

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE ELEVENTH DAY OF JULY IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-FOUR IN THE BOARD ROOM OF THE COUNTY OFFICE BUILDING. THE CHAIRMAN CALLED THE MEETING TO ORDER WITH ALL MEMBERS PRESENT. THE INVOCATION GIVEN BY MR. SALMON WAS FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

IN RE: MINUTES

Due to a couple of inaccuracies in the minutes for June, Mr. Salmon moved to table the minutes for June 1994 until the next regular meeting.

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

IN RE: CITIZENS COMMENT PERIOD

Ms. "Sam" Snyder read a chronological list of events relating to the presentation and adoption of the FY 1994-95 Budget.

IN RE: FINANCE REPORT

Mr. Hart gave the finance report which had been prepared by Ms. Christian, Finance Coordinator. Mr. Salmon moved to approve the expenses for the month of May 1994 totaling \$333,557.82 as presented in the monthly expenditures report.

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

IN RE: ELECTED OFFICIALS REPORT

Mr. Ringley passed to Mr. Morgan a letter he had received from Mr. Arthur Worley who said that he had tried to pay his taxes and the County government would not accept them. Mr. Ringley asked for a written report on the matter.

In addition, Mr. Ringley said that in the seven years he has served on the Board of Supervisors he was never asked to do something for someone in return for support during an election and was happy that he had never been threatened as a member of the Board. However, before the last meeting when they were to vote on the budget, Ms. "Sam" Snyder called his home and told him that there was a group of people around the County getting together and if he voted for the athletic facility as well as the twice-a-year tax collection, they would proceed to destroy him, and he didn't know if they meant politically or business-wise or whatever.

Mr. Salmon proposed that the Board set for public hearing at the August meeting the proposed twice-a-year collection of real estate and personal property taxes. Mr. Ringley made a friendly amendment that

the notice of the public hearing be advertised in the Richmond Times-Dispatch, Daily Press and Tidewater Review. Mr. Salmon accepted Mr. Ringley's friendly amendment.

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

IN RE: TREASURER'S REPORT

Following the report given by Ms. Betty Burrell, Mr. Bradby moved to approve the Treasurer's Report for the month of June 1994 and to authorize the Treasurer to continue to invest County funds in the highest yielding legal investment, subject to audit.

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

IN RE: REFUSE COLLECTION

In a continuation of the Elected Officials Reports, Mr. Ringley said that something has to be done about the situation on collection of the trash and garbage. Mr. Bradby moved to direct the County Administrator to immediately hire temporary help to man the sites and to assist citizens until problems are solved. The Board members engaged in extensive discussion, particularly about installing fencing and hours of operation. An amendment was made to the motion to install fencing at sites where feasible and to reduce the number of sites, after a study is made by Mr. Hart and Mr. Gallaher.

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

Mr. Salmon and Mr. Boroughs each said they were in favor of doing something about the emergency situation, even though they voted negatively on the particular motion.

IN RE: REQUEST TO UPGRADE AUDIO SYSTEM FOR RECORDING MEETINGS

Mr. Burrell brought up the subject of better system of audio equipment to record the meetings of the Board. He asked for the Board concurrence to have the County Administrator look into what kind of system would do an accurate job. A majority of members did not concur.

IN RE: PUBLIC HEARING, REZONING APPLICATION C-2-94, KMI CONTINENTAL
TIMBERLANDS, INC.

Mr. Emerson informed the Board that a request had been filed by KMI Continental Timberlands, Inc., to rezone Tax Map and Parcel Number 31-70 from M-1 to A-1 in order to reduce the real estate taxes. He

also said the Comprehensive Plan designates the 448.86 acre parcel as Commercial/Industrial. Mr. Ed Trope, legal counsel, spoke on behalf of KMI and fielded questions from the Board members. Chairman Burrell opened the public hearing.

Mr. George Philbates, Jr., reminded the Board that they had refused in the past to down-zone certain other properties with similar circumstances.

Ms. Diana Abbs asked several questions, including the effect of the Subdivision Ordinance, if passed this night; Mr. Morgan replied that if the Subdivision Ordinance were passed tonight it would apply to this piece of property.

The public hearing was closed.

Mr. Bradby moved to deny C-2-94 due to its contradictory nature to the goals of the Comprehensive Plan.

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

IN RE: PUBLIC HEARING, ORDINANCE O-04-94

Mr. Morgan reminded the Board that this ordinance had been passed as emergency legislation at the May meeting in order that certain young firefighters might take advantage of some important training. The Chairman opened the public hearing but no comments were heard. Mr. Boroughs moved to adopt Ordinance O-04-94 as presented.

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

FOR ORDINANCE O-04-94 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 283.

IN RE: RESIDENT ENGINEER'S REPORT

Mr. Cliff Wallace of VDOT reported that a traffic study done by the traffic engineer's office dated July 7 concerning speed of trucks through intersection of Rts. 249 and 60 indicated that everything appeared to be normal. Mr. Salmon asked Mr. Wallace to look at a problem of trees blocking the view of the intersection at Rts. 249 and 612. Mr. Ringley thanked Mr. Wallace for the grass mowing being done on Route 60.

IN RE: RECREATIONAL USE OF SCHOOL FACILITIES

Mr. Ed Allen, Athletic Director at New Kent High School, gave a brief history of the recreational programs at the schools and presented statistics relating to the number of participants in the programs. He told of the facilities being utilized by the school teams as well as by Little League teams and adult ball teams. He also spoke to the Board of the need for new facilities. Mr. Ringley moved to set a meeting of

the Board of Supervisors with the School Board on July 25 at 7 p.m. to discuss and determine the scope of the athletic facilities and review the bids.

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

IN RE: ROUTE 33 AREA PLAN

Mr. Emerson gave each Board member a copy of the Route 33 Area Plan document adopted recently.

IN RE: RENOVATION OF BUILDINGS

Mr. Hart reported that Ms. Marlene Shade, architect with Greenhorne & O'Mara, has completed preliminary drawings for the renovation project and suggested that the Board set a work session with her on July 25 at 6 p.m.

IN RE: APPOINTMENTS

Mr. Ringley moved to appoint the Reverend Carol Bookwalter as the Board's representative to the Capital Area Agency on Aging for a three-year term ending June 30, 1997.

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

IN RE: CONDITIONAL USE PERMIT CUP-1-94, COUNTY FAIR

Mr. Boroughs moved to approve CUP-1-94 for the New Kent County Fair with the following conditions:

1. All activities cease prior to 11:00 p.m.
2. All cleanup and trash removal be performed in accordance with the established plan of trash removal for the Fair.
3. All rules and regulations of Chapter 11, Music Festivals and Outdoor Gatherings be followed.
4. All fees for required permits shall be waived.

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

IN RE: RESOLUTION R-18-94

The Board had received a request from Henrico County to pass a resolution directing the Governor to have the Department of Environmental Quality perform the necessary activities in relation to the Richmond Area Non-attainment status. Mr. Salmon moved to adopt Resolution R-18-94 as presented.

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

FOR RESOLUTION R-18-94 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 285.

IN RE: PROCUREMENT OF AERIAL FIRE EQUIPMENT

Mr. Hart presented a summary of the bids received for aerial fire equipment and recalled for the Board that \$250,000 toward cost of purchase was appropriated in the recently adopted budget. Mr. Boroughs moved to accept the bid of Pierce Custom Chassis at a bid price of \$283,371.12. It was also pointed out that the Regional Jail agreement includes provision for Henrico County to fund \$250,000 toward the purchase of the equipment.

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

The Board concurred to have Mr. Hart ask Henrico County for the total cost of the truck.

IN RE: SUBDIVISION ORDINANCE

The Board expressed their views concerning the Subdivision Ordinance. Mr. Boroughs moved to adopt the Subdivision Ordinance as presented.

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

THE NEW KENT COUNTY CODE OF SUBDIVISION ORDINANCES CAN BE FOUND THE PLANNING DEPARTMENT.

IN RE: PROPOSED BYLAWS AMENDMENT

Mr. Ringley moved that Citizens Comment Period be kept at the end of the Board Meeting as had been done in the past. Mr. Boroughs asked that a friendly amendment be added that speakers come to the front and use the microphone. Mr. Ringley suggested that a chair be provided for speakers to sit while they make their comments.

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

IN RE: APPROPRIATIONS--AIRPORT STUDY

Mr. Hart explained that funds needed to be appropriated to cover costs for the Airport Study being done by Buchart and Horn and that a portion of the funds would be reimbursable from the State. He said that an appropriation was needed for New Kent's participation in a regional airport study. Upon inquiry, Mr. Emerson answered as to the status of completion of the study. Mr. Salmon moved to appropriate \$41,800 to Line Item 90000-3002, Professional Services, and to amend Miscellaneous Revenues by the addition of \$33,440 as well as to appropriate \$1,500 to Line Item 90000-3002, Professional Services.

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

IN RE: REFUNDS

Mr. Bradby moved to refund \$479.50 to David P. & Patricia Sepety for double payment of 1993 tax on a leased vehicle, and \$161.00 to David W. Clark for double payment of 1993 personal property tax on a car.

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

IN RE: MEETING SCHEDULE

The next regular meeting of the Board will be on Monday, August 8, 1994 at 7 p.m. The Planning Commission will meet on July 18 at 7:30. The Board will meet in joint session with the School Board on July 25 at 7 p.m.

IN RE: LETTER TO TIDEWATER REVIEW

Mr. Ringley referred to a draft letter in response to an editorial published in the Tidewater Review. Mr. Burrell was not prepared to put his signature on it. Mr. Ringley moved to send the letter signed "New Kent Board of Supervisors".

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

IN RE: ADJOURNMENT

Mr. Boroughs moved to adjourn the meeting.

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

H. Garrett Hart, III
County Administrator

James H. Burrell
Chairman