 Enrollment



# VIII. TRANSPORTATION

# **Public Input**

- » A strength of New Kent is its proximity to the interstate and short drive to population centers." (Open House)
- » Traffic growth is outpacing the roadways. (Open House)
- » There is a lack of sidewalks. (Open House)
- » The County could use safe biking trails. (Open House)
- » The County could expand bike and pedestrian trails along rivers and to the Capital Trail.
  (Open House)
- "New Kent has boasted about being bike friendly. There are markers in this area for multiple bike routes all the way up to 100 miles. None of these routes adequately accommodate safe bike travel. Would like to see New Kent dedicate road space for safe bike travel that connect the County to the capital trail." (Social Pinpoint Comment)
- » The County could put more emphasis on widening I-64. (Open House)
- » New Kent could use more public transportation and affordable transit. (Open House)
- » The County needs bus routes to Williamsburg and Richmond. (Liberty Baptist Report)
- » The County should keep trees along major roads to keep its rural feel. (NK Middle School Report)
- » The County needs guard rails on steep sides of roads." (NK Middle School Report)
- » Survey respondents ranked "increased traffic or congestion" as the fourth-biggest concern, on average, as New Kent continues to grow. (Round 1 Survey)
- » 77% of survey respondents felt "congestion or safety improvements on I-64" are necessary to plan for the future. (Round 1 Survey)
- » 62% of survey respondents felt "upgrades to small rural roads" are necessary to plan for the future. (Round 1 Survey)

214

### **Roadway Classifications**

The following definitions of functional classification are based on current VDOT functional classification definitions, and they outline the desired functions of the roadways shown on the County's Major Thoroughfare Plan.

#### Interstate

- » Serves higher-speed regional and inter-city through-traffic.
- » Controlled access points prevent direct connection to abutting properties.
- » Provides grade-separated interchanges with major roadways.
- » Relieves existing major arterials of excessive traffic.

Interstate 64 is the only interstate facility in New Kent County.

#### Rural Principal Arterial

- » Links cities, larger towns, and other traffic generators that potentially attract travel over long distances.
- » Corridor movement with trip length and density suitable for greater than those predominantly served by rural collector or local system.
- » Intended to move moderate to high volumes of traffic at higher speeds.
- » Integrates interstate and inter-county service.
- » Internal spacing consistent with intercounty service.
- » Access is carefully controlled to preserve mobility and minimize congestion.

VA 33 (Eltham Road) is the only rural principal arterial in New Kent County. However, for Access Management purposes, it is noted that US 60 (Pocahontas Trail) has been designated as a principal arterial by the Commissioner of VDOT and thus falls under the state regulations. For

purposes other than access management, US 60 is identified (below) as a minor arterial.

#### Rural Minor Arterial

- » Interconnects with and augments the principal arterial system and, in some instances, the interstate system.
- » Distributes traffic to smaller geographic areas, providing service between and within communities.
- » Design should provide for relatively high overall speeds.
- » Access is controlled to a lesser degree than principal arterials but to a greater degree than major collectors.

Within New Kent County, the following roadways are classified as minor arterials:

- » VA 30/249 (New Kent Highway)
- » US 60 (Pocahontas Trail)
- » VA 106 (Roxbury Road / Emmaus Church Road – south of I-64)
- » VA 155 (North Courthouse Road south of I-64)

### Rural Major and Minor Collectors

- » Provide land access service and traffic circulation within residential, commercial, and industrial areas.
- » Distribute trips from principal and minor arterials through the area to the ultimate destination.
- » Collect traffic from local streets in residential neighborhoods and channel it into the arterial system.
- » Designed for moderate traffic speeds over shorter distances and to encourage lower speeds on local streets.
- » Serve important intra-county corridors.

Within New Kent County, the following roadways are classified as rural major and minor collectors:

#### Rural Major Collectors

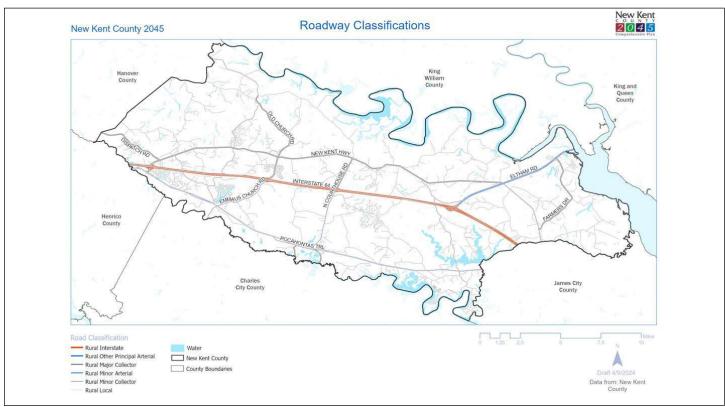
- » VA 106 (Vineyards Parkway)
- » VA 155 (Courthouse Road N. north of I-64)
- » VA 249 (New Kent Highway)
- » VA 273 (Farmers Drive)
- » VA 606 (Old Church Road between VA 609 and 608)
- » VA 609 (Old Church Road between VA 249 and 606)
- » VA 613 (Dispatch Road)
- » VA 618 (Olivet Church Road)

#### Rural Minor Collectors

- » VA 606 (Old Church Road between VA 608 and Hanover County Line)
- » VA 612 (Tunstall Road / Airport Road / Terminal Road)
- » VA 640 (Old Roxbury Road)
- » VA 665 (Henpeck Road)
- » VA 627 (between VA 249 and VA 1010)
- » VA 632 (between VA 627 and VA 33)

### Local Road System

- » Comprised of all facilities that are not interstate, arterials, or collectors
- » Provides direct access to abutting land and to the collector system.
- » Serves shorter travel needs, lower traffic speeds, and lower traffic volumes.
- » Gives priority to local traffic and pedestrians through a design that encourages low-speed operation



Map 15: Roadway Classifications

#### **Commuting Data**

Located between employment centers in the Richmond and Hampton Roads areas, many New Kent residents commute outside of the County for work. Employed residents over 16 years of age commute an average of 31.7 minutes each way for their jobs. Commuting adds traffic to local roads while leading commuters to spend money and contribute to tax revenue outside of New Kent.

Average One-Way Commute					
2014 2018 2022					
32.8 minutes	35 minutes	31.7 minutes			

Table 16: Average One-Way Commute. Source: U.S. Census Bureau

A large majority of working residents drive alone to work, with few facilities available for public transit, walking, or biking. An increasing share of New Kent residents work from home, up substantially since the COVID pandemic of 2020.

Travel to Work (2022)				
Drove Alone	74.2%			
Carpool	6.4%			
Public Transit	0.2%			
Walk or Bike	0.4%			
Other	0.9%			
Work from Home	17.9%			

Table 17: Travel to Work. Source: American Community Survey.

Residents Working from Home					
2014 2018 2022					
6.1%	5.8%	17.9%			

Table 18: Residents Working from Home. Source:
American Community Survey

#### **Traffic Data**

New Kent County has seen steady increases in road traffic across all major and minor roads as the County has developed, as well as increases on major routes due to regional growth and development. Traffic counts are generally higher in the County's more-developed west end, while counts on Interstate 64 are consistent across the County, with construction underway to widen this route from two to three lanes in each direction.

Average Daily Traffic (ADT)							
Route	2014	2018	2022				
Interstate 64 (Rt. 106 to Rt. 155)	62,000	67,000	68,530				
Route 33 (I-64 to Rt. 249)	9,400	11,000	10,179				
Rt. 106 (I-64 to Rt. 249)	2,300	2,800	4,806				
Rt. 155 (US 60 to I-64)	2,800	3,300	3,746				
Rt. 249 (rt. 613 to Rt. 612)	5,300	6,400	7,686				
Rt. 249 (Rt. 155 to Rt. 626)	2,900	3,500	3,259				
US 60 (Rt. 33 to Rt. 106)	9,900	11,000	12,021				
US 60 (Rt. 155 to James City line)	4,300	4,800	5,292				

Table 19: Average Daily Traffic. Source: Virginia Department of Transportation.

### **Traffic Safety**

VDOT crash data provides crucial insights into traffic safety concerns in New Kent County.

Analysis of recent crash data reveals that certain areas and conditions are particularly prone to accidents. Key findings include:

- » Significant clusters of crashes occur along major routes such as Interstate 64 and Route 60. Intersections like Exit 211 on I-64 and areas around Emmaus Church Road and Marketplace Drive on Route 60 are noted hotspots. These locations often deal with high traffic volumes and complex traffic movements, contributing to a higher incidence of crashes.
- » The data identifies distracted driving, speeding, and impaired driving as prevalent factors in many crashes. Additionally, a notable portion of crashes involves vehicles running off the road, indicating potential issues with road design, signage, or driver behavior.
- » Young drivers and alcohol-related incidents are notable contributors to the County's traffic incidents. Targeted interventions, such as educational programs and stricter enforcement of DUI laws, could help mitigate these risks.

To address these issues, New Kent County, in collaboration with VDOT and other agencies, continues to prioritize road improvements and safety programs. The ongoing lane widening project for I-64 aims to reduce congestion and improve safety by minimizing the frequency of accidents. These initiatives are crucial for reducing the number of crashes and enhancing overall traffic safety for both residents and visitors. The county's proactive approach in addressing these challenges is an integral part of its plan for improving transportation infrastructure and public safety.

Refer to the crash maps located in **Appendix A** for more detail on the location and severity of crashes in New Kent County in recent years.

#### **Scenic Byways**

New Kent County is home to scenic byways that offer picturesque views of the region's natural landscapes and historic sites. These routes provide travelers with a unique opportunity to experience the area's rich history, lush forests, and serene waterways, making them a popular choice for leisurely drives and tourism.

Route	Destinations	Endpoints
SR 249 (New Kent Highway) /SR 609 (Old Church Road / Talleysville Road)	New Kent, Talleysville	SR 33 at Angelview Church to SR 608 near White House
SR 608 (Old River Road) / SR 606 (Old Church Road)	Tunstall Station	SR 155 / SR 249 at Carps Corner to SR 609 near Talleysville

Table 20: Scenic Byways

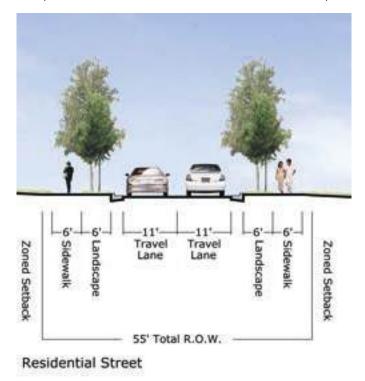
# Transportation for New Development

While this Comprehensive Plan proposes a variety of potential improvements to existing public roadways, much of the County's future transportation system will be built by individual property developers as new residential and commercial projects are approved and built. In the development approval process, and in regulations for by-right development, the County will prioritize complete streets in all development areas. Complete streets are streets designed with facilities for all road users, including pedestrians and/or cyclists. The County will also prioritize the preservation of character and views in the design of roads in all rural areas.

The model street sections presented here should be used to guide decision-making in the design of development streets, while final designs will be based on the volume, location, use, and other factors as influenced by individual property owners.

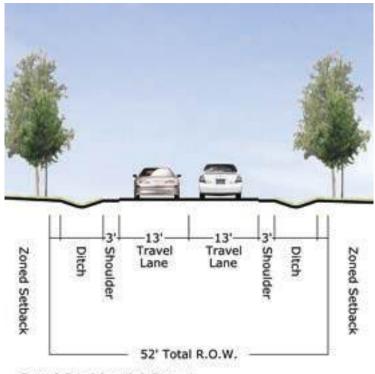
#### **Residential Street**

Appropriate for a variety of residential neighborhoods, including townhomes and multi-family residential. Provides sidewalks and landscaped buffers for comfort, shade, and safety.



Rural Residential Street

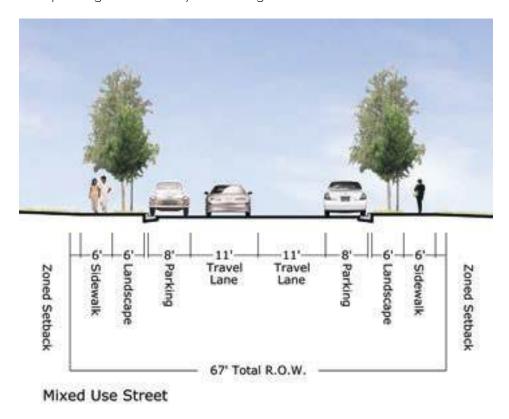
In rural areas of the County, bicycle and pedestrian features are not expected of new roads outside of special circumstances. Roads in rural areas may be wider, and have a ditch, rather than curb, section.



Rural Residential Street

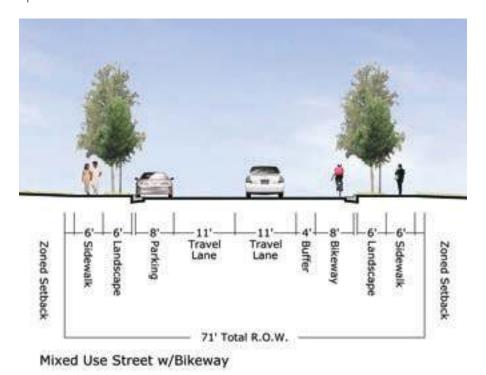
#### Mixed Use Street

Appropriate for mixed use development or higher density residential development where a wider street section with on-street parking is necessary due to higher traffic.



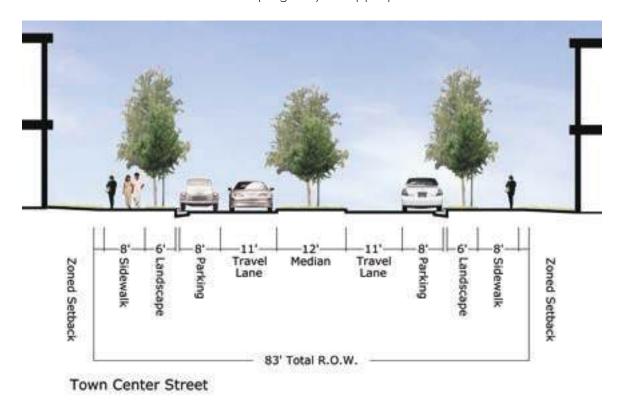
#### Mixed Use Street with Bikeway

Alternatively, on-street buffered bikeways may be appropriate in certain locations where both pedestrian and cycle traffic is expected.



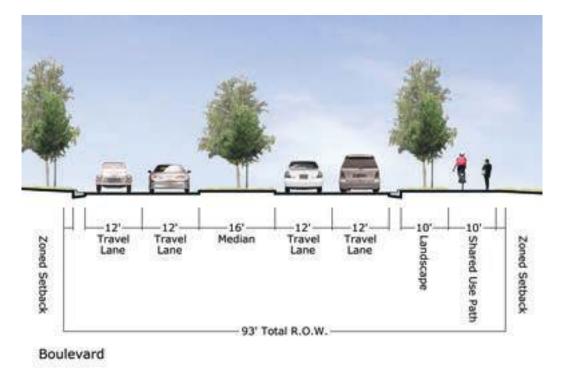
#### Town Center Street

For commercial or mixed use nodes where heavy pedestrian activity is planned, a separated street with extra-wide sidewalks and additional landscaping may be appropriate.



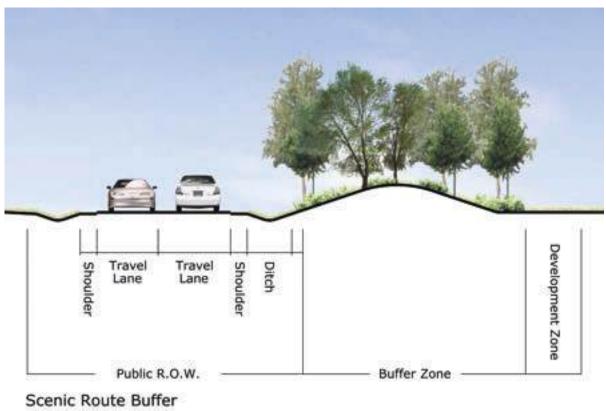
#### Boulevard

For higher traffic routes or entrances to major developments, a two-lane divided section may be necessary. On-street parking is not preferred on major routes, and cyclists or pedestrians may share a path with ample landscaped buffering.



#### Scenic Route Buffer

Along designated scenic routes, and in all areas where new roads meet rural and agricultural landscapes, care should be taken to visually buffer roads from new development using distance, landscaping, preservation of existing vegetation, or elevation as needed.



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### **Existing Multimodal Facilities**

#### Sidewalks

As a largely rural county, sidewalks are uncommon in New Kent. Limited sidewalks are available in some newer developments near Bottoms Bridge and New Kent Courthouse, as well as in some portions of the Groves of New Kent, Arbors of New Kent and Kentland developments. Existing sidewalks are mostly for internal use and don't often connect to nearby neighborhoods, businesses, or other attractions.

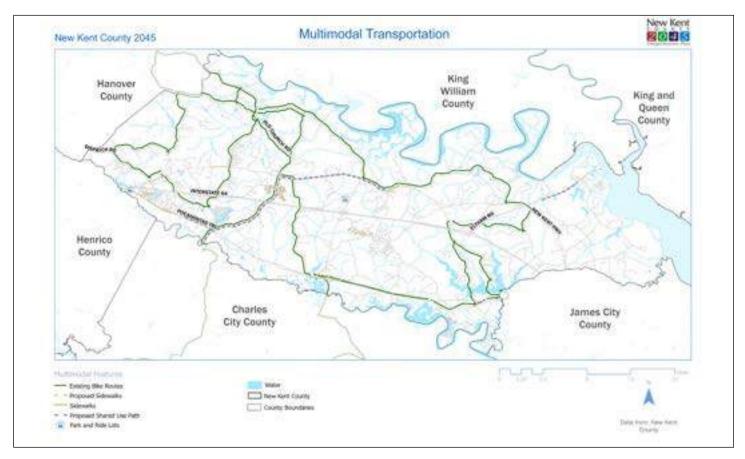
#### **Bicycle Routes**

New Kent has an avid cycling community, and the County provides six mapped cycling routes from 15 to 100 miles in length. All routes begin and end at the New Kent Visitors and Commerce Center north of exit 211. The routes are mapped and signed but do not offer separated bicycle lanes or other accommodations for safe or comfortable cycling, so they are most suited to very experienced cyclists.

#### **Bay Transit**

Bay Transit provides on-demand transit services to all areas of New Kent County. With combined service between New Kent and Charles City counties, the two jurisdictions share a total of three buses. Bay Transit is available to all riders, but largely serves senior citizens and those without access to

other modes of transit. The system provided 3,147 rides in New Kent County during fiscal year 2021, including to retail, employment, healthcare, and education destinations. The service is funded by local contributions as well as state and federal funds, and operates from 6am to 6pm on weekdays only.



Map 16: Multimodal Transportation

#### Rail

New Kent County's rail infrastructure is operated by Norfolk Southern and CSX. Norfolk Southern operates a freight service between Richmond and West Point, while CSX provides freight service between Richmond and Newport News. This existing infrastructure could serve as a valuable asset for future transportation planning, including the potential development of light rail transportation nodes.

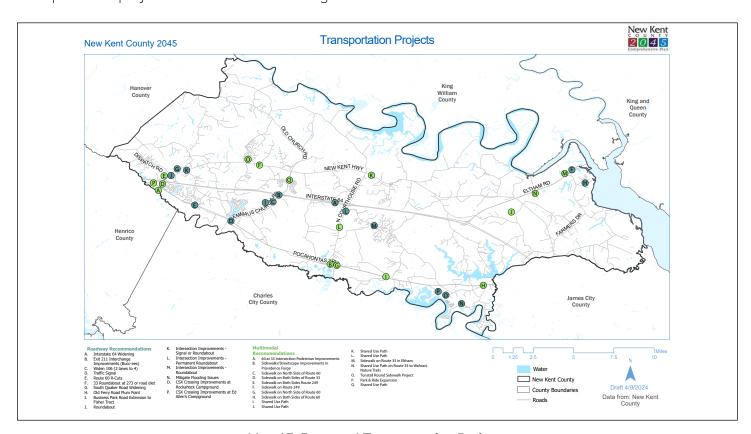
#### **Proposed Transportation Projects**

Proposed transportation projects in New Kent County encompass a range of roadway and multimodal improvements aimed at enhancing connectivity and safety. Key roadway projects include the ongoing widening of Interstate 64, improvements at major interchanges, such as the Exit 211 Interchange, and the expansion of Route 106 from two to four lanes. Additional recommendations feature the installation of traffic signals at key intersections, median and crossover enhancements on Route 60, and the construction of new roundabouts and intersection improvements at various locations. Multimodal projects focus on increasing pedestrian and cyclist accessibility through sidewalk expansions, shared-use paths, and streetscape improvements, particularly in areas like Providence Forge and along major routes such as Route 60 and Route 33. These initiatives are designed to accommodate future growth, improve traffic flow, and ensure safer travel for all road users in New Kent County. Refer to **Map 17** for

the locations of proposed transportation projects, and **Appendix C** for a full list of proposed roadway and multimodal transportation projects. Additionally, a list of New Kent County projects from VDOT's Six Year Improvement Program (SYIP) is included in **Appendix D.** 

### **Funding Sources**

Funding for transportation projects in New Kent County, as outlined in the ConnectRVA 2045 plan, includes a variety of sources aimed at supporting the region's comprehensive infrastructure goals. The plan emphasizes the use of federal and state allocations, which are traditionally directed through partnerships among federal agencies, state departments, and local governments. The SMART SCALE program, established by the Virginia General Assembly, also plays a crucial role by offering a competitive process for project evaluation based on congestion mitigation, economic development, and other factors. Additionally, the Central Virginia Transportation Authority (CVTA) provides a dedicated funding stream through regional taxes, such as a sales and use tax and a wholesale gas tax, specifically for transportation projects within the central Virginia area.



Map 17: Proposed Transportation Projects

#### **VTrans Needs**

VTrans, Virginia's statewide transportation plan, identifies and prioritizes mid-term transportation needs to be addressed over the next ten years. The needs include Congestion Mitigation to address areas experiencing significant delays and Improved Reliability for both highways and intercity or commuter rail services. Additionally, VTrans emphasizes improving Transit Access to Equity Emphasis Areas and Activity Centers, as well as enhancing Pedestrian Access and Bicycle Access to these same centers. Other identified needs focus on Access to Industrial and Economic Development Areas, supporting growth in Urban Development Areas (UDAs), and improving Roadway Safety and Pedestrian Safety to

reduce accidents and fatalities. VTrans also highlights Capacity Preservation to maintain the efficiency of existing facilities and strategies for Transportation Demand Management to reduce or redistribute travel demand. These categories guide the development of projects, policies, and programs to enhance Virginia's transportation system and support sustainable growth. The full list of proposed roadway and multimodal transportation projects in **Appendix C** lists what VTrans needs are met by each project. Note that further study is needed on projects listed without identified VTrans needs.

### **Envision New Kent Strategic Plan (2021) Goals**

- » 1.2: Extend and enhance infrastructure in a cost-effective manner to support economic development in designated growth priority areas.
- » 1.3: Ensure that new development can be served by public infrastructure with adequate capacity and a sufficient level of service.
- » I.4: Promote transportation improvements including widening of I-64 throughout the County, developing viable transportation alternatives, while maintaining the aesthetic qualities of the County.

#### **Tactics**

- » Revise the County's development regulations to require the provision of Complete Streets (featuring facilities for automobiles, as well as pedestrians, cyclists, and transit) for new developments within designated growth areas.
- » Enhance pedestrian networks in designated development areas through County-led sidewalk projects, construction associated with new development, and the completion of planned trails and sidewalks associated with existing planned developments.
- » Conduct a detailed study of traffic and transportation needs in the Bottoms Bridge area.
- » Study potential locations for a park and ride facility in the eastern area of the County.
- » Pursue a shared use bicycle and pedestrian path connecting New Kent to the Capital Trail.
- » Study necessary widening or other capacity improvements to Route 249.
- » Study the potential use of County-owned utility easements for recreational bicycle and pedestrian trails.
- » Pursue bicycle lane marking, shoulder widening, public education, or other safety improvements for designated bicycle routes.
- » Work with transit providers to expand public transit services and ridership.

## **Metrics**

Miles of Sidewalk

**12.8** Miles

\* New Kent County GIS

**Transit Ridership** 

(Bay Transit On Demand)

\* 2022 New Kent Ridership



## IX. LAND USE

### **Public Input**

- » 43% of survey respondents felt that future growth should occur "in the County's designated village areas." (Round 1 Survey)
- » 30% of survey respondents felt that future growth should occur "along Interstate 64."
  (Round 1 Survey)
- » 58% of survey respondents felt there was not enough retail in Kent County. (Round 1 Survey)
- » Survey respondents ranked "too much development" as the biggest concern, on average, as New Kent continues to grow. (Round 1 Survey)
- » The County could have more restaurants and retail near the interstate exchanges. (Open House)
- » The County should have suburban growth near interchanges, but it should be unique to New Kent. (Liberty Baptist Report Out)
- » There could be a stronger retail presence around 205 or 211. (Open House)
- » There is a lack of hotels and motels for visitors. (Open House)
- » New development should go where there is existing development. (NK Middle School Report Out)
- "Commercial growth and opportunity are needed, but so is careful consideration to the form of the development. Instead of having individual entrances along Route 60, require service roads. This limits the number of curb cuts, keeps traffic moving. Also, control signage! It can be done so that stores have visibility but not all the visual clutter. You don't get a second chance to make a first impression. Do you really want to look like Route 360 in Mechanicsville?" (Social Pinpoint Comment)
- "Since this area is likely to continue developing, I strongly urge the county to preemptively develop architectural and aesthetic building requirements so the community can have an attractive and cohesive look." (Social Pinpoint Comment)

#### **Future Land Use**

This plan includes a Future Land Use Map for New Kent. This map was developed through analysis and evaluation of the elements of this plan, including existing land use, development opportunities, and planned improvements to transportation and infrastructure. The future land use map reflects the policies and initiatives raised by community members and discussed in this plan, and should guide future land use and zoning decisions.

The Future Land Use Map (Map 18) reflects the County's consistent strategy of welcoming investment and development in appropriate locations while preserving the County's rural and agricultural lands. Consistent with previous versions of the County's Comprehensive Plan, the Future Land Use Map largely designates areas near interstate interchanges, as well as those areas served by public utilities, as areas for growth and development.

The Future Land Use Matrix located in **Appendix B** provides more detail on the intended scale and character of development or preservation for each land use category. These descriptions provide guidance for amending land use regulations in the future and for encouraging the type of land development desired for New Kent in 2045. Land use categories include:

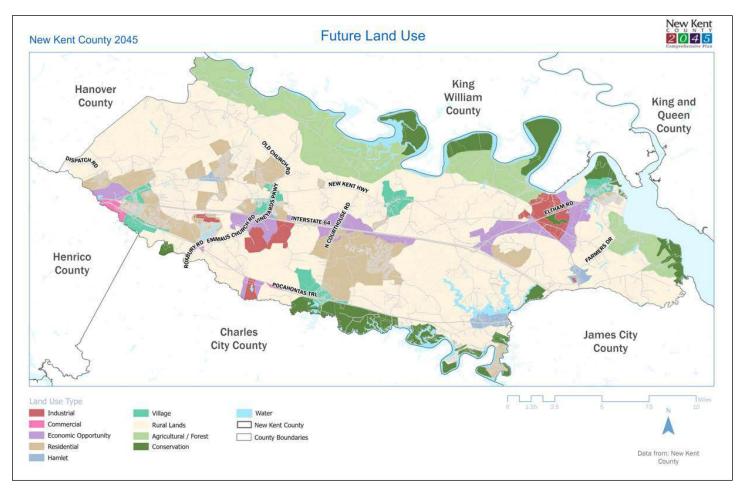
- » Conservation: Focuses on preserving natural landscapes, prohibiting development, and including uses like conservation and passive public parks.
- » Agricultural/Forestal: Primarily designated for agriculture and forestry, with very lowdensity development. It includes homes of agricultural producers and necessary agricultural buildings.

- » Rural Lands: Aims to maintain the rural character, allowing agriculture, forestry, and agritourism. Development density is kept very low.
- » Hamlet: Small, compact communities that integrate mixed-use elements, such as retail and residential, with low to moderate density.
- » Village: Dense, compact areas with mixeduse, including higher density residential and commercial uses, creating a strong sense of community and identity.
- » Residential Development: Encompasses areas intended for various residential types, from single-family homes to multi-family units, with densities ranging from low to moderate.
- » Commercial: Designated for retail and service industries, supporting moderate to high-density development with attractive architecture and well-landscaped areas.
- » Economic Opportunity: Mixed-use centers designed to capitalize on commercial opportunities, including retail, warehousing, and light industrial uses, with moderate to high density.
- » Industrial: Areas for manufacturing and industrial activities, characterized by lowdensity development with substantial infrastructure and landscape requirements.

The County's primary tools to implement the future land use map are local regulations, including the zoning and subdivision ordinances, and individual development project approvals. The Future Land Use Map and this Comprehensive Plan should provide guidance for development approvals, as well as to subsequent efforts to update the zoning and subdivision ordinances to match the County's future vision.

Planned Future Land Use	Acres	Percent of All County Lands
Village	3,604	2.7%
Commercial	414	0.3%
Industrial	3,355	2.5%
Hamlet	1,335	1.0%
Economic Opportunity	6,392	4.7%
Conservation	9,963	7.4%
Residential	14,616	10.8%
Agriculture/Forest	17,530	13.0%
Rural	77,651	57.6%

Table 21: Planned Future Land Use Breakdown



Map 18: Future Land Use

#### **Envision New Kent Strategic Plan (2021) Goals**

- » 1.3: Ensure that new development can be served by public infrastructure with adequate capacity and a sufficient level of service.
- » GM.1: Recruit business investment to offset residential tax burden, provide job opportunities, and meet the retail and commercial demands of county residents.
- » GM.2: Preserve the rural character of the county (visual, environmental, social) through targeted development in designated growth areas.
- » Q.2: Protect and maintain the cherished rural character of New Kent County where people can live and work in an attractive, viable, sustainable community.

### **Tactics**

- » Develop educational materials for rural property owners explaining the process and benefits of designating Agricultural and Forestal Districts.
- » Study the potential for County-provided incentives for the designation of conservation easements, up to and including the purchase of development rights.
- » Adopt regulations that ensure the timely completion of proposed commercial uses in any future Planned Unit Development.
- » Require new developments to provide natural scenic buffers adjacent to designated scenic byways and other roadways, conflicting adjacent land uses, and protected natural features, with development density bonuses awarded for these practices.
- » Encourage future Planned Unit Developments to include amenities such as community facilities, public green spaces, and bicycle and pedestrian infrastructure.
- » Promote increased densities and mixed uses where public utilities are available or adjacent.
- » Promote the location of necessary retail, service, healthcare, and employment uses in appropriate locations within County growth areas.
- » Review and revise the County's zoning and subdivision ordinances to comply with the Comprehensive Plan's guidance on the location, density, and character of future land growth.
- » Conduct specific Small Area Plans for each designated Village area.
- » Examine the County's agricultural zoning for improvements that can make farming a profitable and sustainable enterprise.

### **Metrics**

### **Building Permits in Development Area**

(Areas Designated for Economic Opportunity, Residential, Industrial, Village, or Commercial Use Per 2012 Comprehensive Plan)

**51.2%**In Development Area
\* 2006 - 2022



### X. IMPLEMENTATION

## **Funding**

Funding and capital investments are critical components in the implementation of comprehensive plans in Virginia. These plans typically outline a long-term vision for a locality's growth and development, including infrastructure improvements, public facilities, and community services. To realize these goals, local governments must secure adequate funding through various means, such as municipal bonds, state and federal grants, and public-private partnerships. Capital improvement programs (CIPs) are often developed in tandem with comprehensive plans, serving as detailed financial blueprints that prioritize and schedule capital projects over a multi-year period. Effective CIP management ensures that resources are allocated efficiently, addressing immediate needs while aligning with the broader strategic objectives of the comprehensive plan. This financial planning not only supports sustainable growth but also enhances the quality of life for residents by ensuring that essential public services and infrastructure are available and well-maintained.

#### **Tactics Matrix**

The following matrix of tactics outlines specific actions and strategies to achieve this plan's goals. This matrix provides a detailed roadmap for implementation, including the responsible lead departments, supporting entities, timelines, estimated costs, and necessary resources. Each tactic is categorized under key focus areas, such as resource protection and infrastructure development, ensuring a comprehensive approach to the county's future development.

#	Tactic	Lead	Support	Term	Cost	Resources			
	ECONOMIC DEVELOPMENT								
1	Expand the development capacity of existing County-owned sites by extending water, sewer, and road infrastructure.	Economic Development	Administration, Utilities	Long	\$\$\$	Planning and engineering; construction funding			
2	Support events and organizations that connect and promote small businesses, shopping local, and the County's rural heritage.	Economic Development		Short	\$	Staff time; promotion			
3	Develop a mapped "trail" connecting New Kent agritourism and eco-tourism sites, business and activities for cooperative promotion.	Economic Development		Short	\$\$	Staff time and/or consulting services			
4	Grow the County's non- residential tax base to provide at least 30% of tax revenue from commercial, industrial, and business sources.	Economic Development	Administration, Planning	Long	\$	Development approvals			

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#	Tactic	Lead	Support	Term	Cost	Resources
5	Direct future commercial development to designated areas near the County's Interstate 64 interchanges, where it can be served by existing utility and transportation infrastructure.	Planning	Economic Development	Long	\$	Development approvals
6	Develop a proffer policy ensuring new development can fiscally sustain County schools, fire and rescue, and other necessary services.	Planning	Administration, Legal	Medium	\$	Staff time and/or consulting services
7	Organize a County tourism advisory group of local businesses and residents to actively participate in marketing New Kent County attractions.	Economic Development		Short	\$	Staff time
			HOUSING			
1	Continue to conduct regular housing steering committee meetings to fully assess housing affordability, quality, and types in New Kent County	Planning		Short	\$	Staff time
2	Encourage the development of housing and facilities allowing seniors to age in place in the County.	Planning		Long	\$	Development approvals
3	Conduct a residential build-out analysis to fully understand the number and type of residential units buildable under existing zoning.	Planning		Short	\$	Staff time and/or consulting services
4	Conduct a study of the workforce housing affordability needs, including those of County administration, school, fire, rescue, and law enforcement employees.	Planning		Medium	\$	Staff time and/or consulting services
		NATUR	AL RESOURCES			
1	Update the New Kent County Code to reflect updated Chesapeake Bay Preservation Act, Erosion and Sediment Control, and Stormwater Management guidance and requirements.	Environment	Administration, Legal	Short	\$	DEQ best practice code examples; staff time; PC/BZA training
2	Develop outreach materials to educate residents and property owners about the requirements of the Chesapeake Bay Preservation Act and best practices.	Environment		Short	\$	Template materials; staff time; outreach

#	Tactic	Lead	Support	Term	Cost	Resources
3	Incorporate site-specific delineations of wetlands and Resource Protection Area boundaries into the County's GIS system.	GIS	Environment	Short	\$	Incorporation process; existing development site plans; staff time; potential grant funding
5	Study the location of groundwater recharge boundaries and consider the creation of a groundwater protection overlay district, or other local regulations, to protect these areas.	Utilities	DEQ, Environment	Medium	\$\$	Location data; consulting services
6	Prioritize development that connects to public utility systems and incentivize properties with existing well and septic systems to connect to public utilities where service is available.	Utilities	Planning, Environment	Long	\$\$\$	Planning and engineering; development approvals; incentive structure or funding
7	Land use policies will focus on safeguarding Resource Protection Areas (RPAs) and minimizing runoff, erosion, and sedimentation.	Environment	Planning	Long	\$	Staff time and/or consulting services
8	Assess soil conditions before approving septic systems to prevent contamination and system failures. Areas with sandy, poorly draining, or highly erodible soils should be restricted from intensive development to safeguard groundwater and surface water quality.	Environment		Long	\$	Development review; staff time and/or consulting services
9	Safeguard potable water supplies by minimizing the use of pesticides, fertilizers, and other hazardous materials near water sources. Land use policies will govern the placement and maintenance of underground storage tanks to prevent groundwater contamination.	Environment	Planning	Long	\$	Staff time and/or consulting services
10	Incorporate strategies to minimize disruption to fish habitats and aquatic ecosystems.	Environment		Short	\$	Staff time and/or consulting services
11	Ensure that docks and piers are sited in locations that minimize impacts on aquatic ecosystems and avoid disrupting tidal flows.	Environment		Long	\$	Staff time and/or consulting services

#	Tactic	Lead	Support	Term	Cost	Resources
12	Development will follow guidelines to mitigate stormwater runoff and prevent pollution from reaching waterways.	Environment	Planning	Long	\$	Development review
13	Assess high-risk areas along the shoreline and stream banks to identify zones prone to erosion. Restoration efforts, such as living shorelines and native plantings, will be encouraged to combat erosion and enhance habitats.	Environment		Long	\$\$	Staff time and/or consulting services
14	Redevelopment projects should incorporate measures that reduce pollution, such as stormwater management systems and water-efficient landscaping. The County will coordinate with regional partners to reduce pollution sources, including nutrient loads from agriculture and stormwater systems, ensuring continuous improvement in water quality over time.	Environment	Planning	Long	\$	Development review; staff time and/or consulting services
		PUB	LIC UTILITIES			
1	Continue to pursue alternative water sources, including surface water withdrawal from the Pamunkey River.	Utilities	Administration	Long	\$\$\$\$	Planning and engineering; easements; permitting construction funding
2	Pursue the interconnection of existing public water systems.	Utilities		Long	\$\$\$\$	Planning and engineering; easements; construction funding
3	Ensure the availability of adequate fire flows in approving all new developments.	Utilities	Planning, Fire and Rescue	Medium	\$	Development review; resources by developer
4	Establish partnerships with nearby water and sewer utilities to provide backup utility	Utilities	Administration	Long	\$\$\$	Planning and engineering; easements; construction funding
	services and increase reliability					construction funding
5		Economic Development		Long	\$\$	construction funding

#	Tactic	Lead	Support	Term	Cost	Resources	
		PUBI	LIC FACILITIES				
1	Create individual master plan documents for each department of County government, incorporating the guidance of the Comprehensive Plan and Strategic Plan.	All		Short	\$	Staff time and/or consulting services	
2	Pursue opportunities to develop public water access points for kayaking, canoeing, and other recreational activities.	Parks and Rec		Medium	\$\$	Property or easement; construction funding	
3	Develop plans for recreational, economic, or other public use for County-owned properties, including the newly-acquired Makemie Woods property.	Administration	Parks and Rec, Economic Development	Medium	\$\$	Staff time and/or consulting services	
4	Pursue acquisition of public land suitable for recreational and other public uses in underserved areas of the County.	Administration	Parks and Rec	Long	\$\$\$	Site identification; purchase funding	
5	Ensure adequate access points for fire and rescue to all parks, schools, and other public facilities.	Parks and Rec	Fire and Rescue	Short	\$\$	Planning; possible construction funding	
6	Provide adequate fire and rescue staffing and locate necessary new facilities to meet NFPA standards for shift staffing and response time.	Fire and Rescue	Administration	Medium	\$\$\$	Staffing and staff funding; planning and engineering; construction funding	
7	Increase school capacity or construct new schools to maintain appropriate classroom sizes and building capacity under 90%.	Public Schools	Administration	Long	\$\$\$\$	Staffing and/or building construction	
8	Conduct a space study to identify facilities needs for local government administration as the County grows.	Administration		Medium	\$	Staff time and/or consulting services	
9	Model environmental sustainability in the planning and construction of future County facilities.	Administration		Long	\$\$	Planning; construction funding	
	TRANSPORTATION						
1	Revise the County's development regulations to require the provision of Complete Streets (featuring facilities for automobiles, as well as pedestrians, cyclists, and transit) for new developments within designated growth areas.	Planning	Transportation Development	Medium	\$	Staff time and/or consulting services	

#	Tactic	Lead	Support	Term	Cost	Resources
2	Enhance pedestrian networks in designated development areas through County-led sidewalk projects, construction associated with new development, and the completion of planned trails and sidewalks associated with existing planned developments.	Transportation Development		Long	\$\$\$	Planning and engineering; construction funding; development approvals
3	Conduct a detailed study of traffic and transportation needs in the Bottoms Bridge area.	Transportation Development		Long	\$\$	Consulting services
4	Study potential locations for additional park and ride facilities, including in the eastern area of the County.	Transportation Development		Medium	\$	Staff time
5	Pursue a shared use bicycle and pedestrian path connecting New Kent to the Capital Trail.	Transportation Development		Long	\$\$\$\$	Planning and engineering; easements and/ or right-of-way; construction funding
6	Study necessary widening or other capacity improvements to Route 249.	Transportation Development		Long	\$	Consulting services
7	Study the potential use of County-owned utility easements for recreational bicycle and pedestrian trails.	Transportation Development	Parks and Rec, Utilities	Medium	\$	Staff time
8	Pursue bicycle lane marking, shoulder widening, public education, or other safety improvements for designated bicycle routes.	Transportation Development		Long	\$\$\$	Planning and engineering; easements and/ or right-of-way; construction funding
9	Work with transit providers to expand public transit services and ridership.	Transportation Development	GRTC, Bay Transit, WATA	Long	\$\$	Planning, promotion, operating funding
		L	AND USE			
1	Develop educational materials for rural property owners explaining the process and benefits of designating conservation easements and/ or Agricultural and Forestal Districts.	Planning		Short	\$	Staff time; promotion
2	Study the potential for County- provided incentives for the designation of conservation easements, up to and including the purchase of development rights.	Planning	Administration	Medium	\$	Staff time

#	Tactic	Lead	Support	Term	Cost	Resources
3	Adopt regulations that ensure the timely completion of proposed commercial uses in any future Planned Unit Development.	Planning	Legal	Medium	\$	Staff time
4	Require new developments to provide natural scenic buffers adjacent to designated scenic byways and other roadways, conflicting adjacent land uses, and protected natural features, with development density bonuses awarded for these practices.	Planning	Environment	Long	\$	Development approvals
5	Encourage future Planned Unit Developments to include amenities such as community facilities, public green spaces, and bicycle and pedestrian infrastructure.	Planning		Medium	\$	Development approvals
6	Promote increased densities and mixed uses where public utilities are available or adjacent.	Planning	Utilities	Long	\$	Development approvals
7	Promote the location of necessary retail, service, healthcare, and employment uses in appropriate locations within County growth areas.	Planning	Economic Development	Long	\$	Development approvals
8	Review and revise the County's zoning and subdivision ordinances to comply with the Comprehensive Plan's guidance on the location, density, and character of future land growth.	Planning	Legal	Medium	\$\$	Staff time and/or consulting services
9	Conduct specific Small Area Plans for each designated Village area.	Planning		Long	\$\$	Staff time and/or consulting services
10	Examine the County's agricultural zoning for improvements that can make farming a profitable and sustainable enterprise.	Planning		Medium	\$	Staff time and/or consulting services

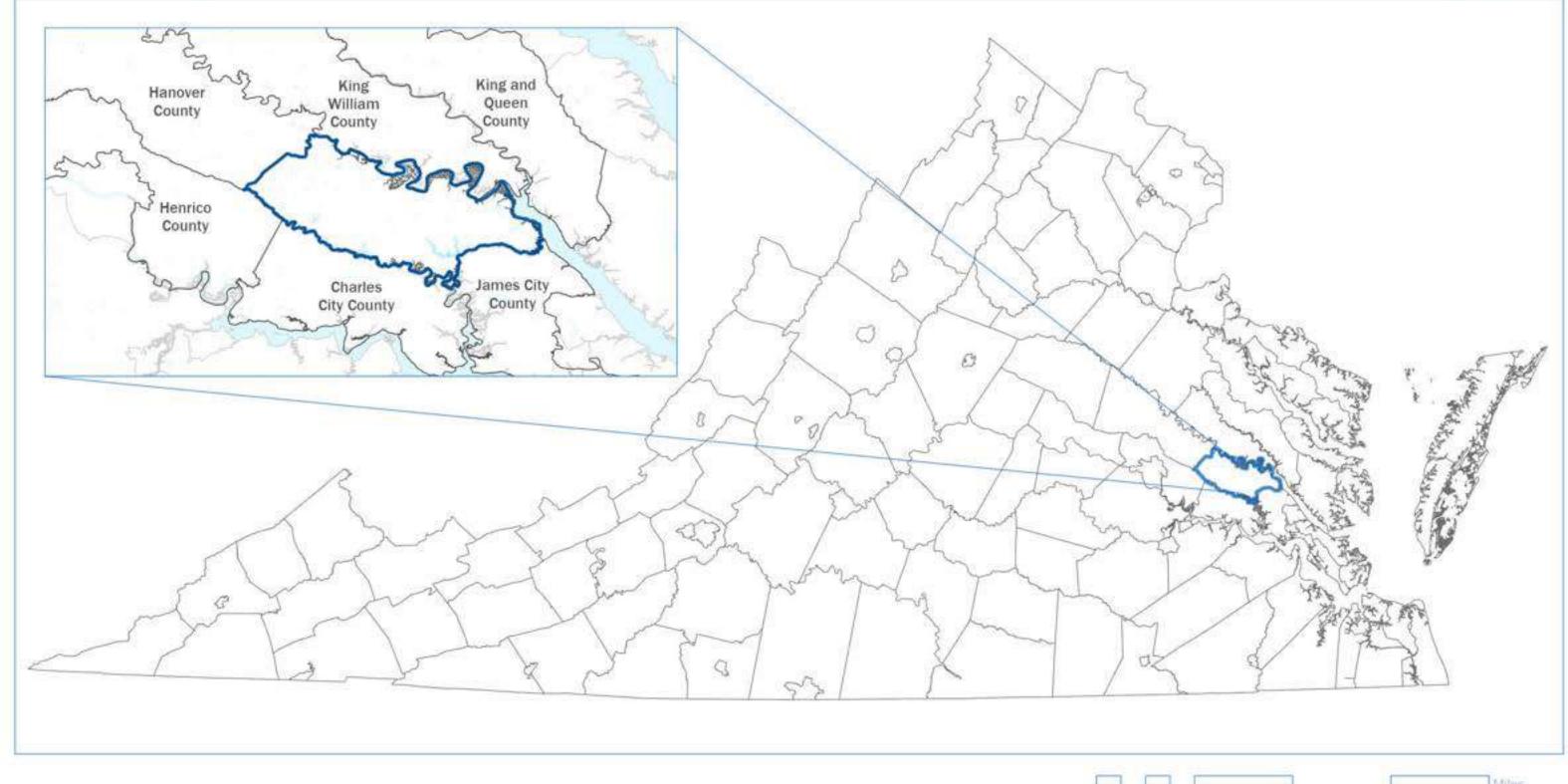
<sup>\*</sup> Short-term = approx. 1-2 years, medium-term = approx. 3-7 years, long-term = approx. 7+ years \*\* \$ 0-100,000; \$\$ 100,000 - 1,000,000; \$\$\$ 1,000,000 - 5,000,000; \$\$\$ 5,000,000+

### **APPENDIX A: MAPS**

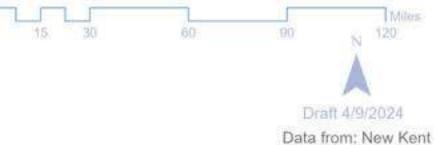
- 1. Regional Context
- 2. Historic District
- 3. Historic Sites
- 4. Building Permits
- 5. Wetlands and Riparian Areas
- 6. Flood Zones and Dam Inundation Areas
- 7. Conservation Easements
- 8. Chesapeake Bay Preservation Areas
- 9. Soil Suitability for Septic Tanks
- 10. Existing and Potential Water Pollution Sources
- 11. Waterfront Access Sites
- 12. Elevation
- 13. Shoreline Structure Inventory (2018)
- 14. Public Facilities
- 15. Roadway Classification
- 16. Traffic Volume (2023)
- 17. Crash Severity (2018-2023)
- 18. Fatal and Severe Injury Crashes (2018-2023)
- 19. Collision Type (2018-2023)
- 20. Crash Frequency (2018-2023)
- 21. Multimodal Transportation
- 22. Proposed Transportation Projects
- 23. Future Land Use

# Regional Context









County

## New Kent County 2045

## **Historic District**





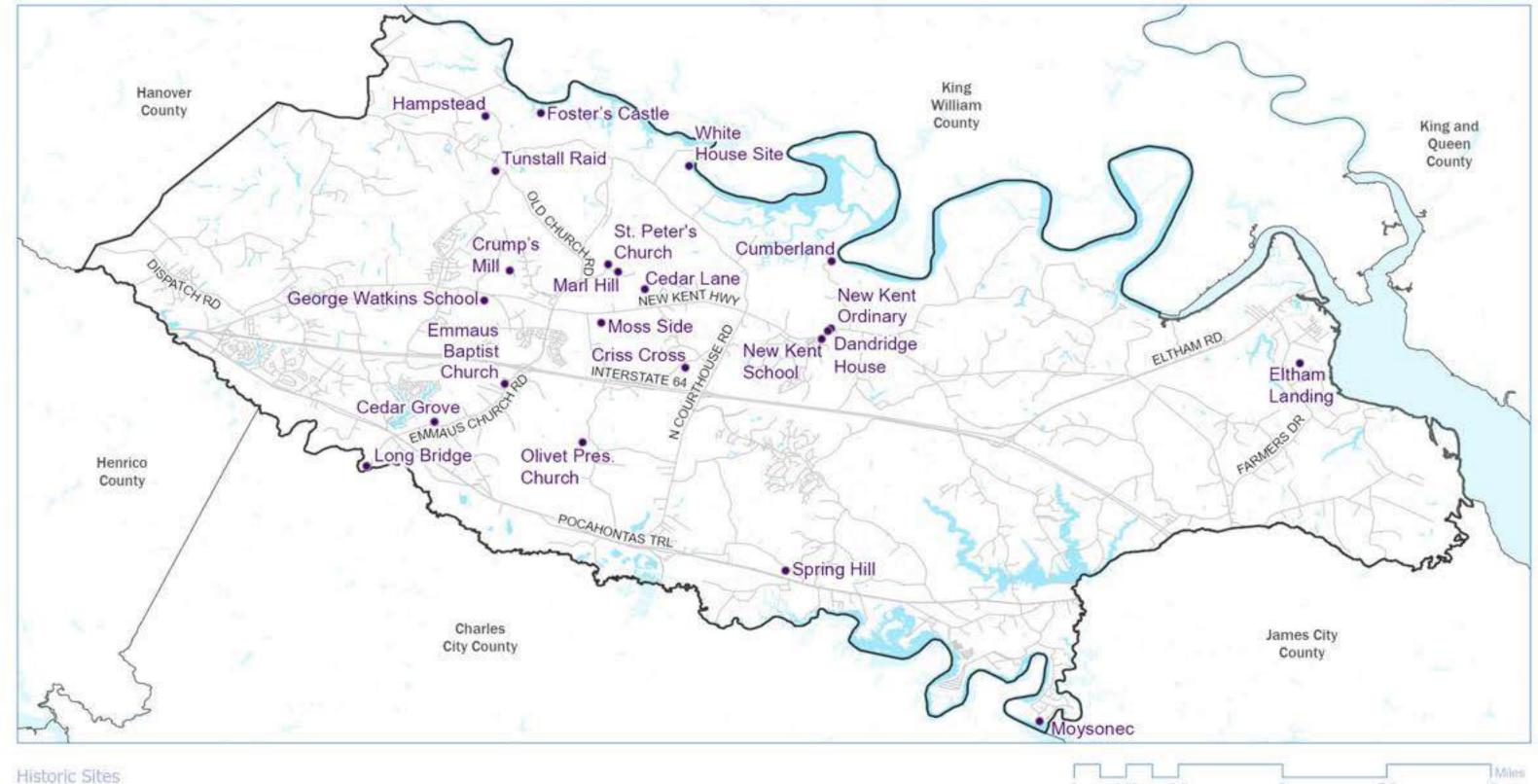
## Historic Sites



Draft 4/9/2024

Data from: New Kent

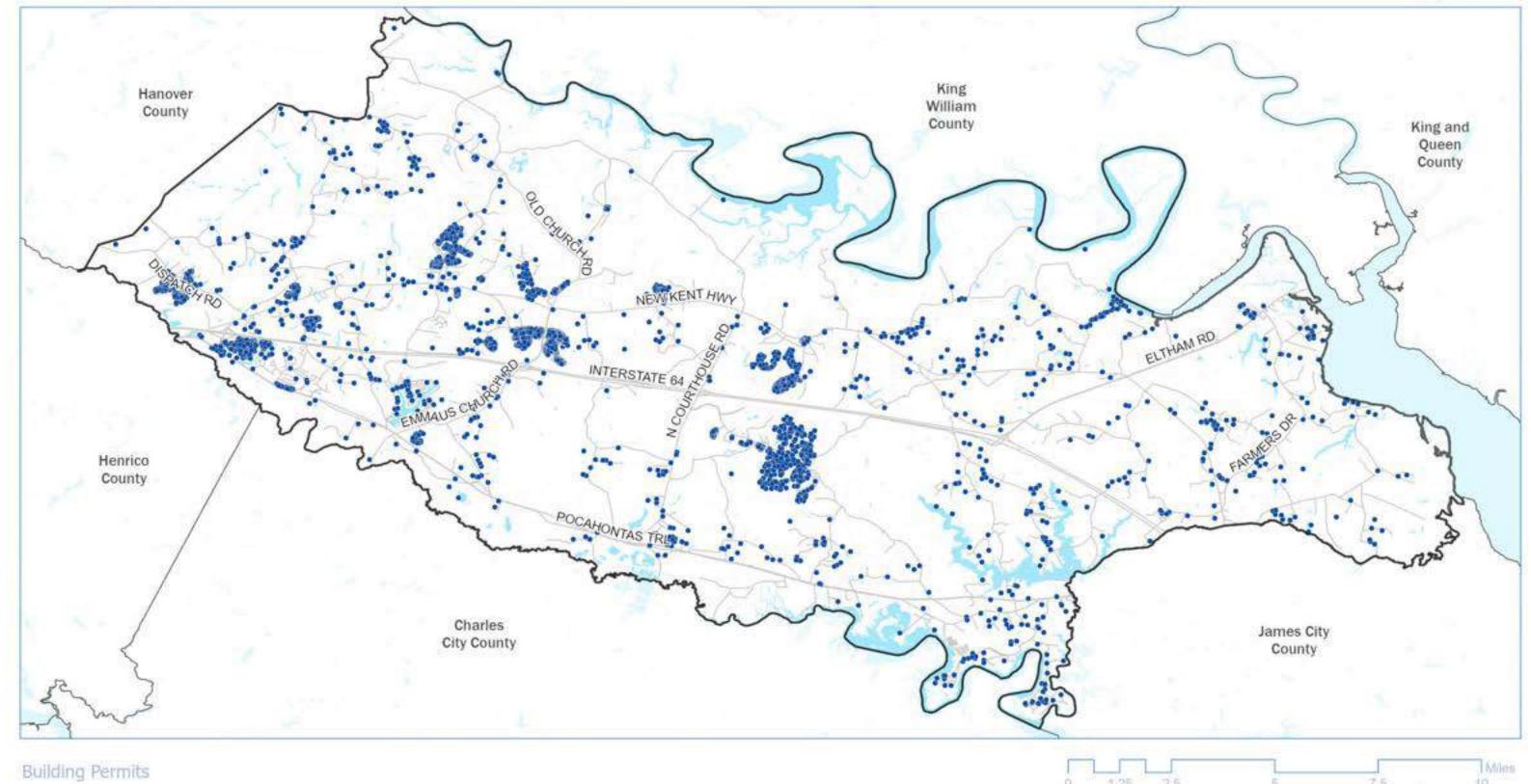
County





# Building Permits from 2006 to 2023







Draft 4/9/2024
Data from: New Kent
County

# Wetland and Riparian Areas



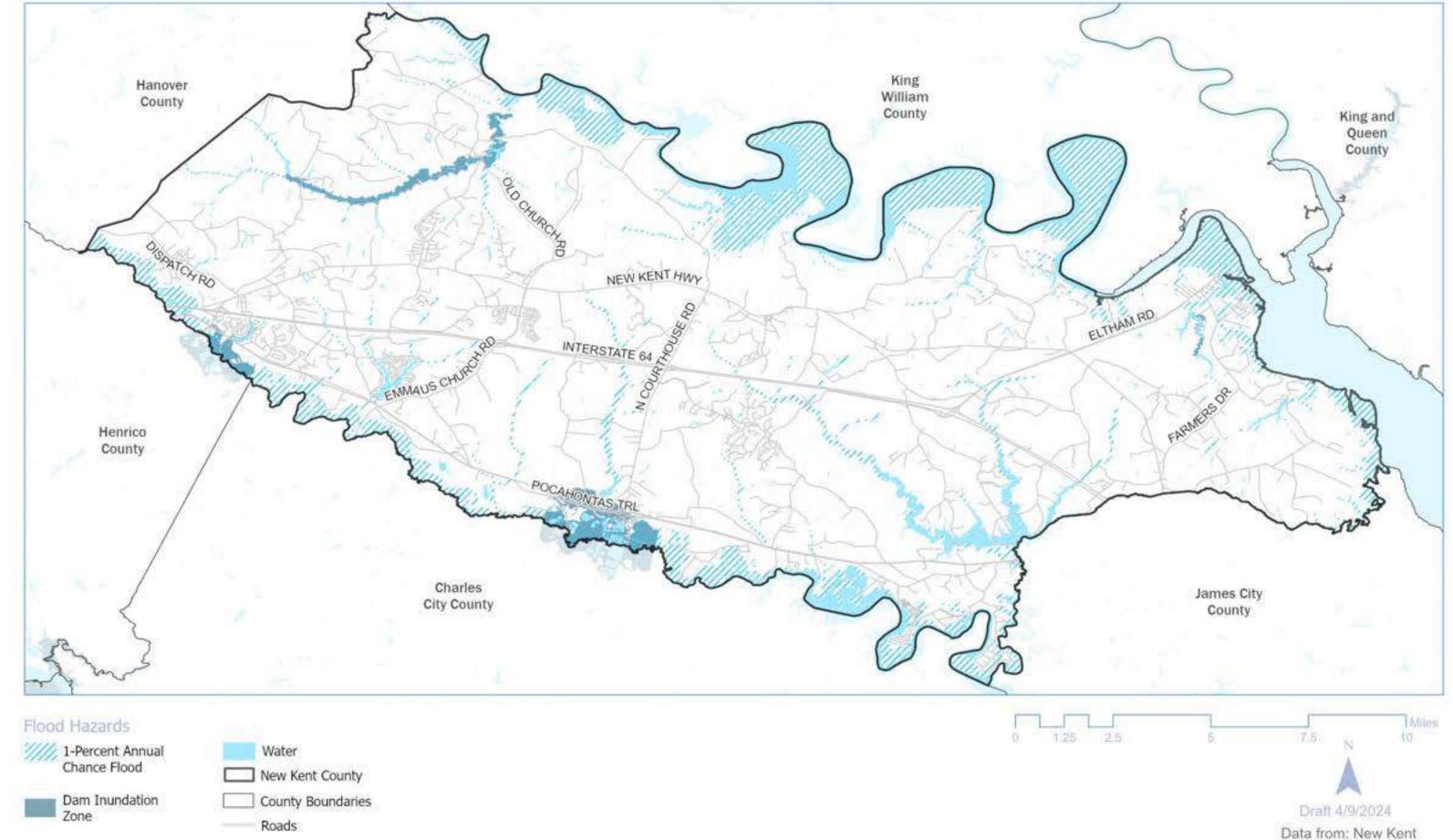
County



## Flood Zones and Dam Inundation Areas



County

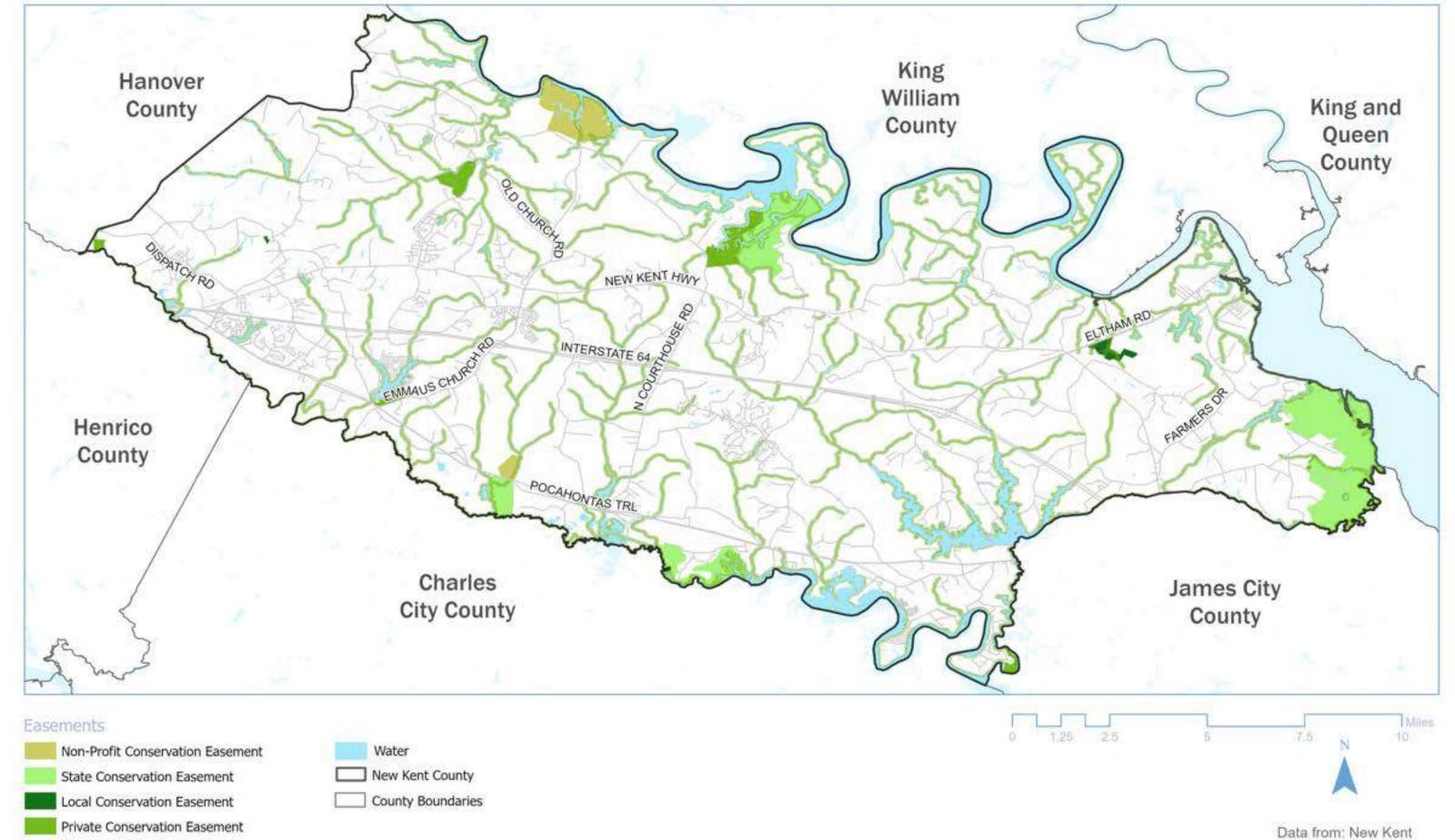


Stream Buffer

## **Conservation Easements**



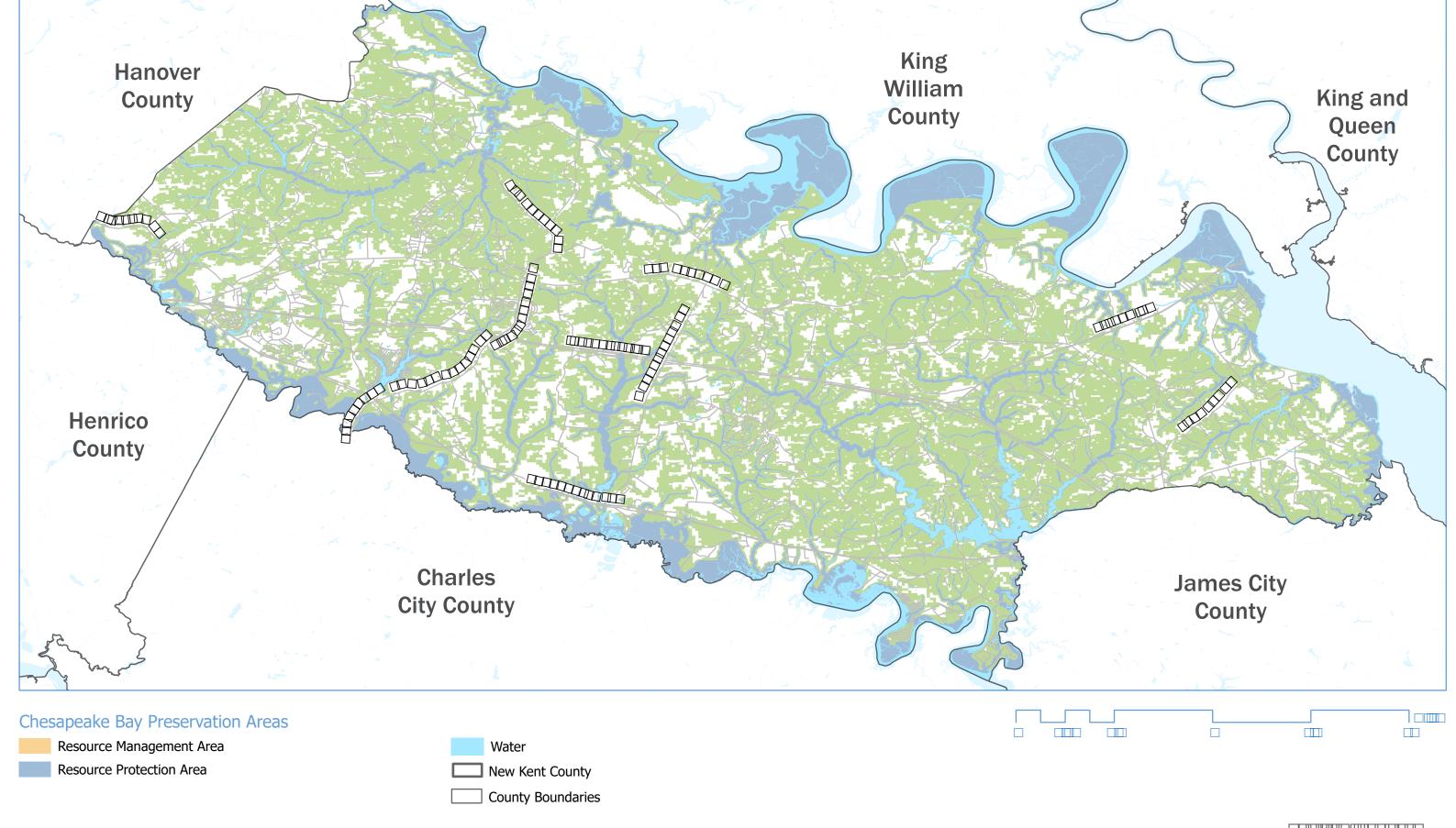
County



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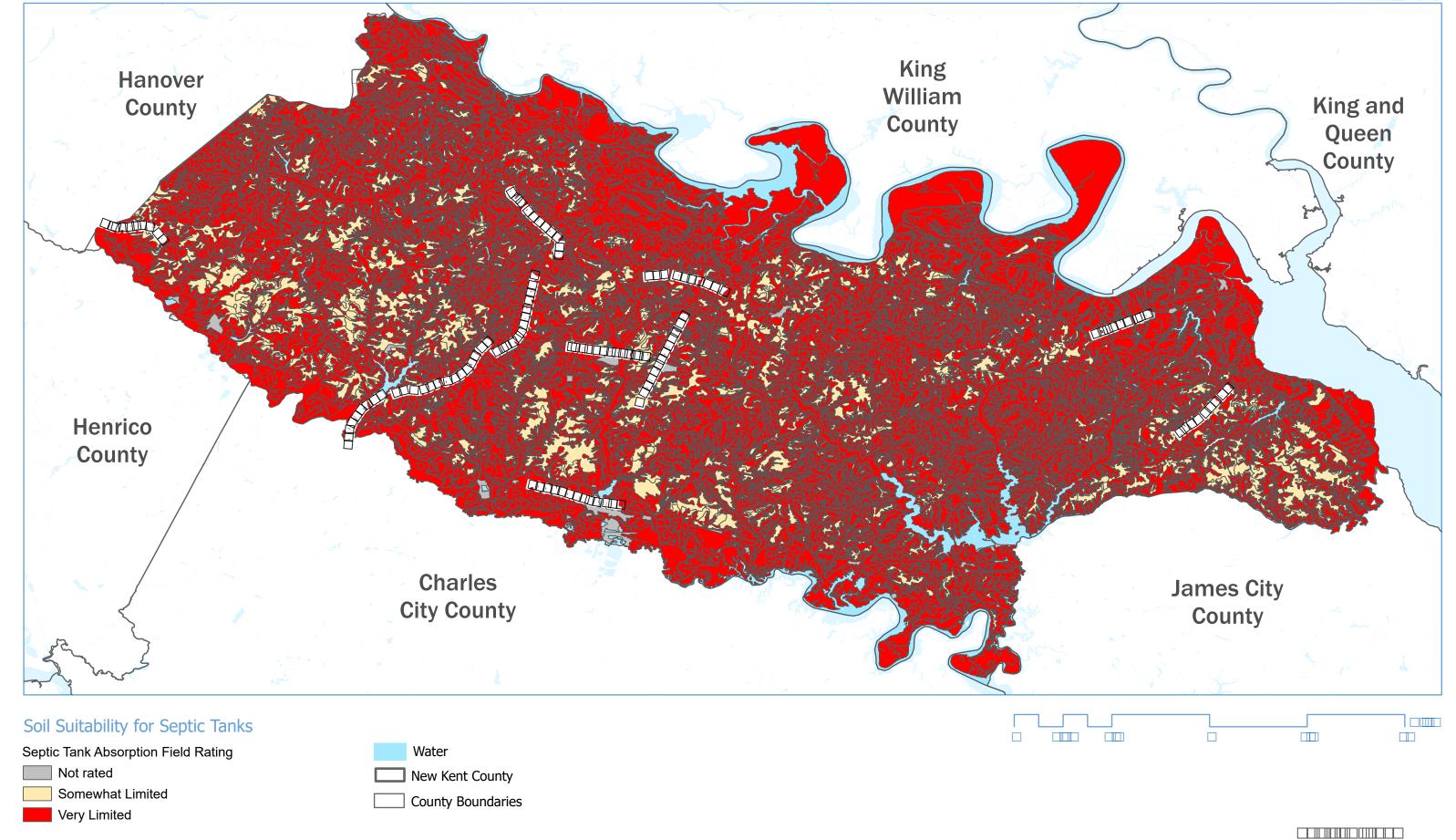
## Chesapeake Bay Preservation Areas





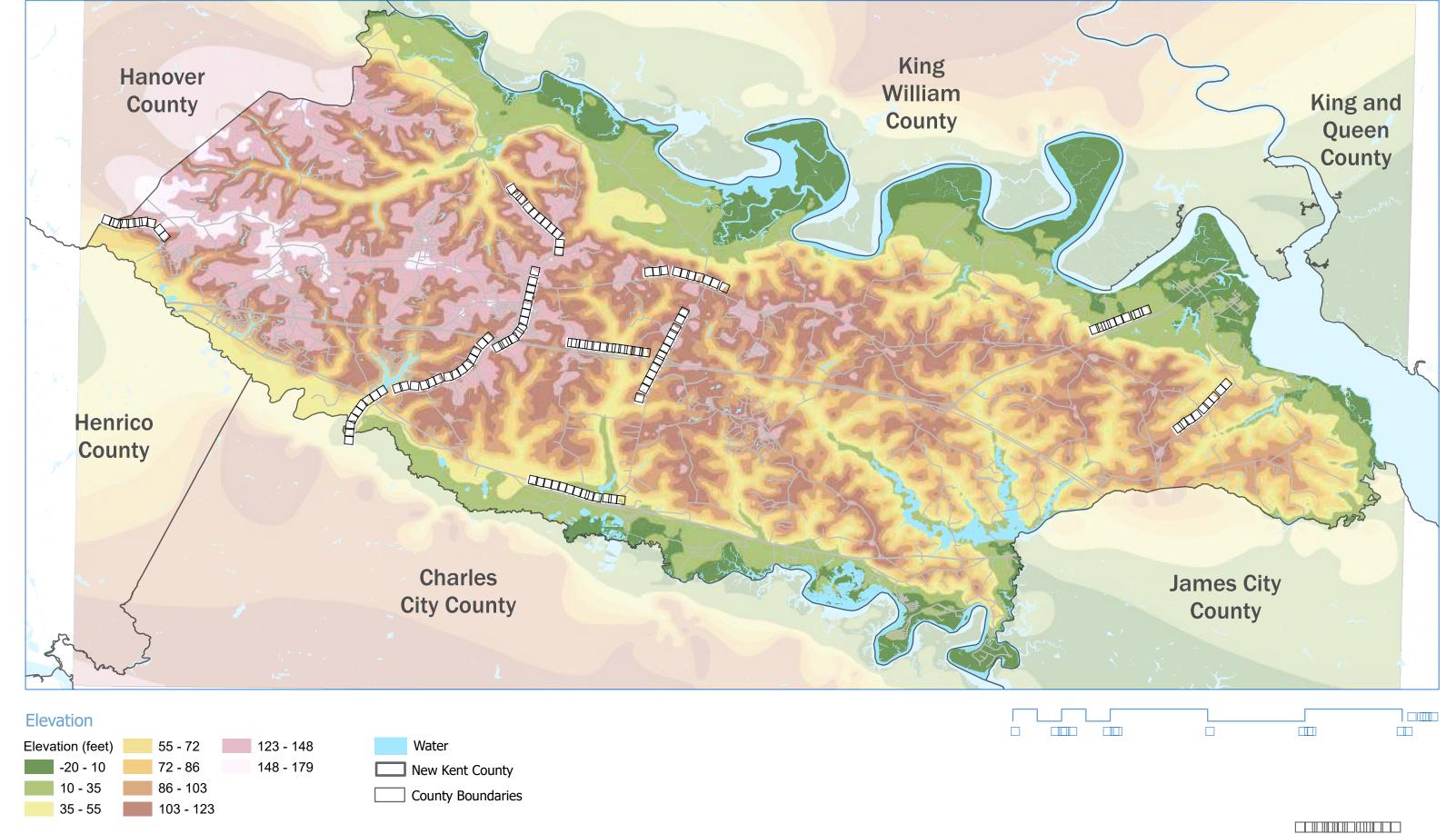
# Soil Suitability for Septic Tanks





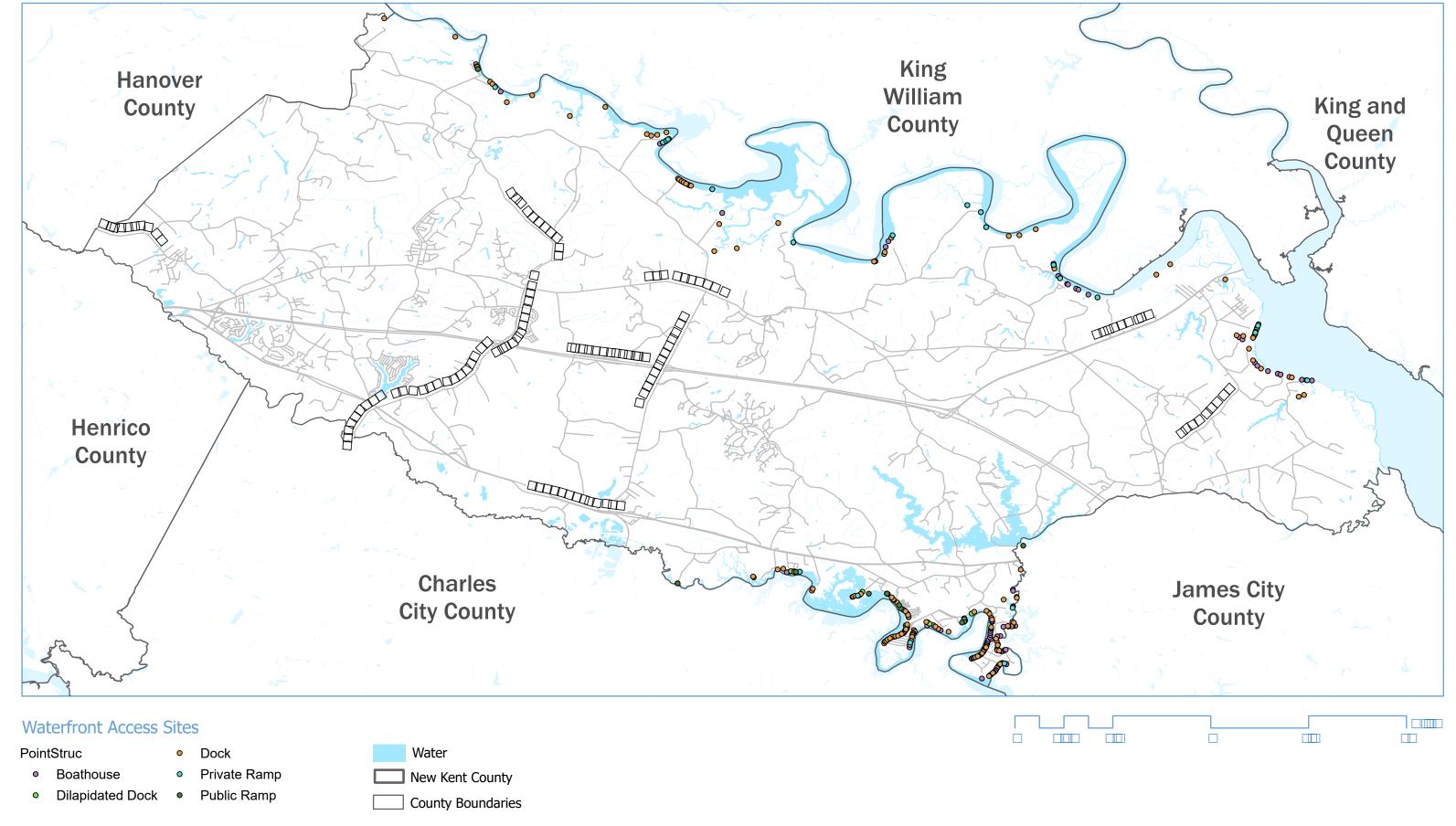
## Elevation





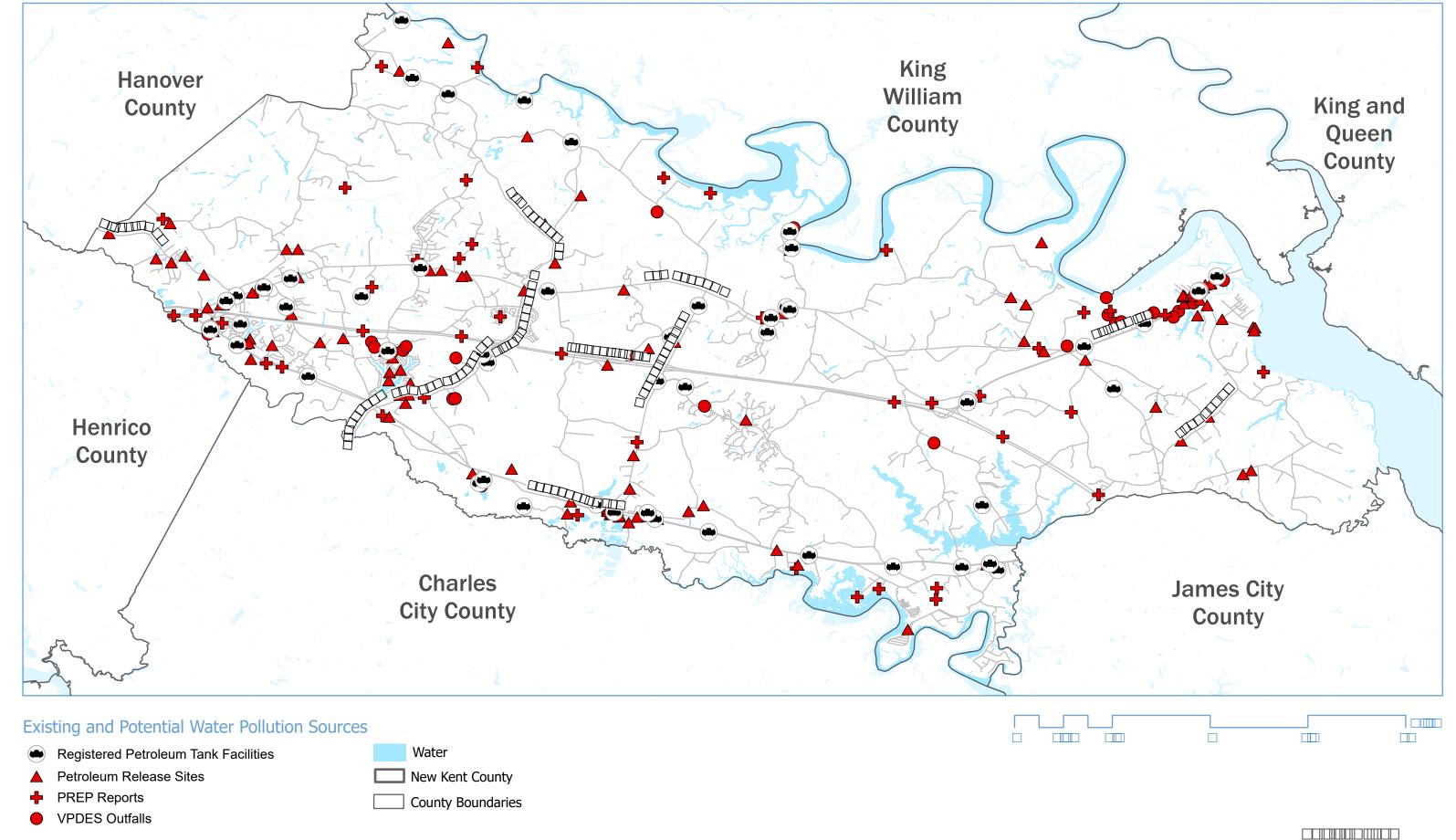
## Waterfront Access Sites





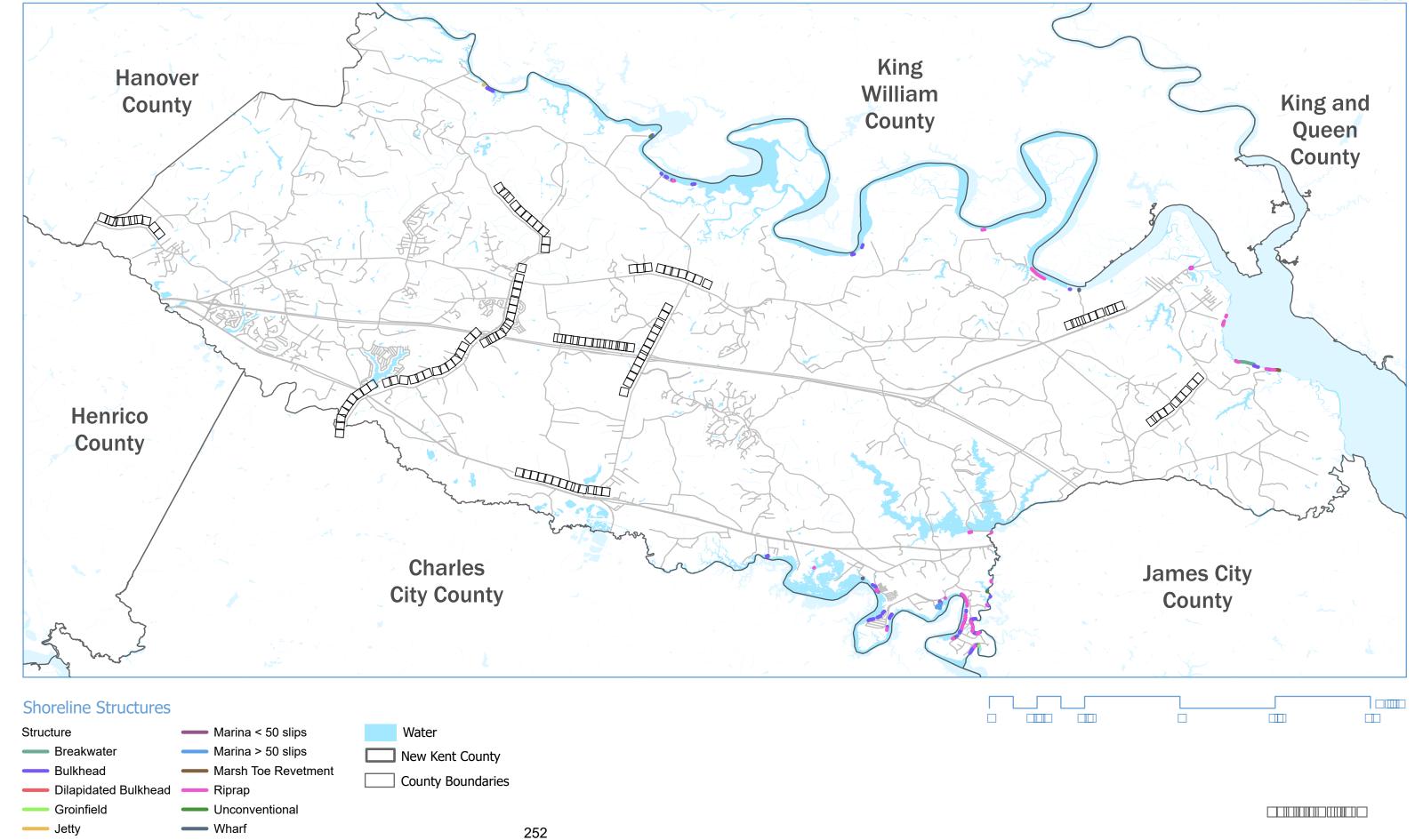
# **Existing and Potential Water Pollution Sources**



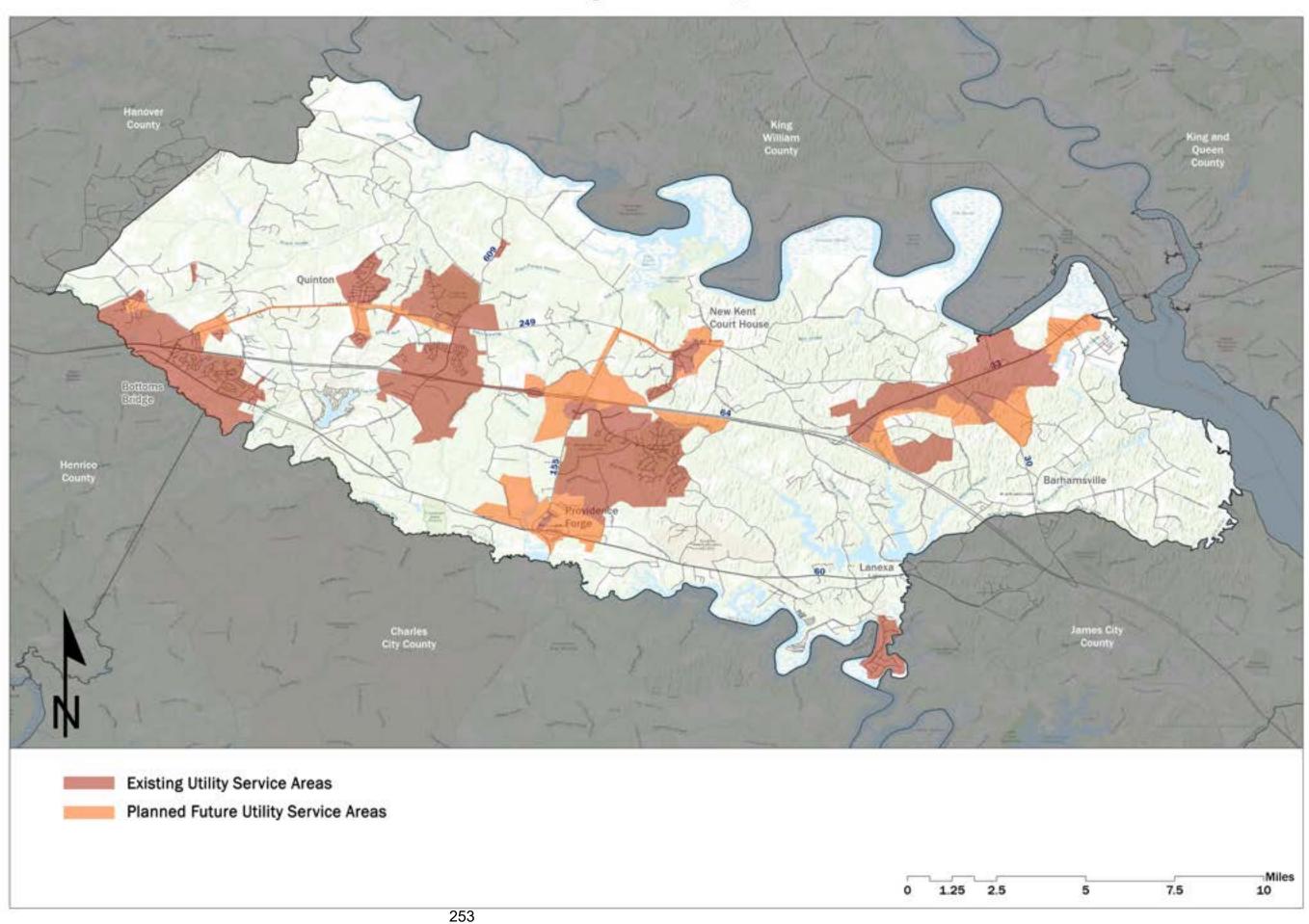


# Shoreline Structure Inventory (2018)



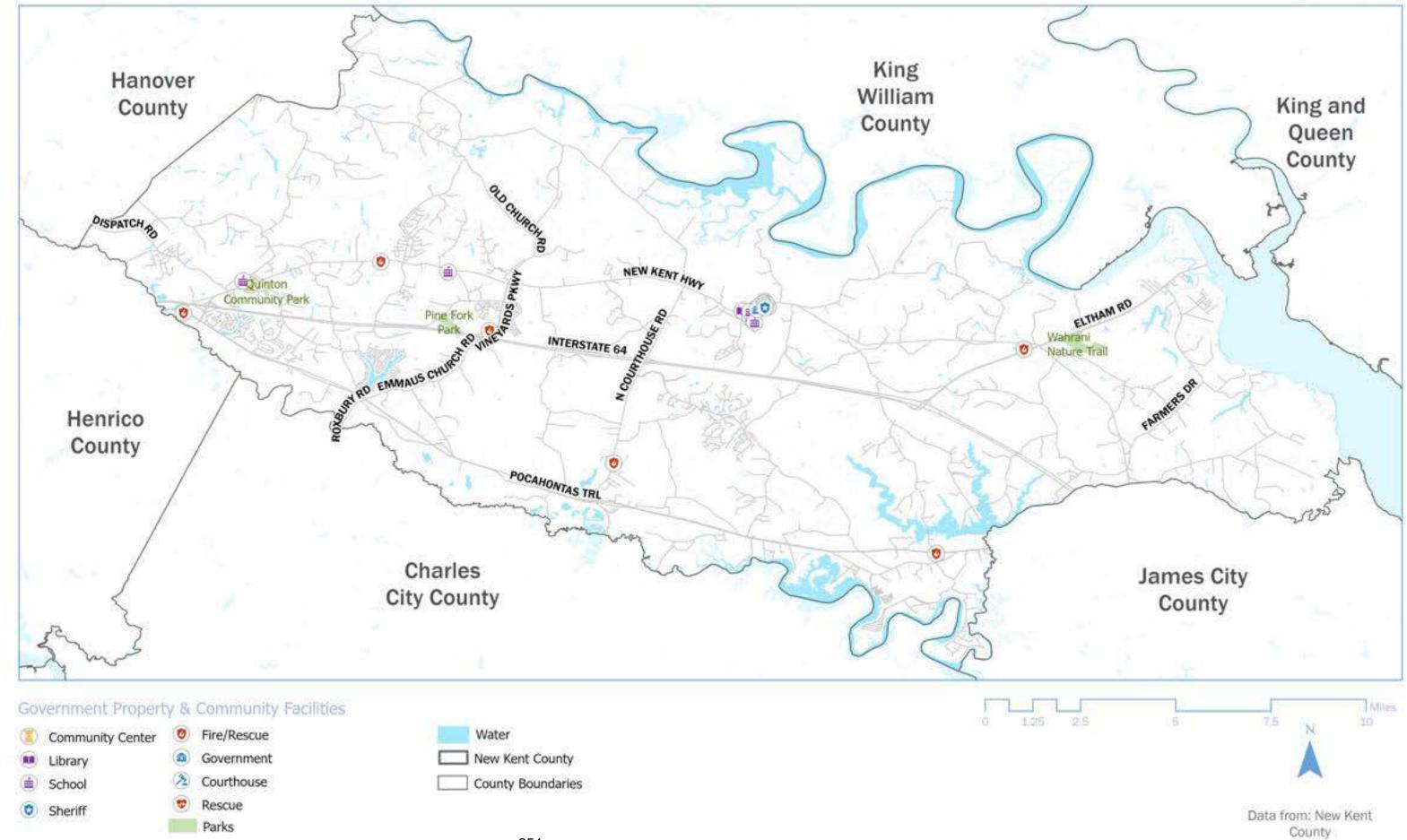


# New Kent County Water/Sewer Service



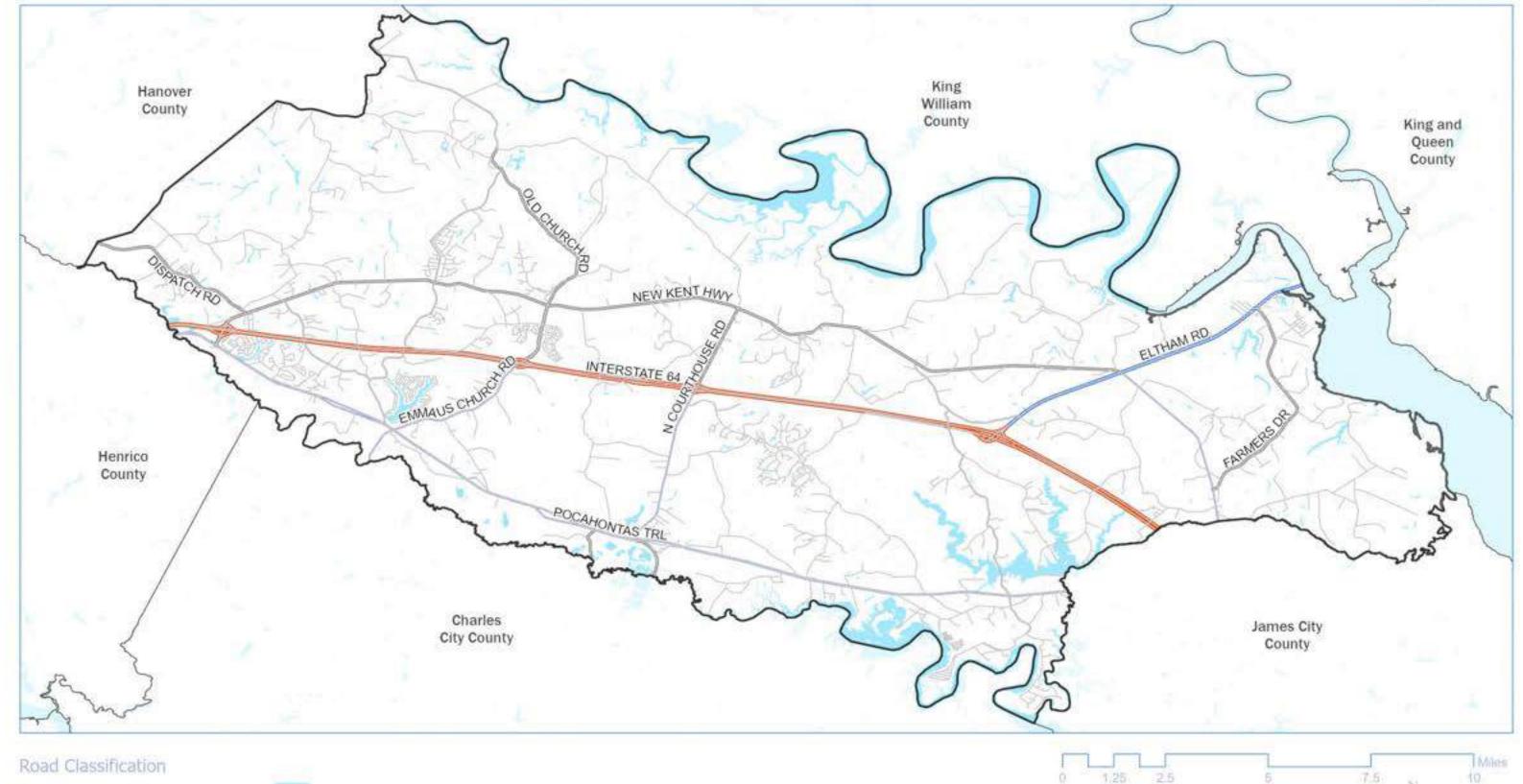
## **Public Facilities**





## Roadway Classifications

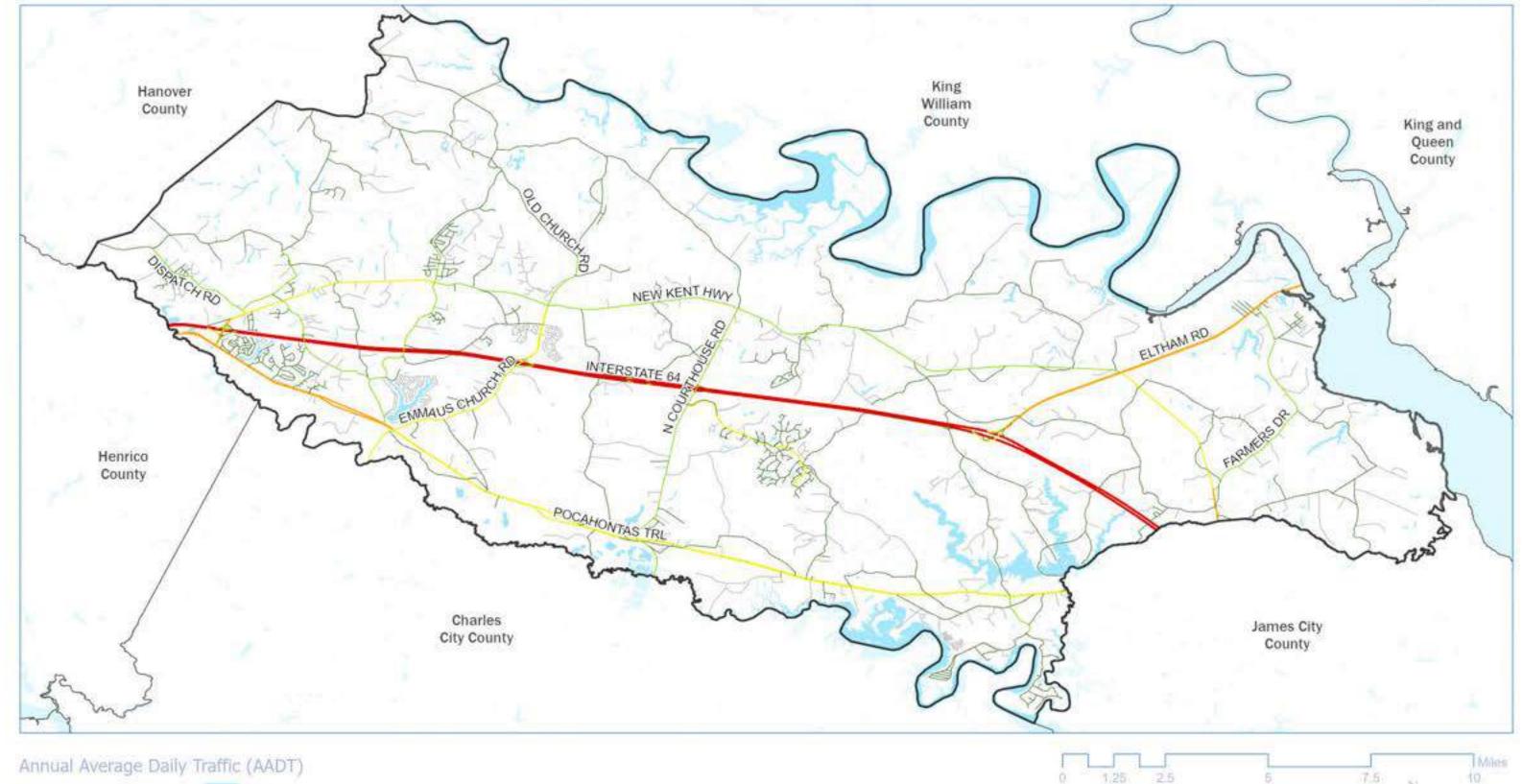






## Traffic Volume (2023)





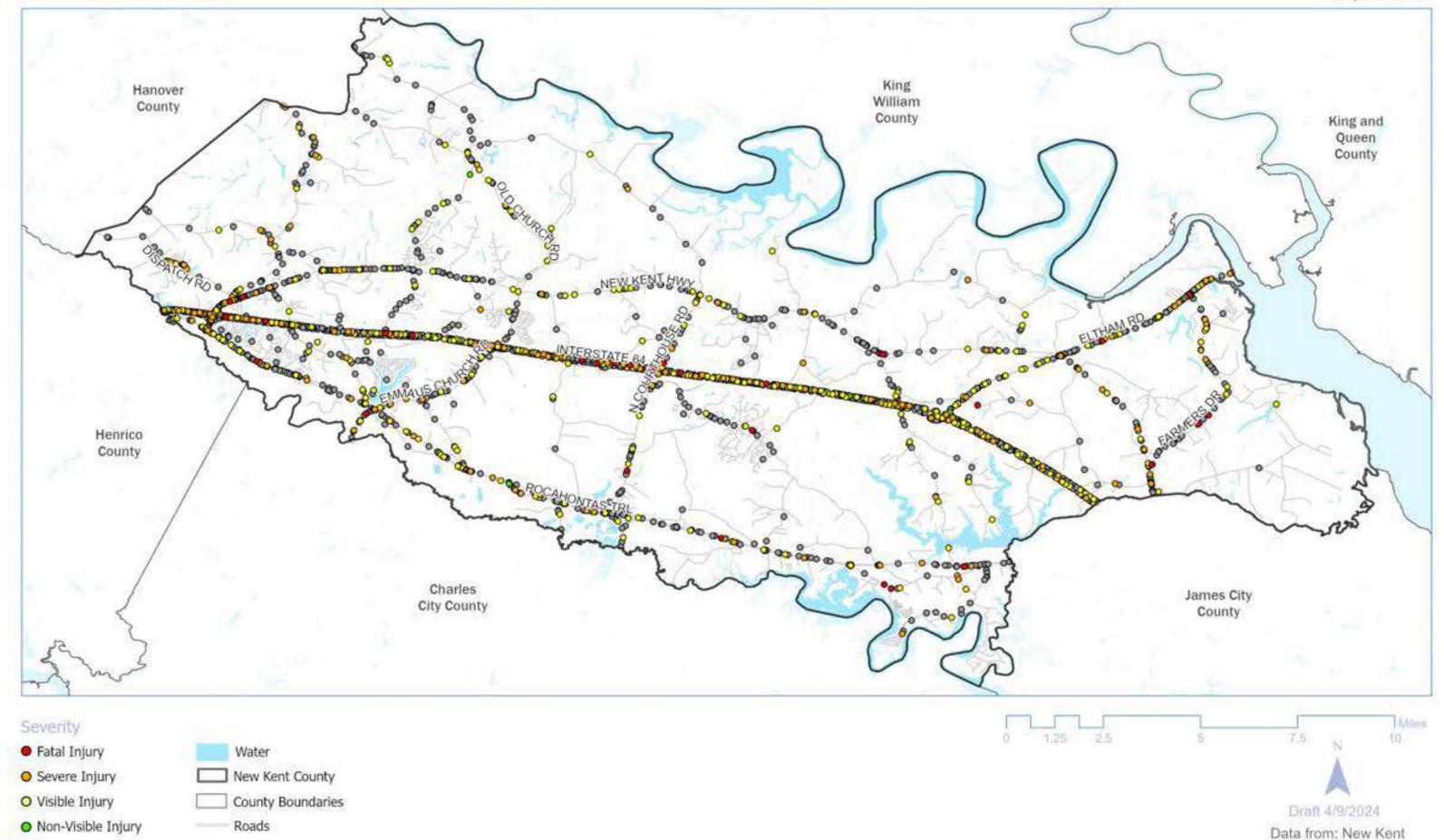


O Property Damage Only

## Crash Severity (2018-2023)



County

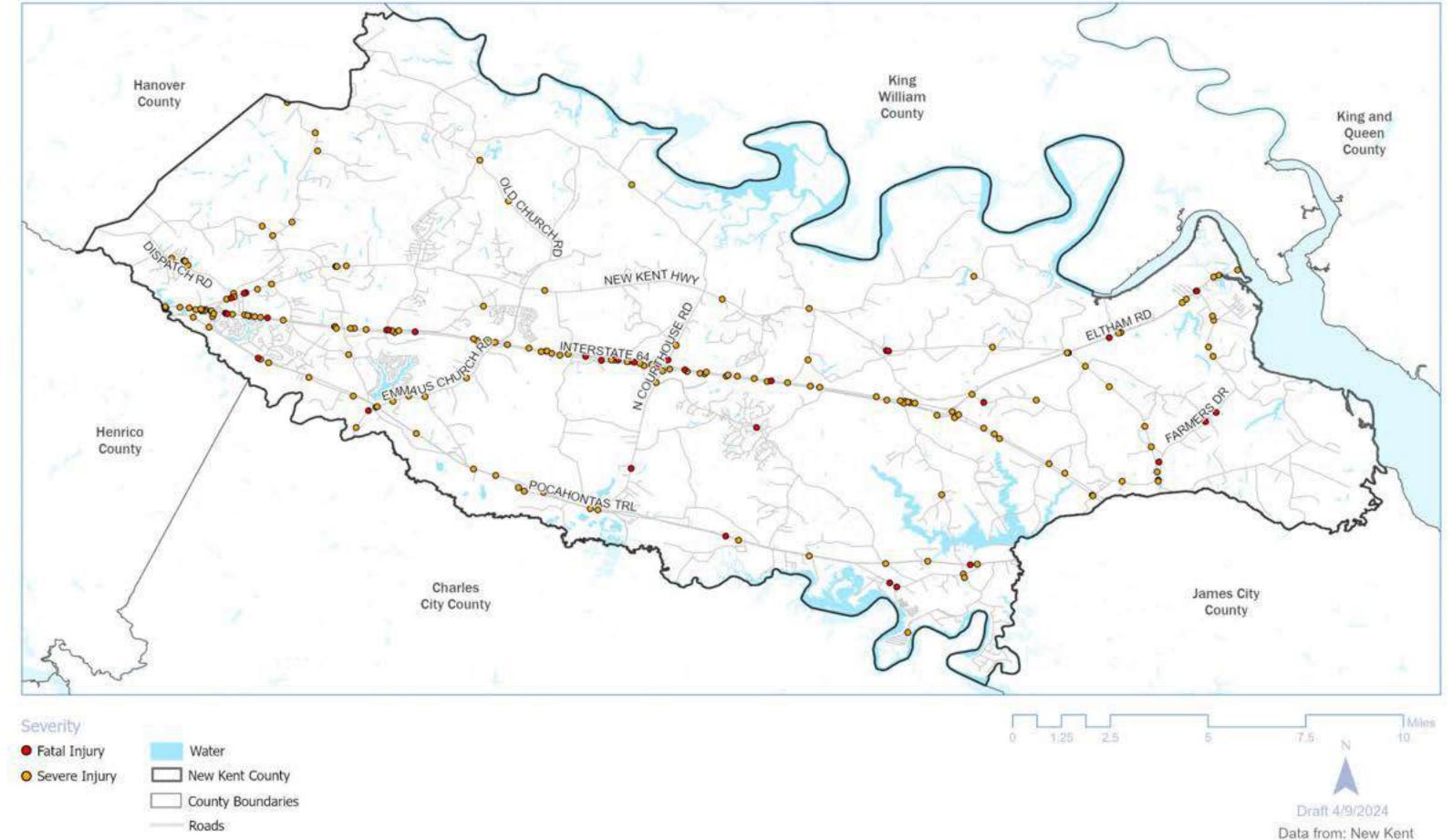


257

## Fatal and Severe Injury Crashes (2018-2023)

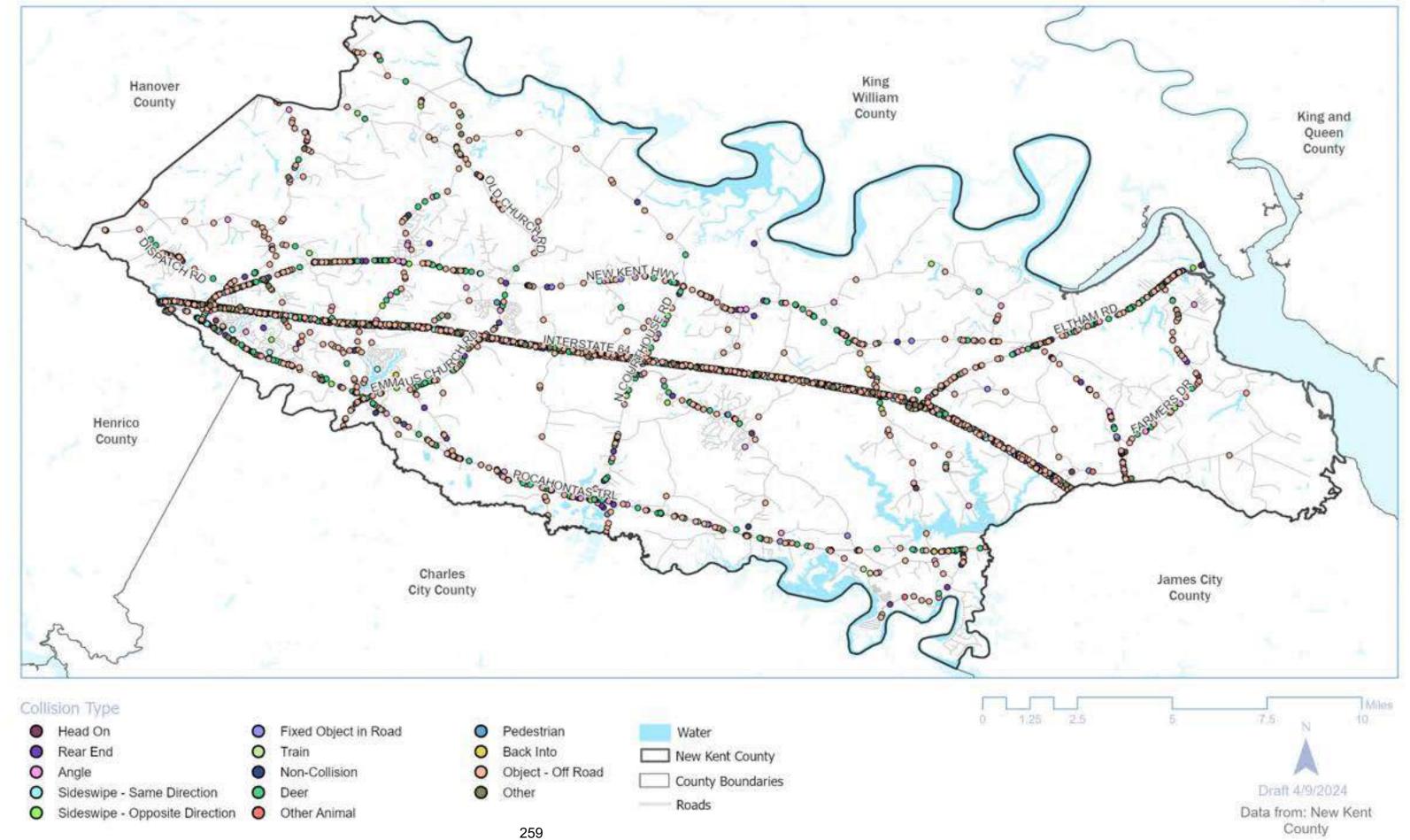


County



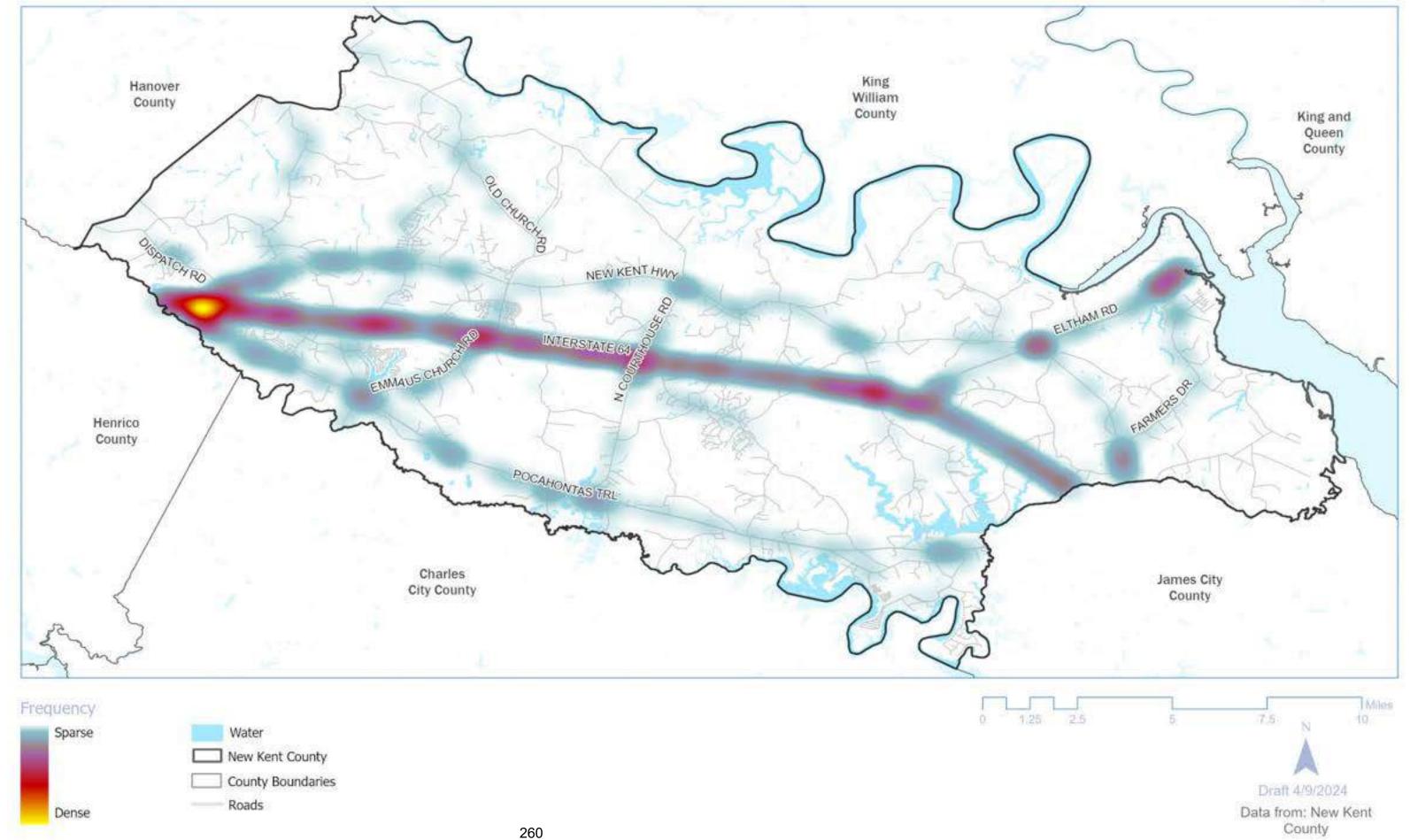
## Collision Type (2018-2023)





## Crash Frequency (2018-2023)



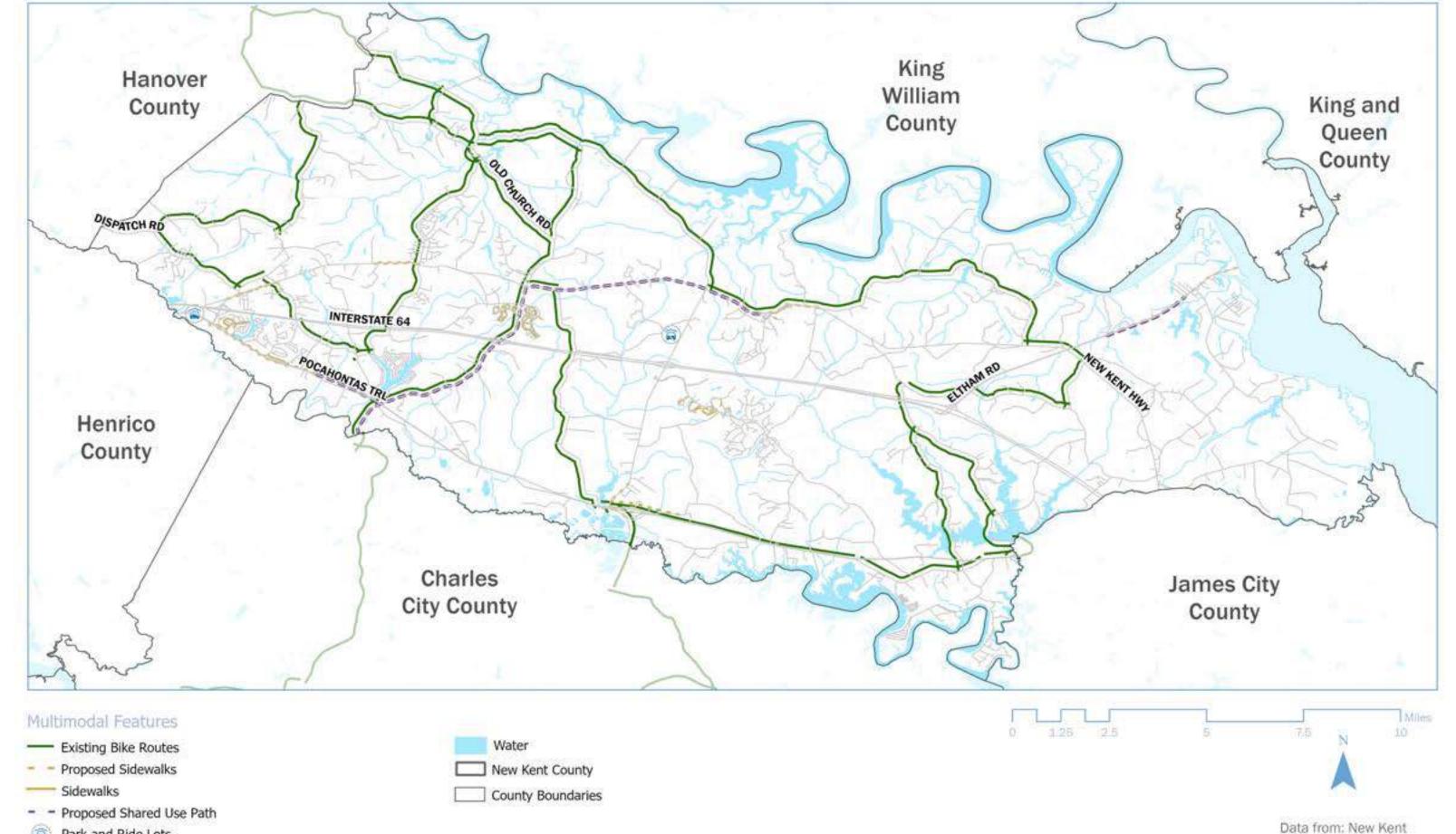


Park and Ride Lots

## **Multimodal Transportation**

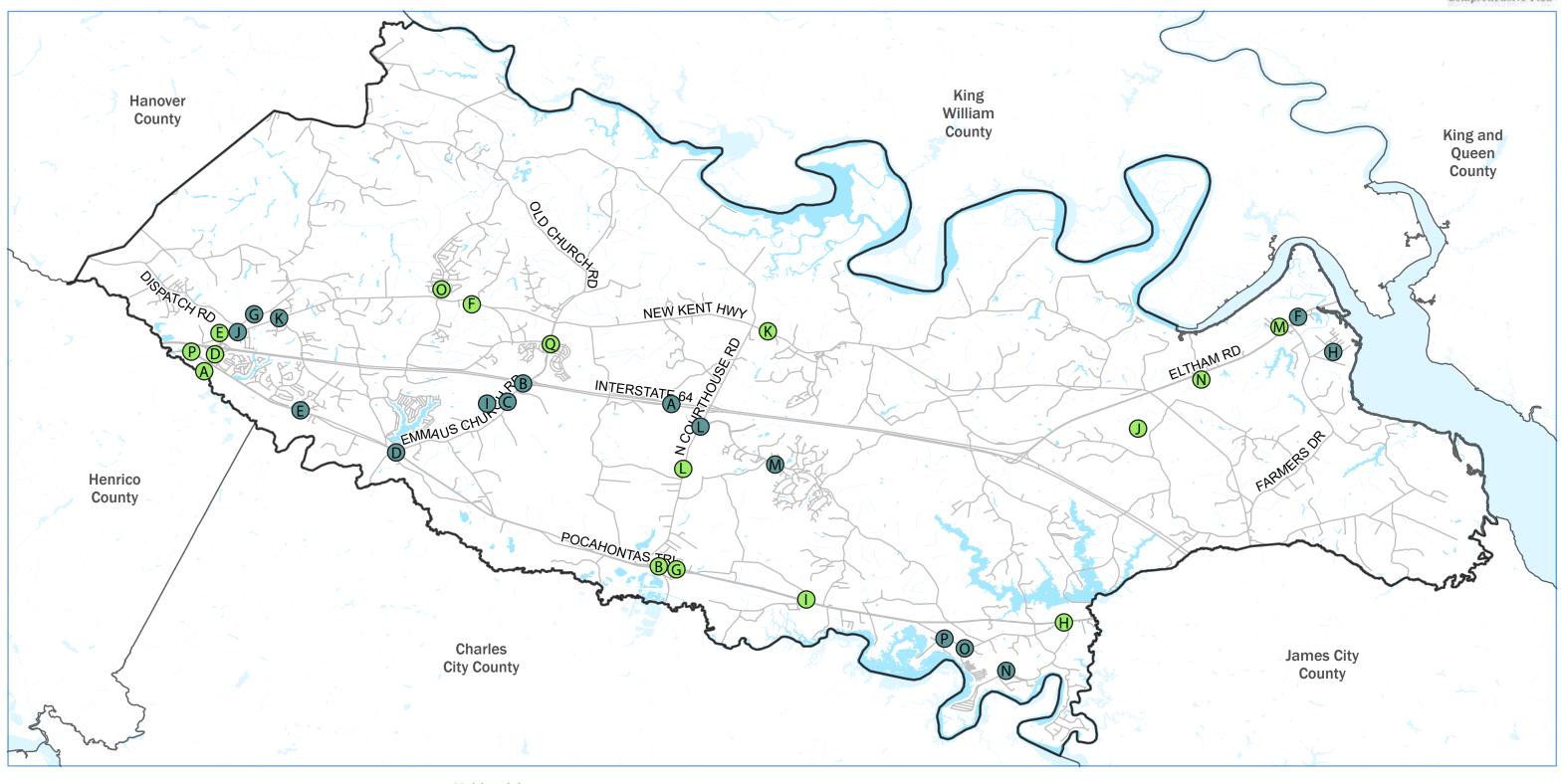


County



## **Transportation Projects**





### **Roadway Recommendations**

- Interstate 64 Widening Exit 211 Interchange
- Improvements (Bucc-ees) Widen 106 (2 lanes to 4)
- Traffic Signal
- Route 60 R-Cuts
- 33 Roundabout at 273 or road diet
- South Quaker Road Widening
- Old Ferry Road Plum Point
- Business Park Road Extension to Fisher Tract
- Roundabout

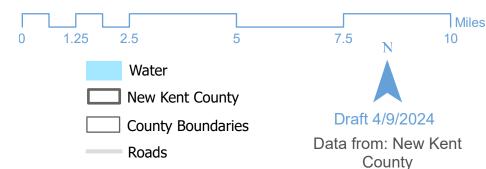
- K. Intersection Improvements -Signal or Roundabout
- Intersection Improvements -Permanent Roundabout
- Intersection Improvements -Roundabout
- Mitigate Flooding Issues
- CSX Crossing Improvements at Rockahock Campground
- CSX Crossing Improvements at Ed Allen's Campground

### Multimodal

#### Recommendations

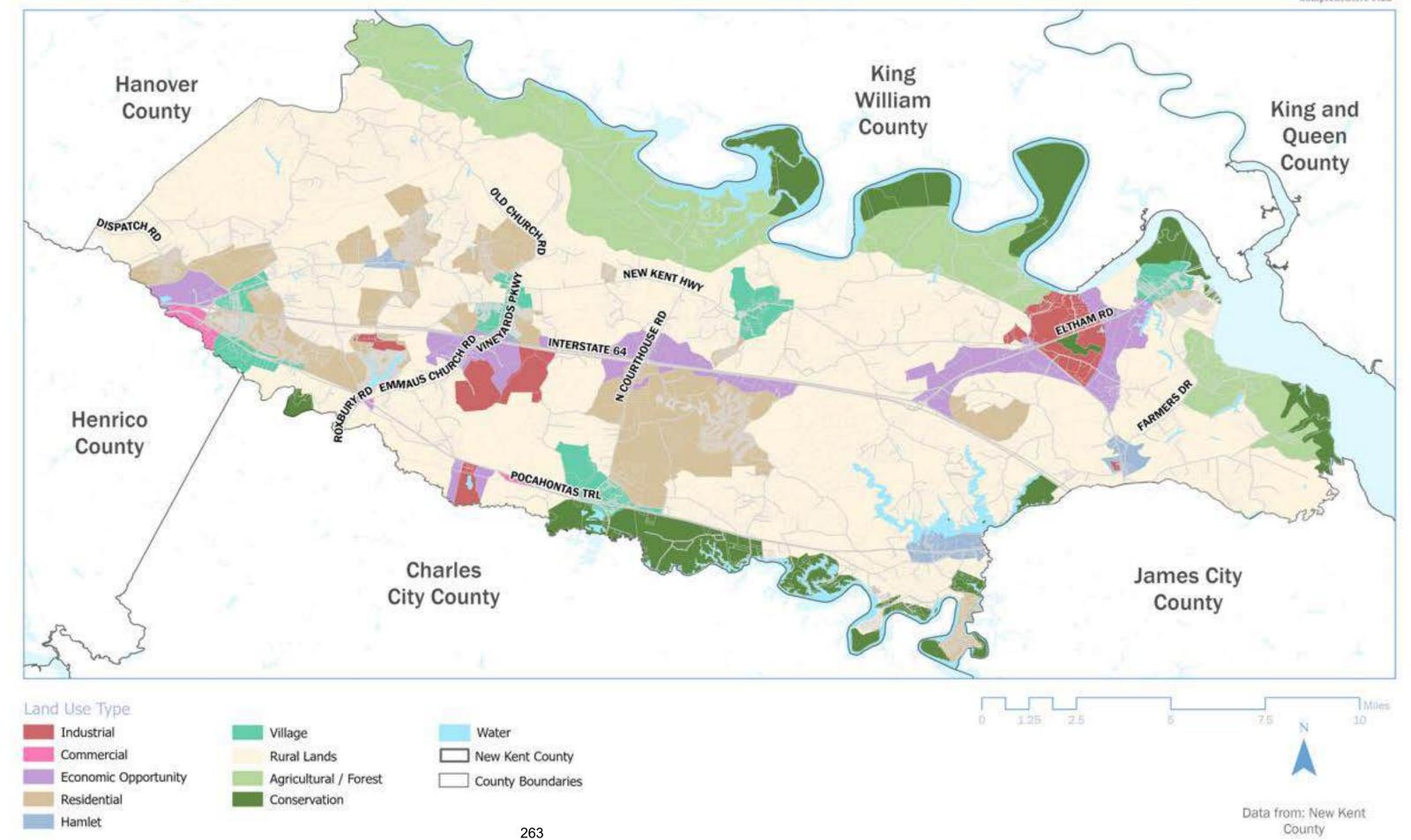
- A. 60 at 33 Intersection Pedestrian Improvements
- Sidewalks/Streetscape Improvements in Providence Forge
- Sidewalk on North Side of Route 60
- Sidewalk on Both Sides of Route 33
- Sidewalk on Both Sides Route 249
- Sidewalk on Route 249
- Sidewalk on North Side of Route 60
- Sidewalk on Both Sides of Route 60 Shared Use Path
- Shared Use Path

- Shared Use Path
- Shared Use Path
- Sidewalk on Route 33 in Eltham
- Shared Use Path on Route 33 to Wahrani Nature Trails
- Tunstall Round Sidewalk Project
- Park & Ride Expansion
- Shared Use Path



## **Future Land Use**





## **APPENDIX B: FUTURE LAND USE MATRIX**

The Future Land Use Matrix, found on the next page, provides a framework for guiding development in New Kent County by outlining the intended use, density, infrastructure needs, and zoning categories for different land use designations. Corresponding with the Future Land Use Map, this matrix helps shape zoning decisions, infrastructure planning, and growth management to align with the County's vision for sustainable and balanced development.

	Conservation	Ag/Forestal	Rural Lands	Hamlet	Village	Residential Development	Commercial	Economic Opportunity	Industrial
INTENT		The primary use of Ag/Forestal lands is the production of food and grain crops, livestock, and timber, in keeping with New Kent County's traditional rural economy.	Rural areas preserve the traditional rural character of New Kent, combining traditional farming and forestry uses of all scales with low-density rural living.	Compact communities in rural landscapes that are smaller than villages and serve as special cultural and social neighborhoods. A hamlet has a limited number of small commercial and governmental uses. Housing is grouped in a small core around shared park-like features. A hamlet may include a larger planned residential development.	Dense, compact villages with mixed-use business and residential cores to conserve rural lands and preserve the surrounding landscape. A village should be a community social destination with distinctive architectural and cultural features.	Residential developments should provide a range of housing types, along with character and design that contribute positively to their surroundings. They should be carefully planned to minimize impacts on historic and environmental features. To preserve the special rural character of the County, residential development should be dense, and located in designated growth areas.	Commercial areas provide important shopping, services, lodging, and entertainment for both residents of the County and for travelers, while providing welcoming entrances and attractive landscaping and buffering that minimizes the impact of large buildings and parking on the character of New Kent.	Mixed use centers of commerce take advantage of locations along major routes to provide a flexible mix of major commercial and residential uses.	Industrial lands represent economic opportunities for attracting and growing important business employers. Industrial development should be planned to incorporate natural features, provide appealing entrance approaches, establish architectural and site development standards, and ensure an appropriate business mix.
USES	Conservation Passive public parks	Agriculture Homes of agricultural producers Forestry Conservation Passive public parks	Agriculture Forestry Agritourism Large-lot residential Small conservation subdivisions Conservation Passive or active public parks/ recreation	Mixed-use Small retail and service uses Small offices Single-family detached residential Townhome residential Multi-family residential Small public uses; fire station, branch library, etc.	Mixed-use, including vertical mixed-use Government and public uses Retail and service uses Offices Single-family detached residential Townhome residential Multi-family residential	Single-family detached residential Townhome residential Multi-family residential Small commercial uses serving neighborhood residents	Destination retail and service uses Civic and entertainment uses Offices Research and development Government and public uses	Destination retail and service uses Warehousing and Light industrial Offices Research and development Multi-family residential as a secondary use	Manufacturing Light industries Offices Warehousing and distribution Research and development
DENSITY	No development	Lowest density	Lowest density	Low to moderate density depending on the provision of utilities	Highest density	Low to moderate density depending on the provision of utilities	Moderate to high density	Moderate to high density	Low density
BUILDING CHARACTER	None	Homes of farm producers and necessary agricultural buildings, located to avoid environmental resources	Farm buildings Residences Agritourism structures Recreational structures	Compact development where public utilities are in place Where public utilities are not in place, density as septic allows Small buildings, cottages Grouped patterns around attractive, shared spaces Simple architecture Historic or cultural features	Dense, compact form Variety of building types Complementary architecture Historical buildings featured	Residential homes and buildings Public buildings Small neighborhood commercial (essential services, grocery, day care)	Attractive architecture & features Buildings set back with green frontages	Attractive architecture & features Buildings set back with green frontages	Medium to large industrial structures Corporate business forms Buildings sited in landscape Buildings setback with green frontage Architectural building standards
OPEN SPACE/ PUBLIC SPACE	Natural preserves Passive parks Common water access where possible	Passive parks Natural preserves Common water access where possible Large private farm and forest parcels without public access	Passive parks Active parks/recreation designed and buffered to protect viewsheds and rural character Natural preserves Heritage farms and historic properties Common water access where possible Open space buffers between development and scenic rural roads	Landscaped entry corridors Reflects community character and identity Comfortable pedestrian setting Small parks integrated into development	Organized sense of place & identity Scenic vistas and common spaces Landscaping of street and building frontages, green spaces, trees Architectural lighting, coordinated signage Parking carefully placed	Natural environmental and recreational features used as amenities Landscaped streets, gateways and spaces Coordinated signage and lighting Public infrastructure, as appropriate Interconnectivity to other areas of open space, parks, greenways, and recreational amenities.	Landscaped boulevard corridors Parking landscaped and carefully placed to side or rear Common green spaces Coordinated, low to ground signage Attractive lighting Park-like amenities	Street and entrance landscaping Natural environmental features preserved and used as amenities Buffering from roads and adjacent uses Parking landscaped and carefully placed to side or rear	Landscaped entrance parkway Natural environmental and recreational features used as amenities Street trees and landscaping Parking landscaped and placed away from street views Coordinated signage and lighting
CONNECTIVITY	Scenic byways	Scenic byways	Scenic byways	Circulation should be oriented to safe pedestrian activity. Grid pattern of streets	Circulation should be oriented to safe pedestrian activity. Grid pattern of streets	Connected street and pedestrian networks Wayfinding directional signage Safe pedestrian and vehicular circulation	Direct access to interstate or other major highways Vehicle access management Grid pattern of streets Landscaped buffers along major routes to protect scenic views	Direct access to interstate or other major highways Vehicle access management Grid pattern of streets Landscaped buffers along major routes to protect scenic views	Direct access to interstate or other major highways Vehicle access management Landscaped buffers along major routes to protect scenic views
MULTIMODAL	Trails Scenic bike routes	Trails Scenic bike routes"	Trails Scenic bike routes	Walk-to commercial buildings Connected to everything: sidewalks, trails, wayfinding signage	Walk-to commercial buildings Connected to everything: sidewalks, trails, wayfinding signage	Complete streets with sidewalks and/or bicycle facilities, crosswalks, etc. Connected to everything: sidewalks, trails, wayfinding signage	Complete streets with sidewalks and/or bicycle facilities, crosswalks, etc. Compatible with public transit	Complete streets with sidewalks and/or bicycle facilities, crosswalks, etc. Compatible with public transit	Trails connecting preserved natural areas Public transit access to major employment
UTILITIES/ INFRASTRUCTURE	No public utilities	No public utilities	No public utilities	May be served by public utilities	Served by public utilities	May be served by public utilities	Served by public utilities	Served by public utilities	Served by public utilities
POTENTIAL ZONING CATEGORIES	Conservation C-1	Conservation C-1 Agricultural A-1	Agricultural A-1 2	Single-Family Residential R-O, R-OA, R-1, R-1A General Residential R-2, R-2A Multiple Family Residential R-3 Business Planned Unit Development	Single-Family Residential R-O, R-OA, R-1, R-1A General Residential R-2, R-2A Multiple Family Residential R-3 Business Economic Opportunity Planned Unit Development	Single-Family Residential R-O, R-OA, R-1, R-1A General Residential R-2, R-2A Multiple Family Residential R-3 Business Planned Unit Development	Business Economic Opportunity Planned Unit Development	Business Economic Opportunity Multiple Family Residential R-3 Planned Unit Development	Industrial Business Economic Opportunity Planned Unit Development

## **APPENDIX C: PROPOSED TRANSPORTATION PROJECTS**

Roadway Recommendations	Location	Vtrans Need(s) Met	Development Area?
Interstate 64 Widening (ongoing)	Countywide	Congestion Mitigation, Transportation Demand Management, Safety Improvement	Yes
Exit 211 Interchange Improvements (Buc-ee's) - Diverging Diamond Interchange	I-64 at Rt. 106	Transportation Demand Management	Yes
Route 106 Widening (2 lanes to 4)	Existing Roundabout, north of I-64 to Parish Rd.	Transportation Demand Management	Yes
Traffic Signal (Right Turn Lanes)	Route 60 Emmaus Church Rd.	-	
Route 60 Median and Crossover Improvements	Various Locations	Capacity Preservation, Transportation Demand Management	Yes
Route 33 Traffic Calming Roundabout or Road Diet	Route 33 at Route 273	Transportation Demand Management, Safety Improvement	Yes
South Quaker Road Widening	Dispatch Rd. to Henpeck Rd.	-	Yes
Old Ferry Road Improvements to VDOT Standards	Old Ferry Road; Plum Point	-	Yes
Business Park Road Extension to Fisher Tract	Route 106 to Fisher Tract	-	Yes
Roundabout	Dispatch Rd at New Kent Highway	-	Yes
Intersection Improvements - Signal or Roundabout	Henpeck Rd at New Kent Highway	Transportation Demand Management, Safety Improvement	Yes
Intersection improvements - Permanent Roundabout	Courthouse Road at Kentland Trail	-	Yes
Intersection Improvements - Roundabout	Kentland Trail at Colonial Parkway	-	Yes
CSX Crossing Improvements at Rockahock Campground	Rail Crossing on Outpost Road.	-	
CSX Crossing Improvements at Ed Allen's Campground	Rail Crossing on Allen Road.	-	

**Table 22: Roadway Recommendations** 

Multimodal Recommendations	Location	Vtrans Need(s) Met	Development Area?
60 at 33 Intersection Pedestrian improvements		Safety Improvement, Pedestrian Access	Yes
Sidewalks/Streetscape Improvements in Providence Forge	Route 155 (starting at Family Dollar) and Route 60 (from traffic light to new Walgreens building)	Safety Improvement, Pedestrian Access	Yes
Sidewalk; north side of 60	Henrico line to east of Magnolia Woods Ln.	Safety Improvement, Pedestrian Access	Yes
Sidewalk; Rt. 33; both sides	U.S. 60 to I-64	Safety Improvement, Pedestrian Access	Yes
Sidewalk; Rt. 249; both sides	I-64 to Dispatch Rd.	Safety Improvement, Pedestrian Access	Yes
Sidewalk; Rt. 249	Airport Rd. to Quinton Elem.	Safety Improvement, Pedestrian Access	Yes
Sidewalk; north side of Rt. 60	Boulevard Rd. to Carriage Rd. (Prov. Forge)	Safety Improvement, Pedestrian Access	Yes
Sidewalk; both sides of Rt. 60	East of Waterside Dr. to James City line (Lanexa)	Safety Improvement, Pedestrian Access	Yes
Shared Use Path	Providence Forge to Lanexa	-	
Shared Use Path	Eltham to Lanexa	-	
Shared Use Path	New Kent Courthouse to Route 155 (connect to Capital Trail)	-	
Shared Use Path	Rt. 249 to Charles City County line (and on to Capital Trail)	-	
Sidewalks in Eltham	Along Rt. 33 from Farmers Drive to Eltham Bridge	-	Yes
Shared Use Path; south side of Rt. 33	Wahrani Nature Trails to Farmers Dr.	-	Yes
Sidewalk	Rt. 249 to Mako Rd.	Safety Improvement, Pedestrian Access	Yes
Park and Ride Expansion	Bottoms Bridge Park and Ride	-	Yes
Shared Use Path	Rt. 106 between 249 and Rt. 60	-	

**Table 23: Multimodal Recommendations** 

## **APPENDIX D: VDOT SYIP PROJECTS**

UPC	Description	Estimate	Planned Completion Date
122805	#SMART24 - I-64 GAP WIDENING - SEGMENT A	\$243,797,200	Summer 2027
123831	#SMART24 - I-64 GAP WIDENING - SEGMENT B	\$272,609,100	Summer 2029
115877	FY 25 New Kent County Rural Rustic Road Projects - Various	\$190,000	Winter 2025
121542	#SGR23VB - RTE 106 EMMAUS CH RD (FED ID 12704) SR	\$19,381,849	Spring 2027
120444	#I64CIP - I-64 - BOTTOM'S BRIDGE-EXPAND P&R	\$3,425,982	Spring 2026
126152	I-64-D EXIT 211 EV CHARGING STATION INSTALLATION	\$1,162,971	Summer 2027
113371	REPLACE SUPERSTRUCTURE RTE 60	\$5,479,043	Winter 2029
113387	#SGR19VB - RT 33 over I64 - Super Repl - FED ID 12630	\$22,018,980	Winter 2031
125312	ROUTE 155 ROUNDABOUT	\$3,411,571	Fall 2028

**Table 24: VDOT Six Year Improvement Program Projects** 

## PLANNING COMMISSION COUNTY OF NEW KENT VIRGINIA

#### PC-06-25

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 21<sup>st</sup> day of April 2025:

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

Motion was made by Rev. Hathaway, which carried 8:0:3, to adopt the following resolution:

## A RESOLUTION TO RECOMMEND ADOPTION OF THE NEW KENT COUNTY 2045 COMPREHENSIVE PLAN.

WHEREAS, the Code of Virginia requires the preparation and adoption of a comprehensive plan by all localities in the Commonwealth; and

WHEREAS, Section 15.2-2230 of the Code of Virginia requires that a County's Comprehensive Plan be reviewed by the local planning commission at least once every five years to determine whether it is advisable to amend the plan; and

WHEREAS, the New Kent County Comprehensive Plan was last adopted by the New Kent County Board of Supervisors on the 9th day of October 2012; and

WHEREAS, it was determined by the Board of Supervisors at their regular meeting on October 12, 2021, that the New Kent County Comprehensive Plan should be reviewed and updated; and

WHEREAS, this Comprehensive Plan review process has been ongoing since 2022 and has incorporated three public information workshops/sessions in Fall 2022, Summer 2023, and Fall 2024; and

WHEREAS, a series of professional studies and work sessions involving the New Kent County Planning Commission, several consultants, and the County staff resulted in the drafting of the proposed plan entitled "New Kent County 2045 Comprehensive Plan"; and

WHEREAS, the first draft entitled ""New Kent County 2045 Comprehensive Plan" was submitted to the Planning Commission and the Board of Supervisors in March 2025 and

WHEREAS, the New Kent County Planning Commission and Board of Supervisor held a joint work session on March 26, 2025 to discuss public comments and the draft update; and

WHEREAS, the New Kent County 2045 Comprehensive Plan update was advertised for public hearing in full accord with applicable provisions of the Code of Virginia; and

THEREFORE, BE IT RESOLVED that on this, the 21st day of April 2025, by the New Kent County Planning Commission, that the New Kent County 2045 Comprehensive Plan be forwarded to the New Kent County Board of Supervisors with a recommendation of approval.

Attested:

Joseph Davis

Chair, New Kent County Planning Commission

## BOARD OF SUPERVISORS COUNTY OF NEW KENT VIRGINIA

### O-02-25

At a 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 9<sup>th</sup> day of June 2025:

Voto

Procont.

<u>110</u>	SCIII.	VOIC.				
Am	ny M. Pearson					
Ron	Ronald P. Stiers					
Joro	Jordan T. Stewart					
Joh	John P. Moyer					
Tho	omas W. Evelyn					
Motion was made by following ordinance:	y, which carried	, to adopt the				

## AN ORDINANCE TO ADOPT THE NEW KENT COUNTY 2045 COMPREHENSIVE PLAN.

**WHEREAS**, the Code of Virginia requires the preparation and adoption of a comprehensive plan by all localities in the Commonwealth; and

**WHEREAS**, Section 15.2-2230 of the Code of Virginia requires that a County's Comprehensive Plan be reviewed by the local planning commission at least once every five years to determine whether it is advisable to amend the plan; and

**WHEREAS**, the New Kent County Comprehensive Plan was last adopted by the New Kent County Board of Supervisors on the 9th day of October 2012; and

**WHEREAS**, it was determined by the Board of Supervisors at their regular meeting on October 12, 2021, that the New Kent County Comprehensive Plan should be reviewed and updated; and

**WHEREAS**, the Board of Supervisors subsequently appointed a Comprehensive Plan Steering Committee to help guide the Comprehensive Plan process; and

WHEREAS, this Comprehensive Plan review process has been ongoing since 2022 and has incorporated three public information workshop sessions in Fall 2022, Summer 2023, and Fall 2024 to gather resident feedback intended to inform the plan development; and

**WHEREAS**, a series of professional studies and work sessions involving the New Kent County Planning Commission, consultants, and the County staff resulted in the drafting of the proposed plan entitled "New Kent County 2045 Comprehensive Plan"; and

**WHEREAS**, the first draft entitled "New Kent County 2045 Comprehensive Plan" was submitted to the Planning Commission and the Board of Supervisors in March 2025; and

**WHEREAS**, the New Kent County Planning Commission and Board of Supervisor held a joint work session on March 26, 2025 to discuss public comments and the draft update; and

**WHEREAS**, the New Kent County Planning Commission held a duly advertised public hearing on April 21, 2025 to consider the draft update; and

WHEREAS, following this public hearing the Planning Commission recommended adoption of the draft Comprehensive Plan to the New Kent County Board of Supervisors, with minor revisions, on a vote of 8:0:3; and

**WHEREAS**, the New Kent County 2045 Comprehensive Plan update was advertised for public hearing in full accord with applicable provisions of the Code of Virginia; and

**NOW THEREFORE BE IT ORDAINED** that on this, the 9th day of June 2025, by the New Kent County Board of Supervisors, that the New Kent County 2045 Comprehensive Plan (dated and amended May 21, 2025) is hereby adopted.

**BE IT FURTHER ORDAINED** by the Board of Supervisors that the New Kent County Planning Commission, New Kent County Comprehensive Plan Steering Committee, consultants from EPR, P.C., and New Kent County staff be, and they hereby are, commended for their service to the citizens of New Kent County in preparing this Comprehensive Plan update.

**BE IT FURTHER ORDAINED** by the Board of Supervisors that those citizens of the County who participated during the public review process be, and they

hereby are, commended for their efforts and dedication to the future of New Kent County.

**BE IT FURTHER ORDAINED** that the Comprehensive Plan herein amended and adopted shall become immediately effective.

Adopted this 9th day of June, 2025.	
Rodney A. Hathaway	Thomas W. Evelyn
County Administrator	Chairman

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: 6/9/2025 PUBLIC HEARINGS

Motion: "Mr. Chairman, I move to (not required for Consent Agenda items)		Ordinance O-03-25				
Subject		PUBLIC HEARING - The Board of Supervisors will consider proposed changes to New Kent County Code regulations governing Accessory Structures (Sections 98-2 and 98-10) and Board of Zoning Appeals processes (Sections 98-1022, 98-1023, 98-1024, 98-1025, 98-1026, 98-1027, and 98-1028), Ordinance O-03-25 - Zoning Administrator Angela Leflett				
Issue		The Board of Supervisors will review and make recommendations on proposed changes to New Kent County Code regulations governing Accessory Structures (Sections 98-2 and 98-10) and Board of Zoning Appeals processes (Sections 98-1022, 98-1023, 98-1024, 98-1025, 98-1026, 98-1027, and 98-1028)				
Recommendation		The Planning Commission considered this application at their meeting on May 19, 2025 and voted 10:0:1 to forward a favorable recommendation to the Board of Supervisors.				
Fiscal Implications		NA				
Policy Implications		NA				
Legislative History		NA				
Discussion		The Board of Supervisors will consider proposed changes to New Kent County Code regulations governing Accessory Structures (Sections 98-2 and 98-10) and Board of Zoning Appeals processes (Sections 98-1022, 98-1023, 98-1024, 98-1025, 98-1026, 98-1027, and 98-1028).				
Time Needed:	15 n	minutes	Person Appearing:	Zoning Administrator, Angela Leflett		
Request prepared by:	Angela Leflett		Telephone:	804-966-9689		
Copy provided to:						

## **ATTACHMENTS:**

Description Type

BOS Memorandum (Accessory Structures)

BOS Memorandum (BZA Processes)

Cover Memo

PC Resolution PC-07-25

BOS Ordinance O-03-25

Cover Memo

Backup Material

Backup Material

## **REVIEWERS:**

Department	Reviewer	Action	Date
Planning & Zoning	Airaghi, Josh	Approved	5/30/2025 - 12:36 PM
Administration	Hathaway, Rodney	Approved	5/30/2025 - 3:37 PM
Attorney	Hathaway, Rodney	Approved	6/3/2025 - 12:21 PM



#### **MEMORANDUM**

**DATE:** June 9, 2025

**TO:** New Kent County Board of Supervisors

**SUBJECT:** Consideration of Proposed Amendments to the New Kent County Accessory

**Buildings and Uses Ordinance** 

#### **Request:**

Consider proposed amendments to the New Kent County Accessory Buildings and Uses Ordinance (Chapter 98, Article I) to add a definition for accessory dwelling units, amend the current definition of accessory building to call out examples of accessory buildings, amend the maximum allowance for accessory buildings in the residential and A-1 zoning districts, and codify longstanding zoning interpretations.

## **Public Hearings:**

Planning Commission: May 19, 2025 at 6:30 p.m., County Boardroom

Board of Supervisors: June 9, 2025 at 6:00 p.m., County Boardroom

### **Background:**

The current zoning ordinance limits accessory structures in the A-1 zoning district to a total of 3,000 square feet. While the ordinance does not read that the 3,000 square feet accounts for the total square footage of all accessory structures on a lot, it has been interpreted over the years to mean that the 3,000 square foot limit is for the overall total.

Staff has recognized that the 3,000 square foot maximum allowance for accessory structures located on lots zoned A-1 is not reasonable, as most of the A-1 lots in New Kent County are quite large. Once you factor in barns, sheds, and detached garages, the numbers add up quickly to meet or exceed 3,000 square feet. Additionally, the definition of accessory building is updated to include examples of different types of accessory structures, in an effort to be

clear to our residents what types of buildings would apply to the square footage limit. A new definition of accessory dwelling unit has been added, and finally minor updates and clarification throughout Section 98-10 have been added.

#### **Proposed Amendments:**

### ARTICLE I. IN GENERAL

### Sec. 98-2. Definitions and rules of construction.

•••

Accessory building or structure means a subordinate structure which is clearly incidental to or customarily found in connection with and (except as otherwise provided in this chapter) located on the same lot as the main building or principal use of land. (See <a href="section 98-10">section 98-10</a>.) Such structures include but are not limited to carports, garages, sheds, pool houses, barns, pole barns, workshops, gazebos, and lean-tos.

Accessory dwelling unit is a secondary living unit to a single-family detached dwelling that has a separate kitchen, bathroom, and sleeping area, existing either within the same structure, or in a detached structure on the same lot as the primary dwelling unit.

...

## Sec. 98-10. Accessory buildings and uses.

- (a) Accessory buildings or uses as defined by this chapter are only permitted on:
  - (1) Lots with existing permitted principal buildings.
  - (2) Lots on which a building permit for a permitted principal building has been issued.
  - (3) Lots adjacent to a lot with the principal building when both lots are owned by the same person.

This prohibition shall does not apply to accessory buildings such as barns, sheds, etc., constructed in conjunction with a bona fide farming operation and normally associated with farming uses. No accessory building on a farm or otherwise shall is to be used for dwelling purposes unless specifically allowed elsewhere in this chapter. Accessory uses require a zoning permit. Unless otherwise specifically provided, no accessory building or structure shall will be permitted in the front yard area of a permitted use in any zone designated with an R classification.

- (b) Subject to the conditions of subsection (a) of this section, accessory uses and structures are permitted in any zoning district unless specifically prohibited elsewhere in this chapter.
- (c) The following accessory uses or structures shall will be permitted in conjunction with a residence:
- (1) Antenna structures for radio, television and other noncommercial communication purposes.

- (2) In the A-1, agricultural districts, radio, television, or communication stations and/or towers which exceed 50 feet in height shall will be permitted as an accessory use, with a conditional use permit.
- (3) On properties in a residential zoning district, accessory buildings as defined in the ordinance that are customarily associated with residential living, provided the cumulative total of all detached accessory structures does may not exceed 50 60 percent of the total floor area of the primary structure. In the agricultural, A-1 district, such structures may total 3,000 square feet up to 5 percent of the lot area beyond the front setback line, but may not exceed a cumulative total of 10,000 square feet, whichever is less. The total square footage includes, but is not limited to, roofed structures such as attached or detached gazebos, porches, and lean-tos on accessory buildings.
- (a) Buildings or structures accessory to farm use, as defined in the Code of Virginia § 36-97, as amended, are here by exempt from the provisions listed above in Section 98-10(c)(3). A farm is defined in the Code of Virginia § 3.2-6400, as amended, as one or more areas of land used for the production, cultivation, growing, harvesting, or processing of agricultural products. Such activities can be supported or evidenced through, active business licenses, farming registrations, AFD designation, and other similar documentation staff finds sufficiently confirms a farm use is being operated.
- (4) Children's playhouses limited to 120 square feet in floor area and without plumbing.
- (5) Doghouses, pens or other similar structures for the housing of household pets.
- (6) Home occupations in accordance with <u>section 98-16</u>. Any detached accessory structure containing a home occupation must be constructed for human habitation or occupancy in accordance with the residential building code.
- (7) Parking or storage of small cargo or utility trailers, recreational vehicles and similar equipment including, but not limited to, boats, boat trailers, motor homes, tent trailers and horse vans, provided that such equipment shall cannot be used for living, housekeeping or business purposes when parked or stored on the lot, and that wheels or transporting devices shall must not be removed except for necessary repairs.
- (8) Outdoor recreational facilities such as swimming pools, tennis courts, basketball courts, private boat docks, piers or boathouses, provided that use of such facilities shall must be limited to occupants of the premises and guests for whom no admission or membership fees are charged. Such outdoor recreational facilities do not count towards the total square footage allowance as referenced in Section 98-10(c)(3).
- (9) Fences or walls which are neither electrified nor constructed of barbwire, which do not block site triangle easements at intersections and which are no higher than four feet in the front yard and six feet in the side and rear yards.
- (10) Roadside stands when located in the A-1 district, provided that such stands shall must be limited to the sale of produce grown or raised on the premises and shall must provide off-

street parking for not less than three vehicles.

- (11) Other uses and structures of a similar nature which are customarily associated with and incidental to residential uses and do not constitute or create the potential for nuisance situations which will adversely affect the health, safety and general welfare of adjoining or nearby residents.
- (12) In-ground or partially in-ground outdoor swimming pools shall are required to meet the minimum yard setback distances for principal buildings for each particular zoning district as specified in this chapter but may be located in either front, side or rear yards. In-ground swimming pools shall must be located no closer than 15 feet to any rear lot line. A minimum distance from the nearest portion of the principal building to the closest portion of the swimming pool structure shall not be less than ten feet. All in-ground swimming pools shall must be surrounded by a suitable fence with a self-latching gate at least four feet but no more than six feet in height.
- (13) Guesthouses as an accessory use to a residence in agricultural zones only.
- (14) Accessory single-family residential units (detached dwellings or apartments) under the following conditions:
  - a. There shall will not be more than one accessory residential unit in conjunction with a single-family detached dwelling.
  - b. All occupants of the accessory residential unit shall-must be related by blood, marriage, or adoption.
  - c. The external appearance of the principal dwelling shall cannot be altered, and there shall be no-signage is prohibited, additional mailbox or any other externally visible indication that an accessory residential unit exists.
  - d. Accessory residential units may be located either in the single-family dwelling or in an existing detached structure accessory thereto provided that all building code requirements are met.
  - e. Except as may be approved by the board of supervisors Board of Zoning Appeals for good cause shown, accessory residential units shall must in no case contain in excess of 25 percent of the total floor area of the single-family dwelling to which it is accessory or 450 square feet, whichever is greater.
  - f. Except as approved by the board of supervisors Board of Zoning Appeals, all accessory residential units shall must be designed to provide independent accessibility for residents or guests who may be elderly, handicapped or otherwise challenged in one or more life function. Unless otherwise required by law this shall does not require installation of grab bars and special plumbing fixtures, however pipes and appropriate anchor points allowing subsequent installation shall will be required.
  - g. Provisions shall must be made for off-street parking of motor vehicles that are adequate

and compatible with the character of the single-family dwelling and adjacent properties.

- h. Approval of an accessory residential unit shall will be contingent upon prior certification by the health department that any on-site water supply and sewage treatment facilities are adequate to serve the anticipated number of residents.
- i. The accessory residential unit shall must not be visible to or apparent from the street or adjoining residential properties.
- (d) The following accessory uses shall will be permitted in conjunction with commercial and industrial uses:
  - (1) Uses intended specifically for the use and benefit of the employees of the principal use such as snack bars, cafeterias, recreation facilities and similar uses.
  - (2) Other uses and structures of a similar nature which are customarily associated with and incidental to commercial or industrial uses.
  - (3) Residential units in conjunction with a business or commercial use located in an area designated as a village in the comprehensive plan. The residential unit(s) shall must constitute no more than 50 percent of the total floor area of any structure in which located, provided however, that the board of supervisors may authorize a greater percentage through the issuance of a use permit. The zoning administrator shall will determine in writing prior to approval of plans or permits for such accessory residential units that the subject property is within a designated village and providing the reasons for said determination.
  - (4) Residential unit (detached dwelling or apartment) when such use is reasonably and customarily a part of the business operation such as providing living quarters for a proprietor or manager and his family or living quarters for a watchman or custodian of an establishment under the following conditions:
    - a. The residential use shall *must* contain no more than 1,000 square feet, provided however, that the board of supervisors may authorize a greater size through the issuance of a use permit.
    - b. There shall will not be more than one residential unit in conjunction with the commercial or industrial use nor more than one residential unit on any property.
    - c. The residential unit may be located either within the commercial or industrial structure or in an existing detached structure accessory thereto provided that all building code and health code requirements are met.
    - d. Accessory residential units shall-must be designed to provide independent ingress and egress for the occupants.
    - e. Provisions shall must be made for off-street parking of motor vehicles that are adequate and compatible with the character of the zoning district and adjacent properties.

- f. Approval of an accessory residential unit shall will be contingent upon prior certification by the health department that any on-site water supply and sewage treatment facilities are adequate to serve the anticipated number of residents.
- g. The residential unit shall must be occupied only by a current employee of the commercial or industrial facility.
- h. The residential unit shall will not be used as a rental property.
- (e) The following accessory uses shall will be permitted in conjunction with a mobile home park, provided that they are designed and situated for the specific use of the park occupant:
  - (1) Laundromats.
  - (2) Office space for managers.
  - (3) Retail convenience stores, provided that the mobile home park is larger than 25 acres in size.
- (f) The following accessory uses and none other shall will be permitted in conjunction with apartment or condominium developments in the R-3 district:
  - (1) Outdoor recreational facilities such as swimming pools, tennis courts, basketball courts, private boat docks, piers, or boathouses, provided that use of such facilities shall must be limited to occupants of the premises and guests.
  - (2) Laundry and storage areas for use of the occupants of the development.
  - (3) One office to be located within the complex and to be used as facilities for the management of the development.
  - (4) Garages; provided, however, that if garages are provided, they shall must have a floor area of not less than 240 square feet. No garage or accessory building shall will be placed closer to the side or rear property line than 50 feet when abutting a residential or agricultural zoning district; in all other cases this distance may be reduced to 25 feet. Each group of attached garages shall must have a joint capacity of not more than ten vehicles arranged in a row and there shall must be a minimum distance of 12 feet between such structures. The architectural design and materials used in the construction shall must conform to the design and building materials used in the construction of the apartment or condominium buildings. No part of any such garage or other accessory building shall will be used for living purposes.
  - (5) Antenna structures as provided for in the A-1 district regulations.
  - (6) Home occupations under the same conditions as are set forth in subsection (c)(6) of this section.
  - (7) Parking or storage of small cargo or utility trailers, recreational vehicles and similar equipment, provided that special separate parking areas are included for the same.

(8) Fences or walls which are neither electrified nor constructed of barbed wire and which do not block site triangle easements and intersections.

(Code 1999, § 9-45; Ord. No. O-03-03, 3-10-2003; Ord. No. O-14-06(R2), § B, 1-8-2007; Ord. No. O-15-08(R2), 1-12-2009)



#### **MEMORANDUM**

**DATE:** June 9, 2025

**TO:** New Kent County Board of Supervisors

SUBJECT: Consideration of Proposed Amendments to the New Kent County Board of

**Zoning Appeals Ordinance** 

### **Request:**

Consider proposed amendments to the New Kent County Board of Zoning Appeals Ordinance (Chapter 98, Article XXVI) to align the County ordinance with state law.

## **Public Hearings:**

Planning Commission: May 19, 2025 at 6:30 p.m., County Boardroom

Board of Supervisors: June 9, 2025 at 6:00 p.m., County Boardroom

## **Background:**

The current zoning ordinance does not fully align with the Code of Virginia, creating discrepancies between local regulations and state law. This rewrite of the ordinance aims to bring local zoning regulations into full compliance with the requirements outlined in the Code of Virginia, ensuring consistency and legal clarity.

The administrative modification process also lacks clear parameters regarding what qualifies for such modifications. This gap has led to ambiguities in its application, which the rewrite addresses by defining specific criteria and procedures for administrative modifications to enhance transparency and consistency in decision-making.

Furthermore, the Board of Supervisors did not authorize the Board of Zoning Appeals to grant special exceptions. The rewrite eliminates a duplicative process, ensuring that land use decisions are more directly guided by the zoning regulations and approved by the Board of Supervisors.

These comprehensive revisions will align the ordinance with state law, clarify administrative	/e
procedures, and streamline land use approvals to better serve the community.	

#### **Proposed Amendments:**

## ARTICLE I. IN GENERAL

Sec. 98-2. Definitions and rules of construction.

...

Variance means a reasonable deviation from those provisions regulating the size or area of a lotor parcel of land, or the size, area, bulk or location of a building or structure when the strictapplication of this chapter would result in unnecessary or unreasonable hardship to the propertyowner, and such need for a variance would not be shared generally by other properties, andprovided that such variance is not contrary to the intended spirit and purpose of this chapter,
and would result in substantial justice being done. It shall not include a change in use whichchange shall be accomplished by a rezoning or by a conditional zoning. In the application of a
zoning ordinance, a reasonable deviation from those provisions regulating the shape, size, or
area of a lot or parcel of land or the size, height, area, bulk, or location of a building or structure
when the strict application of the ordinance would unreasonably restrict the utilization of the
property, and such need for a variance would not be shared generally by other properties, and
provided such variance is not contrary to the purpose of the ordinance. It shall not include a
change in use, which change shall be accomplished by a rezoning or by a conditional zoning.

•••

### ARTICLE XXVI. BOARD OF ZONING APPEALS

Sec. 98-1022. Powers and duties.

The board of zoning appeals shall will have the following powers and duties:

- (1) To hear and decide appeals from any order, requirement, decision or determination made by an administrative officer in the administration or enforcement of this chapter or of any ordinance adopted pursuant thereto. of Code of Virginia, § 15.2-2280 et seq., or of this chapter. The decision on such appeal shall be based on the board of zoning appeals' judgment of whether the administrative officer was correct. The board of zoning appeals shall consider the purpose and intent of any applicable ordinances, laws, and regulations in making its decision.
- (2) To authorize upon appeal or original application in specific cases such variance as defined in the Code of Virginia § 15.2-2201, as amended, and section 98-2 of the County Code; from the terms of this chapter as will not be contrary to the public interest, when, owing to special conditions a literal enforcement of the provisions will result in unnecessary hardship, provided

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that the spirit of this chapter shall be observed and substantial justice done, as follows: When a property owner can show that his property was acquired in good faith and where by reason of the exceptional narrowness, shallowness, size or shape of a specific piece of property on January 3, 1967, or where by reason of exceptional topographic conditions or other extraordinary situation or condition of the piece of property, or of the condition, situation or development of property immediately adjacent thereto, the strict application of the terms of this chapter would effectively prohibit or unreasonably restrict the utilization of the property or where the board of zoning appeals is satisfied, upon the evidence heard by it, that the granting of the variance willalleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant, provided that all variances shall be inharmony with the intended spirit and purpose of this chapter, provided that the burden of proof will be on the applicant for a variance to prove by a preponderance of the evidence that their application meets the defined standards for a variance and the following criteria. No suchvariance shall be authorized by the board of zoning appeals unless it finds that: a. The strict application of this chapter would produce undue hardship. b. The hardship is not shared generally by other properties in the same zoning district and the

same vicinity.

c. The authorization of the variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance.

No variance shall be authorized except after notice and hearing as required by Code of Virginia, § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board of zoning appeals may give such notice by first-class mail ratherthan by registered or certified mail. No variance shall be authorized unless the board of zoning appeals finds that the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to this chapter. In authorizing a variance, the board of zoning appeals may impose such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the public interest, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to becomplied with.

- a. A variance can be granted only in accordance with the Code of Virginia § 15.2-2309, as amended.
- b. No such variance will be considered except after notice and hearing as required by the Code of Virginia § 15.2-2204, as amended.
- c. In granting a variance, the board may impose such conditions regarding the location, character and other features of the proposed structure for use as it may deem necessary in the public interest and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.
- (3) To hear and decide appeals from the decision of the zoning administrator after notice and hearing as provided by Code of Virginia, § 15.2-2204, as amended. However, when giving any

required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board of zoning appeals may give such notice by first-class mail rather than by registered or certified mail.

- (4) To hear and decide applications for interpretation of the district map where there is any uncertainty as to the location of a district boundary. After notice to the owners of the property affected by the question, and after public hearing with notice as required by Code of Virginia, § 15.2-2204, as amended, the board of zoning appeals may interpret the map in such a way as to carry out the intent and purpose of this chapter for the particular section or district in question. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board of zoning appeals may give such notice by first-class mail rather than by registered or certified mail. The board of zoning appeals shall does not have the power to change substantially the locations of district boundaries as established by ordinance.
- (5) No provision of this section shall will be construed as granting any board the power to rezone property or to base board of zoning appeals decisions on the merits of the purpose and intent of local ordinances duly adopted by the governing body.
- (6) To hear and decide applications for special exceptions as may be authorized in this chapter. The board of zoning appeals may impose such conditions relating to the use for which a permit is granted as it may deem necessary in the public interest, including limiting the duration of a permit, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with. No special exception may be granted except after notice and hearing as provided by Code of Virginia, § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board of zoning appeals may give such notice by first-class mail rather than by registered or certified mail.
- (7) To revoke a special exception previously granted by the board of zoning appeals if the board of zoning appeals determines that there has not been compliance with the terms or conditions of the permit. No special exception may be revoked except after notice and hearing as provided by Code of Virginia, § 15.2–2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board of zoning appeals may give such notice by first-class mail-rather than by registered or certified mail.

(Code 1999, § 9-330; Ord. No. O-20-02, 6-10-2002)

**State Law reference**— Similar provisions, Code of Virginia, § 15.2-2309.

### Sec. 98-1023. Appeals.

(a) An appeal to the board of zoning appeals may be taken by any person aggrieved or by any officer, department, board or bureau of the county affected by any decision of the zoning

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administrator or from any order, requirement, decision or determination made by any other administrative officer in the administration or enforcement of Code of Virginia, § 15.2-2280 et seq., or this chapter. Any written notice of a zoning violation or a written order of the zoning administrator, dated on or after July 1, 1993, shall must include a statement informing the recipient that they may have a right to appeal the notice of a zoning violation or a written order within 30 days in accordance with this section, and that the decision shall will be final and unappealable if not appealed within 30 days. The appeal period shall must not commence until the statement is given. The appeal shall must be taken within 30 days after the decision appealed from by filing with the zoning administrator, and with the board of zoning appeals, a notice of appeal specifying the grounds thereof. The zoning administrator shall will forthwith transmit to the board of zoning appeals all the papers constituting the record upon which the action appealed from was taken.

- (b) An appeal shall stays all proceedings in furtherance of the action appealed from unless the zoning administrator certifies to the board of zoning appeals that by reason of facts stated in the certificate a stay would in his *or her* opinion cause imminent peril to life or property, in which case proceedings shall will not be stayed otherwise than by a restraining order granted by the board of zoning appeals or by a court of record, on application and on notice to the zoning administrator and for good cause shown.
- (c) In no event shall will a written order, requirement, decision or determination made by the zoning administrator or other administrative officer be subject to change, modification or reversal by the zoning administrator or any other administrative officer after 60 days have elapsed from the date of the written order, requirement, decision or determination where the person aggrieved has materially changed his position in good faith reliance on the action of the zoning administrator or other administrative officer, unless it is proven that such written order, requirement, decision or determination was obtained through malfeasance of the zoning administrator or other administrative officer or through fraud. The 60-day limitation period shall will not apply in any case where, with the concurrence of the attorney for the board of supervisors, modification is required to correct clerical errors.

(Code 1999, § 9-331(a); Ord. No. O-07-13, 10-15-2013)

**State Law reference**— Similar provisions, Code of Virginia, § 15.2-2311.

#### Sec. 98-1024. Applications for special exceptions and variances. Reserved.

Applications for special exceptions and variances may be made by any property owner, tenant, government official, department, board or bureau. Applications shall be made to the zoning administrator in accordance with rules adopted by the board of zoning appeals. The application and accompanying maps, plans or other information shall be transmitted promptly to the secretary of the board of zoning appeals who shall place the matter on the docket to be acted upon by the board of zoning appeals. No special exceptions or variances shall be authorized except after notice and hearing as required by Code of Virginia, § 15.2-2204. The zoning administrator shall also transmit a copy of the application to the planning commission which may send a recommendation to the board of zoning appeals or appear as a party at the hearing.

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The county may provide, by ordinance, that substantially the same application will not be considered by the board of zoning appeals within a specified period, not exceeding one year.

(Code 1999, § 9-331(b))

State Law reference — Similar provisions, Code of Virginia, § 15.2-2310.

Sec. 98-1025. - Procedure on appeal.

The board of zoning appeals shall will fix a reasonable time for the hearing of an application or appeal, give public notice thereof as well as due notice to the parties in interest and make its decision within 90 days of the filing of the application or appeal. In exercising its powers, the board of zoning appeals may reverse or affirm, wholly or partly, or may modify, an order, requirement, decision or determination appealed from. The concurring vote of a majority of the membership of the board of zoning appeals shall will be necessary to reverse any order, requirement, decision or determination of an administrative officer or to decide in favor of the applicant on any matter upon which it is required to pass under this chapter, or to effect any variance from this chapter. The board of zoning appeals shall must keep minutes of its proceedings and other official actions which shall will be filed in the office of the board of zoning appeals and shall must be public records. The chairman of the board of zoning appeals, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses.

(Code 1999, § 9-331(c))

**State Law reference**— Similar provisions, Code of Virginia, § 15.2-2312.

Sec. 98-1026. - Reserved.

**Editor's note**— Ord. No. O-15-09, adopted Aug. 10, 2009, repealed § 98-1026 which pertained to variances from floodplain requirements and additional factors and derived from § 9-331(d) of the 1999 Code.

#### Sec. 98-1027. - Certiorari to review decision of board.

Petition to circuit court. Any person or persons jointly or severally aggrieved by any decision of the board of zoning appeals, or any aggrieved tax payer or any officer, department, board or bureau of the county may present to the Circuit Court of New Kent County a petition in accordance with Code of Virginia § 15.2-2314, as amended, within 30 days after the final decision of the board.

- (a) Any person or persons jointly or severally aggrieved by any decision of the board of zoning appeals, or any aggrieved taxpayer or any officer, department, board or bureau of the county, may present to the circuit court for the county a petition specifying the grounds on which aggrieved within 30 days after the filing of the decision in the office of the board of zoning appeals.
- (b) Upon the presentation of such petition, the court shall allow a writ of certiorari to review the decision of the board of zoning appeals and shall prescribe therein the time within which a return thereto must be made and served upon the relator's attorney, which shall not be less

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than ten days and may be extended by the court. The allowance of the writ shall not stayproceedings upon the decision appealed from, but the court may, on application, on notice tothe board of zoning appeals and on due cause shown, grant a restraining order.

(c) The board of zoning appeals shall not be required to return the original papers acted upon by it but it shall be sufficient to return certified or sworn copies thereof or of the portions thereof as may be called for by the writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.

(d) If, upon the hearing, it shall appear to the court that testimony is necessary for the properdisposition of the matter, it may take evidence or appoint a commissioner to take evidence as itmay direct, and report the evidence to the court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.

(e) Costs shall not be allowed against the board of zoning appeals, unless it shall appear to the court that it acted in bad faith or with malice in making the decision appealed from. If the decision of the board of zoning appeals is affirmed and the court finds that the appeal was frivolous, the court may order the person or persons who requested the issuance of the writ of certiorari to pay the costs incurred in making the return of the record pursuant to the writ of certiorari. If the petition is withdrawn subsequent to the filing of the return, the board of zoning appeals may request that the court hear the matter on the question of whether the appeal was frivolous.

(Code 1999, § 9-332)

**State Law reference**— Similar provisions, Code of Virginia, § 15.2-2314.

#### Sec. 98-1028. - Administrative modification.

- (a) Pursuant to Code of Virginia, § 15.2-2286.A.4, as amended, the zoning administrator may grant a modification from provisions contained in this chapter with respect to physical requirements on a lot or parcel of land, including but not limited to size, height, location or features of or related to any building, structure or improvements upon finding in writing all of the following:
  - (1) The strict application of the chapter would produce undue hardship; The encroachment does not exceed one- and one-half linear feet;
  - (2) Such hardship is not shared generally by other properties in the same zoning district and the same vicinity; and
  - (3) The authorization of the modification will not be of substantial detriment to adjacent property and the character of the zoning district will not be changed by the granting of the modification. To force compliance with the minimum setback and yard requirements would cause undue hardship upon the owner;

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- (4) The noncompliance was done in good faith, or through no fault of the property owner, or was the result of an error in the location of the building subsequent to the issuance of a building permit, if such was required;
- (5) It will not be detrimental to the use and enjoyment of other property in the immediate vicinity;
- (6) The character of the zoning district will not be changed by the granting of the variance;
- (7) It will not create an unsafe condition with respect to both other properties and public streets; and
  - (c) Prior to the granting of a modification, the zoning administrator shall must give all adjoining property owners written notice of the request for modification, and an opportunity to respond to the request within 21 days of the date of the notice. Notice shall must be sent by first class mail and an affidavit of such mailing shall must be kept in the file.
  - (ed) The zoning administrator shall will make a decision on the application for modification and issue a written decision with a copy provided to the applicant and any adjoining landowner who responded in writing to the notice sent pursuant to this paragraph.
  - (de) The decision of the zoning administrator shall must constitute a decision within the purview of Code of Virginia, § 15.2-2311, as amended, and may be appealed to the board of zoning appeals as provided by section 98-1023.

(Ord. No. O-20-07, 9-24-07)

Secs. 98-1029—98-1059. - Reserved.

#### PLANNING COMMISSION COUNTY OF NEW KENT VIRGINIA

#### PC-07-25

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 19th day of May, 2025:

Present:	Vote:
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 Milton Hathaway, which carried 10:0:1, to adopt the following resolution:

# A RESOLUTION TO RECOMMEND APPROVAL OF AMENDMENTS TO CHAPTER 98 - ZONING OF THE NEW KENT COUNTY CODE AMENDING THE ACCESSORY BUILDING DEFINITION AND REGULATIONS AS WELL AS ALIGNING THE BOARD OF ZONING APPEALS ORDINANCE WITH THE CODE OF VIRGINIA

WHEREAS, the intent of the proposed text amendment is to promote good land use practices, which allow land development and conservation to occur in a planned and orderly fashion; and

WHEREAS, the Commission has conducted a duly advertised public hearing and carefully considered the public comment received; and

THEREFORE, BE IT RESOLVED this, the 19th day of May, 2025, by the New Kent County Planning Commission, that the Commission recommends to the Board of Supervisors that the following sections of the New Kent County Code be readopted as follows:

#### CHAPTER 98 - ZONING

#### ARTICLE I. IN GENERAL

#### Sec. 98-2. Definitions and rules of construction.

•••

Accessory building or structure means a subordinate structure which is clearly incidental to or customarily found in connection with and (except as otherwise provided in this chapter) located on the same lot as the main building or principal use of land. (See <a href="section 98-10">section 98-10</a>.) Such structures include but are not limited to carports, garages, sheds, pool houses, barns, pole barns, workshops, gazebos, and lean-tos.

Accessory dwelling unit is a secondary living unit to a single-family detached dwelling that has a separate kitchen, bathroom, and sleeping area, existing either within the same structure, or in a detached structure on the same lot as the primary dwelling unit.

...

#### Sec. 98-10. Accessory buildings and uses.

- (a) Accessory buildings or uses as defined by this chapter are only permitted on:
  - (1) Lots with existing permitted principal buildings.
  - (2) Lots on which a building permit for a permitted principal building has been issued.
  - (3) Lots adjacent to a lot with the principal building when both lots are owned by the same person.

This prohibition shall does not apply to accessory buildings such as barns, sheds, etc., constructed in conjunction with a bona fide farming operation and normally associated with farming uses. No accessory building on a farm or otherwise shall is to be used for dwelling purposes unless specifically allowed elsewhere in this chapter. Accessory uses require a zoning permit. Unless otherwise specifically provided, no accessory building or structure shall will be permitted in the front yard area of a permitted use in any zone designated with an R classification.

- (b) Subject to the conditions of subsection (a) of this section, accessory uses and structures are permitted in any zoning district unless specifically prohibited elsewhere in this chapter.
- (c) The following accessory uses or structures shall will be permitted in conjunction with a residence:
  - (1) Antenna structures for radio, television and other noncommercial communication purposes.
  - (2) In the A-1, agricultural districts, radio, television, or communication stations and/or towers which exceed 50 feet in height shall will be permitted as an accessory use, with a conditional use permit.

- (3) On properties in a residential zoning district, accessory buildings as defined in the ordinance that are customarily associated with residential living, provided the cumulative total of all detached accessory structures does may not exceed 50 60 percent of the total floor area of the primary structure. In the agricultural, A-1 district, such structures may total 3,000 square feet up to 5 percent of the lot area beyond the front setback line, but may not exceed a cumulative total of 10,000 square feet, whichever is less. The total square footage includes, but is not limited to, roofed structures such as attached or detached gazebos, porches, and lean-tos on accessory buildings.
  - (a) Buildings or structures accessory to farm use, as defined in the Code of Virginia § 36-97, as amended, are hereby exempt from the provisions listed above in Section 98-10(c)(3). A farm is defined in the Code of Virginia § 3.2-6400, as amended, as one or more areas of land used for the production, cultivation, growing, harvesting, or processing of agricultural products. Such activities can be supported or evidenced through active business licenses, farming registrations, AFD designation, and other similar documentation staff finds sufficiently confirms a farm use is being operated.
- (4) Children's playhouses limited to 120 square feet in floor area and without plumbing.
- (5) Doghouses, pens or other similar structures for the housing of household pets.
- (6) Home occupations in accordance with <u>section 98-16</u>. Any detached accessory structure containing a home occupation must be constructed for human habitation or occupancy in accordance with the residential building code.
- (7) Parking or storage of small cargo or utility trailers, recreational vehicles and similar equipment including, but not limited to, boats, boat trailers, motor homes, tent trailers and horse vans, provided that such equipment shall cannot be used for living, housekeeping or business purposes when parked or stored on the lot, and that wheels or transporting devices shall must not be removed except for necessary repairs.
- (8) Outdoor recreational facilities such as swimming pools, tennis courts, basketball courts, private boat docks, piers or boathouses, provided that use of such facilities shall must be limited to occupants of the premises and guests for whom no admission or membership fees are charged. Such outdoor recreational facilities do not count towards the total square footage allowance as referenced in Section 98-10(c)(3).
- (9) Fences or walls which are neither electrified nor constructed of barbwire, which do not block site triangle easements at intersections and which are no higher than four feet in the front yard and six feet in the side and rear yards.
- (10) Roadside stands when located in the A-1 district, provided that such stands shall must be limited to the sale of produce grown or raised on the premises and shall must provide off-street parking for not less than three vehicles.
- (11) Other uses and structures of a similar nature which are customarily associated with and incidental to residential uses and do not constitute or create the potential for nuisance situations which will adversely affect the health, safety and general welfare of adjoining or nearby residents.

- (12) In-ground or partially in-ground outdoor swimming pools shall are required to meet the minimum yard setback distances for principal buildings for each particular zoning district as specified in this chapter but may be located in either front, side or rear yards. In-ground swimming pools shall must be located no closer than 15 feet to any rear lot line. A minimum distance from the nearest portion of the principal building to the closest portion of the swimming pool structure shall not be less than ten feet. All inground swimming pools shall must be surrounded by a suitable fence with a self-latching gate at least four feet but no more than six feet in height.
- (13) Guesthouses as an accessory use to a residence in agricultural zones only.
- (14) Accessory single-family residential units (detached dwellings or apartments) under the following conditions:
  - a. There shall will not be more than one accessory residential unit in conjunction with a single-family detached dwelling.
  - b. All occupants of the accessory residential unit shall-must be related by blood, marriage, or adoption.
  - c. The external appearance of the principal dwelling shall cannot be altered, and there shall be no-signage is prohibited, additional mailbox or any other externally visible indication that an accessory residential unit exists.
  - d. Accessory residential units may be located either in the single-family dwelling or in an existing detached structure accessory thereto provided that all building code requirements are met.
  - e. Except as may be approved by the board of supervisors Board of Zoning Appeals for good cause shown, accessory residential units shall must in no case contain in excess of 25 percent of the total floor area of the single-family dwelling to which it is accessory or 450 square feet, whichever is greater.
  - f. Except as approved by the board of supervisors Board of Zoning Appeals, all accessory residential units shall must be designed to provide independent accessibility for residents or guests who may be elderly, handicapped or otherwise challenged in one or more life function. Unless otherwise required by law this shall does not require installation of grab bars and special plumbing fixtures, however pipes and appropriate anchor points allowing subsequent installation shall will be required.
  - g. Provisions shall *must* be made for off-street parking of motor vehicles that are adequate and compatible with the character of the single-family dwelling and adjacent properties.
  - h. Approval of an accessory residential unit shall will be contingent upon prior certification by the health department that any on-site water supply and sewage treatment facilities are adequate to serve the anticipated number of residents.
  - i. The accessory residential unit shall must not be visible to or apparent from the street or adjoining residential properties.

- (d) The following accessory uses shall will be permitted in conjunction with commercial and industrial uses:
  - (1) Uses intended specifically for the use and benefit of the employees of the principal use such as snack bars, cafeterias, recreation facilities and similar uses.
  - (2) Other uses and structures of a similar nature which are customarily associated with and incidental to commercial or industrial uses.
  - (3) Residential units in conjunction with a business or commercial use located in an area designated as a village in the comprehensive plan. The residential unit(s) shall must constitute no more than 50 percent of the total floor area of any structure in which located, provided however, that the board of supervisors may authorize a greater percentage through the issuance of a use permit. The zoning administrator shall will determine in writing prior to approval of plans or permits for such accessory residential units that the subject property is within a designated village and providing the reasons for said determination.
  - (4) Residential unit (detached dwelling or apartment) when such use is reasonably and customarily a part of the business operation such as providing living quarters for a proprietor or manager and his family or living quarters for a watchman or custodian of an establishment under the following conditions:
    - a. The residential use shall *must* contain no more than 1,000 square feet, provided however, that the board of supervisors may authorize a greater size through the issuance of a use permit.
    - b. There shall will not be more than one residential unit in conjunction with the commercial or industrial use nor more than one residential unit on any property.
    - c. The residential unit may be located either within the commercial or industrial structure or in an existing detached structure accessory thereto provided that all building code and health code requirements are met.
    - d. Accessory residential units shall-must be designed to provide independent ingress and egress for the occupants.
    - e. Provisions shall *must* be made for off-street parking of motor vehicles that are adequate and compatible with the character of the zoning district and adjacent properties.
    - f. Approval of an accessory residential unit shall will be contingent upon prior certification by the health department that any on-site water supply and sewage treatment facilities are adequate to serve the anticipated number of residents.
    - g. The residential unit shall must be occupied only by a current employee of the commercial or industrial facility.
    - h. The residential unit shall will not be used as a rental property.
- (e) The following accessory uses shall will be permitted in conjunction with a mobile home park, provided that they are designed and situated for the specific use of the park occupant:

- (1) Laundromats.
- (2) Office space for managers.
- (3) Retail convenience stores, provided that the mobile home park is larger than 25 acres in size.
- (f) The following accessory uses and none other shall will be permitted in conjunction with apartment or condominium developments in the R-3 district:
  - (1) Outdoor recreational facilities such as swimming pools, tennis courts, basketball courts, private boat docks, piers, or boathouses, provided that use of such facilities shall must be limited to occupants of the premises and guests.
  - (2) Laundry and storage areas for use of the occupants of the development.
  - (3) One office to be located within the complex and to be used as facilities for the management of the development.
  - (4) Garages; provided, however, that if garages are provided, they shall must have a floor area of not less than 240 square feet. No garage or accessory building shall will be placed closer to the side or rear property line than 50 feet when abutting a residential or agricultural zoning district; in all other cases this distance may be reduced to 25 feet. Each group of attached garages shall must have a joint capacity of not more than ten vehicles arranged in a row and there shall must be a minimum distance of 12 feet between such structures. The architectural design and materials used in the construction shall must conform to the design and building materials used in the construction of the apartment or condominium buildings. No part of any such garage or other accessory building shall will be used for living purposes.
  - (5) Antenna structures as provided for in the A-1 district regulations.
  - (6) Home occupations under the same conditions as are set forth in subsection (c)(6) of this section.
  - (7) Parking or storage of small cargo or utility trailers, recreational vehicles and similar equipment, provided that special separate parking areas are included for the same.
  - (8) Fences or walls which are neither electrified nor constructed of barbed wire and which do not block site triangle easements and intersections.

(Code 1999, § 9-45; Ord. No. O-03-03, 3-10-2003; Ord. No. O-14-06(R2), § B, 1-8-2007; Ord. No. O-15-08(R2), 1-12-2009)

CHAPTER 98 - ZONING

ARTICLE I. IN GENERAL

Sec. 98-2. Definitions and rules of construction.

Variance means a reasonable deviation from those provisions regulating the size or area of a lot or parcel of land, or the size, area, bulk or location of a building or structure when the strict application of this chapter would result in unnecessary or unreasonable hardship to the property owner, and such need for a variance would not be shared generally by other properties, and provided that such variance is not contrary to the intended spirit and purpose of this chapter, and would result in substantial justice being done. It shall not include a change in use which change shall be accomplished by a rezoning or by a conditional zoning. In the application of a zoning ordinance, a reasonable deviation from those provisions regulating the shape, size, or area of a lot or parcel of land or the size, height, area, bulk, or location of a building or structure when the strict application of the ordinance would unreasonably restrict the utilization of the property, and such need for a variance would not be shared generally by other properties, and provided such variance is not contrary to the purpose of the ordinance. It shall not include a change in use, which change shall be accomplished by a rezoning or by a conditional zoning.

ARTICLE XXVI. BOARD OF ZONING APPEALS

Sec. 98-1022. Powers and duties.

The board of zoning appeals shall will have the following powers and duties:

- (1) To hear and decide appeals from any order, requirement, decision or determination made by an administrative officer in the administration or enforcement of this chapter or of any ordinance adopted pursuant thereto. of Code of Virginia, § 15.2-2280 et seq., or of this chapter. The decision on such appeal shall be based on the board of zoning appeals' judgment of whether the administrative officer was correct. The board of zoning appeals shall consider the purpose and intent of any applicable ordinances, laws, and regulations in making its decision.
- (2) To authorize upon appeal or original application in specific cases such variance as defined in *the Code of Virginia § 15.2-2201, as amended, and* section 98-2 *of the County Code;* from the terms of this chapter as will not be contrary to the public interest, when, owing to special conditions a literal enforcement of the provisions will result in unnecessary hardship, provided that the spirit of this chapter shall be observed and substantial justice done, as follows: When a property owner can show that his property was acquired in good faith and where by reason of the exceptional narrowness, shallowness, size or shape of a specific piece of property on January 3, 1967, or where by reason of exceptional topographic conditions or other extraordinary situation or condition of the piece of property, or of the condition, situation or development of property immediately adjacent thereto, the strict application of the terms of this chapter would effectively prohibit or unreasonably restrict the utilization of

the property or where the board of zoning appeals is satisfied, upon the evidence heard by it, that the granting of the variance will alleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant, provided that all variances shall be in harmony with the intended spirit and purpose of this chapter. provided that the burden of proof will be on the applicant for a variance to prove by a preponderance of the evidence that their application meets the defined standards for a variance and the following criteria. No such variance shall be authorized by the board of zoning appeals unless it finds that: a. The strict application of this chapter would produce undue hardship. b. The hardship is not shared generally by other properties in the same zoning district and the same vicinity.

c. The authorization of the variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance.

No variance shall be authorized except after notice and hearing as required by Code of Virginia, § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board of zoning appeals may give such notice by first-class mail rather than by registered or certified mail. No variance shall be authorized unless the board of zoning appeals finds that the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to this chapter. In authorizing a variance, the board of zoning appeals may impose such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the public interest, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.

- a. A variance can be granted only in accordance with the Code of Virginia § 15.2-2309, as amended.
- b. No such variance will be considered except after notice and hearing as required by the Code of Virginia § 15.2-2204, as amended.
- c. In granting a variance, the board may impose such conditions regarding the location, character and other features of the proposed structure for use as it may deem necessary in the public interest and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.
- (3) To hear and decide appeals from the decision of the zoning administrator after notice and hearing as provided by Code of Virginia, § 15.2-2204, as amended. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board of zoning appeals may give such notice by first-class mail rather than by registered or certified mail.
- (4) To hear and decide applications for interpretation of the district map where there is any uncertainty as to the location of a district boundary. After notice to

the owners of the property affected by the question, and after public hearing with notice as required by Code of Virginia, § 15.2-2204, *as amended*, the board of zoning appeals may interpret the map in such a way as to carry out the intent and purpose of this chapter for the particular section or district in question. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board of zoning appeals may give such notice by first-class mail rather than by registered or certified mail. The board of zoning appeals shall *does* not have the power to change substantially the locations of district boundaries as established by ordinance.

- (5) No provision of this section shall will be construed as granting any board the power to rezone property or to base board of zoning appeals decisions on the merits of the purpose and intent of local ordinances duly adopted by the governing body.
- (6) To hear and decide applications for special exceptions as may be authorized in this chapter. The board of zoning appeals may impose such conditions relating to the use for which a permit is granted as it may deem necessary in the public interest, including limiting the duration of a permit, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with. No special exception may be granted except after notice and hearing as provided by Code of Virginia, § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board of zoning appeals may give such notice by first-class mail rather than by registered or certified mail.
- (7) To revoke a special exception previously granted by the board of zoning appeals if the board of zoning appeals determines that there has not been compliance with the terms or conditions of the permit. No special exception may be revoked except after notice and hearing as provided by Code of Virginia, § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board of zoning appeals may give such notice by first-class mail rather than by registered or certified mail.

#### Sec. 98-1023. Appeals.

(a) An appeal to the board of zoning appeals may be taken by any person aggrieved or by any officer, department, board or bureau of the county affected by any decision of the zoning administrator or from any order, requirement, decision or determination made by any other administrative officer in the administration or enforcement of Code of Virginia, § 15.2-2280 et seq., or this chapter. Any written notice of a zoning violation or a written order of the zoning administrator, dated on or after July 1, 1993, shall must include a statement informing the recipient that they may have a right to appeal the notice of a zoning violation or a written order within 30 days in accordance with this section, and that the decision shall will be final and unappealable if not appealed within 30 days. The appeal period shall must not commence until the statement is given. The

appeal shall must be taken within 30 days after the decision appealed from by filing with the zoning administrator, and with the board of zoning appeals, a notice of appeal specifying the grounds thereof. The zoning administrator shall will forthwith transmit to the board of zoning appeals all the papers constituting the record upon which the action appealed from was taken.

- (b) An appeal shall stays all proceedings in furtherance of the action appealed from unless the zoning administrator certifies to the board of zoning appeals that by reason of facts stated in the certificate a stay would in his *or her* opinion cause imminent peril to life or property, in which case proceedings shall will not be stayed otherwise than by a restraining order granted by the board of zoning appeals or by a court of record, on application and on notice to the zoning administrator and for good cause shown.
- (c) In no event shall will a written order, requirement, decision or determination made by the zoning administrator or other administrative officer be subject to change, modification or reversal by the zoning administrator or any other administrative officer after 60 days have elapsed from the date of the written order, requirement, decision or determination where the person aggrieved has materially changed his position in good faith reliance on the action of the zoning administrator or other administrative officer, unless it is proven that such written order, requirement, decision or determination was obtained through malfeasance of the zoning administrator or other administrative officer or through fraud. The 60-day limitation period shall will not apply in any case where, with the concurrence of the attorney for the board of supervisors, modification is required to correct clerical errors.

(Code 1999, § 9-331(a); Ord. No. O-07-13, 10-15-2013)

State Law reference — Similar provisions, Code of Virginia, § 15.2-2311.

Sec. 98-1024. -- Applications for special exceptions and variances. Reserved.

Applications for special exceptions and variances may be made by any property owner, tenant, government official, department, board or bureau. Applications shall be made to the zoning administrator in accordance with rules adopted by the board of zoning appeals. The application and accompanying maps, plans or other information shall be transmitted promptly to the secretary of the board of zoning appeals who shall place the matter on the docket to be acted upon by the board of zoning appeals. No special exceptions or variances shall be authorized except after notice and hearing as required by Code of Virginia, § 15.2-2204. The zoning administrator shall also transmit a copy of the application to the planning commission which may send a recommendation to the board of zoning appeals or appear as a party at the hearing. The county may provide, by ordinance, that substantially the same application will not be considered by the board of zoning appeals within a specified period, not exceeding one year.

(Code 1999, § 9-331(b))

State Law reference - Similar provisions, Code of Virginia, § 15.2-2310.

Sec. 98-1025. - Procedure on appeal.

The board of zoning appeals shall will fix a reasonable time for the hearing of an application or appeal, give public notice thereof as well as due notice to the parties in

interest and make its decision within 90 days of the filing of the application or appeal. In exercising its powers, the board of zoning appeals may reverse or affirm, wholly or partly, or may modify, an order, requirement, decision or determination appealed from. The concurring vote of a majority of the membership of the board of zoning appeals shall will be necessary to reverse any order, requirement, decision or determination of an administrative officer or to decide in favor of the applicant on any matter upon which it is required to pass under this chapter, or to effect any variance from this chapter. The board of zoning appeals shall must keep minutes of its proceedings and other official actions which shall will be filed in the office of the board of zoning appeals and shall must be public records. The chairman of the board of zoning appeals, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses.

(Code 1999, § 9-331(c))

State Law reference — Similar provisions, Code of Virginia, § 15.2-2312.

Sec. 98-1026. - Reserved.

**Editor's note**— Ord. No. O-15-09, adopted Aug. 10, 2009, repealed § 98-1026 which pertained to variances from floodplain requirements and additional factors and derived from § 9-331(d) of the 1999 Code.

Sec. 98-1027. - Certiorari to review decision of board.

Petition to circuit court. Any person or persons jointly or severally aggrieved by any decision of the board of zoning appeals, or any aggrieved tax payer or any officer, department, board or bureau of the county may present to the Circuit Court of New Kent County a petition in accordance with Code of Virginia § 15.2-2314, as amended, within 30 days after the final decision of the board.

- (a) Any person or persons jointly or severally aggrieved by any decision of the board of zoning appeals, or any aggrieved taxpayer or any officer, department, board or bureau of the county, may present to the circuit court for the county a petition specifying the grounds on which aggrieved within 30 days after the filing of the decision in the office of the board of zoning appeals.
- (b) Upon the presentation of such petition, the court shall allow a writ of certiorari to review the decision of the board of zoning appeals and shall prescribe therein the time within which a return thereto must be made and served upon the relator's attorney, which shall not be less than ten days and may be extended by the court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the board of zoning appeals and on due cause shown, grant a restraining order.
- (c) The board of zoning appeals shall not be required to return the original papers acted upon by it but it shall be sufficient to return certified or sworn copies thereof or of the portions thereof as may be called for by the writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.
- (d) If, upon the hearing, it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a commissioner to take

evidence as it may direct, and report the evidence to the court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.

(e) Costs shall not be allowed against the board of zoning appeals, unless it shall appear to the court that it acted in bad faith or with malice in making the decision appealed from. If the decision of the board of zoning appeals is affirmed and the court finds that the appeal was frivolous, the court may order the person or persons who requested the issuance of the writ of certiorari to pay the costs incurred in making the return of the record pursuant to the writ of certiorari. If the petition is withdrawn subsequent to the filing of the return, the board of zoning appeals may request that the court hear the matter on the question of whether the appeal was frivolous.

(Code 1999, § 9-332)

State Law reference — Similar provisions, Code of Virginia, § 15.2-2314.

#### Sec. 98-1028. - Administrative modification.

- (a) Pursuant to Code of Virginia, § 15.2-2286.A.4, as amended, the zoning administrator may grant a modification from provisions contained in this chapter with respect to physical requirements on a lot or parcel of land, including but not limited to size, height, location or features of or related to any building, structure or improvements upon finding in writing all of the following:
  - (1) The strict application of the chapter would produce undue hardship; The encroachment does not exceed one- and one-half linear feet;
  - (2) Such hardship is not shared generally by other properties in the same zoning district and the same vicinity; and
  - (3) The authorization of the modification will not be of substantial detriment to adjacent property and the character of the zoning district will not be changed by the granting of the modification. To force compliance with the minimum setback and yard requirements would cause undue hardship upon the owner;
  - (4) The noncompliance was done in good faith, or through no fault of the property owner, or was the result of an error in the location of the building subsequent to the issuance of a building permit, if such was required;
  - (5) It will not be detrimental to the use and enjoyment of other property in the immediate vicinity;
  - (6) The character of the zoning district will not be changed by the granting of the variance;
  - (7) It will not create an unsafe condition with respect to both other properties and public streets; and
- (c) Prior to the granting of a modification, the zoning administrator shall must give all adjoining property owners written notice of the request for modification, and an

opportunity to respond to the request within 21 days of the date of the notice. Notice shall *must* be sent by first class mail and an affidavit of such mailing shall *must* be kept in the file.

(ed) The zoning administrator shall will make a decision on the application for modification and issue a written decision with a copy provided to the applicant and any adjoining landowner who responded in writing to the notice sent pursuant to this paragraph.

(de) The decision of the zoning administrator shall must constitute a decision within the purview of Code of Virginia, § 15.2-2311, as amended, and may be appealed to the board of zoning appeals as provided by section 98-1023.

(Ord. No. O-20-07, 9-24-07)

Secs. 98-1029—98-1059. - Reserved.

Attested:

Joseph Davis, Chair New Kent County Planning Commission

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# BOARD OF SUPERVISORS COUNTY OF NEW KENT VIRGINIA

#### O-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 9<sup>th</sup> day of June 2025:

Present: Vote:

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

Motion was made by\_\_\_\_\_\_, which carried, to adopt the following ordinance:

## AN ORDINANCE TO AMEND CHAPTER 98 – ZONING, ARTICLE I – IN GENERAL AND ARTICLE XXVI – BOARD OF ZONING APPEALS OF THE NEW KENT COUNTY CODE

WHEREAS, the intent of the proposed text amendment is to promote good land use practices, which allow land development and conservation to occur in a planned and orderly fashion; and

WHEREAS, the Planning Commission is charged with reviewing and recommending Ordinance changes to the Board of Supervisors when such changes affect the Land Development sections of the New Kent County Code; and

**WHEREAS**, the Planning Commission conducted a duly advertised public hearing on May 19, 2025, carefully considered the public comment received, and voted 10:0:1 to recommend approval of these Amendments; and

WHEREAS, The New Kent County Board of Supervisors finds that the proposed amendments are necessary for compliance with the Code of Virginia; and

**NOW THEREFORE, BE IT ORDAINED AND ENACTED,** by the New Kent County Board of Supervisors pursuant to the authority granted in the Code of Virginia, that Chapter 98, Article I and Article XXVI of the New Kent County Code be amended as follows:

#### **CHAPTER 98 - ZONING**

#### ARTICLE I. IN GENERAL

#### Sec. 98-2. Definitions and rules of construction.

•••

Accessory building or structure means a subordinate structure which is clearly incidental to or customarily found in connection with and (except as otherwise provided in this chapter) located on the same lot as the main building or principal use of land. (See <a href="section 98-10">section 98-10</a>.) Such structures include but are not limited to carports, garages, sheds, pool houses, barns, pole barns, workshops, gazebos, and lean-tos.

Accessory dwelling unit is a secondary living unit to a single-family detached dwelling that has a separate kitchen, bathroom, and sleeping area, existing either within the same structure, or in a detached structure on the same lot as the primary dwelling unit.

•••

#### Sec. 98-10. Accessory buildings and uses.

- (a) Accessory buildings or uses as defined by this chapter are only permitted on:
  - (1) Lots with existing permitted principal buildings.
  - (2) Lots on which a building permit for a permitted principal building has been issued.
  - (3) Lots adjacent to a lot with the principal building when both lots are owned by the same person.

This prohibition shall does not apply to accessory buildings such as barns, sheds, etc., constructed in conjunction with a bona fide farming operation and normally associated with farming uses. No accessory building on a farm or otherwise shall is to be used for dwelling purposes unless specifically allowed elsewhere in this chapter. Accessory uses require a zoning permit. Unless otherwise specifically provided, no accessory building or structure shall will be permitted in the front yard area of a permitted use in any zone designated with an R classification.

- (b) Subject to the conditions of subsection (a) of this section, accessory uses and structures are permitted in any zoning district unless specifically prohibited elsewhere in this chapter.
- (c) The following accessory uses or structures shall will be permitted in conjunction with a residence:
  - (1) Antenna structures for radio, television and other noncommercial communication purposes.
  - (2) In the A-1, agricultural districts, radio, television, or communication stations and/or towers which exceed 50 feet in height shall will be permitted as an accessory use, with a conditional use permit.

- (3) On properties in a residential zoning district, accessory buildings as defined in the ordinance that are customarily associated with residential living, provided the cumulative total of all detached accessory structures does may not exceed 50 60 percent of the total floor area of the primary structure. In the agricultural, A-1 district, such structures may total 3,000 square feet up to 5 percent of the lot area beyond the front setback line, but may not exceed a cumulative total of 10,000 square feet, whichever is less. The total square footage includes, but is not limited to, roofed structures such as attached or detached gazebos, porches, and lean-tos on accessory buildings.
  - (a) Buildings or structures accessory to farm use, as defined in the Code of Virginia § 36-97, as amended, are hereby exempt from the provisions listed above in Section 98-10(c)(3). A farm is defined in the Code of Virginia § 3.2-6400, as amended, as one or more areas of land used for the production, cultivation, growing, harvesting, or processing of agricultural products. Such activities can be supported or evidenced through active business licenses, farming registrations, AFD designation, and other similar documentation staff finds sufficiently confirms a farm use is being operated.
- (4) Children's playhouses limited to 120 square feet in floor area and without plumbing.
- (5) Doghouses, pens or other similar structures for the housing of household pets.
- (6) Home occupations in accordance with <u>section 98-16</u>. Any detached accessory structure containing a home occupation must be constructed for human habitation or occupancy in accordance with the residential building code.
- (7) Parking or storage of small cargo or utility trailers, recreational vehicles and similar equipment including, but not limited to, boats, boat trailers, motor homes, tent trailers and horse vans, provided that such equipment shall cannot be used for living, housekeeping or business purposes when parked or stored on the lot, and that wheels or transporting devices shall must not be removed except for necessary repairs.
- (8) Outdoor recreational facilities such as swimming pools, tennis courts, basketball courts, private boat docks, piers or boathouses, provided that use of such facilities shall must be limited to occupants of the premises and guests for whom no admission or membership fees are charged. Such outdoor recreational facilities do not count towards the total square footage allowance as referenced in Section 98-10(c)(3).
- (9) Fences or walls which are neither electrified nor constructed of barbwire, which do not block site triangle easements at intersections and which are no higher than four feet in the front yard and six feet in the side and rear yards.
- (10) Roadside stands when located in the A-1 district, provided that such stands shall must be limited to the sale of produce grown or raised on the premises and shall must provide off-street parking for not less than three vehicles.
- (11) Other uses and structures of a similar nature which are customarily associated with and incidental to residential uses and do not constitute or create the potential for

nuisance situations which will adversely affect the health, safety and general welfare of adjoining or nearby residents.

- (12) In-ground or partially in-ground outdoor swimming pools shall are required to meet the minimum yard setback distances for principal buildings for each particular zoning district as specified in this chapter but may be located in either front, side or rear yards. In-ground swimming pools shall must be located no closer than 15 feet to any rear lot line. A minimum distance from the nearest portion of the principal building to the closest portion of the swimming pool structure shall not be less than ten feet. All inground swimming pools shall must be surrounded by a suitable fence with a self-latching gate at least four feet but no more than six feet in height.
- (13) Guesthouses as an accessory use to a residence in agricultural zones only.
- (14) Accessory single-family residential units (detached dwellings or apartments) under the following conditions:
  - a. There shall will not be more than one accessory residential unit in conjunction with a single-family detached dwelling.
  - b. All occupants of the accessory residential unit shall-must be related by blood, marriage, or adoption.
  - c. The external appearance of the principal dwelling shall cannot be altered, and there shall be no signage is prohibited, additional mailbox or any other externally visible indication that an accessory residential unit exists.
  - d. Accessory residential units may be located either in the single-family dwelling or in an existing detached structure accessory thereto provided that all building code requirements are met.
  - e. Except as may be approved by the board of supervisors Board of Zoning Appeals for good cause shown, accessory residential units shall must in no case contain in excess of 25 percent of the total floor area of the single-family dwelling to which it is accessory or 450 square feet, whichever is greater.
  - f. Except as approved by the board of supervisors Board of Zoning Appeals, all accessory residential units shall must be designed to provide independent accessibility for residents or guests who may be elderly, handicapped or otherwise challenged in one or more life function. Unless otherwise required by law this shall does not require installation of grab bars and special plumbing fixtures, however pipes and appropriate anchor points allowing subsequent installation shall will be required.
  - g. Provisions shall must be made for off-street parking of motor vehicles that are adequate and compatible with the character of the single-family dwelling and adjacent properties.
  - h. Approval of an accessory residential unit shall will be contingent upon prior certification by the health department that any on-site water supply and sewage treatment facilities are adequate to serve the anticipated number of residents.

- i. The accessory residential unit shall must not be visible to or apparent from the street or adjoining residential properties.
- (d) The following accessory uses shall will be permitted in conjunction with commercial and industrial uses:
  - (1) Uses intended specifically for the use and benefit of the employees of the principal use such as snack bars, cafeterias, recreation facilities and similar uses.
  - (2) Other uses and structures of a similar nature which are customarily associated with and incidental to commercial or industrial uses.
  - (3) Residential units in conjunction with a business or commercial use located in an area designated as a village in the comprehensive plan. The residential unit(s) shall must constitute no more than 50 percent of the total floor area of any structure in which located, provided however, that the board of supervisors may authorize a greater percentage through the issuance of a use permit. The zoning administrator shall will determine in writing prior to approval of plans or permits for such accessory residential units that the subject property is within a designated village and providing the reasons for said determination.
  - (4) Residential unit (detached dwelling or apartment) when such use is reasonably and customarily a part of the business operation such as providing living quarters for a proprietor or manager and his family or living quarters for a watchman or custodian of an establishment under the following conditions:
    - a. The residential use shall must contain no more than 1,000 square feet, provided however, that the board of supervisors may authorize a greater size through the issuance of a use permit.
    - b. There shall will not be more than one residential unit in conjunction with the commercial or industrial use nor more than one residential unit on any property.
    - c. The residential unit may be located either within the commercial or industrial structure or in an existing detached structure accessory thereto provided that all building code and health code requirements are met.
    - d. Accessory residential units shall-must be designed to provide independent ingress and egress for the occupants.
    - e. Provisions shall *must* be made for off-street parking of motor vehicles that are adequate and compatible with the character of the zoning district and adjacent properties.
    - f. Approval of an accessory residential unit shall will be contingent upon prior certification by the health department that any on-site water supply and sewage treatment facilities are adequate to serve the anticipated number of residents.
    - g. The residential unit shall must be occupied only by a current employee of the commercial or industrial facility.
    - h. The residential unit shall will not be used as a rental property.

- (e) The following accessory uses shall will be permitted in conjunction with a mobile home park, provided that they are designed and situated for the specific use of the park occupant:
  - (1) Laundromats.
  - (2) Office space for managers.
  - (3) Retail convenience stores, provided that the mobile home park is larger than 25 acres in size.
- (f) The following accessory uses and none other shall will be permitted in conjunction with apartment or condominium developments in the R-3 district:
  - (1) Outdoor recreational facilities such as swimming pools, tennis courts, basketball courts, private boat docks, piers, or boathouses, provided that use of such facilities shall must be limited to occupants of the premises and guests.
  - (2) Laundry and storage areas for use of the occupants of the development.
  - (3) One office to be located within the complex and to be used as facilities for the management of the development.
  - (4) Garages; provided, however, that if garages are provided, they shall must have a floor area of not less than 240 square feet. No garage or accessory building shall will be placed closer to the side or rear property line than 50 feet when abutting a residential or agricultural zoning district; in all other cases this distance may be reduced to 25 feet. Each group of attached garages shall must have a joint capacity of not more than ten vehicles arranged in a row and there shall must be a minimum distance of 12 feet between such structures. The architectural design and materials used in the construction shall must conform to the design and building materials used in the construction of the apartment or condominium buildings. No part of any such garage or other accessory building shall will be used for living purposes.
  - (5) Antenna structures as provided for in the A-1 district regulations.
  - (6) Home occupations under the same conditions as are set forth in subsection (c)(6) of this section.
  - (7) Parking or storage of small cargo or utility trailers, recreational vehicles and similar equipment, provided that special separate parking areas are included for the same.
  - (8) Fences or walls which are neither electrified nor constructed of barbed wire and which do not block site triangle easements and intersections.

(Code 1999, § 9-45; Ord. No. O-03-03, 3-10-2003; Ord. No. O-14-06(R2), § B, 1-8-2007; Ord. No. O-15-08(R2), 1-12-2009)

#### **CHAPTER 98 - ZONING**

#### ARTICLE I. IN GENERAL

#### Sec. 98-2. Definitions and rules of construction.

•••

Variance means a reasonable deviation from those provisions regulating the size or area of a lot or parcel of land, or the size, area, bulk or location of a building or structure when the strict application of this chapter would result in unnecessary or unreasonable hardship to the property owner, and such need for a variance would not be shared generally by other properties, and provided that such variance is not contrary to the intended spirit and purpose of this chapter, and would result in substantial justice being done. It shall not include a change in use which change shall be accomplished by a rezoning or by a conditional zoning. In the application of a zoning ordinance, a reasonable deviation from those provisions regulating the shape, size, or area of a lot or parcel of land or the size, height, area, bulk, or location of a building or structure when the strict application of the ordinance would unreasonably restrict the utilization of the property, and such need for a variance would not be shared generally by other properties, and provided such variance is not contrary to the purpose of the ordinance. It shall not include a change in use, which change shall be accomplished by a rezoning or by a conditional zoning.

•••

#### ARTICLE XXVI. BOARD OF ZONING APPEALS

#### Sec. 98-1022. Powers and duties.

The board of zoning appeals shall will have the following powers and duties:

- (1) To hear and decide appeals from any order, requirement, decision or determination made by an administrative officer in the administration or enforcement of this chapter or of any ordinance adopted pursuant thereto. of Code of Virginia, § 15.2-2280 et seq., or of this chapter. The decision on such appeal shall be based on the board of zoning appeals' judgment of whether the administrative officer was correct. The board of zoning appeals shall consider the purpose and intent of any applicable ordinances, laws, and regulations in making its decision.
- (2) To authorize upon appeal or original application in specific cases such variance as defined in *the Code of Virginia § 15.2-2201, as amended, and* section 98-2 *of the County Code;* from the terms of this chapter as will not be contrary to the public interest, when, owing to special conditions a literal-

enforcement of the provisions will result in unnecessary hardship, provided that the spirit of this chapter shall be observed and substantial justice done, asfollows: When a property owner can show that his property was acquired ingood faith and where by reason of the exceptional narrowness, shallowness, size or shape of a specific piece of property on January 3, 1967, or where by reason of exceptional topographic conditions or other extraordinary situation or condition of the piece of property, or of the condition, situation or development of property immediately adjacent thereto, the strict application of the terms of this chapter would effectively prohibit or unreasonably restrict the utilization of the property or where the board of zoning appeals is satisfied, upon the evidence heard by it, that the granting of the variance will alleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant, provided that allvariances shall be in harmony with the intended spirit and purpose of thischapter. provided that the burden of proof will be on the applicant for a variance to prove by a preponderance of the evidence that their application meets the defined standards for a variance and the following criteria. No such variance shall be authorized by the board of zoning appeals unless it finds that: a. The strict application of this chapter would produce undue hardship. b. The hardship is not shared generally by other properties in the same zoning district and the same vicinity.

c. The authorization of the variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance.

No variance shall be authorized except after notice and hearing as required by Code of Virginia, § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board of zoning appeals may give such notice by first-class mail rather than by registered or certified mail. No variance shall be authorized unless the board of zoning appeals finds that the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable theformulation of a general regulation to be adopted as an amendment to this chapter. In authorizing a variance, the board of zoning appeals may impose such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the public interest, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.

- a. A variance can be granted only in accordance with the Code of Virginia § 15.2-2309, as amended.
- b. No such variance will be considered except after notice and hearing as required by the Code of Virginia § 15.2-2204, as amended.
- c. In granting a variance, the board may impose such conditions regarding the location, character and other features of the proposed structure for use as it may deem necessary in the public interest and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.

- (3) To hear and decide appeals from the decision of the zoning administrator after notice and hearing as provided by Code of Virginia, § 15.2-2204, as amended. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board of zoning appeals may give such notice by first-class mail rather than by registered or certified mail.
- (4) To hear and decide applications for interpretation of the district map where there is any uncertainty as to the location of a district boundary. After notice to the owners of the property affected by the question, and after public hearing with notice as required by Code of Virginia, § 15.2-2204, as amended, the board of zoning appeals may interpret the map in such a way as to carry out the intent and purpose of this chapter for the particular section or district in question. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board of zoning appeals may give such notice by first-class mail rather than by registered or certified mail. The board of zoning appeals shall does not have the power to change substantially the locations of district boundaries as established by ordinance.
- (5) No provision of this section shall will be construed as granting any board the power to rezone property or to base board of zoning appeals decisions on the merits of the purpose and intent of local ordinances duly adopted by the governing body.
- (6) To hear and decide applications for special exceptions as may be authorized in this chapter. The board of zoning appeals may impose such conditions relating to the use for which a permit is granted as it may deem necessary in the public interest, including limiting the duration of a permit, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with. No special exception may be granted except after notice and hearing as provided by Code of Virginia, § 15.2–2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board of zoning appeals may give such notice by first-class mail rather than by registered or certified mail.
- (7) To revoke a special exception previously granted by the board of zoning appeals if the board of zoning appeals determines that there has not been compliance with the terms or conditions of the permit. No special exception may be revoked except after notice and hearing as provided by Code of Virginia, § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board of zoning appeals may give such notice by first-class mail rather than by registered or certified mail.

#### Sec. 98-1023. Appeals.

- (a) An appeal to the board of zoning appeals may be taken by any person aggrieved or by any officer, department, board or bureau of the county affected by any decision of the zoning administrator or from any order, requirement, decision or determination made by any other administrative officer in the administration or enforcement of Code of Virginia, § 15.2-2280 et seq., or this chapter. Any written notice of a zoning violation or a written order of the zoning administrator, dated on or after July 1, 1993, shall must include a statement informing the recipient that they may have a right to appeal the notice of a zoning violation or a written order within 30 days in accordance with this section, and that the decision shall will be final and unappealable if not appealed within 30 days. The appeal period shall must not commence until the statement is given. The appeal shall must be taken within 30 days after the decision appealed from by filing with the zoning administrator, and with the board of zoning appeals, a notice of appeal specifying the grounds thereof. The zoning administrator shall will forthwith transmit to the board of zoning appeals all the papers constituting the record upon which the action appealed from was taken.
- (b) An appeal shall stays all proceedings in furtherance of the action appealed from unless the zoning administrator certifies to the board of zoning appeals that by reason of facts stated in the certificate a stay would in his *or her* opinion cause imminent peril to life or property, in which case proceedings shall will not be stayed otherwise than by a restraining order granted by the board of zoning appeals or by a court of record, on application and on notice to the zoning administrator and for good cause shown.
- (c) In no event shall will a written order, requirement, decision or determination made by the zoning administrator or other administrative officer be subject to change, modification or reversal by the zoning administrator or any other administrative officer after 60 days have elapsed from the date of the written order, requirement, decision or determination where the person aggrieved has materially changed his position in good faith reliance on the action of the zoning administrator or other administrative officer, unless it is proven that such written order, requirement, decision or determination was obtained through malfeasance of the zoning administrator or other administrative officer or through fraud. The 60-day limitation period shall will not apply in any case where, with the concurrence of the attorney for the board of supervisors, modification is required to correct clerical errors.

(Code 1999, § 9-331(a); Ord. No. O-07-13, 10-15-2013)

**State Law reference**— Similar provisions, Code of Virginia, § 15.2-2311.

#### Sec. 98-1024. - Applications for special exceptions and variances. Reserved.

Applications for special exceptions and variances may be made by any property owner, tenant, government official, department, board or bureau. Applications shall be made to the zoning administrator in accordance with rules adopted by the board of zoning appeals. The application and accompanying maps, plans or other information shall be transmitted promptly to the secretary of the board of zoning appeals who shall place the matter on the

docket to be acted upon by the board of zoning appeals. No special exceptions or variances shall be authorized except after notice and hearing as required by Code of Virginia, § 15.2-2204. The zoning administrator shall also transmit a copy of the application to the planning commission which may send a recommendation to the board of zoning appeals or appear as a party at the hearing. The county may provide, by ordinance, that substantially the same application will not be considered by the board of zoning appeals within a specified period, not exceeding one year.

(Code 1999, § 9-331(b))

State Law reference — Similar provisions, Code of Virginia, § 15.2-2310.

#### Sec. 98-1025. - Procedure on appeal.

The board of zoning appeals shall will fix a reasonable time for the hearing of an application or appeal, give public notice thereof as well as due notice to the parties in interest and make its decision within 90 days of the filing of the application or appeal. In exercising its powers, the board of zoning appeals may reverse or affirm, wholly or partly, or may modify, an order, requirement, decision or determination appealed from. The concurring vote of a majority of the membership of the board of zoning appeals shall will be necessary to reverse any order, requirement, decision or determination of an administrative officer or to decide in favor of the applicant on any matter upon which it is required to pass under this chapter, or to effect any variance from this chapter. The board of zoning appeals shall must keep minutes of its proceedings and other official actions which shall will be filed in the office of the board of zoning appeals and shall must be public records. The chairman of the board of zoning appeals, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses.

(Code 1999, § 9-331(c))

**State Law reference**— Similar provisions, Code of Virginia, § 15.2-2312.

Sec. 98-1026. - Reserved.

**Editor's note**— Ord. No. O-15-09, adopted Aug. 10, 2009, repealed § 98-1026 which pertained to variances from floodplain requirements and additional factors and derived from § 9-331(d) of the 1999 Code.

#### Sec. 98-1027. - Certiorari to review decision of board.

Petition to circuit court. Any person or persons jointly or severally aggrieved by any decision of the board of zoning appeals, or any aggrieved tax payer or any officer, department, board or bureau of the county may present to the Circuit Court of New Kent County a petition in accordance with Code of Virginia § 15.2-2314, as amended, within 30 days after the final decision of the board.

(a) Any person or persons jointly or severally aggrieved by any decision of the board of zoning appeals, or any aggrieved taxpayer or any officer, department, board or bureau of the county, may present to the circuit court for the county a petition specifying the grounds on which aggrieved within 30 days after the filing of the decision in the office of the board of zoning appeals.

- (b) Upon the presentation of such petition, the court shall allow a writ of certiorari to review the decision of the board of zoning appeals and shall prescribe therein the time-within which a return thereto must be made and served upon the *relator's attorney*, which shall not be less than ten days and may be extended by the court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the board of zoning appeals and on due cause shown, grant a restraining order.
- (c) The board of zoning appeals shall not be required to return the original papers acted upon by it but it shall be sufficient to return certified or sworn copies thereof or of the portions thereof as may be called for by the writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.
- (d) If, upon the hearing, it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a commissioner to take evidence as it may direct, and report the evidence to the court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.
- (e) Costs shall not be allowed against the board of zoning appeals, unless it shall appear to the court that it acted in bad faith or with malice in making the decision appealed from. If the decision of the board of zoning appeals is affirmed and the court finds that the appeal was frivolous, the court may order the person or persons who requested the issuance of the writ of certiorari to pay the costs incurred in making the return of the record pursuant to the writ of certiorari. If the petition is withdrawn subsequent to the filing of the return, the board of zoning appeals may request that the court hear the matter on the question of whether the appeal was frivolous.

(Code 1999, § 9-332)

State Law reference — Similar provisions, Code of Virginia, § 15.2-2314.

#### Sec. 98-1028. - Administrative modification.

- (a) Pursuant to Code of Virginia, § 15.2-2286.A.4, as amended, the zoning administrator may grant a modification from provisions contained in this chapter with respect to physical requirements on a lot or parcel of land, including but not limited to size, height, location or features of or related to any building, structure or improvements upon finding in writing all of the following:
  - (1) The strict application of the chapter would produce undue hardship; The encroachment does not exceed one- and one-half linear feet;
  - (2) Such hardship is not shared generally by other properties in the same zoning district and the same vicinity; and
  - (3) The authorization of the modification will not be of substantial detriment to adjacent property and the character of the zoning district will not be changed by the

granting of the modification. To force compliance with the minimum setback and yard requirements would cause undue hardship upon the owner;

- (4) The noncompliance was done in good faith, or through no fault of the property owner, or was the result of an error in the location of the building subsequent to the issuance of a building permit, if such was required;
- (5) It will not be detrimental to the use and enjoyment of other property in the immediate vicinity;
- (6) The character of the zoning district will not be changed by the granting of the variance;
- (7) It will not create an unsafe condition with respect to both other properties and public streets; and
- (c) Prior to the granting of a modification, the zoning administrator shall must give all adjoining property owners written notice of the request for modification, and an opportunity to respond to the request within 21 days of the date of the notice. Notice shall must be sent by first class mail and an affidavit of such mailing shall must be kept in the file.
- (ed) The zoning administrator shall will make a decision on the application for modification and issue a written decision with a copy provided to the applicant and any adjoining landowner who responded in writing to the notice sent pursuant to this paragraph.
- (de) The decision of the zoning administrator shall must constitute a decision within the purview of Code of Virginia, § 15.2-2311, as amended, and may be appealed to the board of zoning appeals as provided by section 98-1023.

(Ord. No. O-20-07, 9-24-07)

Secs. 98-1029—98-1059. - Reserved.

Effective Date: This Ordinance shall b	be effective immediately.
Rodney A. Hathaway	Thomas W. Evelyn
County Administrator	Chair

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: 6/9/2025 APPOINTMENTS

Motion: "Mr. Chairman, I move (not required for Cons Agenda items)			
Subject	Appointments - Del	egated by District	
Issue			
Recommendation			
Fiscal Implication	ns		
Policy Implication	ns		
Legislative Histor	Ту		
Discussion			
Time Needed:		Person Appearing:	
Request prepared by:	A. Stanger, Executive Assistant	Telephone:	804-966-9683
Copy provided to:			
ATTACHMENTS: Description Appointments De	elegated by District (PDF)	Type ) Cover Memo	
REVIEWERS:			
Department	Reviewer	Action	Date 5/14/2025 - 10:30
Clerk	Watkins, Wanda	Approved	AM

# **DISTRICT ONE APPOINTMENTS**

I move to appoint	
the Clean County Committee to complete 31, 2026. <i>(This seat was filled by Lily Bra</i>	
I move to appoint the Historic Commission to serve a four-ye 2025 and ending December 31, 2028. <i>(Tl</i> 12/31/24.)	ear term beginning January 1,
I move to appoint representative to the Historic Commission beginning January 1, 2025 and ending De John Gulick expired 12/31/24.)	to serve a four-year term
I move to appoint to the Housing Advisory Committee. (This Ms. Abus is serving as the Department of	s seat was held by Shana Abdus.
I move to appoint the Seniors' Volunteer Hall of Fame Select term beginning January 13, 2025 and end new position created by the adoption of Ro 13, 2025.)	ion Committee to serve a two-year ing December 31, 2026. <i>(This is a</i>
I move to appoint the Social Services Advisory Board to serv and ending June 30, 2029. (This seat was indicated he is not able to complete this te	re a term beginning July 1, 2025 s held by Larry Clark and he has

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# **DISTRICT TWO APPOINTMENTS**

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

# **DISTRICT THREE APPOINTMENTS**

NONE

# **DISTRICT FOUR APPOINTMENTS**

I move to appoint	as District Four representative to
, ,	Committee to serve a three-year term
beginning July 1, 2025 and ending J	une 30, 2028. <i>(The term of James</i>
Wallace will expire 6/30/25.)	
I move to appoint	as District Four representative
to the Seniors' Volunteer Hall of Fam	ne Selection Committee to serve a two-
year term beginning January 13, 20	,
` '	e adoption of Resolution R-02-25 R1 on
January 13, 2025.)	

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# **DISTRICT FIVE APPOINTMENTS**

I move to appoint	as District Five representative to
	ts Committee to complete a three-year
term beginning July 1, 2024 and er	nding June 30, 2027. (The term of Julian
Ward expired 6/30/21.)	
	as District Five representative to
the Seniors' Volunteer Hall of Fame	e Selection Committee to serve a two-year
term beginning January 13, 2025 a	and ending December 31, 2026. <i>(This is a</i>
new position created by the adoption	on of Resolution R-02-25 R1 on January
13, 2025.)	
I move to appoint	as District Five representative to
the Social Services Advisory Board	to serve a term beginning July 1, 2025
and ending June 30, 2029. (The te	erm of Carole Coffman will expire June 30,
2025.)	•

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: 6/9/2025 APPOINTMENTS

Motion: "Mr. Chairman, I move (not required for Cons Agenda items)			
Subject	Appointments - Not	Delegated by District	
Issue			
Recommendation			
Fiscal Implicatior	ns		
Policy Implication	ns		
Legislative Histor	-у		
Discussion			
Time Needed:		Person Appearing:	
Request prepared by:	A. Stanger, Executive Assistant	Telephone:	804-966-9683
Copy provided to:			
ATTACHMENTS: Description Appointments NO	OT Delegated by District	Type (PDF) Cover Memo	
REVIEWERS:	D. C.	A .15.	Data
Department Clerk	Reviewer Watkins, Wanda	Action Approved	Date 5/14/2025 - 10:30 AM

# **Boards and Commissions not Delegated by District**

I move to appoint	f Fire Prevention Code Appeals to
I move to appoint the Purchase of Development Rights Cor beginning July 1, 2025 and ending June Wallace, III will expire 6/30/25.)	mmittee to serve a three-year term
I move to appoint the Purchase of Development Rights Cor term beginning July 1, 2023 and ending Gray expired 6/30/23. Mr. Gray was ap representative on 1/10/24 and is not eli	mmittee to complete a three-year June 30, 2026. <i>(The term of Robert</i> pointed as the District 2
I move to appoint the Seniors' Volunteer Hall of Fame Sele term beginning January 13, 2025 and en new position created by the adoption of 13, 2025.)	ection Committee to serve a two-year nding December 31, 2026. <i>(This is a</i>
<b>PLEASE NOTE</b> – The following 8 appoint Service Committee. The term is one year have to reside within your district.  position is also open.	ar and <b>your appointees DO NOT</b>
I move to appoint <b>Nicholas Rice</b> as a y County Youth Community Service Commending December 31, 2025. (This appoind of the Indicate of the Ind	nittee to serve a one-year term intment should be made by the sing Junior at NKHS and Parks and
I move to appoint Kent County Youth Community Service ( ending December 31, 2025. <i>(This appoi District 1 BOS Member.)</i>	

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	as a youth member of the New
	Service Committee to serve a one-year term This appointment should be made by the
Kent County Youth Community	as a youth member of the New Service Committee to serve a one-year term This appointment should be made by the
Kent County Youth Community	as a youth member of the New Service Committee to serve a one-year term This appointment should be made by the
Kent County Youth Community	as a youth member of the New Service Committee to serve a one-year term This appointment should be made by the
Kent County Youth Community	as a youth member of the New Service Committee to serve a one-year term This appointment should be made by the
Kent County Youth Community ending December 31, 2025. (*) Bandy's term expired 12/31/24	as a youth member of the New Service Committee to serve a one-year term This seat was held by Caroline Bandy. Ms. 4 and she does not wish to be reappointed. ade by the District 5 BOS Member.)
Kent County Youth Community	as an adult member of the New Service Committee to complete a three-year 44 and ending December 31, 2026. (Tonnie d her term expired 12/31/23.)

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: 6/9/2025 APPOINTMENTS

Motion: "Mr. Chairman, I mov (not required for Cons Agenda items)			
Subject	Appointments - Re	gional Boards and Com	missions
Issue			
Recommendatior	1		
Fiscal Implication	ns		
Policy Implicatio	ns		
Legislative Histo	ry		
Discussion			
Time Needed:		Person Appearing:	
Request prepared by:	A. Stanger, Executive Assistant	Telephone:	804-966-9683
Copy provided to:			
ATTACHMENTS Description Appointments - (PDF)	: Regional Boards and Cor	Type nmissions Cover Memo	
REVIEWERS:	Dovious	Action	Data
Department Clerk	Reviewer Watkins, Wanda	Action Approved	Date 5/14/2025 - 10:30 AM

# **Regional Boards and Commissions**

the Arts Alive Board of Directo	as New Kent's representative to rs to serve a three-year term beginning July 18. (The term of Ellen Davis will expire June
Heritage Library Board of Trust 1, 2025 and ending June 30, 2 will expire on June 30, 2025 ar consecutive terms. Ms. Pollard	<b>Ilard</b> as District Two representative to the tees to serve a four-year term beginning July 029. (The second term of Kimberlee Moyer and trustees can serve no more than two downward has requested appointment. This by the District 2 BOS Member.)
the Richmond Regional Transp Transportation Advisory Comm 31, 2025. <i>(This seat is curren</i>	as New Kent's representative to ortation Planning Organization's Citizen littee to complete a term ending December tly held by Lisa Guthrie. Ms. Guthrie has the end of her term but would step down ad.)
the Richmond Regional Transp Transportation Advisory Comm	e as New Kent's alternate representative to ortation Planning Organization's Citizen littee to complete a term ending December iously held by John P. Moyer prior to being isor.)
Board of Directors for The Spa	as New Kent's representative to the n Center to serve a three-year term beginning 30, 2028. (The term of Danny Green will
Thrive Virginia Board to serve and ending December 31, 202	ack as a New Kent representative to the a four-year term beginning January 1, 2025 8. (Joe Swartout had been serving and expired December 31, 2024.)

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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: 6/9/2025 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 May 6, 2025, and the next work session will be held at 9:00 a.m. on April 29, 2025, both in the Boardroom of the County Administration Building.			
Time Needed:			Person Appearing:		
Request prepared by:	A. Stanger, Executive Assistant		Telephone:	804-966-9683	
Copy provided to:					
ATTACHMENTS: Description Closed Session M		ns (PDF)	<b>Type</b> Cover Memo		
REVIEWERS:					
Department		Reviewer	Action	Date	
Clerk		Stanger, Amanda	Approved	4/30/2025 - 12:32 PM	

# 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

- 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.

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