

A JOINT MEETING OF THE BOARD OF SUPERVISORS AND THE SCHOOL BOARD OF COUNTY OF NEW KENT WAS HELD ON THE FOURTEENTH DAY OF DECEMBER IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-TWO IN THE LOWER CONFERENCE ROOM OF THE COUNTY OFFICE BUILDING AT 6:30 P.M. THE RESPECTIVE CHAIRMAN CALLED THEIR MEMBERS TO ORDER WITH ALL SUPERVISORS PRESENT AND ONLY MR. KING, MR. CRUMP, AND MR. ADAMS PRESENT FROM THE SCHOOLS.

IN RE: FINANCING FOR PRIMARY SCHOOL REPAIRS AND CONSTRUCTION

Mr. King said that the Primary School walls are deteriorating more rapidly than had been anticipated and according to the engineer the walls would not be safe for another year. Literary Loan Funds will not be available. He emphasized the necessity of moving ahead with the project as soon as possible. He turned the meeting over to Mr. Adams who spoke on the status of the Literary Loan. New Kent is 40th on the waiting list to obtain loan funds. Mr. Hart provided data on financial options that he had assembled and had converted to transparencies for the Board members' edification. Mr. King said the School Board needs authorization from the Board of Supervisors in order that construction can begin the day school is out in June 1993. Construction bids would need to be let by March. Mr. King requested an answer from the Board of Supervisors by January.

The School Board adjourned and the Board of Supervisors recessed prior to the regular meeting.

FOLLOWING THE JOINT MEETING, THE BOARD OF SUPERVISORS RECONVENED FOR THEIR REGULAR MEETING IN THE BOARD ROOM OF THE COUNTY OFFICE BUILDING.

IN RE: MINUTES

Mr. Bradby announced that he wished to make a correction to the minutes. He then moved to approve the minutes for the meeting of November 23, 1992 as amended.

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

IN RE: FINANCIAL REPORT

Ms. Alease Christian gave her report and Mr. Boroughs moved to approve the expenditures for the month of November 1992 totaling \$362,524.64 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: ELECTED OFFICIALS REPORTS

Mr. Boroughs said that he and Mr. Burrell had attended a meeting of the Youth Association at the High School on the previous Saturday.

Mrs. Gwen Ellyson, Registrar, reported on the results of the November 3rd election. She said that New Kent had a 90% voter turnout, placing it in the "Top Five." The total number of registered voters is 6,214, which is 324 more than last year. Mrs. Ellyson presented to the Board an abstract of votes cast in New Kent County. Mr. Boroughs and Mr. Morgan discussed an additional polling place in District 5. Mr. Salmon thanked Ms. Ellyson for her good work.

FOR THE ABSTRACT OF VOTES, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 133-142.

Mr. Ringley read a letter from the Martha Dandridge Club concerning the former courthouse.

FOR COPY OF THE LETTER, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 143.

IN RE: TRAFFIC ENGINEER'S REPORT

Mr. Bob Riley announced that overlay work on Rt. 106 had begun and that work will begin before Christmas on the portion of Rt. 106 between Rt. 60 and the New Kent County line; that when the project is completed, heavy trucks will be routed over Rt. 106 rather than Rt. 60. Mr. Boroughs and Mr. Burrell discussed speed of trucks on Rt. 106 and danger to school buses. Mr. Boroughs asked Mr. Riley to have the VDOT to look into the matter of safety on Rt. 106 when used by heavy trucks.

IN RE: STAFF REPORT

Mr. Morgan, County Attorney, said that the Airport Advisory Commission had met to organize and had enthusiastically undertaken the tasks given to them. Mr. John Crump gave an update on the accomplishments. He announced that Lonzo Cornett had been elected chairperson. Mr. Salmon suggested that they may want to keep the adjacent landowners apprised of what is being done by the Advisory Commission.

IN RE: COMPREHENSIVE PLAN

Mr. Emerson recalled that the Board and Planning Commission had held a public hearing on the Comprehensive Plan on October 14, 1992; and the Planning Commission had recommended approval of the plan, amended by changing the usage at the intersection of Rts. 30 and 33 from Heavy Industrial to Commercial/Industrial. Mr. Boroughs moved to approve and adopt the proposed Comprehensive Plan as presented to the Board of Supervisors by the Planning Commission.

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

James H. Burrell Aye

IN RE: ORDINANCE O-26-92, PUBLIC HEARING, STEEPLECHASE

Mr. Emerson explained that Ordinance O-26-92 proposes to amend §§ 9-83 and 9-245 to allow steeplechase in the Agricultural A-1 zoning district with a conditional use permit and that the Planning Commission, at its meeting on November 18, recommended adoption of the ordinance. Chairman Burrell opened the public hearing.

Ms. Thelma Wilson, Mr. Dick Ellyson, and Ms. Donah Hockaday spoke in favor of approval of the ordinance. The chairman closed the public hearing and discussion followed. Mr. Bradby moved to adopt Ordinance O-26-92 as proposed and recommended by the Planning Commission.

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

FOR ORDINANCE O-26-92 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGES 144-145.

IN RE: REZONING CASE C-1-92, PUBLIC HEARING

Mr. Emerson said that Thomas L. and Vicky R. Marston had applied to rezone Tax Parcel Number 30-6, located in the northeast corner of the Rt. 60 and Rt. 106 intersection, from Residential R-1 to Business, B-2 to allow for construction of a convenience store. Following Mr. Emerson's video of the property, Mr. Bob Nelson, representing the applicant, addressed the adequacy of sight distances and environmental concerns and answered questions from the Board.

The Chairman opened the public hearing. Mr. Norm Thomsen, representing neighbors, graphically and articulately spoke against approval, saying that they have the right to preserve the neighborhood. Mr. Thomsen believes that the entrance to the convenience store on Route 106 would create a safety hazard due to truck traffic. In addition to his concerns as expressed by Mr. Thomsen, Mr. Jim Bennett expressed his concern for the septic drainfield's location and the possibility of contamination of his well. Other opponents of the rezoning who spoke were Ms. Donah Hockaday, Mrs. Gladys Otey, Mr. James Lambert and Mr. M. C. Talley. Following close of the public hearing and further discussion, Mr. Ringley moved to approve Rezoning Case C-1-92 with the submitted proffers for B-1 zoning instead of B-2 zoning.

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

Mr. Boroughs qualified his vote by asking the VDOT to look at what can be done in the way of signs and trucks entering. Mr. Burrell, too, qualified his vote, saying that the safety and noise factors can be addressed.

IN RE: PUBLIC HEARINGS, ORDINANCES O-16-92 THROUGH O-25-92,
AGRICULTURAL AND FORESTAL DISTRICTS

Mr. Emerson explained that the ordinances are for renewal or establishment of new agricultural and forestal districts and include one ordinance of correction.

Chairman Burrell opened the public hearing on Ordinances O-16-92 through O-25-92 collectively.

An adjacent property owner, asked about the percentage of tax deferred and voiced his opposition.

Ms. Diana Abbs asked for identification of each of the AFD's by parcel. Mr. Emerson pointed out the location of each district on a county map.

Mr. Edward Pollard asked for names of the new districts.

Mrs. "Sam" Snyder inquired as to how to find out who owns the land.

The public hearing was closed. Following other discussion by Board members, Mr. Boroughs moved to approve Ordinances O-16-92 through O-25-92 as presented.

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

The agricultural and forestal districts with ordinances are listed as follows:

Renewals:

Ordinance O-16-92, Pamunkey Farms
Ordinance O-17-92, Springfield/Natts
Ordinance O-18-92, Pamunkey River Valley, Section II
Ordinance O-19-92, Pamunkey River Valley, Section III
Ordinance O-20-92, Hampstead-Northbury-Shimokins
Ordinance O-21-92, Old Dispatch
Ordinance O-22-92, Cardine

New districts:

Ordinance O-24-92, Extension of York River
Ordinance O-25-92, Ashland Farm

Correction:

Ordinance O-23-92, Extension of Pamunkey River

FOR ORDINANCES O-16-92 THRU O-25-92 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK
APPENDIX FIVE AT PAGES 146-165.

IN RE: ENGINEERING SERVICES

Mr. Boroughs asked that discussion or action on building a County-owned water system be deferred until January. Board members engaged in heavy discussion which resulted in concurrence to postpone discussion until a later date.

Mr. Ringley brought up the matter of refund of deposit fee to persons who hook up to County-owned water systems. The item will be placed on the January agenda.

IN RE: REAPPOINTMENT OF SHERIFF HOWARD TO TRI-RIVER ALCOHOL SAFETY ACTION PROGRAM

Mr. Ringley moved to reappoint Sheriff Howard to the Board of Directors of the Tri-River Alcohol Safety Action Program.

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

IN RE: REFUNDS

Mr. Salmon moved to refund \$431.00 to AT&T Automotive Services, Inc., for erroneous payment of personal property tax; \$21.64 to Vida Woodfin for double payment of personal property tax on a camper; and \$574.00 to Bank One Mortgage for real estate taxes paid on property owned by Randolph Cloyd.

IN RE: APPROPRIATIONS

The Board had received a request from the Electoral Board for purchase of two additional ballot counters. The County had been awarded a \$15,000 grant for the New Kent County Court House landscaping project from the Department of Forestry through the Small Business Administration Natural Resources Development grant program. Contracts were awarded for the planting of the trees and shrubs. It was then necessary for the Board to appropriate the grant funds and the County's matching funds for the project. Mr. Bradby moved to appropriate \$3,500.00 to Line Item 1302-7002, Furniture & Fixtures; and \$18,839.00 to Line Item 4302-3002, General Properties, Professional Services.

IN RE: APPOINTMENTS

Mr. Salmon had a question concerning representation from his district on the Industrial Development Authority; Mr. Hart recommended to defer all appointments to IDA until vacancies are determined.

Mr. Ringley moved to reappoint Mr. John McLaughlin (District 1) to the Transportation Safety Commission for a four-year term ending December 31, 1996.

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

James H. Burrell Aye

Mr. Burrell moved to reappoint Mr. Charles Moss as District 3's representative to the Recreation Commission for a one-year term ending December 31, 1993; Mr. Burrell also moved to recommend to the court the reappointment of Mr. Thomas R. Minor, Sr., to the Board of Zoning Appeals for a five-year term ending December 31, 1997.

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

Mr. Boroughs moved to reappoint Mr. David R. Paul and Mr. Charles E. Moss to the Building Code Board of Appeals for four-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

Mr. Boroughs moved to reappoint Mr. E. David Ringley as the Board's representative to the Hanover District Health Advisory Board for a two-year 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

Mr. Boroughs moved to reappoint Mr. Paul Davis as District 5's representative to the Recreation Commission for a one-year term ending December 31, 1993.

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

IN RE: HOLIDAY SCHEDULE

Mr. Salmon moved that New Year's Eve be given as an additional employee's holiday in 1992.

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

IN RE: MEETING SCHEDULE

The next regular meeting of the Board of Supervisors will be held on January 11, 1993 at 7:30 p.m. Mr. Burrell announced that the Board would meet with the New Kent Volunteer Fire Department Board of Directors at 7:30 p.m. on Tuesday, December 15th, and would also meet in Executive Session at 4 p.m. the same day.

IN RE: CITIZENS COMMENT

Mr. Keith Odom said that the majority of people in the County do not want to sell groundwater to Newport News and to please halt discussions.

Mr. Chris Hockaday read several questions concerning the water issue.

Mr. Robert Broughman commented on the race track; Board members assured him that all applicants would be treated fairly and equally.

The Reverend Milton Hathaway complimented County Staff for going beyond the required in helping to resolve a substandard housing situation.

Ms. Donah Hockaday requested that Dr. Johnson of the Department of Geology, College of William and Mary, be placed on the January 11, 1993 agenda.

IN RE: ADJOURNMENT

Mr. Boroughs 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