

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE TWENTY-FIFTH 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 AND THE REVEREND MILTON HATHAWAY OFFERED THE INVOCATION.

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IN RE: MINUTES

Mr. Robinson moved to approve the minutes of the March 11th meeting. Mr. Boroughs made additions. Motion passed.

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

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IN RE: FINANCE REPORTS

Mr. Ringley moved to approve the expenditures for the month of February 1991 totaling \$222,273.75 as presented in the monthly expenditures report.

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

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IN RE: TREASURER'S REPORT

In addition to the usual report, Mr. Hart provided statements for January and February with totals in checking balance and certificates of deposit. With the February report there was an Expenditure Summary included. Mr. Robinson moved to approve the Treasurer's report and to authorize the Treasurer to continue to invest County funds in the highest yielding legal investment, subject to audit.

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

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IN RE: STAFF REPORTS

Mr. Hart presented the update to the 1991 Goals and Objectives Work Plan. He called attention to Item #4, Comprehensive Land Use Plan, and to the E911 Emergency Response System, and said that he and Mr. Emerson expect to complete the private street naming and to hold a meeting with local postmasters early in April. Mr. Boroughs asked Mr. Hart to provide copies of the Work Plan to members of the Planning Commission. Mr. Robinson suggested that the goals and objectives be incorporated into a newsletter.

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

Mr. R. J. Emerson, Jr., Director of Planning, again presented the information concerning the application by Virginia Natural Gas for a conditional use permit to construct a pipeline approximately 15 miles in length across a portion of New Kent County. He pointed out the additional conditions which had been applied. Mr. Robinson moved to approve the conditional use permit CUP-6-90 with the following conditions:

- 1) This special use permit shall have no cause or effect until all the parcels or rights thereto have been acquired by Virginia Natural Gas. Evidence of this acquisition shall be provided to the Planning Commission prior to approval of the site plan for the project.
- 2) The section of the project contained in New Kent County shall be governed by Division 18 (Site Plans and Performance Standards) of the County Zoning Ordinance. The Planning Commission shall have final approval of the required site plans.
- 3) The project must comply with all State Erosion and Sediment Control Ordinances.
- 4) The project must comply with all State, Federal and local Wetlands laws.
- 5) Copies of all Federal, State and local permits shall be submitted to the Planning Commission.
- 6) Reforestation of any trees removed from that part of the temporary right-of-way which is within 100 feet of the boundaries of residentially improved properties zoned agricultural or residential.
- 7) Planning Commission approval of location of valves and of screening required in the site plan.
- 8) Approval by City of Newport News Public Works Department prior to Planning Commission site plan consideration for gas line crossing of city-owned water lines.
- 9) VNG shall pay the total cost of training County emergency services personnel on an annual basis or more often as new technology might prescribe and shall complete the first training prior to the operation of the line. The training program shall be approved by the Fire Marshal.
- 10) Construction and safety inspection reports to be submitted to the Board of Supervisors.
- 11) Construction of one line only and the line shall be only for transmission of natural gas.
- 12) The permit will expire if construction does not commence within 24 months.

Motion passed as follows:

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

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IN RE: REDISTRICTING

Mr. Emerson provided information concerning redistricting. He explained that the present district lines must be changed. On screen he projected transparencies of the maps generated by Richmond Regional Planning District Commission using the 1990 Census Tract data to draw the district

lines. He showed Plans A, B, C, D, E, F, G and H, explaining the statistics for each one of the proposed districts. Two plans were four-district examples, one was a seven-district scenario, and the remainder were five-district plans.

Mr. Robinson suggested that Plan C be redrawn to include Rumley Marsh as a boundary for the southeastern corner of District 5.

The Reverend Hathaway, president of the New Kent Committee on Redistricting, composed of members from the Civic League, New Kent Chapter of the NAACP, and the Baptist Minister's Union, made four requests as outlined in a letter addressed to Board members dated March 25, 1991.

Mr. Ringley suggested the appointment of the committee as requested by Rev. Hathaway.

Mr. Ellyson moved to establish a Citizens Committee to review the plans and data, make recommendations and report back April 2nd. Rev. Hathaway expressed his belief that such a committee working together with support of staff could come up with a plan--he wanted all plans to be available for review.

Mr. Robinson requested a three-minute recess which the chairman granted. Mr. Ellyson withdrew his motion.

Mr. Ellyson resubmitted his motion to appoint a 7-member citizen's advisory committee of at least one member from each of the three organizations (New Kent Civic League, New Kent Branch, NAACP, and the Baptist Ministers Union of New Kent and Vicinity), one member appointed by each member of the Board of Supervisors, to be appointed immediately and committee meeting to be held on Thursday, March 28, 1991 at 6 p.m., light food to be provided. Motion failed.

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

Mr. Ringley moved to have a nine-member committee, including the members of the three organizations represented by Reverend Hathaway, a member appointed by each of the Board of Supervisors, and two members of the Planning Commission. Motion withdrawn.

Mr. Ringley moved that the committee be a 9-member group, one from each of the three organizations in the Citizens Committee, four Board members, plus one more Black minority appointed by Citizens for Redistricting and one non-Black minority appointed by the Board, with 70% majority votes. Motion failed.

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

Mr. Robinson moved to appoint a nine-member committee constituted as in the previous motion, four appointed by New Kent Citizens Committee on Redistricting and five to be appointed by the Board of Supervisors, one of the Board appointees to be a non-Black minority, and the plan to be

submitted to the Board of Supervisors for consideration and public hearing would need a simple majority vote of 5 out of 9. Motion failed.

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

Mr. Ellyson amended the previous motion with a requirement that a majority of six agree. Motion passed unanimously.

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

The Chairman then allowed public comment. Edward Christian said that he "would like to see the Board not make this minority a white woman."

The Rev. Nathaniel Lewis appealed to the Board that they choose a plan with a Black minority district to increase the power of Black voting.

Discussion on this subject ended at 10:10 p.m.

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IN RE: VIRGINIA DEPARTMENT OF HIGHWAYS REVENUE SHARING PROGRAM.

In order to participate in the 1991-92 Revenue Sharing Program, it is necessary for the Board to make known its intent to do so. Revenue from the program will be used for reconstruction of 0.23 mile of Kendrick Drive in Black Creek Estates Subdivision. Mr. Cliff Wallace, Assistant Resident Engineer, and Mrs. Townsend, President of Black Creek Civic Association, were present to provide any additional information requested by the Board. Mr. Ellyson moved to authorize the Chairman of the Board of Supervisors to notify the Virginia Department of Transportation of the County of New Kent's official intent to participate in the "Revenue Sharing Program" for fiscal year 1991-1992 and that the County will provide \$15,420.22 for this program, and no funds will be provided until funds for the total are received from the Civic Association. Motion passed.

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

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IN RE: RESOLUTION R-13-91, CHILD ABUSE PREVENTION MONTH

The Board received a request from the Greater Richmond Stop Child Abuse Now (SCAN) to declare April as Child Abuse Prevention Month. Mrs. Marianne Powell, Director of New Kent Social Services Department, briefly presented data concerning child abuse in the County. Mr. Ringley moved to adopt Resolution R-13-91 as presented.

Paul C. Robinson	Aye
Richard S. Ellyson	Aye

E. David Ringley      Aye  
Robert A. Boroughs      Aye

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FOR RESOLUTION R-13-91 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX FOUR, AT PAGE 389.

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IN RE:                    BUDGET DISCUSSION.

Due to the lateness of the meeting, Mr. Hart made only brief comments on the work done so far on the FY 1991-92 Budget, mentioning changes that will occur in School, Social Services, and Commonwealth's Attorney budgets. Mr. Robinson initiated discussion on letters received from New Kent Education Association concerning the low morale problem they are suffering because of no Step Increase in the proposed School Board Budget. He suggested that Mr. Hart investigate the matter and convey the information back to the Board. In discussing the difference in Social Services fiscal year, Mr. Robinson suggested that the Board should appeal to legislative representatives to conform the budget year dates.

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IN RE:                    APPOINTMENT OF MEMBER TO CITIZENS COMMITTEE FOR  
                                 REDISTRICTING

It was the general consensus that a member could not be appointed until confirmation of an individual's willingness to serve can be established. The Board members agreed to have Mr. Robinson seek an appointee whose appointment will be ratified at the meeting on Thursday, March 28th.

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IN RE:                    MEETING SCHEDULE

Other meeting dates were scheduled as follows: Thursday, March 28th, Redistricting; Tuesday, April 2nd, Work Session on Redistricting and Budget; Monday, April 8th, regular Board meeting; and Saturday, April 13th, Sale of house at Airport.

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IN RE:                    CITIZENS COMMENT PERIOD

John J. McLaughlin read a proclamation received from Roberts' Circus declaring Monday, April 29, 1991 as Circus Day, and presented it for the Chairman's signature.

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IN RE:                    EXECUTIVE SESSION

Mr. Robinson moved to go into Executive Session to discuss a personnel matter and for consultation and briefings by legal counsel pertaining to actual or probable litigation pursuant to § 2.1-344(a)(1) and § 2.1-344(1)(7) of the Code of Virginia.

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

Following the Executive Session, Mr. Robinson moved to reconvene the meeting.

Paul C. Robinson      Aye

Richard S. Ellyson	Aye
E. David Ringley	Aye
Robert A. Boroughs	Aye

Mr. Boroughs 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.

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IN RE:           ADJOURNMENT

Mr. Ringley moved to adjourn the meeting.

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

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H. Garrett Hart, III  
County Administrator

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Robert A. Boroughs  
Chairman