

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE THIRTEENTH DAY OF JANUARY IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-TWO IN THE BOARD ROOM OF THE COUNTY OFFICE BUILDING. ALL MEMBERS, REPRESENTING THE FIVE NEW DISTRICTS, WERE PRESENT. THE REVEREND FLOYD JEFFERSON OFFERED THE INVOCATION.

IN RE: APPROVAL OF MINUTES

Mr. Ringley moved to approve the minutes of the meeting held December 23, 1991.

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

Mr. Bradby made an explanatory statement that he abstained because he was not an active member of the Board at the time of the meeting.

IN RE: TREASURER' REPORT

Ms. Betty Burrell, Treasurer, presented her report for the period ending December 31, 1991. Mr. Burrell moved to approve the Treasurer's report for the month of December and to authorize the Treasurer to continue to invest County funds in the highest yielding legal investment, subject to audit.

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

IN RE: ELECTED OFFICIALS' REPORTS

Mr. Salmon said that he has had several calls from local builders concerning the Chesapeake Bay Act and how it is being implemented. He said that Mr. Emerson is doing some research, comparing New Kent's implementation with that of surrounding counties, and that an informative meeting will be scheduled for builders and contractors. Mr. Ringley said that he also had received several calls and would like to hold such a meeting, and would like for the Planning Commission to be available to hear comments. Mr. Boroughs referred to a Letter to the Editor from a New Kent builder, said that he had answered the letter and that a copy of the Chesapeake Bay ordinance would be sent to the letter writer.

IN RE: STAFF REPORTS

Mr. Morgan, County Attorney, discussed the proposed 1992 Legislative Package item-by-item. He said that the County needs State funding for implementing State mandates. The discussion culminated in concurrence of the Board members to eliminate any references to tax increases but to have in place the right to impose a one-half cent local sales tax. Mr. Morgan will amend the Legislative Package before it is sent to the legislators.

IN RE: RESIDENT ENGINEER'S REPORT

Mr. Tom Hawthorne, Resident Engineer, reminded the Board that the public hearing on the Six-Year Plan will be held at 8 p.m. on February 10, 1992. Mr. Hawthorne will notify Mr. Hart concerning the scheduling of a workshop at the Board's next meeting, January 27, 1992.

IN RE: ANNUAL REORGANIZATION OF THE BOARD

Mr. Boroughs relinquished the chair to the County Administrator for election of Chairman of the Board. Mr. Boroughs nominated Mr. E. David Ringley. Mr. Bradby moved to close the nominations. Motion to close nominations failed.

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

Mr. Boroughs nominated Mr. Marvin Bradby. Mr. Ringley nominated Mr. James H. Burrell and Mr. Salmon moved to close the nominations for chair. Motion to close nominations passed as follows:

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

Mr. Hart announced the three nominations for the position of chairman: Mr. Ringley, Mr. Bradby and Mr. Burrell. Mr. Ringley declined and moved to elect Mr. Burrell as chairman of the Board of Supervisors. Question was called, the members were polled, and motion to elect Mr. Burrell passed as follows:

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

Mr. Hart said that there was still a nomination on the floor, Mr. Burrell had been elected chairman, and hearing no motion he closed the nominations for chairman. Mr. Burrell assumed the chair, thanked the Board members for electing him and said that he would show them he would work very well with them. He then entertained nominations for vice chairman.

Mr. Boroughs nominated Mr. Bradby. Mr. Ringley nominated Mr. Salmon and moved to close the nominations for Vice Chairman, which motion passed as follows:

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

James H. Burrell Aye

Motion was made by Mr. Boroughs to elect Mr. Marvin Bradby for Vice Chairman, which motion failed:

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

Mr. Ringley moved to elect Mr. Michael D. Salmon as Vice Chairman of the Board. This motion passed.

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

IN RE: ADOPTION OF BYLAWS

Mr. Bradby said that he would like to see some clarification made in the second sentence of Article V(A) by changing the word "No" to "Any". Mr. Ringley inquired about the word "next" in Article III(A) and asked that it be scratched. Mr. Hart said that these changes would be put on the agenda thirty days hence and the Board could then adopt the amended Bylaws.

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

IN RE: RESOLUTION R-1-92, REGULAR MEETING SCHEDULE

Following a short discussion concerning a change of meeting time, Mr. Salmon moved to approve Resolution R-1-92 which establishes the regular meeting dates to be held at 7:30 p.m. on the Second and Fourth Mondays of each month.

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

FOR RESOLUTION R-1-92 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 46.

IN RE: APPOINTMENT OF STANDING COMMITTEES

Mr. Burrell announced that he would delay appointing Supervisors to the Standing Committees until the next meeting. Mr. Boroughs said that Mr. Gallaher had requested that the name of Public Works Committee be changed to Public Safety Committee, and Mr. Morgan said that it would be considered as a Bylaws change to be taken care of at the February meeting also.

IN RE: RESOLUTIONS R-02-92, R-03-92, R-04-92, R-05-92 and R-06-92, EXPAND
BOARDS & COMMISSIONS

Mr. Morgan presented Resolutions R-02-92 through R-06-92 by which various boards and commissions would be enlarged, these changes necessitated by the five electoral districts created in the redistricting process.

Mr. Ringley moved to adopt Resolutions R-02-92, R-03-92, R-04-92, R-05-92 and R-06-92 as presented.

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

FOR RESOLUTIONS R-02-92 THROUGH R-06-92, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGES 47-51.

IN RE: APPOINTMENTS

The Board first considered appointments of Board of Supervisors members to various boards and commissions requiring Board of Supervisors member participation. Appointments were made as follows:

Planning Commission:

Mr. Ringley moved to appoint Mr. Marvin Bradby as the Board's representative to the Planning Commission for a four-year term ending December 31, 1995. Mr. Salmon proposed to change the term from four years to one year. Mr. Bradby expressed his opinion that this position should remain as a four-year term due to the involvement that one has on that commission, and said, "Frankly I feel that Mr. Boroughs is the most up-to-date individual to serve on that Planning Commission, but there's a motion on the floor and I don't think I'm allowed to make another one, to put two on the floor." Mr. Hart answered that he could not, but that he could have all the discussion he wanted on it. Mr. Salmon clarified his position on proposing one-year terms, that he sees the position of the Board member as a liaison between the Planning Commission and the Board, and in that way the Planning Commission would hear new ideas and new viewpoints from different Board members. Mr. Hart at that time said that in Mr. Morgan's review of the Code he learned that it clearly states that the term should coincide with the terms of the Board \ so four years is the term. Mr. Bradby said, "Mr. Chairman, on that basis, preferring to have Mr. Boroughs to serve, then I would decline that position and then make the motion that Mr. Boroughs be the individual to serve." Mr. Burrell said, "We have a motion . . ." Mr. Bradby: "Okay, but I said that I would decline and then make the motion." Mr. Hart: "You have to wait until the motion that is on the floor is voted on, then you may decline, and then you could bring your motion up." Mr. Bradby: "Okay." The motion failed with the vote as follows:

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

Mr. Salmon moved to appoint Mr. David Ringley to the Planning Commission. Motion passed as follows:

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

Transportation Safety Commission:

Mr. Boroughs moved to appoint Mr. Marvin Bradby as the Board's representative to the Transportation Safety Commission.

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

Agricultural & Forestal District Advisory Committee:

Mr. Boroughs moved to appoint Mr. Marvin D. Bradby as the Board's representative to the Agricultural & Forestal District Advisory Committee for a four-year term ending December 31, 1995. Motion passed as follows:

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

Richmond Regional Planning District Commission:

Mr. Boroughs moved to appoint Mr. Michael D. Salmon as the Board's representative to the Richmond Regional Planning District Commission for a four-year term ending December 31, 1995. Motion passed.

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

Central Virginia Waste Management Authority:

Mr. Boroughs moved to appoint Mr. James H. Burrell as the Board's representative to the Central Virginia Waste Management Authority for a four-year term ending December 31, 1995. Motion passed.

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

The Board then considered appointments of citizens to represent their respective districts on the following boards and commissions:

Planning Commission: Mr. Salmon moved to appoint Mr. Harold Black as District One's representative to fill an unexpired term ending December 31, 1992; Mr. Ringley moved to reappoint Dr. Robert Stroube and to appoint Mr. Stran Trout as District Two's representatives; Mr. Burrell moved to appoint Mr. Louis Abrams and the Reverend Milton Hathaway as District Three's representatives. These appointees will serve a four-year term ending December 31, 1995.

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

Board of Road Viewers: Mr. Salmon moved to appoint Mr. William Poad as District One's representative; Mr. Ringley moved to reappoint Ms. Beverly Rosser as District Two's representative, both of whom will serve a one-year term ending December 31, 1992. Motion passed.

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

Recreation Commission: Mr. Burrell moved to appoint Mr. Charles Moss as District Three's representative to serve a one-year term ending December 31, 1992, and motion passed.

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

Community Action Board: Mr. Ringley moved to reappoint Ms. Maxine Bradby to represent the Board of Supervisors on the Quin Rivers Community Action Board for a four-year term ending December 31, 1995.

Michael D. Salmon	Aye
E. David Ringley	Aye

Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
James H. Burrell	Aye

Industrial Development Authority: Mr. Hart explained that the IDA is not required to be appointed by districts. It is required to be a seven-member board, so three of the Board members get one appointment each and two of the members get two appointments. Once it has been established who appoints two and who appoints one, future appointments will be made on a rotation basis. Mr. Ringley announced that Mr. Ron Kelley had resigned, and he moved to appoint Mr. John Crump to fill the unexpired term ending December 31, 1994.

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

It was decided to delay making an appointment to fill the vacancy of the seat held by Mr. Evelyn, whose term ended December 31, 1991.

Transportation Safety Commission: Mr. Ringley moved to appoint Mr. Tommy Tiller as District Two's representative; Mr. Burrell moved to appoint Mr. Royce Snyder as District Three's representative, each for a four-year term ending December 31, 1995.

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

Agricultural and Forestal District Advisory Committee: Mr. Ringley moved to reappoint Mr. W. S. Bowery as District Two's representative, and Mr. Boroughs moved to reappoint Mr. Albert Dean as District Five's representative, both of whom will serve four-year terms ending December 31, 1995.

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

Wetlands Board: Mr. Burrell moved to appoint Dr. Jean V. Reid as District Three's representative to the Wetlands Board to serve a four-year term ending December 31, 1995.

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

Board of Zoning Appeals: Mr. Ringley moved to recommend to the Circuit Court Judge the appointment of Mr. M. Conway Adams from District Two, and Mr. Burrell moved to recommend the appointment of Mr. Thomas R. Minor from District Three, to the Board of Zoning Appeals for five-year terms ending December 31, 1996.

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

Anti-Litter Council: Mr. Salmon moved to appoint Ms. Harriet Starkey and Ms. Jeannie Pearce as District One's representatives, and Mr. Ringley moved to reappoint Mr. Wayne Stuart as one of District Two's representatives for four-year terms ending December 31, 1995.

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

IN RE: CENTRAL VIRGINIA WASTE MANAGEMENT AUTHORITY

Mr. Kevin Byrnes, Executive Director, discussed the role of Central Virginia Waste Management Authority, which has just recently celebrated its first anniversary. He said the purpose of the Authority is to assist localities in the service area to meet and to exceed the recycling mandates that were adopted by the General Assembly in 1989. Membership on the twenty-member board, representing 15 localities, is determined by population. Each Board member has a voting alternate. Each locality pays a per capita assessment levied by the Authority for general operations and that rate is set annually by the Authority.

IN RE: MEETING SCHEDULE

The next regular scheduled meeting of the Board of Supervisors will be held on January 27, 1992. The Planning Commission will meet on January 15th.

IN RE: CITIZENS COMMENT PERIOD

Mr. Ed Hayes said he just had one question and wanted to ask the Board's opinion concerning the Sunshine Laws. He asked, "How does the Board see the need to enter Executive Sessions for issues that are beyond those cited (such as negotiations of contract, litigation, or personnel matters) and should there be any specific discussion of zoning, land use or public expenditure which is in Executive Session?" Mr. Morgan said that he would send him a list of the purposes used by the Board of Supervisors when they make motions to enter Executive Sessions. Mrs. Thelma Wilson commented that she had attended the State budget hearing at the General Assembly that day and said that most of the speakers spoke in favor of one-half cent sales tax increase.

IN RE: EXECUTIVE SESSION

Mr. Burrell moved to go into Executive Session for discussions relating to prospective business or industry pursuant to § 2.1-344(A)(5) of the Code of Virginia.

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

Mr. Ringley moved to return to regular session.

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

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

IN RE: ADJOURNMENT

Mr. Salmon moved to adjourn the meeting.

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

H. Garrett Hart, III
County Administrator

James H. Burrell
Chairman