

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE FIRST DAY OF NOVEMBER IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-THREE IN THE BOARD ROOM OF THE COUNTY OFFICE BUILDING. FOLLOWING THE PRAYER BY MR. BOROUGHS AND THE PLEDGE OF ALLEGIANCE, THE ROLL WAS CALLED WITH ALL MEMBERS PRESENT.

IN RE: MINUTES

Mr. Bradby moved to approve the minutes of the meetings held on October 7, 11 and 14, 1993 as presented.

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

IN RE: TREASURER'S REPORT

Ms. Betty Burrell, Treasurer, gave her report for August. Mr. Bradby moved to approve the Treasurer's report for the month of August 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

Mr. Bradby and Ms. Burrell entered into discussion on tax collection including twice-a-year payment of taxes, installment payments, interest-bearing savings accounts for taxes offered by Citizens and Farmers Bank, and possible different deadline dates. Mr. Ringley brought up the matter of tax break for seniors. Mr. Salmon said the subject would be on next month's agenda.

IN RE: ELECTED OFFICIALS REPORTS

Mr. Bradby reported that he had received comments concerning the proliferation of political campaign signs along the roadsides. Mr. Bradby also requested discussion regarding Chambers' refuse collection to which Mr. Hart replied that he and the County Attorney would be talking with Chambers within a few days to resolve the matter.

Mr. Ringley passed information to Board and Staff about the water rates increase, and said that he would meet with the Five Lakes Civic Association to address this issue.

Mr. Ringley also brought up the matter of complaints concerning junk autos and said he has conferred with the County Attorney about the possibility of drafting an amendment to the County's motor vehicles ordinance that would bring the motor vehicles graveyards and junkyards into compliance with State code. Mr. Ringley made a motion to set proposed Ordinance O-13-93 for public hearing on December 13, 1993. He requested that the ordinance be published in its entirety in the public notice advertisement.

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

The Board members set the date of November 16 for a work session on the Capital Improvements Plan. (This was later changed to November 15.)

IN RE: STAFF REPORTS

Mr. Hart notified the Board that a piece of property, which had been donated by Mrs. Bowcock (Richardson Estate) to the State, may become available to the County. Mr. Hart will keep the Board informed and give a complete report at a later date.

IN RE: RESIDENT ENGINEER'S REPORT

Mr. Riley had only one item to report and that was on the I-64 paving process, which is nearing completion. Mr. Burrell inquired about the speed limit on Rt. 612, to which Mr. Riley replied that the road was approved for 45 miles per hour, and that the 35 mph had been placed in error. Responding to Mr. Ringley's inquiry, Mr. Riley said that the corrections made to intersection of Routes 633 and 273 in Barhamsville were working nicely.

IN RE: AIRPORT ADVISORY COMMISSION

Mr. Salmon reported that Virginia Department of Aviation has passed a motion to grant \$35,000 to New Kent County for updating the airport master plan. This will be an 80%-20% match between State and County.

IN RE: CABLEVISION UPDATE

Mr. Don Perry and Mr. Mike Gilberti were present representing 1st Commonwealth Communications. Mr. Perry reported on the status of cable television service in the County, including information on new channel offerings and extensions within the County. On October 1 they activated Channel 24 which is primarily an information service. The County will have information concerning meetings broadcast on the channel as public service announcements. Mr. Gilberti fielded questions from the Board also.

IN RE: PUBLIC HEARING, RESOLUTION R-34-93, PUBLIC FACILITIES AUTHORITY

Mr. Salmon, Chairman, called on Mr. Daniel M. Siegel of Sands, Anderson, Marks & Miller, for an overview of the resolution to create the New Kent Public Facilities Authority. The Authority would issue bonds to be used by the successful licensee to construct a race track in the County.

Mr. Siegel explained that bonds would be issued by the Authority but there would be no obligations on the County although the Board appoints the members of the Authority. Mr. Salmon opened the public hearing.

Mr. Edward Pollard said he was unsure what New Kent would gain by creating this Authority.

Mr. Salmon responded that it would be a mechanism for helping the successful applicant to borrow the necessary financing in a manner that would not obligate the taxpayers of New Kent County.

Ms. Sam Snyder asked how the members of the Authority would be selected; she also asked why the number would be limited to five; and would the land be used as collateral. The chairman said that five members provides a workable, concise group; that the successful applicant would own 350 acres and any default of payment would be between the bank and the developer.

Mr. Charles Yeatts asked if anyone had checked with the Attorney General and stated that he would feel better about the County's obligation if the County had an opinion from the Attorney General. Mr. Siegel said that once the resolution is adopted by the Board, the plan is to prepare documents to bring to the Circuit Court to validate.

Ms. Gladys Otey asked for an explanation of what the Authority is, and among many questions why the Board is being used as a facility, and how many other things might come up between now and the first part of the year on this thing. Mr. Salmon answered that this has nothing to do with water, that this Authority will deal with the race track only; the reason the Board is involved is to help bring the race track to New Kent County, and going this route allows bond rates to be lower for the developer, an attractive incentive.

Ms. Diana Abbs expressed concern that citizens had not received copies of the resolution that was being presented. She asked other questions concerning the identity of the race track applicants. In answer to Mrs. Abbs' complaint that the public had insufficient information, Mr. Burrell requested a reading of the entire resolution, and Mr. Siegel did so.

The public hearing was closed.

Mr. Boroughs moved to adopt Resolution R-34-93 as presented and to appoint the following persons to serve on the New Kent Public Facilities Authority for staggered terms as designated in alphabetical order. Mr. Ringley expressed his opinion that the Authority should be composed of a larger number of citizens. Mr. Boroughs avidly defended his motion. After further discussion and debate by Board members, the motion passed.

Charles M. Davis--One (1) Year; R. J. Emerson, Jr.--Two (2) Years; H. Garrett Hart, III--Three (3) Years; E. Taylor Moore--Four (4) Years; and Patrick J. Morgan--Five (5) Years.

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

FOR RESOLUTION R-34-93 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX 5 AT PAGES 220-221.

IN RE: WELCOME SIGNS

Mr. Hart reviewed the design and dimensions of the signs. It was suggested that signs be placed at the east and west entrances to the County as well as at the Eltham area. Ms. Loretta Donaldson

reported that donations will cover part of the cost of the project. Mr. Ringley moved to approve the signs with specifications as presented by Mr. Hart and to appropriate \$500 for the project.

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

Mr. Burrell asked Staff to investigate the possibility of appropriately placing glassed-in signs with the location of historical sites shown on a map along with a "You are here" designation.

IN RE: AFD's SET FOR PUBLIC HEARING

Mr. Boroughs moved to set the Osborn AFD, Pamunkey Church AFD, East Providence Forge AFD, Extension of the Pamunkey Farms AFD, and a Removal from the York River AFD for public hearing on Monday, December 13, 1993 at 8:00 p.m. in the Board Room of the New Kent County Administration Building.

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

IN RE: AUTHORITY FOR SPECIAL POLICE

Mr. Morgan presented Resolution R-32-93 which would authorize Special Deputies (who are Public Safety personnel) to issue summonses for expired or no County decals as they monitor dumpster sites for illegal dumping of trash. Much discussion followed, with Mr. Gallaher explaining how the authorization could benefit the County. Mr. Ringley moved to adopt Resolution R-32-93, but several members expressed discomfort with it. Mr. Ringley withdrew his motion to adopt, in order to give Board members more time to study the issue, and moved to table it.

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

IN RE: RESOLUTION R-33-93, REIMBURSEMENT FOR WATER PROJECTS

Mr. Dan Siegel made explanation and described the "reimbursement resolution" relating to the proposed Water System Project. He said that under new Federal tax regulations, a resolution such as this, once adopted, will allow the County to reimburse itself from proceeds of any tax exempt bond issue for any monies that the County has expended on the Water System Project from a date 60 days prior to adoption of the resolution. He said that it protects the County. Mr. Salmon moved to adopt Resolution R-33-93 as presented and motion passed as follows:

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

FOR RESOLUTION R-33-93 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX 5 AT PAGE 222-223.

IN RE: APPROPRIATIONS

In regard to several items requested by the Social Services Department, Mr. Bradby moved to approve the appropriation of funds as follows: \$1,753.00 to Line Item 53050-5609, CAAA; \$2,991.00 to Line Item 53020-5738, Child Day Care Fee System/Block Grant; \$2,000.00 to Line Item 53020-5741, AFDC Education/Training: JOBS; \$200.00 to Line Item 53000-2000, Local Funds; and \$4,905.00 to Line Item 53020-5706, AFDC Foster Care Non-Entrusted.

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

IN RE: REFUNDS

The Board had received several requests for refunds, but the chairman explained that the Commissioner of Revenue had asked that refund of 1993 personal property taxes to Robert W. and Anne W. Hogan be withheld until further research could be performed. Mr. Bradby moved to approve the following refunds: \$500.00 to R. Wayne Jones and Elizabeth T. Jones for a zoning variance that was not pursued; and \$30.00 to Reed M. Basley for a business license refund for which the certificate of zoning was disapproved.

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

IN RE: MEETING SCHEDULE

Mr. Salmon announced that the Board of Supervisors will hold a work session on the Capital Improvements Plan at 6 p.m. on November 16 (later changed to November 15 due to a conflict on November 16). Also the Board will meet on December 13 at 7:00 p.m.; the Planning Commission on November 15 at 7:30 p.m.; and the New Kent Airport Advisory Commission on November 9 and December 6 at 7:30 p.m., each in the Board Room of the County Administration Building at their scheduled times.

In response to Mr. Ringley's question, Mr. Boroughs reported that he, Mr. Bradby and Mr. Gallaher had attended the last board meeting of the New Kent Volunteer Fire Department.

IN RE: CITIZENS COMMENT

Ms. Gladys Otey complained about the number of signs, particularly political signs, that are posted along the roads in the County; she thinks the persons who put the signs up should be responsible for removing them.

IN RE: ADJOURNMENT

Mr. Bradby moved to adjourn.

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