

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

IN RE: CONSENT AGENDA

Mr. Burrell had a correction from Ms. Abbs. The consultant names she mentioned were to be added to the minutes. Mr. Bradby moved to accept the consent agenda with the above correction.

Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	No
E. David Ringley	Abstain
James H. Burrell	Aye

IN RE: ELECTED OFFICIALS' REPORT

Ms. Betty Burrell, Treasurer gave the financial reports for the months of October and November. Ms. Burrell gave the amount in the General Fund Account Balance as of June 30, 1994 of \$1,204,301. Mr. Salmon asked when they could expect to get an updated figure and Ms. Burrell said she was still waiting for the final statements from the bank but the most up-to-date report would come from the Finance Department. Mr. Salmon apprised the rest of the Board on a receipt of a letter from Mr. Raymond Klotz, Chairman of the Richmond Regional Planning District Commission, inviting the Board to join a focus task force to develop new vision and strategic plans for the Richmond Region. They will convene on Tuesday, January 17th from 1:00 to 2:30 P.M.

Mr. Boroughs thanked the citizens of New Kent County, as he is going into his twelfth year as a Board member. He wanted to announce that he will seek re-election for his fourth term and appreciates the same support given to him in the past and looked forward to the support in the future.

IN RE: STAFF REPORTS

Mr. J. Lawrence Gallaher, Director of Public Safety, addressed the Board on the refuse transfer stations. They are progressing and the site at the Animal Shelter has begun, the recovery tank has been installed and they will begin pouring the concrete pads this week. The site should be operational in 60 days. The site on Rt. 612 is to begin this week and hope to be clearing property Wednesday or Thursday. The site at the Regional Jail is still being evaluated. They are still looking for a site in the Lanexa area. Mr. Ringley said he has had many compliments on the way the current sites are being maintained and the help of the attendants working there.

Mr. Gallaher also addressed the issue of the airport operation. Mr. Charles Gillett is currently the Airport Manager. There was a problem with getting fuel but that has been resolved. The State Department of Aviation will be at the airport on January 13th to assess the condition of the runway and lighting system. Mr. Gillett is developing a data base for the rental of the hangars. They are currently receiving rent from the farm house and mobile home on the property. Mr. Gallaher mentioned they are also in the process of hiring a couple of part-time employees so there is no void in the operation. The airport will be open during day light hours.

Mr. James E. Cornwell, Special Counsel, gave the Board the information in relationship to the bids for the roof on the Old Courthouse. There was only one bid received and the price was \$42,877.00. Mr. Boroughs felt this was still too high and we should contact Mr. Southard and bid on this ourselves.

IN RE: RESIDENT ENGINEER'S REPORT

Mr. Riley explained his findings on Rt. 60 & 1108 with a sight problem at the curve. They did some additional brush cutting in the area and after observing the traffic, they will put in a stop bar to help drivers coming into the intersection. Mr. Ringley asked about the intersection of Rt 60 & 249. Mr. Riley said it will probably be mid-March before they begin work on the new stop light.

IN RE: REORGANIZATION OF THE BOARD

Mr. Burrell turned the meeting over to the County Administrator, Mr. R. J. Emerson, Jr., as is policy, for the election of new officers.

Mr. Emerson assumed the Chair for the nominations to elect the Chairman of the Board of Supervisors for the year 1995. Mr. Bradby nominated Mr. Robert A. Boroughs and Mr. Burrell nominated Mr. Michael D. Salmon. Mr. Ringley moved the nominations be closed, Mr. Salmon seconded the motion. Mr. Bradby's nomination of Mr. Boroughs.

Marvin D. Bradby	Aye
Robert A. Boroughs	Abstain
Michael D. Salmon	No
E. David Ringley	No
James H. Burrell	No

Motion was defeated.

Mr. Burrell's nomination of Mr. Salmon.

Marvin D. Bradby	No
Robert A. Boroughs	No
Michael D. Salmon	Aye
E. David Ringley	Aye
James H. Burrell	Aye

The motion was passed. Mr. Boroughs made a comment, for the record, he said three years ago he would eat his hat if it hadn't turned out this way, now I don't have to eat my hat.

Mr. Emerson turned the meeting over to Mr. Salmon, the new chairman. Mr. Salmon opened the floor for nominations for vice chairman. Mr. Ringley moved to nominate Mr. Robert A. Boroughs for vice chairman. Mr. Burrell moved to nominate Mr. Marvin D. Bradby for vice chairman. Mr. Ringley moved for the nominations for vice chairman to closed, Mr. Burrell seconded the motion.

Mr. Ringley's nomination of Mr. Boroughs for vice chairman.

Marvin D. Bradby	Aye
Robert A. Boroughs	Abstain
Michael D. Salmon	Aye
E. David Ringley	Aye

James H. Burrell No

Motion passed.

IN RE: READOPTON OF BYLAWS

Mr. Bradby asked the Bylaws reflect a correction to the wording of Article III as adopted February 8, 1993. The correction will be: Copies of the agenda shall be made available at the office of the County Administrator for each Supervisor and for members of the News Media serving the County not later than Noon on the Monday preceding the meeting to which it relates.

Mr. Burrell brought up, under Article IV, Section C, Item K, the Order of Business as it relates to Executive Session. He felt having it towards the end of the agenda instead of early as they have been doing, was a problem for some citizens who wanted to stay for the end of the meeting. Mr. Salmon replied they had agreed to moving the time but had not put it in a formal motion to change the bylaws. Mr. Burrell suggested they wait 30 days and look at it again.

Mr. Bradby inquired about Article IV, Section E, that the Chairman has previously been restating all the motions but the bylaws say this is to be done by the Administrator/Secretary. By general consensus, the Board decided to stay with the wording of the bylaws and the Secretary will restate the motions.

Mr. Bradby also brought up under Article IV, Section C, the time limit for citizens comment period of being limited to fifteen minutes. Mr. Salmon mentioned that there is a waiver in the bylaws to allow for a longer period of time if so desired. Mr. Salmon moved to strike the provisions of the bylaws that provide that the citizens comment period shall be limited to fifteen minutes (15) unless such time it is waived by the majority of the Board, he also moved the Executive Session from Section K to after roll call, which will now be Section D.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

This will come up for final approval at the February meeting.

IN RE: STANDING COMMITTEES

Mr. Salmon stated he would make these appointments at the next meeting.

IN RE: REGULAR MEETING SCHEDULE R-1-95

Mr. Ringley moved to adopt Resolution R-1-95 which sets the schedule of the Board of Supervisors Meetings at 7:00 p.m. on the Second Monday of each month for the year 1995.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Motion passed.

FOR RESOLUTION R-1-95 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 334.

IN RE: FIRE APPARATUS

Mr. Boroughs addressed the motion he had on the floor that was tabled from the December meeting, to approve a dollar amount to be used to purchase fire equipment. Mr. Boroughs withdrew his motion. Mr. Gallaher, Director of Public Safety spoke to the Board and explained he had invited several people to speak to the Board that might help them with their decision on custom versus commercial chassis. Mr. Gallaher introduced Mr. O. M. Jones, Battalion Chief in Chesterfield County. Mr. Jones' job is maintenance and logistics, and he inspects trucks in Chesterfield County. Also, Bill McClintock, Fleet Sales Manager for Dolan (Navistar) International Trucks and Mr. Steve Zelif, Sales Representative from Fire-X Corporation. Mr. Zelif brought the fire truck by on Wednesday for the members to look at. If the Board had any technical questions in reference to custom versus commercial chassis, these gentlemen would be happy to answer them. Mr. Salmon interjected that he would like to get a consensus of the Board and after discussions with Mr. Emerson and the Board, they decided they would like to finalize the specs on the trucks, with the fire department and Mr. Gallaher, get specifics of what is to be on the trucks, put the trucks out for bid, get bids on commercial and custom, and then discuss the merits of each. The biggest problem is what are they going to cost and the only way to get an answer is to put it out for bid. Mr. Salmon asked the other Board members to express how they feel, Mr. Boroughs asked Mr. Salmon to put it into the form of a motion. Mr. Salmon moved to have the fire department, along with Mr. Gallaher, to write up the specific specs for the trucks, have these specs to the attorney's office by January 16th, advertise for bids on January 22nd with a due date of February 10th and be discussed at the Board Meeting on February 13, 1995.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Mr. Burrell asked Mr. Salmon about letting Mr. Guthrie speak. Mr. Guthrie had asked back in December to speak to the Board. Mr. Salmon replied, before Mr. Guthrie spoke, he would like to thank the gentlemen for coming and appreciated their interest and time. Mr. Salmon wanted a general consensus from the Board members to let Mr. Guthrie speak and it was given.

Mr. Guthrie expressed to the Board his disappointment of what they had done tonight. He was in the fire department for over 15 years and feels he has some knowledge to draw on. He was going to try and explain some of the differences in the trucks if they didn't already know. He mentioned all the people from the fire departments sitting here tonight, the gentlemen from Chesterfield, the manufacturer and Mr. Gallaher have done everything that you asked them to. The only bad thing you could have done is put it off and that is exactly what you did. You are already two trucks short in the eastern end of the County. The County knew in 1988 that the fire department couldn't afford to buy trucks, that's when you put \$60,000 in the budget to pay off engine one. You knew in 1992 and '93 that the fire department couldn't afford trucks. This Board put \$75,000 in the budget to pay for engine two. In a work session in late '93 he explained to the Board how desperately they needed the trucks. When is someone going to accept the bull by the horns and do something? We are going unprotected. He said this Board shows a total lack of leadership. Mr. Salmon responded by saying that there are many, many requests brought to the Board. There is a limited amount of tax dollars to spend. They did budget the \$60,000 and \$75,000 into the

budget trying to give them everything they felt like they could afford. We have the school board asking for money, we have social services asking for money, we only have so much to go around. We are looking to spend it wisely and the members of the fire department can't come to an agreement on what is needed, custom or commercial. We look to the fire department to tell us what they need, that hasn't happened, so we have come to the point where we are now, to bid them both out and make the decision from there. We are getting ready to spend a half of million dollars, we want to make sure we make the right decision. Mr. Guthrie asked to make three more points. (1) Mr. Gallaher has spent many hours putting together a detailed report, (2) a half of million dollars is a not a drop in the bucket if New Kent County had to pay for paid fire department and the stations, and (3) what kind of price tag do you put on your family. Mr. Salmon responded, to number (3) as unlimited. We would like to get these fire trucks as soon as possible and again we don't have complete information. The decision will be made as to what kind of trucks we will be getting at the upcoming February meeting. Mr. Boroughs commented that this is something he has asked for and asked for many times. The confusion between the firefighters of what they wanted, and he felt that they should follow protocol. If they had followed protocol the trucks would have been on order. I withdrew my motion to give the firefighters the chance to look at custom, as well as commercial. The Board has bent over backwards to give the firefighters what they need but they need to come to an agreement as to what they need. The volunteers are greatly appreciated by all of us. Mr. Ringley mentioned the Planning Commission spent about a year and a half developing a Capital Improvements Plan that goes through 1998. If we had followed that plan only \$240,000 would be appropriated between now and 1996. This Board chose to pull forward and go at least a half million dollars and push the Capital Improvements ahead. If they stayed with the plan they wouldn't see the other trucks until 1998. He also expressed his appreciation to the volunteers but there is a limit to what can be done. Mr. Burrell also reiterated what Mr. Ringley said about the appreciation of the volunteers but we have a pie and we have to cut it up the best way we can for the citizens. We have a sixteen million dollar budget and when you are talking a half of million dollars out of sixteen, that is a tremendous amount. We, the Board members, are trying to do the best we can with what we have to work with. If we gave everyone what they asked for we would have to raise the taxes tremendously, we try to do our best with cutting this pie.

IN RE: COLONIAL DOWNS

Mr. Pete Johns of Delmarva, gave a status report on Colonial Downs. Construction continues even with the appeal that was made. On January 20th, the Richmond Circuit Court will hear the appeal made by Mr. Wilson. We are confident the Racing Commission will prevail over this appeal and the work will continue. The entry boulevard has been cleaned, graded and graveled part of the way. On the lower boulevard, they have cleaned and graded all the way to the Legends entry boulevard. The engineering work continues with the waste water treatment plant and very soon they will begin clearing the site and the actual construction will begin on that program. Mr. Johns introduced a new member to the staff of Colonial Downs and a New Kent citizen, Mr. Brett Stansley, Vice President of Operations. Mr. Salmon asked Mr. Johns to keep the Board updated on the master plan. Mr. Johns said it will probably be about a month and a half to two months before the final studies are completed and submitted to the Planning Commission and the Board. He also explained that the Legends are ahead of schedule and limited play will be open in 1995, heavy play will be started in March 1996. Mr. Burrell asked about the number of lanes going into the race track. Mr. Johns explained that right now it is a two lane road but it will be a four lane boulevard coming off of Rt. 155. Mr. Ringley asked about other recreational activities that may be planned such as polo for this area. Mr. Johns replied that this is part of their goal. They have been working on this project for almost six years and the emphasis is on leisure time activities where people will come to visit New Kent, enjoy the day and go home looking forward to their next visit to New Kent. The primary emphasis is on the project of leisure time activities. Mr. Mike Johnson, also of Colonial Downs, spoke to the Board next. Mr. Johnson spoke about the progress of the actual construction work being done. He said the civil engineering is about 70% complete. They are meeting with the utility

companies to line all of that up. They will be submitting to the County their land disturbance permit for the site, they have already completed one for the entrance road.

IN RE: PUBLIC HEARING - ISTE A GRANT

Mr. Jack Berry, President and Chief Operating Officer of the Metro Richmond Convention & Visitors Bureau presented the information to the Board in reference to this grant application. The grant is based on Lee's Retreat and Grant's Overland Campaign. In 1993 Petersburg received a \$607,790 grant from the Intermodal Surface Transportation Efficiency Act (ISTEA). This was to promote the Civil War Trail called "Lee's Retreat". New Kent was a participant last year in the Overland Campaign of 1864 which was to promote the Civil War Trail from Fredricksburg to Petersburg. Based on the success of 1993 and 1994, they have gone to the entire state to market the entire Civil War. 60% of the Civil War was fought in Virginia. It practically began and ended in the state and they have never really marketed the program. They are asking for a \$2,000 contribution which would go into a \$600,000/\$700,00 grant application. The Board had no questions for Mr. Berry. Mr. Salmon opened it up for public hearing. Mr. Ed Pollard of District Three wanted to know the amount of the grant. Mr. Berry explained it would be a \$2,000 contribution from New Kent. Mrs. Gladys Otey of District 2 said she felt it was worthwhile to the County. Mrs. Brenda Snyder of District 3 said it would be a wonderful benefit to the County. With no other comments, Mr. Salmon closed the public hearing. Mr. Boroughs moved to authorize the County to participate in the application for this grant and also authorize the expenditure of no more than \$2,000.00 for New Kent's costs.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Mr. Salmon thanked Mr. Berry for coming out to explain the grant and the goal the Convention Bureau is taking in promoting this region.

Motion passed.

IN RE: ORDINANCE O-01-95

Mr. Cornwell, Special Counsel, explained to the Board the reason for this ordinance. The General Assembly in 1992 provided an option that voters could elect school board members. The voters of New Kent approved the referendum and the purpose of this ordinance is to put in place the election of the school board. This board will consist of five members with one member being elected from each election district created by this chapter. The first election for school board members shall occur at the regular general election in November of 1995. The term of the member of each of the school board shall be the same as the terms of each of the members of the Board of Supervisors of New Kent County and shall commence on January 1st following their election. Any vacancy shall be filled as provided by the Code of Virginia. The school board shall have all powers and duties as provided by the statutes of the Commonwealth. Mr. Burrell moved to approve Ordinance O-01-95 for Public Hearing. Mr. Ringley asked about having staggered terms for the school board. Mr. Cornwell said the statute specifically says that if the school board terms are staggered the Board of Supervisors terms must also be staggered. Mr. Boroughs asked anyone from District Five, saying he would appreciate hearing their comments on this issue before they go to the public hearing.

James H. Burrell	Aye
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E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Mr. Cornwell expressed a concern that this was already approved for public hearing and Mr. Salmon asked that he check into it.

Motion passed.

FOR ORDINANCE O-01-95 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 335.

IN RE: SPECIAL MEMORIAL AND INTRODUCTION OF NEW DEPUTIES

Delegate George Grayson presented a special memorial to Mrs. Adams and her family for her husband, Deputy Sheriff D. R. (Randy) Adams, who is deceased. Delegate Grayson said everyone appreciates all that the sheriff's, firefighters and rescue workers do to promote safety to the Old Dominion. The General Assembly wished to express their sympathy to the Adams family on the loss of Randy Adams and their appreciation for his and their many contributions and sacrifices to improve our quality of life. Mr. Grayson read the Resolution that was passed with the co-sponsorship of Senator Elmo Cross. The Resolution noted his time of service to the community and his dedication to those he served, remembering his kindness and efforts on and off the job. Mrs. Adams thanked Mr. Grayson and said the family has been overwhelmed by all the comfort and respect that has been shown the family. Mr. Adams, the son, thanked everyone for this honor and spoke of how the people from the Sheriff's Department especially have gone out of their way to help his mother.

Sheriff Howard next addressed the Board with an introduction of his new deputies. Sheriff Howard introduced Deputy Sheriff Charles H. Gardner, who has worked part-time since May of 1994 and he will start full time January 15, 1995. His duties include Civil Process, Court Security, and prisoner transport. He has completed all training and has been a resident of the County for seventeen years. The second deputy to be introduced is James A. Anthony. He started working for the County on July 1, 1994 as a full time Road Deputy. His duties include Criminal Investigation, patrol and traffic enforcement. Jim has successfully completed 17 different schools in 7 years of law enforcement. The third deputy is Lee Bailey who was hired full-time on August 9, 1994. He started as a part-time Road Deputy in August of 1993. He is a life-time resident in the County and active with both the Providence Forge Rescue Squad and the New Kent Fire Department. He has completed 9 law enforcement related schools prior to coming here and probably twice that many fire and safety classes. The fourth new deputy is Wayne Clark. He started in January 1994 on the auxiliary program. Auxiliary employees do not carry weapons and they are not sworn. They help tremendously in traffic enforcement for special events, do property checks and are invaluable assets to the department. Even though Wayne was an auxiliary, he asked if he could go through the Police Academy. This was all on his own time, and gas to go back and forth to Petersburg. This course meets two nights a week and every Saturday for six months. Wayne was working full time in Norfolk while taking this course and all of this was paid by Wayne. He was hired full-time July 1994 and he completed his last one-third of training while being a Deputy with the County. He and his wife are very active in the County and have organized several non-profit fund raising events. Sheriff Howard said without the supplement the Board provided last year, he would not be able to attract this type of quality and experienced officers. Sheriff Howard thanked the Board for allowing him to hire such high quality individuals and he is very proud of them and they will do an outstanding job for the community. Mr. Burrell asked Sheriff Howard to introduce the rest of his staff that were present for some of the citizens

who may not know them. He introduced Jim Boyd, Sydney Burrell, Investigator Squares, Mark Thatcher, Bill Bowery and Senior Deputy Norman Anderson.

IN RE: DR. TWEEL

Dr. Tweel addressed the Board and introduced the environmental health team for New Kent County. Mr. Duke Price, Environmental Health Manager, Mr. Chuck Schmidt, Working Supervisor, Mr. Dan Baird, Environmental Health Specialist and Randy Burgess. Dr. Tweel then asked Mr. Price to make a brief presentation to the Board. Mr. Price said they were asked to look at the resources that are available for the New Kent area in reference to the demands of septic and well. They met with the team you were just introduced to and have rearranged some of the time spent here in the County. Mr. Burgess will be spending more time in New Kent and Mr. Schmidt will be working here more also. Mr. Ringley commented that since we have asked for additional help, he has had good comments on the length of time responding to permits. Mr. Price said at the present time they are responding within 15 days. Mr. Boroughs also expressed his appreciation on the response to our needs and leaving the qualified people here in the County. Mr. Salmon thanked them for their timeliness in responding to our needs.

IN RE: CLAIMS OF A. C. WORLEY AND WORLEY AVIATION, INC.

Mr. Cornwell, Special Counsel, summarized for the Board the claims made by Mr. A. C. Worley and Worley Aviation. The amount of the claim is \$1,450 million dollars. The claim contains several different elements. Mr. Worley and Worley Aviation are making the following claims: 1). A claim to all funds received by New Kent County from the Commonwealth of Virginia or the Federal Aviation Administration; 2). A claim for reimbursement for expenses allegedly paid for repair and maintenance of the airport. This portion of this claim is \$451,754.85; 3). A claim for damage involving alleged interference by the County with a tenant of a hanger; 4). A claim for work allegedly performed around the T hangers; 5). A claim for loss due to the County's failure to construct an interstate interchange to the airport; 6). A claim for compensation for the airport terminal building; 7). A claim for compensation for aviation fuel, oil and heating oil at the airport. Mr. Cornwell noted that the information on this matter had been furnished to each Board member in a package. Mr. Cornwell went through each item of the claim and provided information on the claim. In each instance, Mr. Cornwell, as Special Counsel to the Board of Supervisors, recommended denial of the claim and his reasons for each denial.

Mr. Salmon said he would like to recognize Mr. Worley who was present to make any comments to the Board concerning his claim. Mr. A. C. Worley addressed the Board stating he is the President of Worley Aviation, Incorporated and has been the operator of the County Airport for nearly 40 years. The positive aspects of the operation is that there has never been a party injured or a fatality at the airport. As far as the claim is concerned, the documents submitted speak for themselves but he would like to go on record that for nearly two years he had tried both in writing and in contacts to get an audience with the Board in order to prevent this from occurring and it has been denied in every instance. On advice of counsel, the documents speak for themselves, however he was available this evening for any questions the Board may have. Mr. Ringley asked about the donation of the land for the airport. Mr. Worley said the way the law reads he had to donate the airport per se, meaning the runway, lights, etc. All that had to come to the County free. There were no other questions by the Board. Mr. Salmon informed everyone the airport is being run by the County and we do have a Request for Proposal to be closed January 31, 1995 for all to bid on becoming the Fixed Base Operator of the airport, this sincerely includes Worley Aviation. Mr. Salmon commended the Airport Commission for their hard work and looked forward to concluding the process of picking a new FBO and hope to have one by March. Mr. Ringley moved to deny the claims of Arthur C. Worley and Worley Aviation, Inc. made against New Kent County for the reasons that the Lease Agreement between the County of New Kent and Worley Aviation, Inc., dated January 24, 1985 does not require the County to compensate Worley Aviation for the terminal building or for other items of

these claims and that the claimants have failed to establish or prove their claims and have failed to comply with Section 15.1-550 of the Code of Virginia in the presentation of their claims.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Mr. Worley was present when the claim was denied.

IN RE: NUMBER OF REPRESENTATIVES ON AIRPORT ADVISORY COMMISSION

Mr. Ringley had requested reducing the number of representatives from each District and it was brought for a vote before the Board. Mr. Bradby moved to approve one representative from each District to serve on the Airport Advisory Commission.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Motion approved.

IN RE: CRAC MEMBERSHIP

Mr. Emerson spoke to the Board about a meeting he had with Mr. Todd Sheller, Special Projects Coordinator for the Capital Region Airport Commission. Mr. Sheller was sent by Mr. Blackshear, Director of CRAC to inquire whether or not New Kent was interested in a possible membership. Mr. Emerson said to pursue this further, he would need authorization from the Board indicating the Board's desire to further these discussions. At this time there would be no obligation upon the County, as these are only preliminary discussions. Mr. Burrell moved to authorize the County Administrator to draft a letter for the signature of the Board Chairman indicating New Kent's desire to initiate discussions with the Capital Region Airport Commission about membership on the commission. Mr. Ringley wanted to know any amount of money to be paid before accepting membership. Mr. Salmon said he would also like the Airport Commission involved also.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Motion carried.

IN RE: APPOINTMENTS

Mr. Ringley moved to appoint Mr. William J. Wallace, III to the Hanover Health Advisory Committee to fill an unexpired term ending December 31, 1995. Mr. Boroughs, District Five, moved to reappoint Mr. T. Marshall Philbates to the Planning Commission for the term ending December 31, 1998, and moved to

reappoint Mr. John Mullen to the Board of Road Viewers for the term ending December 31, 1995, and moved to reappoint Mr. Paul Davis to the Recreation Commission for the term ending December 31, 1995, he also moved to reappoint Mr. Harold K. Seitz to the Building Code Board of Appeals for the term expiring December 31, 1998 and moved to reappoint Mr. Brian Parsley to the Building Code Board of Appeals for the term expiring December 31, 1998. Mr. Burrell, District Three, moved to reappoint Mr. James Moody to the Board of Road Viewers for the term ending December 31, 1995 and also moved to reappoint Mr. Charles Moss to the Recreation Commission for the term expiring December 31, 1995. Mr. Salmon, District One, moved to appoint Mr. Mark Daniel to the Planning Commission for the term expiring December 31, 1996 and moved to reappoint Mr. William Poad to the Board of Road Viewers for the term expiring December 31, 1995.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

IN RE: MEETING SCHEDULE

The next regular meeting of the Board of Supervisors will be held on Monday, February 13, 1995 at 7:00 P.M. The Planning Commission will meet on Tuesday, January 17, 1995 at 7:30 P.M.

Mr. Boroughs inquired about the School Board hiring another attorney to look over some documentations. He was wondering how the Board felt since we have an attorney here, we could use the same one and save this money. Mr. Emerson did speak to Mr. Adams and let him know Mr. Cornwell was available but he would speak to him again. Mr. Ringley also asked about a part of the Appropriations that had been already been approved in the Consent Agenda. He noticed a payment to Don Southard for \$20,051.90 from the School Board and would like more clarification as to this payment. Mr. Ringley then asked the Chairman to make a motion to approve only the payments to MMM Design and amend the previous motion.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

IN RE: CITIZENS COMMENT

Mr. Salmon suggested, because of the number of people who want to speak and the change in the Bylaws won't take place until February, they waive the 15 minute time period for Citizen Comments. Mr. Salmon then put it to in a motion, to the floor, to waive the 15 minute time period for citizens comments.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Mr. Salmon addressed those in attendance. He said he will call their name and ask they come up to the podium. Mr. Salmon requested they give their name, what district they are from and their comments will be limited to three minutes a person, per the Bylaws of the County.

Mr. Ed Covington addressed the Board by saying he is not from the County but lives in Hanover County. He has had a plane at the New Kent Airport for nine years. He moved his plane down here in 1986 after being stationed in Richmond three to four years and prior to that in the Hanover Airport. The services he received from the New Kent Airport far exceed the services he ever received at the other two airports. There is no other airport where they have the honor system on gas. You can get gas either night or day which is an important fact to flyers, you don't leave a plane half full. No other airport has parts available or mechanics on duty on the weekends. Worley Aviation always had someone there to help with parts. He felt the services were outstanding, felt like the County has a grudge against Mr. Worley and can't understand why the Board kicked him out before they had someone to take his place. He asked what will happen if no one responds to the bid. Mr. Salmon answered that so far we have had 23 people apply for a bid package. The Board recognizes all that Mr. Worley has done but the Board exercised their option to put it out for bid. Mr. Covington replied by asking where can we get parts until March? Mr. Salmon replied that it is the best we can do at the moment. Mr. Burrell then asked Mr. Covington about the rate of personal property on his plane at the Hanover Airport. Mr. Covington said he didn't remember, but he thought it was \$1.25 or \$1.50 per hundred. Mr. Covington thanked the Board for their time.

Mr. Warren Leber addressed the Board next. He is a resident in Hanover County and has been flying with Worley Aviation since 1981 and agrees with what Mr. Covington said. Mr. Leber expressed his concern on not putting bids out prior to Mr. Worley leaving. His plane needs an annual inspection and without a licensed mechanic he will be without his airplane until they have someone in place. There are many people upset by the way it has been handled Mr. Leber did commend Charles Gillett for the job he done.

Mr. Rod Molina spoke to the Board saying he has been a resident of New Kent for 11 years. He is also a licensed pilot and flight instructor and learned to fly at New Kent 15 years ago. He wanted the Board to know what Worley Aviation and Mr. Worley has meant to him over the last 15 years. Mr. Molina said Worley Aviation offered a unique service to the local flying community. They have a wide variety of aircraft available for rental. Because of Mr. Worley's commit to flying, you had at your disposal a large variety of vintage aircraft for rent. Pilots from all over Virginia would come just to fly these classic airplanes. This will be surely missed. He felt the Board never considered the impact on many of the pilots who will no longer have the pleasure of travelling back to a time when aviation was much simpler.

Mr. L. E. Stott next spoke to the Board and said he was not a resident of New Kent County. He has been flying since 1956, gave it up and started again 18 months ago in New Kent. Mr. Stott said he didn't know why anyone would want to run an airport with the high liability, maintaining and selling airplanes. He credited Mr. Worley for making people feel secure with him and his 40 years experience. He, along with many others who don't own planes but rent, have no where else to go. He hoped things could be resolved between the Board and Mr. Worley so those good services could continue. Those involved in flight training have no where to go. This has impacted a lot of people and hope the Board will consider all options.

Mr. D. L. Cheek, who resides in Smithfield spoke next to the Board. He said he drives an hour and a half because Mr. Worley has a niche that you can't find anywhere else. Mr. Worley has done an excellent job and would hope the Board would reconsider.

Reverend Milton Hathaway wanted to commend Mr. Burrell for his leadership in the past year and commend the Board on their selection of the new Chairman. Secondly, he wanted to thank the Board for allowing the Planning Commission to have representatives take part in the interviewing process for the

selection of a new Planning Director. Mr. Hathaway also wanted to encourage them to do the same thing as it refers to the selection of County Attorney. There are a number of attorneys in New Kent County who could provide valuable insight in the selection process. Lastly, he would suggest you have some citizens who are not attorneys, but who share a concern.

Mr. DeWitt Whittington also addressed the Board. Mr. Whittington is a resident of Richmond. He wanted to reiterate what has been said before on behalf of Worley Aviation. He has been a pilot since 1964 and it was gratifying to find the New Kent Airport who values aviation. The atmosphere around the airport was one that pulled you in, encouraged you to get a better rating and fly some of these vintage airplanes. Worley Aviation had superior services, such as airplane maintenance and quality of work performed.

Mr. David M. Brydon spoke and said he is a resident of Henrico County. He said he is the Treasurer of a local flying club, a non-profit group of some fifty-three pilots based over at Chesterfield Airport. They have found New Kent the best place to do their maintenance where they had a choice. Over the last year they spent over \$12,000 on maintenance at the New Kent Airport and have been immensely satisfied. Mr. Brydon said he has a great deal of admiration for Mr. Worley, whom he has never met, but his organization has done excellent work and he regrets that as of now there is no place to take their aircraft for maintenance where they feel they will get the kind of service that was provided at Worley Aviation.

Mr. Daniel B. Skelton told the Board he has been a resident of the County for quite some time and he is in District Three. He says he flies supersonic planes and takes great pride in flying and flyers are a community within themselves. Mr. Worley is a rare individual who loves flying and provides a service second to none, we are losing a good opportunity here. He said he spoke to Mr. Salmon, prior to the last meeting, and they got to a point in their conversation where he was led to believe Mr. Worley could stay during the transition period. Mr. Worley had agreed to stay and not move his things out to accommodate the Board. Mr. Skelton said he spoke to Mr. Ringley after the Board Meeting and he refused to give me much information and told me talk with the County Attorney. The County Attorney said he is here to protect the Board of Supervisors and had no interest in talking to me. As a tax payer, I'm paying his salary and what really frustrates me is why he comes all the way from Pulaski for us to pay him to represent this County. We are arguing over the cost of fire trucks and we pay someone to come from Pulaski. We are arguing over \$1.00 per resident, per year for fire coverage. He said he would find it hard to believe that if they antagonize the fire department and antagonize the flying community as it appears to be occurring, they would be reelected. If you are looking for someone for the Airport Commission, I would like to volunteer.

Ms. Gladys Otey thanked the Board for all their work, thanked Mr. Burrell for his Chairmanship last year and congratulations to Mike Salmon on his election as Chairman this year. She said she was named to the Historic Commission about a year ago and understood there were supposed to be 10 on this commission. At no time since she has been on the Historic Commission have they had more than five members at one meeting. She contacted those who were not attending to find out if there was a problem. At the present time only four or five come for each meeting. She was wondering if maybe the Board might consider reducing the number of members on the Historic Commission. She also mentioned she called about the Industrial Airport sign being down again. Ms. Otey said she lived on the airport for over 29 1/2 years. They have had access to the airport, have enjoyed it very much and if they didn't they wouldn't be living there. Mr. Salmon told her the three minutes were up and to please give someone else a chance. She expressed her concern about people being ordered off the airport unless you had a plane. Mr. Salmon again asked her to bring her comments to an end.

Ms. Diana Abbs handed each Board member a copy of a letter. She said she does live in the County and two years ago she was appointed to the Airport Commission. The Commission never met until she drafted a letter and requested certain items under the Freedom of Information. She was surprised to hear from Mr.

Cornwell that there is no documentation of this and that because a lot of them have been collecting documentation as far back as 1986. She said she resigned from the Airport Commission in 1994, citing information and documentation coming to the Board. Ms. Abbs referred to the letter handed to the Board and asked that the letter be put into the record by copy to Ms. Sue Morgan and wanted it verbatim in the minutes. She did not appreciate her comments being edited. She felt that what they have done to discredit the operation at the airport, when and if it does go to court, will speak for itself. She hoped they would take one last opportunity and allow Mr. Worley to go into Executive Session and people who do have information concerning the airport and hear all of it. Ms. Abbs said she has drafts of the minutes of the Airport Commission since she was on the commission.

Ms. Courtney Cole read a letter from her father, Hugh T. Cole, III, as he was too ill to attend. Mr. Cole's letter referred to Mr. Worley and his outstanding operation. He felt the County has erred in their treatment of Mr. Worley and rendered a disservice to the residents of New Kent. The letter continued about the improvements made to the airport and a couple of ways to help pay for them. He felt the Board also erred in not sending out bid packets before the termination of Mr. Worley's contract. Mr. Cole wanted to ask if the people operating the airport, until a new FBO is in place, know anything about airplanes or running an airport. The airport is an asset to the County, let Mr. Worley run the airport until someone better is found and if Mr. Worley is due funds for improvements, then pay him. Mr. Cole feels this dispute serves no useful purpose and is destructive to the progress of the airport.

Ms. Yvonne Cole added to what her husband and daughter had to say. She and her husband had their dates in 1968 coming to Mr. Worley's airport. We will miss it a lot if he doesn't continue running the airport. Her daughter had started taking lessons there and now they don't know where to go from here.

Mr. Chuck Stiff said he flew out of Hanover County until he found a lack of services and a lack of safety. He has found the services to be exceptional at New Kent that you can't find any place else. Mr. Worley offered air bag training where a lot of other places didn't. Mr. Stiff said this has interrupted his training and he is looking for a home but won't consider New Kent until this has been settled. Another thing to consider, Eagle's Nest Airport out of Williamsburg has been looking at the operation Mr. Worley had and offering a lot more variety.

Mr. Jay Clark said he lives in Hanover County and expressed his feelings on the airport and the quality of service you can get. You would have to go 50 miles to find anything like this operation.

Mr. Dave Cadora said he lives in Western Henrico County. He could fly out of Hanover which is a lot closer but chooses to fly out of New Kent because of the professional manner and the services available. He is very concerned and has had to go elsewhere to fly which adds more expense and you don't have the opportunities as were available in New Kent. He hopes the Board will use what is said tonight and ask Mr. Worley back.

Mr. Hank Neville said he is a resident in Hanover County. He rents airplanes out of New Kent because of the vintage type planes available and while there found the atmosphere to be like family. There is no where else you can get the treatment you do at New Kent. If the County is really interested in increasing tourism, this would be a great asset.

Mr. J. C. Hogge, Jr. said he learned to fly at Worley Aviation. It is a very unique airport, people come from all over just to fly the aircraft Mr. Worley has available. Mr. Hogge feels the Board has done the wrong thing and should let Mr. Worley continue.

Mr. L. R. Lebor said he is a resident of Hanover County and had two items he wanted to speak to the Board about. The first, New Kent County is the best place to fly with Worley Aviation. He believes Mr.

Worley is the best operator and would hope he could continue. The second item was in reference to the fire department. His County also went through the same things on the trucks as New Kent is going through now. They also looked at custom versus commercial and that they are two entirely different things. Part of the reason for the great number of volunteers and the type of people you get is pride in the job they perform and in their equipment. He hopes the County will take all of these remarks tonight into consideration.

Mr. Burrell commented to the Board and the citizens about his love of aviation and he understood and appreciated their opinions. Mr. Worley does have an opportunity to bid and everyone has spoken very highly of him and his operation tonight. Mr. Salmon also added his thanks for comments by everyone and it speaks very highly of Worley Aviation.

IN RE: EXECUTIVE SESSION

Mr. Ringley moved to go into executive session to discuss a personnel matter pursuant to § 2.1-344(a)(1) of the Code of Virginia and also to go into executive session for consultation and briefings by legal counsel, consultants, or staff members pertaining to actual or probable litigation or other legal matters requiring the provision of legal advice by counsel pursuant to § 2.1-344(a)(7) of the Code of Virginia. Mr. Salmon said a motion has been made to go into Executive Session, there are no other items on the agenda and they do not anticipate taking any action after this executive session.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Mr. Boroughs moved to go into regular session.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Absent
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Mr. Bradby was excused from the meeting in order for him to go to work.

Mr. Salmon certified that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under Virginia law, and (ii) only such public business matters as were identified in the motion by which the executive meeting was convened were heard, discussed or considered in the executive meeting.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Absent
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Mr. Ringley moved to carry the executive session over until Thursday, January 19, 1995 at 5:00 P.M., at which time the Board will reconvene in executive session to discuss a personnel matter pursuant to § 2.1-344(a)(1) of the Code of Virginia and also to go into executive session for consultation and briefings by

legal counsel, consultants, or staff members pertaining to actual or probable litigation or other legal matters requiring the provision of legal advice by counsel pursuant to § 2.1-344(a)(7) of the Code of Virginia. Mr. Salmon told those still in attendance, a motion has been made to go into Executive Session, there are no other items on the agenda and they do not anticipate taking any action after this executive session.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Absent
Robert A. Boroughs	Aye
Michael D. Salmon	Aye
