

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE TWENTY-SEVENTH DAY OF APRIL IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-TWO IN THE BOARD ROOM OF THE COUNTY OFFICE BUILDING. THE CHAIRMAN CALLED THE MEETING TO ORDER WITH ALL MEMBERS PRESENT AND CALLED UPON THE REVEREND JEFFERSON TO GIVE THE INVOCATION.

IN RE: MINUTES

Mr. Ringley moved to approve the minutes of the meeting held on April 13, 1992. Motion passed.

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

IN RE: STAFF REPORTS

Mr. Patrick J. Morgan, County Attorney, announced that VACo/VML have reached an agreement with Virginia Power to replace the three-year contract that expired on June 30, 1991. The new contract will be for a three-year period retroactive to July 1, 1991, through June 30, 1994. He asked the Board to authorize the County Administrator to execute the new contract, and Mr. Boroughs so moved.

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

Mr. Morgan continued by reporting that a deed has been received from Delmarva Properties conveying a one-acre plot located at Courthouse Estates to be used for a fire station. Mr. Boroughs made a motion that the County accept the gift of land from Delmarva, and authorize Mr. Burrell to sign. Mr. Hart explained that it was first discussed when Delmarva applied for rezoning of the property across from the Primary School several years ago.

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

Mr. Morgan's third report pertained to the proposals received from four auditing firms. He asked that the Finance Committee set a meeting time to discuss the proposals and schedule interviews. Mr. Salmon and Mr. Bradby agreed upon the date of May 21 at 7:30 p.m.

Mr. Morgan reminded the Board that the position held by Mrs. Rose Howard on the School Board Selection Commission is now vacant and must be filled as soon as possible in order to meet election requirements for one of the school board members.

IN RE: REPORT ON NEW COURTHOUSE CONSTRUCTION

Mr. Louis A. Austin, AIA, of MMM Design Group, reported that the construction of the new courthouse building is ahead of schedule, that costs of change orders amount to less than 1% and total cost of construction is holding at \$1.6 million, and that the contractor is one of the best he has ever had the privilege of working with. Mr. Austin spoke of the spirit of pride and cooperation exhibited by the workmen on the project. In answer to a question by Mr. Ringley, Mr. Hart affirmed that old courthouse roof repairs will be made under this contract.

IN RE: FINANCE REPORT

Mr. Boroughs moved to approve the expenditures for the month of March 1992 totaling \$450,430.70 as presented 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: TREASURER'S REPORT

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

IN RE: REPORT ON CABLEVISION SERVICE IN NEW KENT COUNTY;
RESOLUTION R-20-92

Mr. Donald Perry, President of 1st Commonwealth Communications, presented his report on the growth and development of service being provided to New Kent customers, including some discussion on local origination channel. He also asked the Board to adopt a resolution which would allow his company to finalize refinancing for funds that will buy new technological equipment.

Mr. Boroughs moved to approve 1st Commonwealth Communication's pledge of its cable system to AT&T Commercial Finance Corporation.

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

FOR RESOLUTION R-20-92 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 73.

IN RE: CONDITIONAL USE PERMIT CUP-3-92, NEW KENT COUNTY FAIR

Mr. R. J. Emerson, Jr., Director of Planning, explained that a request had been received for permission to hold the fair on Friday evening and Saturday, August 21-22, 1992 in the vicinity of the New Kent High School. Mr. Boroughs moved to approve CUP-3-92 for the New Kent County Fair with the following conditions: (1) All activities cease prior to 11:00 p.m.; (2) All cleanup and trash removal be performed in accordance with the established plan of trash removal for the fair; (3) All regulations of Chapter 11, Music Festivals and Outdoor Gatherings, be adhered to; and (4) All fees for required permits shall be waived.

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

IN RE: CONDITIONAL USE PERMIT CUP-7-92, HERITAGE LIBRARY

Mr. Emerson brought the request for permit before the Board. The Heritage Library has applied for this outdoor gathering permit in order to hold an outdoor festival on May 16th on the school grounds to raise funds for the operation of the library and to benefit the NKHS athletic department. Mrs. Sharron Frank elaborated on the details of the special event. Mr. Bradby moved to approve CUP-7-92 with the condition that all regulations of Chapter 11, Music Festivals and Outdoor Gatherings, be adhered to.

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

IN RE: CONDITIONAL USE PERMIT CUP-5-92, SPORTING CLAYS.

Mr. Emerson said that Gerald H. and Sandra J. Felix have made application for a conditional use permit to operate a sporting clays range on property identified as Tax Map Parcel Number 41-7. He defined the preset conditions that are law by ordinance. Mr. Boroughs moved to approve CUP-5-92 with the conditions as set forth in the Zoning Ordinance, and with the condition that Sunday hours shall be 9:00 a.m. until dusk.

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

IN RE: PROPOSALS TO UPDATE THE COUNTY TAX CODE

Mr. Morgan stated that he had drafted several minor changes to the County Tax Code at the request of the Commissioner of Revenue, and that, if the Board concurred, the matter needed to be set for public hearing. Mr. Ringley moved to set Ordinances O-02-92, O-03-92, and O-04-92 for public hearing on June 8, 1992 at 8 p.m.

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

IN RE: SCHOOL BOARD SELECTION COMMISSION

Mr. Bradby recommended that Mrs. Regina Adkins be appointed to the School Board Selection Commission; but at the request of other Board members, he decided not to make a motion to that effect until the next meeting.

IN RE: MEETING SCHEDULE

The public hearing on the FY 1992-93 Budget will begin at 8 p.m. on Tuesday, May 5, 1992. The next regular meeting of the Board was scheduled for May 12, 1992.

IN RE: CITIZENS COMMENT PERIOD

Mr. Elmore Whitehurst had two concerns: Installation of cablevision to the Company No. 1 Fire Station and a tax identification number.

Mr. Ed Hayes inquired about the status of the local access television channel.

Mrs. Thelma Wilson spoke about the workshop sponsored by VPI and the Virginia Lakes Association.

Mr. Harold Seitz announced that the Circus, sponsored by New Kent Volunteer Fire Department, would be held on Tuesday, April 28, 1992.

The Reverend Milton Hathway expressed his concern that the important decision regarding the School Board Selection Commission needs citizen input.

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.

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

Mr. Salmon 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. 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 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: CHANGE OF MEETING DATE

Mr. Boroughs moved to change the date of the next regular Board meeting to Tuesday, May 12, 1992. It was explained that State law requires the public hearing to be held at least seven days prior to adoption of the budget, and with the public hearing scheduled for May 5th, the budget could not be adopted until the 12th.

IN RE: ADJOURNMENT

Mr. Ringley 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