

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE ELEVENTH DAY OF JANUARY IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-THREE IN THE BOARD ROOM OF THE COUNTY OFFICE BUILDING. CHAIRMAN BURRELL OPENED THE MEETING AND GAVE THE INVOCATION. ALL BOARD MEMBERS WERE PRESENT.

IN RE: MINUTES

Mr. Bradby moved to approve the minutes of the meetings of December 10, December 14, December 15, December 21, 1992 and January 4, 1993 as presented.

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

IN RE: FINANCE REPORT

Ms. Alease Christian presented her report for December 1992. Mr. Ringley made inquiry concerning the water fund. It was decided to take the cost of the Greenhorne & O'Mara study out of the water fund and transfer it to the professional services category. Mr. Burrell moved to approve the expenditures for the month of December 1992 totaling \$413,202.32 as presented and amended in the monthly expenditures report.

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

IN RE: STAFF REPORT, LEGISLATIVE PACKAGE

Mr. Patrick J. Morgan, County Attorney, went over the preliminary legislative program, which was similar to the 1992 program, and asked for input. Mr. Salmon wished to request that recordation taxes be returned to the localities. Mr. Ringley wanted to add an item that the General Assembly try to find funds to restore to the Literary Loan Fund. Mr. Boroughs expressed an opinion that prohibiting riding in the back of pickup trucks may result in hardship for some families; perhaps some modification for seatbelts could be added to the item.

IN RE: TRAFFIC ENGINEER'S REPORT

Mr. Bob Riley had no formal report but a couple of items were brought up by Board members.

IN RE: ANNUAL REORGANIZATION OF THE BOARD

Chairman Burrell thanked the Board for electing him chairman for the past year. He then turned the Chair over to the County Administrator. Mr. Bradby nominated Michael D. Salmon for chairman and Mr. Burrell moved to close the nominations.

Michael D. Salmon	Aye
-------------------	-----

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

Mr. Bradby moved to elect Michael Salmon as the chairman.

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

Mr. Hart relinquished the Chair to Mr. Salmon. All other Board members commended Mr. Burrell for a job well done. Mr. Salmon assumed the Chair. Mr. Burrell nominated Mr. Bradby for Vice Chairman of the Board. Mr. Boroughs moved to close nominations.

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

Mr. Burrell moved to elect Mr. Bradby as Vice Chairman.

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

IN RE: RESOLUTION R-1-93, ESTABLISH MEETING DATES

Mr. Hart explained that Resolution R-1-93 would establish the dates for regular meetings of the Board. Board members expressed their desire to return to a schedule of one regular meeting a month and to schedule a second meeting for special meetings or work sessions on an as-needed basis.

Mr. Ringley moved to adopt Resolution R-1-93 amended as follows: "That the Board of Supervisors of the County of New Kent hereby establishes its regular meeting date, time and place, pursuant to § 15.1-536 of the Code of Virginia, to be the Second Monday of each month at 7:30 p.m. in the Board Room of the County Office Building."

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

IN RE: ADOPTION OF BYLAWS

Mr. Burrell recommended a change in Article V(A), the second sentence to read as follows: Any matter not listed on the agenda shall not be acted upon over the objection of any three members present.

The word change will be voted upon at the next regular meeting.

IN RE: STANDING COMMITTEES

Mr. Salmon announced his selections for the standing committees, as follows:

Finance\Mr. Boroughs, Mr. Burrell
Public Safety\Mr. Bradby, Mr. Boroughs
School Board Liaison\Mr. Bradby, Mr. Ringley
Legal Affairs\Mr. Ringley, Mr. Boroughs
Personnel Policy and Management\Mr. Burrell, Mr. Bradby
Water Resources\Mr. Burrell, Mr. Ringley

IN RE: APPOINTMENTS

Mr. Ringley moved to reappoint Mr. George W. Fisher as District Two's representative to the Agricultural & Forestal Advisory Commission for a four-year term ending December 31, 1996.

Mr. Bradby moved to reappoint Mr. Gratton Stephens to the Industrial Development Authority for a four-year term ending December 31, 1996. He moved to reappoint Mr. Sterling Brown as District Four's representative to the Board of Road Viewers for a one-year term ending December 31, 1993. He also nominated Ms. Patricia E. Townsend as District Four's representative to the Recreation Commission for a one-year term ending December 31, 1993 and to the Anti-Litter Council to complete a term ending December 31, 1995.

Mr. Salmon moved to reappoint Mr. David W. Frank as District One's representative to the Planning Commission for a four-year term ending December 31, 1996. He recommended the reappointment of Mr. Ron Jenkins as District One's representative to the Wetlands Board for a four-year term ending December 31, 1996 and the reappointment of Mr. William Poad to the Board of Road Viewers for a one-year term ending December 31, 1993.

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

IN RE: RESOLUTION R-2-93, JUVENILE DETENTION PLANNING STUDY

Mr. Hart informed the Board that there is a critical shortage of space for juvenile detention. Representatives from counties in the 9th Judicial District have been meeting to discuss the issue and have determined that the most cost-effective approach to juvenile detention is to rehabilitate and convert the Middle Peninsula Regional Security Center. Resolution R-2-93 denotes New Kent's desire to participate in a planning study and willingness to pay a share of the cost of the study.

Mr. Boroughs moved to adopt Resolution R-2-93 as presented.

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

FOR RESOLUTION R-2-93 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 167.

IN RE: ORDINANCE O-01-93, DEPOSIT FOR WATER CONNECTION

Mr. Morgan presented the proposed ordinance to amend § 8-42(b) of the New Kent County Code dealing with water connection fee and asked that the Board set the public hearing date. Mr. Bradby moved to set Ordinance O-01-93 for public hearing on February 8, 1993 with a change from one year to two years.

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

IN RE: APPROPRIATION

In response to the Sheriff's request for an appropriation, Mr. Ringley moved to appropriate \$6,500.00 to Line Item 2107-1001, Salaries and Wages.

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

IN RE: USE OF THE FORMER COURTHOUSE BUILDING

Mr. Hart reviewed with the Board the contemplated use of the former courthouse building by the School Board as its administration building. Board members engaged in discussion, giving their opinions concerning the use of the courtroom. Mr. Ringley moved to allow the School Board Administration to use the former courthouse building for the purpose of housing offices of the School Board Administration, with the exception that the courtroom as it exists will not be changed with partitions or divisions and will be left intact.

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

IN RE: REFUND, RESOLUTION R-3-93

Mr. Hart presented Resolution R-3-93 covering several requests for refunds which were as follows: \$119.00 in personal property tax to Robert W. and Wanda S. Taylor for overassessment on a 1984 boat trailer; \$2,427.00 to Virginia Recycling Corporation for overassessments on machinery and tools for 1989, 1990, 1991 and 1992; and \$175.00 to Ms. Mary Morris concerning a rezoning application that was withdrawn with only one public hearing having been held.

Mr. Boroughs moved to adopt Resolution R-3-93 as presented.

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

FOR RESOLUTION R-3-93 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 168.

IN RE: MEETING SCHEDULE

Mr. Salmon announced that the next regular meeting of the Board of Supervisors will be held on February 8, 1993. The Board then set a Budget Work Session for January 25, 1993 beginning at 7 p.m.

IN RE: CITIZENS COMMENT PERIOD

Chairman Salmon reminded citizens that their comments would be limited to three minutes. Mr. Chris Hockaday asked when he could expect to receive answers to his questions presented last month and Mr. Hart said that he would confer with the new chairman. His further questions were in reference to matters discussed in executive sessions. Mrs. Gladys Otey felt that the citizens and supervisors should strive to work together for the overall benefit and long-range preservation of the County's resources. Mrs. Donah Hockaday had questions regarding public hearing before agreements, response to requests to the Board, and the water proposal. Mr. Ringley mentioned the questions presented to the Board by Ms. Sims a few weeks ago, and it was decided to review them for answering. Next, Mrs. Diana Abbs requested formally that the Pledge of Allegiance be put on the agenda for each forthcoming meeting, to which Mr. Salmon said he would take it under advisement. Mrs. Alease Christian expressed the opinion that the water issue had grown out of proportion and spoke in defense of Staff's endeavors to bring revenue-producing industries into the County.

Mr. Ringley said to the Chairman that he would like to have an executive session as soon as possible to discuss personnel matters; to review the personnel manual; and it may be time to sweep this place clean. Mr. Salmon said that he would take it under advisement and reminded Mr. Ringley that Mrs. Christian was speaking as a citizen and not as a County employee. Mr. Ringley took offense at a statement made by Mrs. Christian, said that he was speaking as a Supervisor, that citizens should always come before Staff, and he was at a point that if everybody up here were to resign and the entire County Staff would get out of here he would certainly give up his position.

Mr. Salmon reiterated that a public hearing on the water would be held before anything is signed.

IN RE: EXECUTIVE SESSION

Mr. Boroughs moved 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 (water). Mr. Ringley moved to include in the executive session discussion of a personnel matter pursuant to § 2.1-344(a)(1) of the Code of Virginia.

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

Mr. Boroughs moved to go back into regular session.

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

Mr. Ringley 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.

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

IN RE: ADJOURNMENT

Mr. Bradby moved to adjourn the meeting.

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

H. Garrett Hart, III
County Administrator

Michael D. Salmon
Chairman