

Work Session

A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE NINETEENTH DAY OF SEPTEMBER IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-FOUR IN THE BOARD ROOM OF THE COUNTY OFFICE BUILDING BEGINNING AT 6:30 P.M. WITH THREE MEMBERS PRESENT; MR. SALMON AND MR. BURRELL ARRIVED AS THE EXECUTIVE SESSION WAS TO BEGIN IN THE CONFERENCE ROOM.

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IN RE: EXECUTIVE SESSION

Prior to the Joint Public Hearing, Mr. Boroughs moved to go into Executive Session to discuss a personnel matter pursuant to § 2.4-344(a)(1) of the Code of Virginia.

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

Mr. Boroughs reconvened the meeting of the Board of Supervisors with the Planning Commission for the purpose of the Public Hearing on Rezoning Case C-5-94 and Rezoning Case C-6-94 but stated the Board was not finished in their Executive Session and would continue after the Public Hearing.

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Joint Meeting

A JOINT MEETING OF THE BOARD OF SUPERVISORS AND THE PLANNING COMMISSION, OF THE COUNTY OF NEW KENT WAS HELD ON THE NINETEENTH DAY OF SEPTEMBER IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-FOUR IN THE BOARD ROOM OF THE COUNTY OFFICE BUILDING BEGINNING AT 7:30 P.M. WITH ALL BOARD MEMBERS PRESENT.

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IN RE: PUBLIC HEARING - REZONING CASE C-5-94 - Chesapeake Forest Products Company - A request to rezone part of Parcel 27-6 from C-11 (Conservation) to M-2 (Heavy Industrial).

The Board of Supervisors, taking into consideration all comments and the Planning Commission's recommendations, Mr. Boroughs moved to accept the rezoning.

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

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IN RE: PUBLIC HEARING - REZONING CASE C-6-94 - Peavy Richmond Partnership A request to rezone part of 19 ((1)) 6 and 19-45 from R-1 (Single Family Residential) to B-2 (Business Limited) conditional.

Mr. Ringley declared that he did not have a conflict of interest and entered his Disclosure Statement for the record.

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FOR MR. RINGLEY'S DISCLOSURE STATEMENT, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 293.

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Mr. Ringley also stated he had mailed a newsletter to 1,044 residents in his District with the proposed rezoning and had received no comments back.

Mr. Salmon stated this project is part of the Comprehensive Plan and a lot of time has been spent reviewing all aspects of the rezoning.

The Board of Supervisors, taking into consideration all comments and the Planning Commission's recommendation, Mr. Boroughs moved to accept the rezoning.

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

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Mr. Salmon, referenced the meeting with Newport News on September 12, 1994, where they asked for written support from New Kent County for continuance of investigating the area for a reservoir and having access to citizens property. Mr. Salmon asked the Board to propose a motion to discontinue any support with Newport News as it refers to the Black Creek Reservoir.

Mr. Bradby stated that he came with a proposed motion to consider along the same lines.

Mr. Bradby moved to inform Newport News, the Board of Supervisors of New Kent County, do not intend to negotiate any agreement at this point on the Black Creek Reservoir.

Mr. Salmon had a friendly amendment, that was accepted by Mr. Bradby, stating Newport News not be allowed on any property for Wetlands delineation.

Mr. Ringley brought to the Board's attention, that even after the meeting on September 12th with Newport News and knowing how the County felt about them being on property where they didn't belong, trucks were seen on two properties in the County and he was greatly in favor of stopping all agreements.

Mr. Boroughs said that he could go along with not signing any agreement but felt Newport News should be allowed to continue the study. It would cost the County thousands of dollars to do the study for the water needs in the future and Newport News would do it for free.

Mr. Ringley wanted to go on record about the way the entire situation has been handled with the County of New Kent. The letters to the citizens were not done correctly and he didn't like the tone or attitude saying that the Power of Eminent Domain could allow them on the properties in the County. As a Board Member he did not support them coming on property owners land in New Kent County and wanted it stopped until other arrangements could be made.

Mr. Burrell stated that we would be getting free water from the agreement with the Regional Jail and when the Cohoke Reservoir is built they will have to run a line through New Kent County and we will receive 1,000,000 million gallons of treated water per day.

Mr. Burrell called for the vote on Mr. Bradby's motion.

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

Mr. Boroughs made a motion that New Kent County do its own study of the Black Creek Reservoir.

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

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IN RE: EXECUTIVE SESSION

Mr. Burrell asked the members of the Board to go back into Executive Session which is a continuation prior to the Public Hearing.

Mr. Bradby moved to go back into regular session.

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

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 session was convened were heard, discussed or considered in the executive meeting.

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

Mr. Burrell said they had discussed personnel matters but had not made any decisions at this time.

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IN RE: ADJOURNMENT

Mr. Bradby 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

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R. J. Emerson, Jr.  
Acting County Administrator

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James H. Burrell  
Chairman