

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE FOURTH DAY OF AUGUST 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. MR. SALMON GAVE THE INVOCATION.

IN RE: MINUTES

Additions were made by Mr. Ringley and Mr. Burrell to the minutes of the meeting held on July 27, 1992. Motion was made by Mr. Ringley to approve the minutes as corrected.

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

IN RE: ELECTED OFFICIALS' REPORTS AND APPOINTMENTS

Mr. Boroughs moved to appoint Mr. Martin Howard to the Hanover Health Advisory Board for a term to end December 31, 1993; he also moved to appoint Mr. Fred Bahr as District Five's representative to the Anti-litter Council 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

Mr. Ringley requested that Mr. Hart provide for the meeting of August 24 a list of existing vacancies on the various boards and committees.

Mr. Burrell introduced the idea of utilizing high school students as greeters at the board meetings.

Mr. Bradby said this would prepare students better to be involved in the annual Student Government Day. The Board was in general consensus with the idea and Mr. Burrell asked Mr. Hart to draft the necessary paperwork.

IN RE: STAFF REPORTS

Mr. Hart gave the Board members a copy of an article from the American Demographics Desk Reference dated July 1992 entitled "Married without Children". New Kent is third on a list of counties with the largest growth in share of married-couple households without children.

IN RE: COLLECTION OF DELINQUENT REAL ESTATE TAXES

Mr. Boroughs moved to authorize the Treasurer to publish the owners' names and Tax Map Numbers of parcels on which real estate taxes were delinquent before 1989. In answer to Mr. Ringley's questions, Mr. Morgan said that the list needed to be published only once in a newspaper of record.

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

IN RE: WATER

Mr. David Morris, Planning and Projects Manager for City of Newport News Waterworks, and Mr. Millard Robinson, Vice President of Malcolm Pirnie, Inc., and head of the regional office were present. Mr. Robinson discussed the Final Report of the environmental engineers, "Well Field Feasibility Study--New Kent County", July 1992; the study had been prepared as a requirement of the proposed agreement. Mr. Robinson reviewed the purpose of the study, the methods of the study and its conclusions. Based on these conclusions, Newport News did not feel that additional withdrawals above 6 MGD would be permitted or acceptable to the City of Newport News or the County of New Kent. Mr. Morris concluded the report by stating that the study was prepared on a worst-case scenario.

Mr. Ringley presented a letter from Woodhaven Water Company concerning mitigation and a letter from Mr. Allender Griffin of Bon Air concerning problems of water withdrawals in Owens Valley, California. Mr. Ringley then made a motion that New Kent cease all contact with Newport News on the basis of selling water by this contract or any other, as in his opinion it will provide meager income to New Kent County and presents a grave possibility of negative environmental impact, and its benefit to us is not worth its potential risk.

Chairman Burrell opened the floor for discussion and motion was made by Mr. Boroughs to table action on this motion until the second meeting in September. The chairman then opened the floor to discuss the motion to table. Mr. Ringley expressed a concern over delaying this issue for another month and its effects on his business and personal life, the numerous phone calls and meetings associated with this issue. Mr. Salmon then expressed a desire to have time and opportunity to review the report and Letter of Intent but said that he did not need until the end of September to accomplish this task. Mr. Burrell suggested action at the meeting of August 10 to which Mr. Ringley stated that he would be out-of-state and asked that the matter not be discussed.

Mr. Bradby concurred with Mr. Salmon requesting additional time to review the report. At this point Mr. Ringley expressed his concern over the bills for the project and stated that he was willing to stop at this point and eat the \$120,000 to \$130,000 spent on consultants and apologize to the people of New Kent for inflicting this upon them and not stopping it sooner. Mr. Burrell concurred with Mr. Ringley's concern over the expenditures and stated that he had no problem with delaying the issue as long as additional money was not expended and expressed the desire to discuss this at the August 24th meeting. He then requested Mr. Boroughs to amend his motion.

Mr. Boroughs stated that in order to have time to talk with the people of his district he would be willing to amend the motion to the September 14th meeting. The chairman then stated that Mr. Boroughs had amended his motion to table until the meeting of September 14th. Mr. Ringley once again stated his concern over the effects of this delay on himself and the other Board members. Mr. Salmon reiterated his wish to have time to further evaluate this matter. The chairman called for the vote.

Michael D. Salmon	Aye
E. David Ringley	Nay

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

Mr. Boroughs's motion passed. The chairman explained that Mr. Ringley's motion would be on the floor when the water issues are discussed at the meeting on September 14th.

IN RE: PRIMARY SCHOOL CONSTRUCTION, RESOLUTION R-26-92

Mr. Morgan stated that the resolution authorizes the School Board to seek the literary loan and put in the application, that it does not authorize them to spend any money and it does not obligate the Board of Supervisors to take the loan once it's applied for. However, it does authorize the expenditure for certain engineering fees that would be necessary to put the literary loan application in. Mr. Bradby moved to adopt Resolution R-26-92 as presented.

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

FOR RESOLUTION R-26-92 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 96.

IN RE: MEETING SCHEDULE

Mr. Burrell announced that the next regular meeting will be held on Monday, August 10, 1992 at 7:30 p.m.

IN RE: CITIZENS COMMENT

Mr. Arnold Brunk had comments and questions concerning the original water proposal.

IN RE: EXECUTIVE SESSION

Mr. Boroughs moved to go into executive session for discussions relating to prospective business or industry pursuant to § 2.1-344(a)(6) of the Code of Virginia. (Racing Industry)

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

Mr. Burrell announced that following the executive session action would possibly be taken. Mr. Bradby 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: DELMARVA MEMO OF UNDERSTANDING

Mr. Burrell read a Memorandum of Understanding which is necessary for a prospective racetrack developer to submit a completed application to the State Racing Commission. Mr. Morgan pointed out this is not an agreement that would cause the expenditure of any New Kent tax money; it does set up a moral obligation for the Board to look at and assist with the development of the water system. Mr. Ringley made a motion to approve the Memorandum of Understanding as presented and to authorize the chairman to execute the said agreement.

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

FOR COPY OF THE MEMORANDUM OF UNDERSTANDING AS PRESENTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGES 97-98.

IN RE: ADJOURNMENT

Mr. Bradby 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