

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE TWENTY-FIFTH DAY OF NOVEMBER 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 FLOYD JEFFERSON GAVE THE INVOCATION.

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IN RE: MINUTES

Mr. Robinson moved to approve the minutes of the meetings held October 9 and 28, November 12, 14 and 18, 1991.

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

Mr. Boroughs abstained from the vote for the November 14th meeting as he was absent.

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IN RE: FINANCE REPORT

Mr. Hart presented the Finance Coordinator's report. Mr. Ringley moved to approve the expenditures for October 1991 totaling \$292,878.27 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

Ms. Betty J. Burrell, Treasurer, presented her report for the period ending October 31, 1991. Due to the fact that her report was not received in time to prepare the summary report, it was recommended that approval of the report be delayed until the first meeting in December.

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IN RE: ELECTED OFFICIALS REPORTS

Mr. Gratton Stephens, Chairman of the Industrial Development Authority, commended the Board and Staff for the job well done in securing financing for the construction of the new courthouse building.

Mr. Boroughs read a prepared statement of apology addressing the citizens of New Kent County, his fellow Board members, and Mr. John Jones.

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FOR COPY OF MR. BOROUGHS'S STATEMENT, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 1.

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IN RE: RESOLUTION OF APPRECIATION R-40-91

A resolution of appreciation for the late Mr. Nathaniel Lewis was read by Mr. Hart. Mr. Ellyson moved to approve Resolution R-40-91 as presented. Mr. Ellyson and Mr. Boroughs offered remarks regarding Mr. Lewis's friendliness and helpfulness to each of them.

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

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FOR RESOLUTION R-40-91 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 2.

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IN RE: CHESAPEAKE BAY PRESERVATION ACT ORDINANCES O-12-91, O-13-91 AND O-14-91

Mr. Emerson began the presentation on the ordinances and discussed the map that depicts the several areas of the County as they will be affected by the CBPA. He spoke of the necessity to map out protected and managed areas and said that the County has a high degree of Chesapeake Bay Act criteria soils, basically due to the proximity to the Bay. He noted that several surrounding counties have gone countywide-RMA: King William, James City, and Henrico. At its meeting on November 12, 1991 the Planning Commission voted to recommend that the entire County that is not in a Resource Protection Area be put into the Resource Management Area classification. (The Planning Commission also recommended adoption of Ordinance O-14-91 at that meeting.)

Mr. Robinson stated that he was comfortable with the Staff's recommendation and Planning Commission's to go countywide RMA. Mr. Ellyson said that he had been opposed because he thought it would be cost prohibitive for landowners and might be considered "taking of land without just compensation", but after seeing the map he changed his mind and believes it more practical to go countywide RMA. Mr. Boroughs maintained his original position against countywide due to the cost to landowners and the expenses incurred for salary of new staff to review the plans.

Mr. Morgan presented the ordinances and explained the requirements and changes. This included in-depth discussion, questions and answers, concerning surveys and site plans, septic tank pumpout enforcement, etc.

Mr. Ringley said that fifteen or more meetings had been held on these ordinances including meetings with the Chesapeake Bay people, that the ordinances are minimum of what Chesapeake Bay will accept, and therefore he reluctantly moved to adopt Ordinance O-12-91, O-13-91 and O-14-91, as amended, to take effect at 5 p.m. November 29, 1991. Mr. Ellyson thanked the Staff, the Chesapeake Bay Local Assistance Board representative, and the Planning Commission for all the hours of work expended and for the patience exhibited.

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

Mr. Boroughs voted "No" because he feels that, although the Bay and the environment should be protected, he believes this can be done at a lesser cost to the landowner who should not have to pay twice for the same services, and that people outside the protection area should not be punished because of those located within the management and protection areas.

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FOR ORDINANCES O-12-91, O-13-91, AND O-14-91 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK FIVE AT PAGES 3-31.

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IN RE:                    APPROPRIATION, YOUTH-AT-RISK GRANT

Mrs. Sylvia Hathaway thanked the Board members for their acts of kindness during the time of her father's death.

Mrs. Hathaway and John Pignatore appeared before the Board to give a brief presentation about ROAD Project II and the State grant recently awarded, the purpose of which is to help the youth and adults of New Kent County in their fight against drugs.

Mr. Ellyson moved to accept the New Kent Extension Service and CADRE grant for ROAD Project II (Reaching Out Against Drugs) in the amount of \$80,089.00 over the next two years, and appropriate the amount of \$40,105.50 for FY 1991-92 to the following categories:

Line Item	9806-1003	\$19,950.00	Salaries/Fringes
	9806-3002	\$580.00	Contract Service
	9806-3006	\$1,413.50	Printing
	9806-5201	\$1,327.00	Postage
	9806-5203	\$1,188.00	Telephone
	9806-5401	\$500.00	Office Supplies
	9806-5413	\$100.00	Other Supplies
	9806-5501	\$1,090.00	Travel/Auto Expense
	9806-5899	\$1,000.00	Miscellaneous
	9806-5900	\$9,707.00	Training
	9806-5901	\$3,250.00	Camps/Retreats

Mr. Robinson commented that the citizens who had worked on this project deserve the Board's commendation and are to be congratulated for the recognition received by the grant award.

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

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IN RE:                    REFUNDS, RESOLUTION R-44-91

The Board was requested by the Director of Public Safety to refund \$265.00 to Thomas H. Weaver, representing one-half of the fee paid to build a dwelling. Mr. Weaver decided instead to locate a double wide mobile home on the property. Mr. Gallaher also requested the Board to refund \$111.50 to Tina M. Palecki representing one-half of the fee paid to build a dwelling which she did not then build due to personal reasons. The Commissioner of Revenue requested that the Board refund \$392.00 to D. L. Peterson Trust for a tax bill that was paid in full but which

included a double assessment on a 1989 Dodge vehicle. Mr. Robinson moved the approval of Resolution R-44-91 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-44-91 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 32.

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IN RE: ELIGIBILITY OF BOARD MEMBERS TO PARTICIPATE IN VIRGINIA RETIREMENT SYSTEM

The Board reconsidered Resolution R-35-91, a resolution similar to one passed by the supervisors of Accomack County expressing support of the rights of board members to participate in the Virginia Retirement System. At the Board meeting held on September 9th, Mr. Robinson requested Staff to supply certain information. Staff learned that Virginia legislators participate in the VRS, and that the cost to the County, if adopted under the State plan, would be \$1,015.00 per year for five supervisors, or \$1,853.39 if adopted under the County Personnel Plan. Mr. Hart said that the item is not included in the VACo Legislative Package.

Mr. Ellyson spoke against adoption of the resolution and moved not to adopt Resolution R-35-91.

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

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IN RE: MEETING SCHEDULE

Mr. Boroughs announced that the next regular meeting of the Board will be held on December 9, 1991. The next Planning Commission will be on Wednesday, December 18 at 7:30 p.m. Decision on cancellation of the second December Board meeting was not finalized.

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IN RE: CITIZENS COMMENT PERIOD

Mr. Ed Hayes addressed the Board to set the record straight concerning information circulated during the election campaign.

Mr. Floyd C. Jefferson asked if a septic tank pumpout contractor could be contracted for the County in order to lower the cost to owners. Staff said they would look into the matter.

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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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County Administrator

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Robert A. Boroughs  
Chairman