

THE REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE EIGHTH DAY OF JANUARY IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-SIX IN THE BOARD ROOM OF THE COUNTY OFFICE BUILDING BEGINNING AT 7:00 P.M. WITH ALL MEMBERS PRESENT. THE INVOCATION WAS OFFERED BY MR. MARK HENNAMAN FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

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IN RE:           ROLL CALL

Mr. R. J. Emerson, County Administrator called the meeting to order and asked for a roll call of members.

Julian T. Lipscomb	Aye
E. David Ringley	Aye
James H. Burrell	Aye
Mark A. Hennaman	Aye
Frederick G. Bahr	Aye

Mr. Emerson welcomed everyone, especially with the very inclement weather. He explained the main reason for holding the meeting is because the County does not have a Chairman or Vice Chairman at this time and County business must be conducted. He apologized to the public that managed to get to the meeting on the condition of the parking lot, but we were unable to have anyone clear the snow until some time on Tuesday. He recommended the Board of Supervisors hold the reorganization of the Board and then postpone the remaining issues on the agenda until either another date this month or until the February meeting. The only issue they might want to consider besides the reorganization would be the ISTE A Grant. The deadline is January 31st for submittal to the State for this grant. The public hearing portion could be held in February, we just need to Board to authorize staff to move forward with the application.

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IN RE:           ANNUAL REORGANIZATION OF THE BOARD

Mr. Emerson opened the floor for nominations for the Chairman of the Board of Supervisors for the 1996 year. Mr. Bahr nominated Mr. E. David Ringley. Mr. Burrell moved the nominations be closed.

Julian T. Lipscomb	Aye
E. David Ringley	Aye
James H. Burrell	Aye
Mark A. Hennaman	Aye
Frederick G. Bahr	Aye

Motion closed.

Vote for Mr. Ringley's nomination as Chairman of the Board of Supervisors.

Julian T. Lipscomb	Aye
E. David Ringley	Aye
James H. Burrell	Aye
Mark A. Hennaman	Aye
Frederick G. Bahr	Aye

Motion approved.

Mr. Emerson then opened the floor for nominations for Vice Chairman of the Board of Supervisors. Mr. Ringley moved to nominate Mr. Mark Hennaman. Mr. Bahr nominated Mr. James Burrell. Mr. Ringley moved to close the nominations.

Julian T. Lipscomb	Aye
E. David Ringley	Aye
James H. Burrell	Aye
Mark A. Hennaman	Aye
Frederick G. Bahr	Aye

Motion closed.

Vote was taken on the nomination of Mr. James H. Burrell for Vice Chairman.

Julian T. Lipscomb	No
E. David Ringley	No
James H. Burrell	Aye
Mark A. Hennaman	No
Frederick G. Bahr	Aye

Motion failed.

Vote was taken on the nomination of Mr. Mark Hennaman for Vice Chairman.

Julian T. Lipscomb	Aye
E. David Ringley	Aye
James H. Burrell	Aye
Mark A. Hennaman	Aye
Frederick G. Bahr	Aye

Motion passed.

Mr. Emerson then called for the vote to elect Mr. E. David Ringley Chairman of the Board of Supervisors. Mr. Hennaman moved and Mr. Burrell seconded the motion.

Julian T. Lipscomb	Aye
E. David Ringley	Abstain
James H. Burrell	Aye
Mark A. Hennaman	Aye
Frederick G. Bahr	Aye

Motion passed.

Mr. Emerson then turned the gavel over to Mr. E. David Ringley as the new Chairman. Mr. Ringley asked for a motion to elect Mr. Mark Hennaman as Vice Chairman. Mr. Lipscomb moved to elect Mr. Mark Hennaman for a one year term.

Julian T. Lipscomb	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye
Mark A. Hennaman	Abstain

E. David Ringley      Aye

Motion passed.

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IN RE:            ADOPTION OF BY-LAWS

Mr. Ringley said the By-Laws state public meetings to begin at 8:00 p.m. In the past they have stopped the meeting to hold the public hearings but recently they have been advertised for 8:00 p.m. and the meeting has not stopped. Is there a way it can be reworded for advertising? Mr. Burrell suggested the wording say not before 8:00 p.m. Mr. Emerson responded he will have the County Attorney reword the By-Law so it does not obligate you to hold the public meeting directly at 8:00 p.m.

Mr. Ringley asked the Board for their comments on moving the Citizen Comment period to the front of the meeting after the approval of the minutes. Mr. Burrell responded, he had asked for this previously and was very much in favor of moving this item. The Board gave their general consensus to moving the Citizen Comment period to after the minutes.

Mr. Ringley asked if there were any other changes to the By-Laws. Mr. Burrell suggested the Chairman refrain from making motions so the public doesn't misperceive as the Chairman is leading the meeting. Mr. Ringley replied he doesn't have a problem with that except when it is a resolution or an issue he feels strongly about. He would still like to have this option open to him. Mr. Ringley asked for counsel to look at the wording and what other localities do.

Mr. Burrell also brought up the issue of a lame duck board member not making any appointments after an election. Mr. Emerson said Hanover County has their appointments end in February exactly four years after the Board is elected. You could accomplish this by asking all your commissioned members who have not currently expired to resign and then you could restructure and make your own appointments. Mr. Burrell agreed with this idea. Mr. Ringley asked for a general consensus and all agreed. Mr. Emerson will look into this and report at the February meeting.

Mr. Burrell also asked the board to consider if any member who intended to abstain on an issue not enter into the discussion of that issue. Mr. Ringley replied, on some issues he had no intention of abstaining but did so at the end because of the way the motion went. Mr. Burrell stated he only meant when a member intended to abstain from the start they not enter into the conversation. Mr. Ringley asked for a general consensus which was agreed upon. Counsel will look into the wording.

Mr. Bahr inquired about Article VIII - Financial Control. He asked if this will be amended to conform with Peat Marwick's recommendations? Mr. Emerson replied they will take a look at this and make sure they conform.

Mr. Emerson said they would draft these changes and then bring them back to the Board in February for their approval and then have them adopted in March.

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IN RE:            RESOLUTION R-1-96

Mr. Ringley read the resolution stating the Board will meet on the second Monday of each month beginning at 7:00 p.m. Mr. Burrell asked about having two meetings a month because of the length of the meetings. Mr. Ringley replied, they did have two meetings a month at one time, but that did not seem to be very productive, they were still long. He felt if the agenda became too long they would schedule a work session if needed. Mr. Hennaman agreed with Mr. Ringley. In other organizations that he is a member, they tried the same thing and it really doesn't work. They end up with two long meetings instead

of one. Mr. Burrell continued, the reason he brought this up is because the public is leaving before the meetings are done because they have been running so late. Mr. Ringley added, they have shortened the meeting by adding the Consent Agenda last year and now have invested in equipment to televise the meetings on cable the day after the meeting. There was some general comments from the Board members and then Mr. Burrell withdrew his suggestion. Mr. Lipscomb moved to adopt Resolution R-1-96 which sets the schedule of Board of Supervisors Meetings at 7:00 p.m. on the Second Monday of each month.

Julian T. Lipscomb	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye
Mark A. Hennaman	Aye
E. David Ringley	Aye

Motion passed.

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FOR RESOLUTION R-1-96 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE, PAGE 422.

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IN RE:           STANDING COMMITTEES

Mr. Ringley, as Chairman of the Board made appointments to the Standing Committees.

Finance Committee	Mark Hennaman, Julian Lipscomb
Public Safety	James Burrell, Frederick Bahr
School Board Liaison	James Burrell, Mark Hennaman
Legal Affairs	Frederick Bahr, Julian Lipscomb
Personnel Policy & Management	Mark Hennaman, Julian Lipscomb
Water Resources	Frederick Bahr, James Burrell

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IN RE:           APPOINTMENT OF BOARD REPRESENTATIVES TO VARIOUS COMMITTEES

Mr. Ringley explained there are various committees the Board of Supervisors serve on. He then tendered his resignation as representative of the Board because of conflicts from the Social Services Board and Capital Area Agency on Aging. Mr. Ringley then asked for motions for the Board of Supervisors representative to the Planning Commission for the term ending December 31, 1999. Mr. Burrell moved to appoint Mr. Frederick Bahr. Mr. Hennaman moved to appoint Mr. Julian Lipscomb. Mr. Bahr moved to close the motion. Mr. Burrell moved to elect Mr. Frederick Bahr.

Julian T. Lipscomb	Abstain
James H. Burrell	Aye
Frederick G. Bahr	Abstain
Mark A. Hennaman	No
E. David Ringley	No

Motion failed.

Mr. Hennaman moved to elect Mr. Julian Lipscomb.

Julian T. Lipscomb	Abstain
James H. Burrell	Aye

Frederick G. Bahr	Aye
Mark A. Hennaman	Aye
E. David Ringley	Aye

Motion passed. Mr. Julian Lipscomb will be the Board's representative to the Planning Commission.

Mr. Ringley then asked for nominations to the Agricultural & Forestal District Advisory Commission for the term ending December 31, 1999. Mr. Lipscomb moved to elect Mr. Frederick Bahr. No other nominations being made Mr. Ringley called for the vote.

Julian T. Lipscomb	Aye
James H. Burrell	Aye
Frederick G. Bahr	Abstain
Mark A. Hennaman	Aye
E. David Ringley	Aye

Motion passed. Mr. Frederick Bahr will be the Board's representative to the Agricultural & Forestal District Advisory Commission.

Mr. Ringley then asked for nominations to the Airport Advisory Commission for the term ending December 31, 1999. Mr. Ringley moved to elect Mr. Julian Lipscomb. No other nominations being made Mr. Ringley called for the vote.

Julian T. Lipscomb	Abstain
James H. Burrell	Aye
Frederick G. Bahr	Aye
Mark A. Hennaman	Aye
E. David Ringley	Aye

Motion passed. Mr. Julian Lipscomb will be the Board's representative to the Airport Advisory Commission.

Mr. Ringley then asked for nominations to the Hanover Health Advisory Board for the term ending December 31, 1996. Mr. Hennaman moved to elect Mr. E. David Ringley. No other nominations being made Mr. Ringley called for the vote.

Julian T. Lipscomb	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye
Mark A. Hennaman	Aye
E. David Ringley	Aye

Motion passed. Mr. E. David Ringley will be the Board's representative to the Hanover Health Advisory Board. Mr. Ringley thanked the Board because he was just made Chairman of that Board the previous week.

Mr. Ringley asked for nominations to the Transportation Safety Commission for the term ending December 31, 1999. Mr. Lipscomb moved to elect Mr. James Burrell. No other nominations being made Mr. Ringley called for the vote.

Julian T. Lipscomb	Aye
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James H. Burrell	Abstain
Frederick G. Bahr	Aye
Mark A. Hennaman	Aye
E. David Ringley	Aye

Motion passed. Mr. James Burrell will be the Board's representative to the Transportation Safety Commission.

Mr. Ringley asked for nominations to the Metropolitan Planning Organization. Mr. Burrell moved to nominate Mr. Frederick Bahr. Mr. Lipscomb moved to nominate Mr. Mark Hennaman. Mr. Ringley asked for a motion to close the nominations. Mr. Burrell moved to close. Mr. Burrell moved to elect Mr. Frederick Bahr.

Julian T. Lipscomb	Aye
James H. Burrell	Aye
Frederick G. Bahr	Abstain
Mark A. Hennaman	Abstain
E. David Ringley	No

Motion failed. (As stated in meeting. The minutes will reflect, as corrected at the February Meeting to show this motion passed).

Mr. Ringley then called for the vote on Mr. Mark Hennaman.

Julian T. Lipscomb	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye
Mark A. Hennaman	Abstain
E. David Ringley	Aye

Motion passed. Mr. Mark Hennaman will be one of the Board's representatives to the MPO. Mr. Ringley moved to elect Mr. Frederick Bahr as the Board's second representative to the MPO.

Julian T. Lipscomb	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye
Mark A. Hennaman	Aye
E. David Ringley	Aye

Motion passed. Mr. Frederick Bahr will be the Board's second representative to the MPO.

Mr. Ringley then asked for nominations of staff as alternates to the MPO. Mr. Lipscomb moved to appoint Mr. R. J. Emerson and Mr. David Maloney.

Julian T. Lipscomb	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye
Mark A. Hennaman	Aye
E. David Ringley	Aye

Motion passed. Mr. R. J. Emerson, County Administrator and Mr. David Maloney, Assistant County Administrator/Director of Planning will be the Board's alternates to the MPO.

Mr. Ringley asked for nominations to the Central Virginia Waste Management Authority for the term ending December 31, 1999. Mr. Lipscomb moved to appoint Mr. James Burrell.

Julian T. Lipscomb	Aye
James H. Burrell	Abstain
Frederick G. Bahr	Aye
Mark A. Hennaman	Aye
E. David Ringley	Aye

Motion passed. Mr. James Burrell will be the Board's representative to the Central Virginia Waste Management Authority.

Mr. Ringley asked for a nomination of a staff member to be the Board's alternate to the Central Virginia Waste Management Authority. Mr. Burrell moved to appoint Mr. J. Lawrence Gallaher.

Julian T. Lipscomb	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye
Mark A. Hennaman	Aye
E. David Ringley	Aye

Motion passed. Mr. J. Lawrence Gallaher, Director of Public Safety will be the Board's alternate to the Central Virginia Waste Management Authority.

Mr. Ringley asked for nominations to the Capital Area Training Consortium for an open term. Mr. Lipscomb moved to appoint Mr. Frederick Bahr with the term ending December 31, 1999.

Julian T. Lipscomb	Aye
James H. Burrell	Aye
Frederick G. Bahr	Abstain
Mark A. Hennaman	Aye
E. David Ringley	Aye

Motion passed. Mr. Frederick Bahr will be the Board's representative to the Capital Area Training Consortium.

Mr. Ringley asked for nominations to the Capital Area Agency on Aging for term ending December 31, 1999. Mr. Lipscomb moved to elect Mr. Frederick Bahr.

Julian T. Lipscomb	Aye
James H. Burrell	Aye
Frederick G. Bahr	Abstain
Mark A. Hennaman	Aye
E. David Ringley	Aye

Motion passed. Mr. Frederick Bahr will be the Board's representative to the Capital Area Agency on Aging.

Mr. Ringley asked for nominations to the Social Services Board for term ending December 31, 1999. Mr. Lipscomb moved to elect Mr. Mark Hennaman.

Julian T. Lipscomb	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye
Mark A. Hennaman	Abstain
E. David Ringley	Aye

Motion passed. Mr. Mark Hennaman will be the Board's representative to the Social Service Board.

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Mr. Ringley asked the Board if they wished to continue. They have reorganized the Board and elected a Chairman and Vice Chairman and made appointments to the various committees. He thanked those citizens in attendance for coming with such inclement weather. Mr. Ringley then welcomed the new Board members and welcomed Mr. Burrell back. The general consensus was to do the Consent Agenda and to hear the presentation on the ISTE A grant because the application had to be submitted by the end of January but not hold the public hearing portion until February.

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IN RE:            CONSENT AGENDA

Mr. Emerson said the Consent Agenda consists of approval of the minutes from the December meeting, approval of appropriations for the Sheriff's Department for three DMV grants, approval of four refunds for the Commissioner of Revenue's Office, approval of a Raffle Application for the New Kent Volunteer Fire Department and approval of the Finance Report. Mr. Bahr thanked Mr. Emerson for going through what was in the Consent Agenda. This way the public knows what they are voting on and nothing is hidden. Mr. Lipscomb moved to approve the Consent Agenda.

Julian T. Lipscomb	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye
Mark A. Hennaman	Aye
E. David Ringley	Aye

Motion passed.

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IN RE:            STAFF REPORTS

Mr. Emerson reported to the Board the County received nine proposals for the airport FBO. Staff reviewed them and also gave them a rating. He would like the Board to interview the top three candidates with the highest qualifications. Mr. Emerson asked if the Board would be willing to interview these three candidates prior to their February 12th meeting and then direct staff who they would wish to begin negotiations with. The airport has been without a Fixed Base Operator for over a year and he would like to get something finalized in the near future. The Board of Supervisors set the interviews for 5:30 p.m. on February 12, 1996.

Mr. Emerson brought to the Board's attention the possibility of an area code change for part of New Kent County. This would affect those citizens who have the 566 exchange. This proposal would not affect the charges for those individuals but it would split the County into two different area codes. Mr. Emerson asked the Board for direction as to their wishes. Mr. Ringley stated he was very much opposed to this new

area code and splitting the County into two area codes. After some discussion between Board members, it was agreed staff would prepare a resolution opposing the change in area code.

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IN RE:           ISTEA ENHANCEMENT GRANT

Mr. David Maloney explained the ISTEA grant. ISTEA stands for Intermodal Surface Transportation Efficiency Act. This is funding from the federal government to the states and part of the program is an Enhancement Grant. The Enhancement Grant program is designed to increase the value or worth of transportation systems. Some of the eligible enhancement activities include provision of facilities for pedestrians and bicycles, landscaping or other scenic beautification, historic preservation to name a few. The project for New Kent qualifies under three of the ten categories. The project as proposed will enhance the pedestrian transportation system, a landscaping and beautification element has been included in the proposal, and the historic character of the New Kent Courthouse village will be enhanced. The benefits of the proposed enhancements include greater pedestrian circulation and safety, less vehicular traffic between the schools and administration building, increased landscaping around the government complex, and enhanced character of the historic courthouse village. Mr. Ringley said the resolution states the County held a public hearing, can this be deleted and still be sent with the application? Mr. Maloney replied, yes. Mr. Lipscomb inquired if the property owners had been advised. Mr. Maloney replied, not yet they would do that once the grant was awarded. Mr. Hennaman stated the reason they were hearing this item was because of the January 31st deadline for the application. Mr. Ringley said they would hold the public hearing at a later date and if the citizens were not in favor then the application could be withdrawn. Mr. Burrell moved to approve Resolution R-2-96 as presented with the deletion of the portion on holding the public hearing.

Julian T. Lipscomb	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye
Mark A. Hennaman	Aye
E. David Ringley	Aye

Motion passed.

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FOR RESOLUTION R-2-96 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE, PAGE 423.

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Mr. Lipscomb inquired about the public hearings that were scheduled for the meeting. Mr. Emerson replied if they were going to meet again in a couple of days they would not have to advertise but, if the Board moves to hold the remainder of the agenda until the February meeting then they would readvertise the public hearings. Mr. Ringley inquired if any of the citizens present were there specifically for one of the public hearings that were advertised. No one responded.

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IN RE:           CITIZENS' COMMENT

Mrs. Becky Philbates inquired if the meetings were going to be televised. Mr. Ringley replied, yes they will be. Mrs. Philbates wanted to know about those people who do not have cable, she didn't feel her taxes should go to pay for this. Mr. Ringley replied he agrees because there are a lot of people in the County who do not have cable, but this is one of the things the former Board had requested for those citizens who can't get out but want to be kept abreast of the County's business. Mrs. Philbates asked if tapes would be available. Mr. Emerson responded, we have no policy established on this at the present time. The one tape we would have must go to Cablevision the next morning in order for it to be shown the

day after the meeting. Mr. Hennaman added, the equipment purchased was nothing more than a video camera which also can be used for other purposes.

Mr. George Philbates congratulated the new Board.

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Mr. Emerson asked to bring one more item to the Board. He made the decision to close the County building again on Tuesday, January 13th because the side roads are very bad and we were unable to get the parking lot cleared. The surrounding areas will also be closed, as well as the schools. Mr. Ringley suggested we look into getting a snow blower. Mr. Ringley inquired if the transfer stations were going to be open. Mr. Gallaher replied they were going to try and open them on Tuesday but the problem is that Chambers did not pick up anything on Sunday, January 11th nor Monday, January 12th. Mr. Lipscomb asked if they were going to have Chambers in to speak to the Board any time soon. Mr. Emerson replied yes, we will be putting them on the February agenda. Mr. Bahr mentioned the majority of those in attendance were from his district. Mr. Hennaman thanked all those attending the meeting and their interest in the County. He said he was one of those that did want to have the meeting as scheduled because the reorganization was important and it was essential to elect a Chairman in order for the County to continue their business.

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IN RE:            ADJOURNMENT

Mr. Burrell moved to adjourn.

Julian T. Lipscomb	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye
Mark A. Hennaman	Aye
E. David Ringley	Aye

Motion passed.