

A WORK SESSION OF THE BOARD OF SUPERVISORS WITH THE CONSTITUTIONAL OFFICERS WAS HELD ON THE 12TH DAY OF OCTOBER IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-EIGHT IN THE COURTROOM OF THE OLD COURTHOUSE AT 4:02 P.M.

IN RE: ROLL CALL

James H. Burrell	Absent (arrived at 4:06 p.m.)
Mark A. Hennaman	Absent (arrived at 4:08 p.m.)
Frederick G. Bahr	Present
Rebecca M. Ringley	Absent
Julian T. Lipscomb	Present

Betty Burrell and John Crump were present at 4:02 p.m., Sheriff Howard and Linwood Gregory arrived at 4:06 p.m. and Barbara Gregory was absent.

IN RE: JOHN CRUMP, COMMISSIONER OF REVENUE

Mr. Crump said he was trying to work with Jonathan Stanger on the computer problems. The assessment work has been done and turned in, it appears the numbers for real estate and personal property tax revenue is close to \$500,000 (\$400,000 in real estate and \$100,000 in personal property) greater than projected. Mr. Emerson said there were collection rates and other things that had to figure into this, so that figure may or may not be realized. Information was received from the public service corporations and it came out better than expected. One of the things that came out of these figures was the list of communications towers, there were numerous discrepancies in this list, which were being corrected and shared with the Planning Department. The ownership of these towers will be confirmed so taxes can be assessed and collected. Mr. Crump said he would be speaking about the elderly and handicapped tax proposal at the board meeting tonight. He will ask for an opportunity to meet with a subcommittee of the Board to go over this issue. Mr. Lipscomb asked if Mr. Crump had any projections on the impact it would have on the County over the next five years. Mr. Crump said he had spoken with the Department of Taxation and the Virginia Department of Aging and they don't keep this type of information by age. Mr. Crump said that a lot of the people that would be affected by this do not file taxes, so there is no way of knowing. Discussion followed on the possible impact and when the program could be implemented. Mr. Crump said he received telephone calls about the flyers that went out on the school bond referendum and the money associated with that - they want to know if the numbers are accurate. Mr. Emerson said the questions could be referred to him. Discussion followed on the bond referendum.

Mr. Lipscomb asked when the tax bills would go out. Ms. Burrell said they would go out between October 26 - 28 and the state auditors were coming tomorrow. Tax refund checks will be processed by May 1, 1999. The Treasurer's Association has provided brochures that explain the process of tax refunds.

IN RE: F. W. HOWARD, JR., SHERIFF

Sheriff Howard complained about the courthouse situation. He said he seemed to be the person who is contacted whenever there is a problem. He felt it was ridiculous that it's been going on for so long. He hears about it from the public, attorneys from other localities, police officers, judges, and everybody that comes in the courthouse. He is ashamed about its appearance. Mr. Lipscomb said they had agreed to not spend any more than they had to on the courthouse until the litigation was settled, which has happened

and bids are being accepted for the work to be done. The County will have a share of the cost. Once the moisture problem is taken care of, then the other work will proceed. Sheriff Howard stated this problem has been ongoing since 1991 and he felt the County had lost a lot of money. Mr. Hennaman pointed out that the current board took legal action in 1996, they had no control over what the previous board did or did not do, and it's the wheels of justice that have turned slowly. Sheriff Howard said he didn't care who it was, the carpet in his office area is saturated all the time (and has been since it was built), the mold count must be unbelievable, the doors don't shut correctly, a leak was found in general district court again, it's an ongoing thing. Mr. Lipscomb stated again that the moisture problem has to be taken care of first. Sheriff Howard said he had a lot of other things that had to be done besides addressing the same problems. Mr. Lipscomb asked Mr. Emerson if he had any idea when the work was scheduled to begin. Mr. Emerson said according to the agreement that was signed three weeks ago, they have thirty days to get the bids in, then it has to be awarded, and within that time the drainage system has to be done within 180 days. After that's done there has to be a period of monitoring to see if that gets the moisture problem out of the building before anything else can be addressed. It would be extremely difficult for staff to recommend to the Board to spend \$30,000 - \$40,000 ripping siding off and doing things that may deteriorate again if the geotechnical engineers are not correct. Mr. Emerson said he understood the Sheriff's frustration. He asked Ms. Burrell how many years the HVAC had not worked correctly in the administration building. Ms. Burrell responded since she was here. Mr. Emerson said it takes time to find money and solve the problems. Sheriff Howard said if it had been taken care of correctly they wouldn't be at the stage they are at now. Mr. Emerson said he agreed, but they had a hard time getting the engineers and architects to agree there was a water problem, and even Judge Powell said he didn't see a problem with the building. Sheriff Howard said they had filled in the holes that had been dug around the courthouse. Mr. Emerson said they didn't want the holes filled in because they were monitoring the water level. Mr. Gregory asked how much money was in the courthouse repair fund and how much has been spent? Ms. Burrell said they had run a total for Judge Hoover as of October 1 and it was over \$99,000, but not quite \$100,000. Sheriff Howard said he was tired of people complaining to him about it and he was ashamed of it.

IN RE: LINWOOD GREGORY, COMMONWEALTHS ATTORNEY

Mr. Gregory stated he was concerned about the dog bite in Five Lakes. He felt the County Ordinances were inadequate to deal with dangerous and vicious dogs. The County did not adopt the legislation that would allow a dog to be declared dangerous and put the owner on terms and if the terms are violated, to euthanize the dog. He wanted the County to declare the dogs a nuisance or move forward as quickly as possible to get a dangerous and vicious dog ordinance in effect. Discussion followed on the dog bite case. Mr. Cornwell said he would bring to the Board a dangerous and vicious dog ordinance.

IN RE: BETTY BURRELL, TREASURER

Ms. Burrell thanked the Board for the Open Plan System furniture for her office. She has signed a contract with U.S. Audiotex, which allows her customers to pay their taxes by credit card (American Express, VISA, Master Card, Discover) for a fee. The money is wired to the County's bank account within 48 hours. Citizens & Farmers Bank made a presentation on how the Y2K issues will apply to the bank. Ms. Burrell handed out information on Y2K and an AS400 audit report for the Board to review. She asked if the Board had received their copies of her financial report, which was mailed. The following members had not received their copy: Mr. Hennaman, Mr. Bahr, and Ms. Ringley. Ms. Burrell said she would be introducing her volunteers at the Board meeting. Mr. Bahr asked if they were bonded. Ms.

Burrell said no, they don't handle money, but they are deputized. Ms. Burrell asked if the Board had seen the derogatory flyer regarding living in New Kent County. Mr. Emerson said they had and to his knowledge it's been distributed in Mechanicsville, eastern Henrico, Hopewell, Charles City, and Newport News. Discussion followed about the flyer.

Mr. Emerson asked Mr. Crump if he had heard anything on the Eagle System yet. Mr. Crump said no. Mr. Emerson said one of the things they were working on for the reassessment was upgrading the computers for the Commissioner of Revenue's Office. They hope to be a pilot project for the new Eagle System, which may reduce the County's costs. Mr. Crump said the Eagle System had different modules like the Bright System, plus modules for the Clerk's office. In some county offices people file deeds, surveys, etc. electronically.

A WORK SESSION OF THE BOARD OF SUPERVISORS WITH REPRESENTATIVES FROM THE FIRE DEPARTMENT AND RESCUE SQUAD WAS HELD ON THE 12TH DAY OF OCTOBER IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-EIGHT IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING AT 5:00 P.M.

IN RE: THE BOARD WILL MEET WITH THE FIRE DEPARTMENT AND RESCUE SQUAD REPRESENTATIVES FOR A WORK SESSION TO DISCUSS THE DUTIES OF THE CHIEF OF EMERGENCY SERVICES AND HOW THEY RELATE TO THE FUNCTIONS OF THE FIRE DEPARTMENT AND RESCUE SQUAD.

Mr. Lipscomb greeted Mr. Wade Berry (Company 3), Mr. W. C. Pearson (Company 2), and Mr. John Mihalcoe (Company 3) and turned the meeting over to Mr. Emerson. Mr. Emerson stated Mr. Butch Carter (Rescue Squad) had a conflict and could not attend, but he and Mr. Gallaher had spoken with him earlier today to let him know what will be discussed. The purpose of this meeting was for everyone to understand what the Board's goals are for Mr. Gallaher's redefined position, which will enable him to work more closely with fire and rescue. Mr. Emerson said the goals came from the study performed by Marketing Management. Mr. Emerson asked Mr. Gallaher to review the duties of the Chief of Emergency Services. Mr. Gallaher said his duties would also deal with emergency services and emergency management. He will serve as administrative chief, handling personnel records, call records, and develop an essential focused way of dealing with these items. He will develop short term goals including combining certain documents, SOPs, and membership materials with assistance from the volunteer agencies. He will administer all public funds that are provided by and passed through the county to the volunteer agencies. He will assume full supervision of all record keeping functions, develop and maintain a public relations program with input from the volunteers. Develop and maintain a volunteer recruitment and retention program with input from the volunteer agencies. Develop and maintain apparatus and equipment specifications with input from the volunteers. Develop conceptual plans for all new County owned fire/EMS stations with input from the volunteer agencies. Develop line item fiscal year budget requests with input from the volunteer agencies. Continue to handle county hazardous materials programs, plans review and public presentations. Mr. Gallaher also discussed the time line for implementation of his new duties. Mr. Bahr asked where the new firehouse for Company 1 was going to be built. Mr. Emerson said the study recommended at I64 and Rt. 155. Mr. Bahr said he was interested in keeping it volunteer for as long as possible. Mr. Mihalcoe said he would like to see the County build two stations - one west of Providence Forge and one further east of Providence Forge to cover the Lanexa area and bring the other station farther down Rt. 60 to help cover the western side of the County. Mr. Gallaher said the location of the next fire station has not been determined, suggestions have been made, they are trying to improve the ISO designation for fire insurance. They have recently learned the numbers have gone down (which is good). Fund raising efforts by the volunteers were discussed.

(5:22 p.m. Becky Ringley arrived). Mr. Pearson asked for clarification on what authority Mr. Gallaher would have under state laws. Mr. Gallaher asked if he meant as far as what was contained in Title 27 of the Code of Virginia - it doesn't list anything. Mr. Pearson wanted to know as administrative chief was there anything else that would be included under his job description, such as in developing short term goals, SOPs with assistance from volunteers. Was that SOPs dealing with business related items or operational issues? Mr. Pearson wanted to get out on the table so everyone understood that for any type of operational issues that come up, it would be up to the three chiefs to make decisions - for example, they run auto wrecks on the interstate, if the County did not think this was the right thing to do (according to this information) they could make the decision not to do it anymore and the stations would have to abide by that. Mr. Gallaher said part of his job (concerning the example just used) would be to get people together and try to iron out problems. The final decision would have to be worked out by everyone involved. Mr. Pearson said what he was concerned about was if Mr. Gallaher felt strongly enough about something they (fire departments) were doing operationally, did he have the authority to over rule what they were doing? Mr. Emerson answered yes. Mr. Pearson he would have a problem with that, he felt it needed to be verified. Discussion followed on if this was a problem. Mr. Hennaman said they were not interested in micro managing the departments - it had to be a partnership to work. Issues would have to be brought to the table, discussed, and a consensus met. Mr. Pearson felt that operational issues needed to be left up to the chiefs to decide. Mr. Gallaher said that any vehicle the departments had with a license plate ending in AL technically is his responsibility, so he would have something to say in how it was used. Mr. Emerson suggested Mr. Gallaher sit down with the three chiefs within the next month and clarify these issues, then he will discuss the issues with Mr. Gallaher and then take it to the Board if necessary. Mr. Pearson said he didn't want any strong arm maneuvers used. It was the consensus no one wanted this to occur. Mr. Pearson also had an issue with administering public funds - the funds that come in from the state, would they be considered public funds? Mr. Emerson said yes. Mr. Pearson asked how monies from grants would be addressed. Mr. Emerson said if they flow through the County's fund balance, they would come under Mr. Gallaher's administration. If the check was cut directly to a company, then they would not have anything to do with it. Mr. Gallaher would be responsible for helping the companies receive grants (if available), but if the grant required a match from the locality, then it would require approval from the Board and would have to be budgeted for, and that's another issue. Mr. Pearson said the second airpack payment was coming due and they barely have enough money for it (\$16,800 +/-), looking down the road to next year with the status of Marengo, they depend on a lot of that money to help them make the airpack payment and they were going to be in trouble next year. He asked the Board to consider helping them make the payment. Mr. Hennaman asked how many payments remained (annually in November). Mr. Pearson said five payments remain. Mr. Pearson also said if the County put up a new building for Company 1, then an issue from Companies 2 and 3 will be how will the County help them make the monthly payments? This issue was discussed. Mr. Mihalcoe asked about a dispatcher for fire? He hoped the Board would consider a (fire/EMS dispatcher). Mr. Gallaher said there will come a time when fire/EMS will both be dispatched by one person and it will take a person to do that separate from the Sheriff's dispatcher. Mr. Hennaman asked about the addition to Company 3. Mr. Berry said they doubled their space to 80 foot bays. The total cost, when finished will be between \$80,000 - \$90,000 with a mortgage payment of around \$200 per month. The Board recessed the meeting and moved to the conference room in the administration building for a work session.

A WORK SESSION OF THE BOARD OF SUPERVISORS WAS HELD ON THE 12TH DAY OF OCTOBER IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-EIGHT IN THE CONFERENCE ROOM OF THE COUNTY ADMINISTRATION BUILDING AT 5:52 P.M.

IN RE: WORK SESSION

Mr. Emerson stated that the potential shell building project was more expensive than they had thought it would be. The chairman's committee reviewed the information. The money that would have to be put out, while the county currently does not have the excess funds, does not make this a feasible option at this time. Mr. Emerson said he could not recommend it at this time. Discussion followed on future possibilities for this project.

THE REGULAR MEETING OF THE BOARD OF SUPERVISORS WAS HELD ON THE 12TH DAY OF OCTOBER IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-EIGHT IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING AT 6 :07 P.M.

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

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

IN RE: ROLL CALL

James H. Burrell	Present
Mark A. Hennaman	Present
Frederick G. Bahr	Present
Rebecca M. Ringley	Present
Julian T. Lipscomb	Present

IN RE: CONSENT AGENDA

Mr. Emerson reviewed the Consent Agenda, which consisted of the minutes from the September 14, 1998 board meeting; award of contract for general reassessment of the County in the amount of \$113,900 to Wingate Appraisal Service; appointment of Assistant Fire Marshal, Dan Cavender; reappointment of the County Administrator to the Middle Peninsula Juvenile Detention Commission for another four year term; Resolution R-25-98 honoring John Archer Pearman, Sr; Appropriations for: money received from the Virginia Department of Emergency Services for the purchase of a vehicle - \$17,668.96 from Revenue to Expenditures, carry forward funds for completion of the West Area Management Plan - \$6,240, new funding from the State Department of Social Services for Job Placement Daycare Services for Welfare Reform Program, (which are 100 percent funded by the state) in the amount of \$10,486 .00; carry forward for Family Preservation - \$3,496 .46, carry forward for the Radio Study project - \$23,035.72, Virginia Public School Construction Grant Funds from the Department of Education - \$256,808.00, and additional School Food Funds from increased charges - \$10,000.00 from Revenue to Expenditures, for a total supplemental appropriation of \$327,735.14, money-in/money-out totaling \$280,440.81, and \$47,294.33 from Fund Balance; the Finance Report shows total expenditures for September 1998 of \$517,845.99; and a Treasurer's Report for the month ending August 31, 1998 with a balance of \$5,661,118.80. Mr. Burrell asked that the minutes be clarified on page three under Elected Official's Reports to read "as much as they would like from the waste stream" (adding the word stream). Mr. Hennaman questioned if the appropriation for Virginia Public School Construction Grant Funds, was requested in order to cover the first bill received. Mr. Rickman said the \$116,300 was not included in the budget, but they knew it was coming, and it has already been obligated to pay for the long range facility plan. Ms. Ringley said she had concerns over this also, since the \$116,300 was not included in the school's budget. Ms. Ringley

questioned where the \$140,000 will go and if an appropriation in that amount is necessary at this time, or could they defer action on it. Mr. Emerson said they could defer action, the School Board did budget in their debt service money so the \$116,300 would take care of the additional funding for the debt service for this year. The \$140,000 is additional money, which is basically local money. Mr. Hennaman made a motion to approve the consent agenda as presented with the exception of the Virginia Public School Construction Grant Fund appropriation, which will be acted upon separately.

James H. Burrell	Aye
Mark A. Hennaman	Aye
Frederick G. Bahr	Aye
Rebecca M. Ringley	Aye
Julian T. Lipscomb	Aye

FOR RESOLUTION R-25-98 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX SIX, PAGE 152.

Dr. Geiger encouraged the Board to appropriate the entire amount. The enrollment for this year is significantly below what was projected and if it stays where it is now, then those funds will be needed, plus the reserve, to make sure they can offset the amount of state funding that will be lost. Dr. Geiger asked for the entire amount be appropriated, the \$140,000 to be used to offset the loss of state revenue if the enrollment projections don't go any higher. Dr. Geiger said they were faced with a significant loss of state funding due to the low enrollment - \$2,500 to \$2,600 per student. Mr. Lipscomb said he understood the School Board wanted to take state construction funds and use them as operating funds - Dr. Geiger said no, they qualified for all those funds to be used to pay their debt service, the state has not provided funding for school construction since World War II. They applied for funding for existing debt service from the high school and primary school wing to qualify, which freed the money up to either meet the shortage in state funding from the ADM or if enrollment goes up, the funds can be used for school capital projects. Mr. Lipscomb asked when they would know that they need the funds. Dr. Geiger said they wouldn't know until after March 31 ADM is in. Mr. Bahr asked how much was saved due to the decrease in enrollment. Dr. Geiger said there would not be a savings in terms of staff. Dr. Geiger did not know what the savings would be in other areas. Ms. Ringley said she did not think it was the intent to say the Board was not ever going to appropriate this money. They broke it out because there was speculation, and they realize it was earmarked for construction, so rather than have it go for something else, she would like to see it reserved for construction. Mr. Hennaman concurred. Dr. Geiger said the money was given by the state to be used for debt service payment and that's what they intend to use it for. Mr. Hennaman made a motion to appropriate \$116,300 from the Virginia Public School Construction Grant Fund to the Department of Education from Revenue to Expenditures.

James H. Burrell	Aye
Mark A. Hennaman	Aye
Frederick G. Bahr	Aye
Rebecca M. Ringley	Aye
Julian T. Lipscomb	Aye

IN RE: CITIZENS COMMENT PERIOD

The first citizen to speak was Mr. Ed Hayes. Mr. Hayes thought staggered terms for Board members was a bad idea. Mr. Hayes was concerned about the financial impact of the school referendum. He was confused from the information coming out about the referendum. He said he had several articles that suggested/implied that the bond issue will only require a three cent tax hike. He felt this was very misleading and should be clarified. Much of the justification for the new school has been predicated on

projections of future enrollment. He's read this year's enrollment is 90 students less than projected only a few months ago. He questioned the projections and how they were derived. Also, he felt the School Board member who has stated the money she receives does not pay for gas, he wondered where she was going. He also felt the Board was obligated to give a clear, concise statement to acknowledge this approximate estimate on what the impact is going to be on the property tax - not to be confused by rolling it into the reassessment issue. (Mr. Burrell said he had been requested by a constituent for the County to send out a mailing to all taxpayers telling them exactly what it will cost.) The next person to speak was Ms. Sam Snyder. Ms. Snyder said it hasn't been made clear as to how much it will cost the citizens for the school bonds. She thought it was confusing that Mr. Jacobs from Robinson, Farmer, Cox said the County must raise the real estate tax .03 cents and the .85 cent tax rate will be sufficient to fund operations, new projects, and capital improvements through the year 2004. This leads the citizens of the County to assume their tax rate will only go up .03 cents. What some people may not know is that the real estate assessment will cause their property values to increase as much as 20 - 30 percent. It is imperative that the Board of Supervisors and the School Board present this referendum as accurately as possible showing what it will cost. The next citizen to speak was Mr. John Crump. Mr. Crump said he was a board member for the Jamestown 4-H Center. This center was started in 1928 and today it serves twenty-two counties. The goals of the center are to promote environmental stewardship to 8,000 youths and adults annually; develop self-esteem, self-worth, communication, and group participation skills; promote opportunities for youth to learn to take responsibility for their own decisions and actions; and, the campers have fun educationally, socially, and recreationally in a setting away from home. They are asking the Board for an appropriation of \$2,200.00 to meet the matching requirement for a 1999 appropriation. The next person to speak was Mr. J. Richard Wrobel. Mr. Wrobel said it was the Board's responsibility to inform the citizens of major issues affecting safety, security, and welfare so they can make informed decisions. He recommended the Board deal with the following three issues: 1) What is the underwriters estimated total cost to retire the bond issue proposed? 2) At the current year property assessment and related income, what is the average for the property tax rate change needed to pay off? 3) What is the cost impact of operating the proposed new school? The next person to speak was Shawn Pratt. Mr. Pratt said the NKAPA sent out a questionnaire to Ms. Ringley, Mr. Burrell, and Mr. Hennaman. Ms. Ringley responded to him, but he has heard nothing from Mr. Burrell or Mr. Hennaman. Ms. Ringley indicated she would respond tonight in person. The questionnaire was to find out the thinking behind why these supervisors did not want to rescind the letter. Regarding the Airport Commission, he understood there was no direct communication to the Board and he thought that should be corrected. Regarding the fuel farm, he hoped provisions were being made in case the underground tank removal took longer than the time table. The NKAPA would prefer an airport manager rather than have CRAC operate the airport. He recommended to the Board that a corroborative presentation be made to CRAC by representatives from the NKAPA, the Airport Advisory Council, and the Board of Supervisors to show CRAC they are honestly looking into that option and to ensure the information they receive is accurate. He also suggested that a light like the one they use in congress be used (when a person's time is up) instead of the obnoxious ringing bell. The next person to speak was Mr. John Simons. Mr. Simons said he was a student pilot and rented hangar 15 at the airport. He thanked the Board for the progress they had made for the assurance of the continuation of aviation fuel supply beyond the December 22, 1998 deadline imposed by the Department of Environmental Quality. He urged completion of the project as it has been a concern to the pilots. They are also concerned about the possible closing of the airport. His perception was that the Board was demonstrating a lack of vision in the face of a flood of opportunity for County business and residential development. He felt the airport was an asset to the County and a selling point for attracting new business and the possibility of it not being there in the future will discourage prospects. To close the airport would be viewed as an economic decline. The next person to speak was Mr. Rod Molina. Mr. Molina said he's been a resident of the County for fifteen years, has been a pilot since 1980 and is a certified instructor. He's been watching the airport saga for the past five years. He spoke for himself and his fellow pilots, they are deeply saddened over what's been happening. The deterioration of some of the buildings and the hangars is difficult to watch. He spoke to

the Board five years ago about his feelings on the airport and not much has changed. He's seen two boards try to deal with the airport issue with little success. They have tried to find an FBO operator to run the airport and have petitioned the congressmen to close the airport. He felt the Board has damaged any credibility the County may have had regarding this issue. The aviation community is appalled at the way this situation has been handled. The Board has rejected all FBO proposals it has received. He felt an FBO was essential to the health of general aviation. The Board has maintained that if only the airport were profitable, they could support it. He felt the administration has done nothing in the last five years. He asked the Board to make decisions that could turn the situation around, rescind the letter to the congressmen asking them to be forgiven of the airport debt, replace the fuel tanks by the end of the year, and hire a qualified full time airport manager. The next person to speak was Mr. George Delk. Mr. Delk commented on the letters that were sent to Senator Robb and Congressmen Scott requesting their political support enabling New Kent County to be released from financial obligation totaling nearly \$3 million dollars to the federal and state governments. He commended the Airport Commission for pointing out factual discrepancies and making a unanimous motion requesting the Board of Supervisors to correct the letter. Mr. Delk was disappointed there were no corrections. The Federal Aviation Administration and the Virginia Department of Aviation have made it clear they will not support this action. The request has resulted in the loss of state grant money, which would have supplied much of the money needed to comply with the DEQ mandates as well as fuel farm replacement. He commanded the supervisors to support rescinding the letters which contain factual discrepancies. He questioned the judgment of any supervisor who felt it was politically in the County's best interest to continue standing behind these letters knowing they contain factual discrepancies. Senator Robb and Congressman Scott have received factual information from numerous sources. Mr. Delk thought it was time to rescind the letters to save political face as well as taxpayers' dollars. He said it was time to make informed business decisions with regard to the airport. The best resource (Airport Advisory Commission) has not been properly utilized. The next person to speak was Mr. Gary Green. Mr. Green said there were 18 aircraft at the airport owned by County citizens, three are used regularly for business purposes. He planned on using his (plane) once he got his license. There are six empty hangars - two moved out recently due to lack of mechanical work which could not be performed at the airport. He felt there were two options: 1) Close the airport or 2) Keep it open. He did not feel the County would be forgiven of the state and federal grant debts. He thought the airport made money and it can make money if they keep it open - announce it's going to be open, fill up the hangars, sell fuel - it can be an asset to the County. Mr. Green thought that when Del Webb came in with 5,500 homes there would be a lot of planes coming in - probably .50 to 1 percent. He said the airport was used regularly now with people coming to Royal New Kent and Colonial Downs. Mr. Green said he would like to see the Board make a decision one way or another. The next person to speak was Ms. Patricia Townsend. Ms. Townsend was concerned about an accident that happened near the George Watkins Elementary School. She requested a traffic study be done. She would like to see the road eliminated in front of that school. She also stated that all this week they would be doing tours at the middle school. She invited everyone to attend and receive a parent's point of view. The next person signed up to speak was Ms. Pat Cash, who said she had no comment. The last person signed up to speak was Ms. Jennifer Caldwell, who rescinded her request to speak.

IN RE: PRESENTATION - Resolution R-24-98 recognizing the achievement of Eagle Scout by Alexander J. Noctor will be presented to Mr. Noctor.

Mr. Lipscomb and Ms. Ringley presented Resolution R-24-98 to Alexander J. Noctor recognizing him for the achievement of Eagle Scout. Mr. Noctor thanked the Board for the resolution and recognized and thanked his fellow scouts and scout masters.

IN RE: PRESENTATION - Mr. Henry Stanley, Chief of Police, Henrico County will present the New Kent County Sheriff's Office with an award for the Virginia Chiefs Challenge for 1997.

Chief Stanley presented a framed limited edition print of the National Law Enforcement Memorial as an award for the 1997 year for the Chiefs Challenge to Sheriff Howard. Sheriff Howard thanked Corporal Bailey and his entire staff for achieving this honor.

IN RE: ELECTED OFFICIALS REPORTS

Ms. Betty Burrell, Treasurer reported they were scheduled to have an auction of property on October 29 at the courthouse on properties that have met the criteria. The tax bills will be mailed out between October 28 - 30. Taxes can be paid by credit card (AMEX, VISA, and MC) through a company called USAudiotex. There will be a fee to use this service. Ms. Burrell presented Ms. Kathy Morgan (Delinquent Tax Collector/Administrative Assistant), Ms. Annemarie Schmitt (volunteer), and Mr. Walter Johnson (volunteer).

Mr. John Crump, Commissioner of Revenue, Mr. Crump discussed the current Tax Relief Program and requested the Board review the program and make changes to the limits. He would like to have any changes made completed prior to the general reassessment. Mr. Lipscomb referred this issue to the Finance Committee to work with Mr. Crump.

Sheriff Howard reviewed the Unified Crime Reports statistics for New Kent County. The clearance for the County was 34.26 percent in 1996 and was 48.24 percent in 1997 (the state average is 24.2 percent).

Mr. Bahr reminded everyone of the Greater Lanexa Studio Tour (consisting of area artists) which will be taking place October 24 and 25. The Diascund Reservoir has been lowered in order to put the emergency spillway in. They will also raise the dam from Route 603 to the pumping station. He spoke with James City County with the hopes that while the water is this low they could have a cooperative clean up perhaps by the Boy Scouts. In relation to the school bond, he felt it was explained very well by Robinson, Farmer, and Cox. They explained that at the time of reassessment, the taxes would probably go up 10 percent and in addition there would be 3 cents on that. They also showed scenarios in the event Delmarva did not put in their development by the racetrack on Route 155, and if the track did not do well, it could go up to \$1.00 per hundred (plus ten percent). He thought the public should know this. He said he would hold off on comments about the airport.

Mr. Hennaman wondered if the Board might consider preparing an informational flyer (on the school referendum). He pointed out the Board held two open work sessions on this issue and they were poorly attended. Regarding the citizen's comments on increased costs for the proposed new school, the operating expenses have been put into the referendum. He's received complaints on the potholes at the Providence Forge transfer station, and he's asked staff to do a temporary fix of gravel. Also, a citizen has complained he has not been able to dump waste oil because the transfer station's receptacle was full. He asked Mr. Burrell to check into this. He said he would withhold his comments on the airport.

Mr. Burrell felt with the meetings that have been held on the school bond referendum, there has been a lot of information put out, but it's very confusing. He thought the public should be shown, in the best light and the worst light, the projected figures for taxes. The taxpayers need accurate information.

Ms. Ringley said she and Mr. Bahr attended the Colonial Narcotics Task Force dinner and awards ceremony and several awards were given to the Sheriff's Office. Regarding the airport, she did not say there wasn't an official information flow from the Airport Commission to the Board, she said she was not aware of the exact flow. Also, her understanding was they never asked about forgiveness of any state debt (Mr. Emerson confirmed this). She said the Airport Advisory Commission, as far as she knew, did not advise the Board to seek forgiveness of federal funds and they didn't seek forgiveness of state funds. They have not sent a corrected letter. She is aware the County released a preliminary report that has not been fine tuned or audited that shows a profit for the airport (last year), however there are quite a few things that have not been factored in. Regarding the loss of the grant for the fuel farm from the Department of Aviation, she understood it would not increase the financial burden to the citizens since they are not going out on a limb with another grant they would have to repay. Her decision not to rescind the letter to Senator Robb and Congressman Scott has not changed. Regarding the school referendum, she thought as a County Board they would issue some type of statement or information to the citizens so they would fully understand the issue. She will be sending her constituents in District Two information on this. Since being appointed to the Richmond Regional Planning District Commission, she has attended a work shop and an orientation, and with this information she will be able to better represent the County. She is also attending a Virginia Institute for Planning Commissioners. Regarding the traffic situation in front of the G.W. Watkins School, she recognizes it's a dangerous situation and has been working with VDOT on a solution to this problem. Regarding School Board members salaries, if you perform this job as expected, your expenses would be well over \$100.00 per month and she thought they were deserving of compensation for their expenses.

Mr. Lipscomb did not have a report.

IN RE: STAFF REPORTS

Mr. Cornwell presented Resolution R-28-98 on the acceptance of the bid for the Five Lakes Property from Kenny Wilbourne Realty and Construction Company in the amount of \$366,000 plus a buyers premium. Mr. Burrell made a motion to approve R-28-98 as presented.

James H. Burrell	Aye
Mark A. Hennaman	Aye
Frederick G. Bahr	Aye
Rebecca M. Ringley	Aye
Julian T. Lipscomb	Aye

FOR RESOLUTION R-28-98 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX SIX, PAGE 153.

Mr. Cornwell stated the Commonwealths Attorney and the Sheriff had requested the Board consider adoption of a dangerous and vicious dog ordinance. He asked for the Board's instruction. It was the consensus of the Board for Mr. Cornwell to draft up the ordinance for public hearing at the December board meeting.

Mr. Emerson said the Planning Commission has sent to the Board the Western End Area Management Plan and he suggested the Board have a work session prior to holding a public hearing. He said if it met with the Board's approval he would attempt to schedule this work session either prior to the November meeting or prior to the December meeting at 4:30 p.m. to 5:00 p.m. Also, based on the information he heard from the Board tonight, they would like to put out some type of information or advertisement concerning the referendum. The State Code doesn't allow much leeway on what information can be put

in. It doesn't allow the Board to take sides, so they will have to study what it does allow and will look into this information. He also said the Board did hold two work sessions on this issue, and the information is available in his office for anyone who wants to take the time to come in and look at it or request it. The documentation does indicate a .13 cent tax rate for the debt service for the new schools. There is a .03 cent tax increase next year that will be put on top of the increase you will get from an average 10 percent reassessment. This information is subject to change, but it is the best guess. The Board has done their work in putting it together. The operational costs are included based upon information provided by Mosely McClintock. It was the consensus of the Board to give clear, concise information on the referendum with no opinions.

IN RE: RESIDENT ENGINEER'S REPORT

Mr. Bob Riley, gave a summary of work performed by VDOT during the month of September. Under the new legislation the Richmond Regional Metropolitan Organization lost some regional funds, which means New Kent County will lose (over the next three years) approximately \$300,000 they thought they were going to have. They have been working on this and have devised a plan where they can keep the current projects on schedule. Essentially, it will take VDOT longer before they can add any new projects. The Board members discussed concerns in their districts with Mr. Riley.

IN RE: PUBLIC HEARING - Mr. Lee Tyson, Senior Planner, will present the Draft Water Resources Element, which if approved by the Board, will be included in the New Kent County Comprehensive Land Use Plan.

Mr. Tyson stated the Chesapeake Bay Local Assistance Department has reviewed the New Kent County Comprehensive Land Use Plan as part of its ongoing efforts to protect the Bay and its tributaries. This review is required. CBLAD identified the following areas of the plan that needed revision: Physical constraints to Development, Protection of Potable Water, Shoreline Erosion Control, Public and Private Access to Waterfront Areas, Redevelopment of Intensely Developed Areas and Other Areas Targeted for Redevelopment. These revisions must be reviewed and adopted by the Board of Supervisors by January 1, 1999. A Draft Water Resources Element was developed with the goal that New Kent County's Water Resources Should Be of the Highest Possible Quality. To obtain this goal the following objectives were developed: Continue to guide development so that the capacity of the soil to absorb septic tank effluent is not compromised, to protect officially designated wetlands, natural habitat, and other environmentally sensitive areas from loss of degradation by development; To protect the natural resources of the Chesapeake Bay and its tributaries streams; to protect the groundwater supply in the various aquifers within New Kent County from pollution generated by above-ground activities; To protect New Kent's water resources from all sources of pollution; Reduce the amount of impurities reaching the County's water resources due to surface water runoff and erosion; and Increase access to the public waters of the Commonwealth. During its August 17, 1998 meeting, the New Kent County Planning Commission voted to recommend approval of the Draft Water Resources Element to the Board of Supervisors. Mr. Burrell asked if all the underground tanks in the County had been mapped. Mr. Tyson said they haven't been mapped, but the DEQ maintains a data base and they plan to monitor this list. Mr. Bahr asked if the wells that supply the racetrack and the golf course were included in the draw. Mr. Tyson said they were. The Board clarified several other points. Mr. Lipscomb opened the public hearing. There was no one signed up to speak and the public hearing was closed. Ms. Ringley made a motion to adopt the Water Resources Element Plan as presented and include it in the New Kent County Comprehensive Land Use Plan.

James H. Burrell	Aye
Mark A. Hennaman	Aye
Frederick G. Bahr	Aye
Rebecca M. Ringley	Aye
Julian T. Lipscomb	Aye

IN RE: PRESENTATION - Ms. May O'Leary will present information to the Board on community built playgrounds and ask the Board for their support.

Ms. May O'Leary and Ms. Gilda Black gave a presentation to the Board on community built playgrounds like the one in Williamsburg called Kidsburg. A video by Learning Structures was shown. Ms. O'Leary said she and Ms. Black would take care of the fundraising and take care of the volunteers to build it. They need a site to build on and asked for the Board's help in this. Mr. Lipscomb asked that they make this presentation to the Parks and Recreation Commission so they could make their recommendation to the Board. The members discussed this issue and questioned Ms. O'Leary and Ms. Black. Mr. Hennaman was concerned about who would be responsible for the liability insurance.

IN RE: PRESENTATION - Mr. Paul Tiscornia, Director of the Thomas Jefferson Governor=s School, and Dr. J. Roy Geiger, Superintendent of Schools, will present information on the local funding for the Maggie Walker project.

Dr. Geiger said that on October 21 at 7p.m. at the high schools, Neighbors Building Better Schools will have a program and all are invited. Also, there will be a New Kent Bond Fact Sheet in the New Kent Chronicle Extra this week. Mr. Paul Tiscornia said they would like to move the present Governors School to the Maggie Walker building. New Kent County has four students enrolled and thirteen school divisions participate. This is a school for gifted students with a focus on government information studies. They need to move to a new facility that is state of the art. Their goal is to renovate the old Maggie Walker building and move in by September 2001. The cost of this project is approximately \$21 million dollars. A third of the funds for this renovation will come from private contributions. To receive tax credits for this renovation, the money needs to come through the Boards of Supervisors to the Foundation. The cost of New Kent participating, based on the present student involvement, is \$46,503. Ms. Ringley verified the obligation amount would remain fixed. Mr. Emerson said the resolution, R-27-98, had been drawn up if the Board chose to adopt it. Mr. Emerson was concerned whether all the school entities had bought into the project and if not, whether or not the funding would stay at the same level. Mr. Tiscornia said not all of the schools had committed. Mr. Emerson asked if a locality chose not to participate, would it increase the cost to the other localities? Mr. Tiscornia said they had some fall back positions. Mr. Emerson asked if he could commit to the Board that the number would not change. Mr. Tiscornia said they would. Ms. Ringley asked what would happen if a locality didn't want to encumber themselves, but wanted to send students? Mr. Tiscornia said they could do that, they have some fall back positions, but there would be a point in the future if a significant loss occurs, and there was a pull out of the overall project, that any debt be repaid to the foundation. Mr. Lipscomb verified the commitment would be for five years. The first payment would be made in July 1999. It was the consensus of the Board to defer action until the November Board meeting.

IN RE: APPOINTMENTS - The Board will continue to make appointments to various committees.

District One had no appointments.

District Two had no appointments.

District Three had no appointments.

District Four had no appointments.

District five had no appointments.

Mr. Hennaman made a motion to appoint Mr. Norman Anderson as New Kent County=s representative to the Local Disability Services Board for a one year term ending December 31, 1999.

James H. Burrell	Aye
Mark A. Hennaman	Aye
Frederick G. Bahr	Aye
Rebecca M. Ringley	Aye
Julian T. Lipscomb	Aye

Mr. Lipscomb appointed Mr. Bahr, Mr. Emerson, and himself to a three year term to serve on the CRAC - New Kent Airport Committee

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IN RE: MEETING SCHEDULE

The regular meeting of the Board of Supervisors will be held Monday, November 2, 1998 at 6:00 p.m.
The Planning Commission will meet on Monday, October 19, 1998 at 7:00 p.m.

IN RE: ADJOURNMENT

Mr. Bahr made a motion to adjourn.

James H. Burrell	Aye
Mark A. Hennaman	Aye
Frederick G. Bahr	Aye
Rebecca M. Ringley	Aye
Julian T. Lipscomb	Aye

The Board adjourned at 9:17 p.m.