

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE ELEVENTH DAY OF MARCH IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-ONE IN THE BOARD ROOM OF THE COUNTY OFFICE BUILDING. THE CHAIRMAN CALLED THE MEETING TO ORDER WITH ALL MEMBERS PRESENT. THE REVEREND MILTON HATHAWAY OFFERED THE INVOCATION.

IN RE: MINUTES

Corrections and additions were made to the minutes of the meetings held on February 25, 1991. Mr. Ringley moved to approve the minutes and motion passed.

Paul C. Robinson	Aye
Richard S. Ellyson	Aye
E. David Ringley	Aye
Robert A. Boroughs	Aye

IN RE: ELECTED OFFICIALS' REPORTS

Mr. Ringley reported that he had attended an Appreciation Dinner on March 1st for the Ladies Auxiliary of the New Kent Fire Department Company Two. The Auxiliary supports the fire company with fundraising and by providing food for the fire fighters.

Mr. Boroughs said that he attended a meeting of the Charles City Board.

IN RE: STAFF REPORTS

Mr. Hart presented an invitation for the Board members to attend the 1991 Spring Regional Meeting of the VSBA at New Kent High School on Wednesday, March 20, 1991. The speaker will be Joseph A. Spagnolo, Jr., Superintendent of Public Instruction for Virginia. He also said that Finance Reports will go into agenda packages for the second meeting of each month, if the Board does not object, and this will give a more up-to-date accounting.

IN RE: TRAFFIC ENGINEER'S REPORT

Mr. Tom Hawthorne had only one item of business to present and that was to set a time and date for the annual budget hearing for the secondary inclusion program. He said that the Board would receive a packet about two weeks before the date of the hearing. His suggestion of May 13, 1991 was approved.

IN RE: COURTHOUSE PROJECT

Mr. Louis Austin, Architect of MMM Design, said that several problems were discovered when examination was done on the existing courthouse building. Footings, asbestos, strength of existing structure, and roof connections were among the items he explained. After encountering these problems, they began to think along terms of designing an additional building with approximately 18,500 square feet, which they felt would put the County further ahead for the initial investment. George Wilson, also of MMM Design, placed the "footprint" of the newly generated design at different locations on a layout to show where the best location of the building would be, and that location is behind the existing parking lot of the Administration Building. Mr. Robinson inquired about costs for renovation of the existing courthouse building. Mr. Austin

replied that asbestos abatement would be included, as well as roof repair. There followed some discussion about whether asbestos removal would be necessary. Mr. Robinson also asked for a "ballpark" figure for the new concept, to which Mr. Austin answered \$1.7 million and would include site work, site preparation, new parking lot, and septic systems. Mr. Boroughs commented that going with the new building concept would save dollars by keeping the existing courthouse building for additional office space as well as providing a third courtroom when needed.

Mr. Robinson moved to authorize the architects to proceed with preparation of the elevation drawings and possibly have them ready for a public meeting for public comment session at a regular board meeting to receive any questions or comments and input from the general public. Mr. Robinson also commented that he thought they should go with the site recommended by Mr. Wilson, which was the second location site presented. It was determined that preliminary plans would be prepared by MMM Design for presentation at the April 8th Board meeting.

Paul C. Robinson	Aye
Richard S. Ellyson	Aye
E. David Ringley	Aye
Robert A. Boroughs	Aye

IN RE: REGIONAL JAIL CONTRACT

Mr. Hart, County Administrator, explained the contract which now includes all items negotiated between representatives of Henrico, Goochland and New Kent Counties. Mr. Virgil Hazelett, Deputy County Manager of Henrico County, was on hand for questions and comments. After discussion and review of the entire contract, Mr. Ringley moved to authorize the Chairman of the Board of Supervisors and the Sheriff to execute the contract for the construction of the regional jail facility. Motion passed.

Paul C. Robinson	Aye
Richard S. Ellyson	Aye
E. David Ringley	Aye
Robert A. Boroughs	Aye

IN RE: VIRGINIA NATURAL GAS, CONDITIONAL USE PERMIT CUP-6-90

Mr. Emerson, Planning Director, reviewed the request of Virginia Natural Gas for a conditional use permit to construct a pipeline across the County. He called attention to correspondence received since the February 25th meeting and also to the additional conditions included in the motion. Various representatives were present on behalf of Virginia Natural Gas from Virginia Power and Coates Field Service. Mr. Robinson and Mr. Ellyson presented more conditions to be imposed for the granting of the permit. Mr. Robinson made a motion to postpone action until the next Board meeting, allowing Staff the time to incorporate the additional conditions into final form. Motion passed.

Paul C. Robinson	Aye
Richard S. Ellyson	Aye
E. David Ringley	Aye
Robert A. Boroughs	Aye

IN RE: RECESS AND RECONVENING

The Chairman declared a five-minute recess, after which he reconvened the meeting to begin the next item on the agenda.

IN RE: REDISTRICTING

Mr. Emerson stated that in each census year the Board is required to reset the election district boundaries. He said that the Board must choose a plan and submit it to the Justice Department for approval before April 30th. He presented various maps and accompanying data for six possible redistricting plans, which had been generated by Richmond Regional Planning District Commission. It was his opinion that the Potential Minority District Plan would not be approved by the Justice Department. Each of the plans was described and discussed at length. Staff was instructed to have a public notice published announcing that the Board will hold a meeting on Monday, March 18, 1991 at 7:30 p.m. to receive public input on the proposed plans for the development of the new election district boundaries.

IN RE: THREE AGRICULTURAL AND FORESTAL DISTRICTS, NEW APPLICATIONS

Mr. Emerson said that the Board had received three new applications for Agricultural and Forestal Districts. They are Pelham Swamp AFD, Waddell AFD, and Winslow AFD. Mr. Ellyson moved to refer the Pelham Swamp, Waddell and Winslow Agricultural and Forestal District applications to the Planning Commission for their review.

Paul C. Robinson	Aye
Richard S. Ellyson	Aye
E. David Ringley	Aye
Robert A. Boroughs	Aye

IN RE: BUDGET

The Board discussed the scheduling of work sessions for the completion of the FY 1991-92 Budget. The following schedule was agreed upon: March 18, March 25, April 2, Public Hearing on April 8, and adoption on April 22nd.

IN RE: MEETING SCHEDULE

The next regular Board Meeting will be held on Monday, March 25, 1991. Other meetings to be held will be the above-mentioned work sessions for Budget and the Planning Commission meeting on Wednesday, March 20, 1991.

IN RE: APPROPRIATION, PURCHASE OF JAIL SPACE

Mr. Robinson moved to appropriate \$35,000.00 for the purchase of jail space for housing prisoners.

Paul C. Robinson	Aye
Richard S. Ellyson	Aye
E. David Ringley	Aye
Robert A. Boroughs	Aye

IN RE: REFUNDS, RESOLUTION R-12-91

A refund in the amount of \$52.50 was requested by the Commissioner of Revenue for Marcus F. and Joette Hansen for overpayment of 1990 personal property taxes; a refund in the amount of \$351.50 was requested by the Treasurer for Richard C. Manson, Jr., Attorney-at-law, for an erroneous payment of real estate taxes on lots belonging to Mr. and Mrs. R. Ware; a refund in the amount of \$439.86 was requested by the Director of Public Safety for Robert Olgers for building permit applications that were not processed; and a refund in the amount of \$100.00 was requested by the Director of Planning to Robert W. and Brenda C. Olgers, who applied for a conditional use permit for a mobile home as a temporary use while constructing a dwelling, but the permit was not issued.

Mr. Ringley moved to adopt Resolution R-12-91 as presented.

Paul C. Robinson	Aye
Richard S. Ellyson	Aye
E. David Ringley	Aye
Robert A. Boroughs	Aye

FOR RESOLUTION R-12-91 AS PRESENTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FOUR AT PAGE 388.

IN RE: CITIZENS COMMENT PERIOD

The Reverend Milton Hathaway, representing the Committee on Redistricting, made a plea that the Board postpone the meeting for public input on redistricting until such time as a plan for election district boundaries, including a minority district, could be generated by consultants to the committee. Mr. Hathaway reminded the Board that minority participation in the process will be considered by the Justice Department when approving a redistricting plan.

IN RE: EXECUTIVE SESSION

Mr. Ringley moved to go into Executive Session for consultation and briefing by legal counsel pertaining to actual or probable litigation pursuant to § 2.1-344(a)(7) of the Code of Virginia.

Paul C. Robinson	Aye
Richard S. Ellyson	Nay
E. David Ringley	Aye
Robert A. Boroughs	Aye

Mr. Boroughs reconvened the meeting and Mr. Ringley certified that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirement by Virginia law were discussed in executive meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board.

Paul C. Robinson	Aye
Richard S. Ellyson	Aye
E. David Ringley	Aye
Robert A. Boroughs	Aye

IN RE: ADJOURNMENT

Mr. Ellyson moved to adjourn the meeting.

Paul C. Robinson	Aye
Richard S. Ellyson	Aye
E. David Ringley	Aye
Robert A. Boroughs	Aye

H. Garrett Hart, III
County Administrator

Robert A. Boroughs
Chairman