

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE NINTH DAY OF SEPTEMBER 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 GAVE THE INVOCATION.

IN RE: MINUTES

Mr. Robinson recommended that more details concerning the raffle permit be added to the minutes of July 17, 1991. A correction was also made to the minutes of August 26, 1991 concerning Mr. Deaton's request for rezoning. Mr. Ringley made a motion to approve the minutes as corrected.

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

IN RE: ELECTED OFFICIALS REPORTS

Mr. C. H. Yeatts, Commissioner of Revenue, reported that he had completed the real estate tax books for 1991 which show that the County has a 3% gain over 1990. The personal property assessment was 98% of that in 1990 or \$30,000 less than in 1990. He also reported that he completed the public service corporation tax assessment which shows an increase of \$24,000 over 1990 plus a \$14,000 supplement for a total gain of about \$38,000. Mr. Yeatts said that we have a net tax gain of \$124,000 in 1991 over 1990.

Ms. Betty Burrell, Treasurer, reported that real estate and personal property tax statements have been printed and will be mailed out on September 23rd. She thanked the Board for appropriating additional money to her postage line item. She said that delinquent personal property tax notices were mailed out in July; and that delinquent real estate tax notices were sent out in May. During the first two months of this fiscal year, Treasurer's Office collected \$84,500 more than had been collected during the same period last year.

Mr. Robert Boroughs informed the Board that he had participated in the Surry nuclear disaster emergency drill August 27-30 as Director of Emergency Services for the County. He commended the New Kent participants for an excellent job. He recommended that the Board consider making a four-year appointment for Director of Emergency Services rather than rotation of the chairmanship. He said that Mr. Gallaher was recognized throughout the area for his fine work and should be commended.

Mr. Boroughs also reported that the Fire Company No. 3 in the Lanexa-Barhamsville area now has an ISO rating which will give homeowners a lower fire insurance rate. He congratulated the volunteers.

IN RE: STAFF REPORTS

Mr. Morgan, County Attorney, gave a brief report on cablevision service. He had talked with Bill Newborg who said that initial work in The Colonies had been completed and that they anticipated connecting homes within the next two weeks. The cable company also has a phone answering service set up so that callers can report major outages, not minor problems, on weekends.

Mr. Hart, County Administrator, reported on his observations of the changeover in trash collection throughout the County, that there had been a couple of minor problems, and that he had scheduled a meeting with Chambers representatives later in the week. Mr. Ellyson expressed his concern about the dumpsters at the Elementary School needing to be emptied before school on Monday mornings.

Mr. Boroughs requested Staff to bring the Board up-to-date on the goals and objectives.

IN RE: RESIDENT ENGINEER'S REPORT

Mr. Tom Hawthorne of Virginia Department of Transportation reported that they had received bids in August on the Rt. 627 project. The bids were lower than had been estimated for construction costs, making about \$150,000 less than estimated for overall costs. The additional money can be used to accelerate the financing of the next project on priority list. The last portion of the Rt. 627 project is scheduled for April 1992, which he thinks cannot be changed, but the next project on the Six-year Plan is on Rt. 611 (from 665 to 638) and it is possible that this project could be accelerated. Mr. Hawthorne requested the Board to inform him if they know of any "School Bus Stop Ahead" signs that are no longer needed. Mr. Ringley said that he had received calls from homeowners on Rt. 106 about the tractor-trailer traffic. Mr. Hawthorne said that an overlay project for that route is scheduled for a year from now and as soon as that overlay project is complete the overwidth trucks will be authorized to use Rt. 106. Mr. Robinson asked about a traffic light at the intersection of Rt. 60 and Rt. 106. Mr. Hawthorne said that they are already looking into it, and he is to report back to the Transportation Safety Commissioner in October about the results of their study. Mr. Ellyson said that Rt. 612 at Rt. 249 remains one of the prime run-through intersections in the County. Mr. Ellyson said that he had observed some run-throughs even though there are oversize stop signs there. Mr. Hawthorne said that he feels rumble strips should be considered for that area.

IN RE: CAPITAL AREA AGENCY ON AGING'S THREE YEAR PLAN

Ms. Mary C. Payne, Executive Director of the Capital Area Agency on Aging presented to the Board a draft of the CAAA's plan for the fiscal year 1992 and explained some of the items contained in the report. Ms. Payne thanked the Board for their support. Mr. Robinson thanked Ms. Payne for the good work done by the Agency for the citizens of New Kent County. Mr. Boroughs expressed his favorable comment also and appreciation for the report.

IN RE: PUBLIC HEARING, LAND LEASE AGREEMENT FOR THE COURTHOUSE PROJECT

Mr. Morgan, County Attorney, said that the purpose of the public hearing was to determine the public feeling on leasing property owned by the County to the Industrial Development Authority. Approximately 3.3 acres of land is involved.

The Chairman opened the public hearing. Mr. Ed Hayes, who lives in Courthouse Estates, was the only citizen who commented. He asked questions concerning the differences between general obligation bond issue and a lease revenue bond issue, and the advantages of going with a lease revenue bond issue. Both Mr. Carter of Carter Hovis & Kaplan, bond underwriters, and Mr. Hart answered Mr. Hayes' questions, stating that the advantages are the County could go to construction during the current good bidding climate and the County would save the cost of a referendum and bond rating services. There were no more public comments made and therefore

the Chairman closed the public hearing. Following the close of the public hearing, the Board discussed the terms of the lease agreement with Mr. Dan Siegel, bond counselor. Mr. Ringley made a motion to authorize the Chairman of the Board of Supervisors to enter into a ground lease agreement with the Industrial Development Authority and to enter into a lease of the new Courthouse facilities from the Industrial Development Authority. During the discussion Mr. Ellyson requested that a plat be prepared. Based on this request, Mr. Ringley withdrew his motion. Mr. Boroughs made a statement that the IDA has been of tremendous help to the Board and to the County. A motion was made by Mr. Boroughs to defer until the Board meeting to be held September 23rd at which time a description and plat of the area involved will be presented.

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

IN RE: APPROPRIATION, SOCIAL SERVICES

Mr. Hart said that the Board had received a request that they appropriate \$5,709.00 to be used for foster care services for three children. This appropriation is necessary to match the additional State funds that have been received for that purpose. Mr. Ellyson made a motion to appropriate \$5,709.00 to Line Item 5300-2000, Welfare Administration-Local Funds.

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

IN RE: REPORT OF REDISTRICTING EFFECT ON BOARD, COMMITTEE,
 COMMISSION, AUTHORITY APPOINTMENTS

Mr. Morgan, County Attorney, presented to the Board a report which defined the effects redistricting would have on the various committee appointments to be made by the Board.

IN RE: ELIGIBILITY TO PARTICIPATE IN VIRGINIA RETIREMENT SYSTEM

Mr. Hart said that the Board had received a letter from Accomack County asking for support of their action in adopting a resolution requesting the right of participation in the Virginia Retirement System by members of city councils and boards of supervisors. Mr. Ellyson suggested that he would consider supporting the resolution if it were made retroactive in order to cover former board members who served more than ten years. Mr. Robinson wanted to know if General Assembly members are eligible to participate in VRS and Mr. Ringley asked for some figures on cost to the County. No action was taken.

IN RE: REFUNDS

Mr. Yeatts, Commissioner of Revenue, had requested a refund to William Bryant Butler in the amount of \$298.76 for personal property taxes which had been double assessed in 1988 and paid by both Mr. Butler and his father. The matter was discussed and tabled until double payment was verified by the Treasurer. Mr. Ellyson made a motion to reconsider.

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

Mr. Ringley made a motion, and Mr. Ellyson made a friendly amendment, to refund \$298.76 to William Bryant Butler for 1988 personal property taxes paid twice on the same vehicle.

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

IN RE: MEETING SCHEDULE

The Board's next regular meeting will be held on September 23, 1991. The Board will also meet at 2 p.m. on Wednesday, September 11th, for bid openings. Mr. Hart said that the meeting on the 23rd would have a limited agenda, a joint meeting with the Planning Commission on the wetlands ordinances.

IN RE: EXECUTIVE SESSION

Mr. Robinson moved to go into Executive Session to discuss a personnel matter pursuant to § 2.1-344(a)(1) and 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) of the Code of Virginia.

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

Mr. Robinson made a motion to return to regular session.

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

Mr. Robinson 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: AGRICULTURAL AND FORESTAL DISTRICT APPLICATION FORMS

The Board engaged in a discussion concerning the application forms for agricultural and forestal districts.

IN RE: ADJOURNMENT

Mr. Ringley made a motion 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