

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE THIRTEENTH DAY OF MAY 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.

IN RE: MINUTES

Mr. Robinson moved approval of the minutes of the meeting of March 28, 1991, the special meeting and regular meeting of the Board of Supervisors held on April 22, 1991. He also ascertained that no comments had been received from members of the Redistricting Review Committee.

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

IN RE: ELECTED OFFICIALS REPORTS

Mr. Ringley inquired as to whether there had been any follow up or additional input concerning the Conditional Use Permit which was approved for Virginia Natural Gas. Mr. Hart answered that he had received no complaints and did not know if all easements had been acquired. He said he would check on it and give a report at the next regular meeting.

IN RE: FREEDOM DAY

Following his reading of a letter received from Edward Pollard, President of the New Kent Chapter of the NAACP, Mr. Boroughs made a motion to recognize Sunday, May 19, 1991 as Freedom Day in New Kent County.

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

IN RE: REDISTRICTING

Mr. Ringley said that the Board had asked Staff to prepare different options for the Board's review and that he had been informed by Mr. Hart that the work was progressing but not complete. He made a motion that they schedule this issue for a special meeting to be held Monday, May 20, 1991 at 7:30 p.m. in the Board Room of the County Administration Building. Mr. Hart said that all the information concerning precincts and identification of polling places could be ready by that date.

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

IN RE: CONDITIONAL USE PERMIT CUP-1-91, VIRGINIA RECYCLING

Following Mr. Emerson's presentation of the subject matter, Mr. Robinson moved to refer the application for CUP-1-91 to the Planning Commission for their review and recommendations to the Board of Supervisors.

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

IN RE: ORDINANCE O-07-91, VEHICLE LICENSES REFUNDS

Mr. Morgan presented an ordinance to amend Section 10-52 of the County Code, which would authorize full refund of the cost of a license when two licenses had inadvertently been purchased for the same vehicle. Mr. Ringley moved that Ordinance O-07-91 be set for public hearing on June 14, 1991.

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

IN RE: RESOLUTION R-20-91, EARLY RETIREMENT PROGRAM

Mr. Hart said that the County has one employee who is eligible for Virginia Retirement System's Early Retirement Program. Staff recommends that the Board adopt Resolution R-20-91 certifying that the Supervisors elected to participate in the Early Retirement Program. Mr. Ellyson moved to adopt Resolution R-20-91 as presented.

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

FOR RESOLUTION R-20-91 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX BOOK FOUR, AT PAGE 452.

IN RE: DISCHARGE OF FIREARMS IN RESIDENTIAL SUBDIVISIONS,
ORDINANCE O-06-91

Mr. Morgan said that Sec. 12-42 has been subject to interpretation and has caused confusion at times. Clarification is needed. Sheriff Howard said that the words "any residential area in the county" is a little too vague. Problems have occurred recently but not serious enough to require emergency legislation. It was the consensus of the Board that Mr. Morgan should reword the amendment and bring it back for the Board's consideration at the next regular meeting. Sheriff Howard requested that he and Mr. Morgan work together on the proposed ordinance.

IN RE: ADOPTION AND APPROPRIATION OF THE FY 1991-92 BUDGET

Mr. Hart presented the proposed budget, and answered questions from Board members concerning purchase of vehicles, office equipment, and an additional employee in the Planning Office. Mr. Hart said that a personal computer purchase and hiring of an additional employee to work on Wetlands were subject to a grant and to the Board's finalizing exactly how they are going to implement the Wetlands Program. Mr. Robinson said that he is definitely not in favor of adding more staff at this time and Mr. Ellyson concurred.

Mr. Ringley moved to adopt Ordinance O-08-91 as presented, which is an ordinance to impose tax levies for the 1991 tax year.

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

Mr. Ellyson moved to adopt and appropriate the Fiscal Year 1991-92 County Budget as follows:

General Fund \$3,584,778.00
School Fund 9,871,279.00
Water Fund 335,000.00
Airport Fund 11,800.00
Courthouse Construction 1,870,000.00
TOTAL \$15,672,857.00

Motion passed.

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

FOR ORDINANCE O-08-91 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FOUR, AT PAGE 453.

IN RE: PUBLIC HEARING, SECONDARY ROAD ALLOCATION, RESOLUTION R-21-91

Mr. Tom Hawthorne of Virginia Department of Transportation presented the Proposed Secondary Road Priority Listing for FY 1991-92. Proposed secondary funds in the amount of \$434,063.00 cover the priority listing for New Kent County for the fiscal year 1991-92. Following the explanatory remarks, Mr. Boroughs opened the public hearing.

Mrs. Alease Christian, a resident of Route 627, said that the addition which was completed in November 1990 has many potholes in it. Mr. Hawthorne said that the section just across Diascund Creek Bridge will be overlayed to correct the problem within the next thirty days, to be paid for out of maintenance funds.

The public hearing was closed.

After a short discussion period, Mr. Robinson moved to approve Resolution R-21-91, which adopts the one-year highway improvement plan as presented at the public hearing. Mr. Robinson also said that tremendous improvement has been made on Route 627, commended the Board members for their support, and encouraged their continued support until the entire project is completely taken care of, because the improvement of that road is definitely a necessity in the eastern part of New Kent County. Mr. Boroughs concurred.

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

FOR RESOLUTION R-21-91 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX FOUR AT PAGE 454.

IN RE: MEETING SCHEDULE

The next regular meeting of the Board of Supervisors is scheduled for Tuesday, May 28, 1991 because May 27th is the official observance of Memorial Day.

IN RE: EXECUTIVE SESSION

Mr. Ellyson made a motion 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); and to discuss a personnel matter pursuant to § 2.1-344(a)(1) 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.

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

H. Garrett Hart, III
County Administrator

Robert A. Boroughs
Chairman