

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE TENTH DAY OF MAY IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-THREE IN THE BOARD ROOM OF THE COUNTY OFFICE BUILDING. THE INVOCATION, GIVEN BY MR. BOROUGHS, PRECEDED THE PLEDGE OF ALLEGIANCE. ALL BOARD MEMBERS WERE PRESENT AT ROLL CALL.

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IN RE: EXECUTIVE SESSION

Mr. Salmon, Chairman, moved to go into Executive Session to discuss 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. Burrell moved to return to regular session.

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

Mr. Burrell 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
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
James H. Burrell	Aye
Michael D. Salmon	Aye

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IN RE: PUBLIC HEARING, SECONDARY HIGHWAY BUDGET AND PRIORITY LIST

The Resident Engineer, Mr. Bob Riley of Virginia Department of Transportation, presented the proposed Secondary Road Allocation for FY 1993-94 and Priority Construction List, totaling \$541,840.00. Mr. Salmon opened the public hearing. No comments were received from the public. Mr. Burrell moved to adopt Resolution R-12-93. Mr. Ringley expressed his problem with the allocation for paving Angel View Lane while Route 604, which has more homes on it and is more widely traveled, is not on the six-year plan. Mr. Burrell withdrew his motion. It was determined that the \$102,627 allocation does not have to be expended this year and could be carried over for use next year as long as it is used toward unpaved road improvements. Mr. Bradby suggested that the Board hold a work session to resolve the problem, and it was agreed to set the date later in the meeting.

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IN RE: MINUTES

Regarding the minutes for the work session held on April 8, Mr. Burrell felt that mention should be made of the discussion on salaries. Mr. Ringley said that supervisors should be identified as to their remarks on the Texas trip. Mr. Burrell moved to approve the amended minutes for April 8 and April 19, 1993.

E. David Ringley	Aye
James H. Burrell	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Abstain (4/8/93) Aye (4/19/83)
Michael D. Salmon	Aye

Mr. Burrell requested that the agenda and minutes mailing lists be reviewed. He also suggested that the meetings be recorded from the microphones and equipment at the podium.

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IN RE: FINANCE REPORT

Ms. Christian, Finance Coordinator, gave her report for the month of April. Mr. Bradby moved to approve the expenditures for the month of April totaling \$323,452.33 as presented in the monthly expenditures report.

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

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IN RE: TREASURER'S REPORT

Ms. Burrell read her reports for February and March. Also she reported continued success in the collection of delinquent personal property taxes. Mr. Bradby moved to approve the Treasurer's reports for the months of February and March 1993 and to authorize the Treasurer to continue to invest County funds in the highest yielding legal investment, subject to audit.

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

As a result of discussion with the Treasurer concerning investment in certificates of deposit using homeowners' soil and erosion permit fees, Mr. Boroughs requested that the Board look into the matter of who gets the interest earned. Mr. Ringley suggested a work session that would also include the matter of statute of limitations running out on tax refunds. Mr. Hart encouraged the Board to set the time for an afternoon into evening meeting. Mr. Salmon requested members to pass along suggestions for items to be discussed in work session.

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IN RE: ELECTED OFFICIALS REPORTS

Mr. Salmon read a letter from Mr. Edward Pollard, President of the New Kent NAACP, and at the request of Mr. Pollard, Mr. Salmon made a motion to recognize Sunday, May 16, 1993 as Freedom Day in New Kent County.

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

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IN RE: STAFF REPORTS

Mr. Gallaher announced that New Kent County had been chosen by the Virginia Department of Agriculture and State Veterinarian to receive an Award of Excellence for its animal shelter, which will be awarded at 2 p.m. on Tuesday, May 16 at the shelter.

Mr. Salmon reminded everyone of the Races at Marengo to be held on Saturday, May 15 and encouraged everyone to attend.

Mr. Burrell thanked the citizens for their participation on Earth Day and commended Mr. Adams and the school system, particularly Ms. Leigh Allen, for the participation of students.

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IN RE: REPORT OF THE AIRPORT ADVISORY COMMISSION

Mr. Bob Sulcer reported to the Board and listed a few of the projects underway at the Airport. Mr. Sulcer also had a few concerns, such as work done to State specs, proper selection of contractors and proper use of forms, with resulting concern for the State's funding. Additionally, he requested direction from the Board about future development of the Airport.

Mr. Salmon requested that the Board set a date for Board members to meet with members of the Airport Advisory Commission. The date for a joint work session with the Commission and the Highway Department was set for Wednesday, May 26th at 6 p.m.

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IN RE: RESIDENT ENGINEER'S REPORT

Mr. Riley, Resident Engineer, reported that the work on the eastbound lane of Interstate 64 had been completed; after shoulder work is completed, they will pull off of that project and will not come back to it until after Labor Day. In response to a question last month about a drainage problem on Vaiden's Pond Road, he said that pipe has been installed under that road adjacent to Route 627. Responding to Mr. Salmon's concern about Crump's Mill Road, Mr. Riley estimated that it will cost \$260,506 to rebuild the road to State standards, with the residents paying half and the State the other half. Mr. Ringley brought up a concern with the dropoff of the shoulders on I-64 which has caused accidents.

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IN RE: COLEMAN BRIDGE CLOSING

On behalf of the Board, Mr. Hart asked Mr. Riley if there is anything the Board can do in anticipation of the bridge's closing and its impact on New Kent. Mr. Riley said that there are several things being done by the Department. The Commissioner has appointed a public information officer working in the Fredericksburg District. Her name is Sheila Lawson and she can be reached at Ph. 1-800-777-YORK. It is projected that bids will go out in July 1993 and

work will begin in January 1994. Two closures of the bridge are anticipated--one in the Fall of 1995 and one in the Spring of 1996, each to last approximately two weeks. Studies are being performed to determine what the impact on all communities will be; possible improvement of truck turning areas will be studied; and employers in the area will be asked about possible staggered working hours for their employees. He also said that the Department is covering possible railroad crossing and bridge opening limitations.

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IN RE: PUBLIC HEARING, ORDINANCE O-02-93

The ordinance is proposed to amend Sec. 11-5 of the County Code to waive fees on applications made by nonprofit organizations. Mr. Boroughs made a motion to set public hearing for June 14, 1993.

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

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IN RE: CAPITAL IMPROVEMENTS PLAN

The Board agreed to set the date of Monday, June 28 at 6 p.m. for a work session on the plan.

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IN RE: FY 1993-94 BUDGET

Mr. Ringley moved to adopt and appropriate the Fiscal Year 1993-94 County Budget as follows:

General Fund \$4,280,339

School Fund 10,381,835

Airport Fund 11,800

E-911 80,000

TOTAL \$14,753,974

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

Mr. Bradby moved to adopt Ordinance O-3-93 to impose tax levies for the 1993 tax year in the County of New Kent.

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

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FOR ORDINANCE O-3-93 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 178.

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IN RE:            APPROPRIATION

Mr. Hart presented the request from the Social Services Department. Mr. Bradby moved to appropriate \$868.00 to Line Item 5302-5744, Foster Care Independent Living.

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

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IN RE:            APPOINTMENTS TO LOCAL DISABILITY SERVICES BOARD

Mr. Salmon moved to appoint Mr. Jerry Sprouse to the Local Disability Services Board for a two-year term ending December 31, 1994.

Mr. Ringley moved to appoint Mr. Mike Salmon as the Board's Representative to the Local Disability Services Board for a three-year term ending December 31, 1995.

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

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IN RE:            MEETING SCHEDULE

Mr. Salmon announced that the next regular meeting of the Board of Supervisors will be held on June 14, the Planning Commission will meet on May 17, and New Kent Airport Advisory Commission will have their next meeting on Tuesday, June 1.

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IN RE:            CITIZENS COMMENT PERIOD

Mr. Lester Silva said he had three items on which to comment (or make inquiry): (1) The lack of a second to motions made by Board members; (2) Difference between "citizens" as in Citizens Comment Period, or "residents"; and (3) Suggestion for Board to hold Executive Session prior to 7:30 p.m. and keep Agenda in numerical order.

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IN RE:            EXECUTIVE SESSION

Mr. Salmon 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.

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

Mr. Burrell 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
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
James H. Burrell	Aye
Michael D. Salmon	Aye

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Mr. Boroughs moved to adjourn the meeting.

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

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H. Garrett Hart, III  
County Administrator

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Michael D. Salmon  
Chairman