

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE EIGHTH DAY OF JANUARY IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY IN THE BOARD ROOM OF THE COUNTY OFFICE BUILDING. THE CHAIRMAN CALLED THE MEETING TO ORDER WITH ALL MEMBERS PRESENT.

IN RE: APPROVAL OF MINUTES

Following a brief discussion, motion was made by Mr. Robinson to approve the minutes as amended and carried as follows:

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

IN RE: FINANCE REPORT

The Chairman stated that he and the County Administrator had reviewed the expenditures for the month of December and motion was made by Mr. Robinson to approve the expenditures for the month of December, 1989 totaling \$246,189.98 as presented in the monthly expenditure report. Motion carried as follows:

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

IN RE: TREASURER'S REPORT

Following review of the Treasurer's Financial Report as of October 31, 1989, motion was made by Mr. Ringley 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. Motion carried as follows:

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

IN RE: STAFF REPORTS

The County Administrator, H. Garrett Hart, III, announced that the reassessment notices had been delivered to County citizens. He explained that this reassessment was in accordance with State law, which requires all counties to perform a general reassessment at least every six years. The last general reassessment in New Kent County was made effective January 1, 1984. Mr. Hart stated that many citizens were concerned about the amount of taxes they would pay in 1990 and he explained that the Board could not address this issue until the 1990 real estate tax rate is set. Mr. Hart announced that any questions concerning the reassessed value should be directed to the Assessor's Office and all hearings would be held on the main floor of the County Administration Building.

Mr. Robinson felt that a letter to New Kent citizens would help explain the reason for the general reassessment. He stressed that in accordance with State law all counties must perform a general

reassessment at least every six years and he felt the citizens should be advised of this requirement. Mr. Robinson stated that the letter should also inform the property owners that the Board of Supervisors anticipates a reduction in the real estate tax rate in 1990.

Mr. Ringley concurred with Mr. Robinson and following a brief discussion the Board requested the County Administrator to draft such a letter to be mailed to the citizens of New Kent.

The County Administrator explained to the Board that compensation needed to be set for the Board of Equalization. He stated that the last Board of Equalization was paid \$50 a day, which was six years ago. Following a brief discussion, motion was made by Mr. Robinson to set compensation for the Board of Equalization members at \$50 a day. Motion carried as follows:

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

The County Administrator, H. Garrett Hart, III, announced that the new Animal Shelter had opened January 2, 1990, and the hours are from 9:00 A.M. to 5:00 P.M. Tuesday through Saturday. Mr. Hart encouraged the Board of Supervisors to visit the Shelter.

There was some discussion by the Board and Staff concerning a County newsletter to provide citizens with general information.

IN RE: ELECTED OFFICIALS' REPORTS

Mr. Robinson advised that Richmond Regional Planning District Commission voted on the draft bylaws and articles for the creation of the Solid Waste Authority. He expected more information forthcoming and would advise the Board and public as soon as possible.

Mr. Robinson commended the County Administrator and staff for their efforts in the completion of the Dog Pound.

Mr. Boroughs announced that the Pamunkey River Water Study group held an informative meeting and stated that Newport News Waterworks would be holding several meetings to discuss various alternatives to water problems and studies that they are exploring and how they might affect New Kent County and the region.

Mr. Ringley announced that the Chairman of the New Kent Recreation Commission had notified him and advised that a meeting would be held on January 10, 1990, in the EOC of the Administration Building at 6:30 P.M. He stated the presentation would be on the recreation needs of New Kent County.

The Chairman stated that he had received a letter from the New Kent High School Student Government Association regarding Student Government Day that was originally scheduled for the third week in March, but the school would like to change the date to April 4th. There was some discussion and the Board decided to request Student Government Day be held during the third week of April.

IN RE: RESIDENT ENGINEER'S REPORT

Mr. Tom Hawthorne, Resident Engineer, presented the work copy of the Six Year Plan to the Board of Supervisors. He stated he would discuss the Plan as Item 2 of the Board's Agenda.

IN RE: ANNUAL REORGANIZATION OF THE BOARD

The Chairman turned the Chair over to the County Administrator for the election of Chairman of the Board.

Mr. Boroughs nominated E. David Ringley for Chairman of the Board during 1990.

Motion was made by Mr. Ellyson to close the nominations for Chairman and carried as follows:

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

Motion was made by Mr. Boroughs to elect Mr. Ringley as Chairman of the Board and carried as follows:

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

The County Administrator turned the Chair over to Chairman Ringley. Mr. Ringley and the Board thanked Mr. Ellyson for his hard work during his tenure as Chairman of the Board. Mr. Ringley stated that he had three goals to accomplish during his tenure as Chairman and they are: the revision of the Comprehensive Plan, to complete the E-911 system, and to attract a major industry to our County. The Chairman then called for nominations for Vice Chairman. Mr. Ellyson nominated Mr. Robinson for Vice Chairman. Motion was made by Mr. Boroughs to close the nominations for Vice Chairman and carried as follows:

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

Motion was made by Mr. Boroughs to elect Mr. Robinson as Vice Chairman of the Board and carried as follows:

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

IN RE: BYLAWS DISCUSSED

The Chairman explained that the previously adopted Bylaws of the Board of Supervisors would continue in effect unless amended and that any Board member wishing to amend the Bylaws should submit proposals in writing thirty days prior to consideration by the entire Board.

Motion was made by Mr. Boroughs to readopt the current Bylaws of the Board of Supervisors and carried as follows:

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

IN RE: OFFICE OF TIEBREAKER

The Chairman explained that in the past the Board had chosen not to have the office of tiebreaker and that if the Board wished to continue with this practice, they would need to adopt Resolution R-1-90 which stated the Board's desire not to have this office.

Mr. Robinson felt that the Board should think about the possibility of electing a tiebreaker. Following a brief discussion, motion was made by Mr. Boroughs to adopt Resolution R-1-90 as presented. Motion carried as follows:

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

FOR RESOLUTION R-1-90 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX BOOK FOUR AT PAGE 232

IN RE: MEETING SCHEDULE

The Chairman asked if the Board wished to change their regular meeting schedule and introduced Resolution R-2-90 which sets the Board's regular meeting date and time as it is currently observed. Motion was made by Mr. Ellyson to adopt Resolution R-2-90 as presented. Motion carried as follows:

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

FOR RESOLUTION R-2-90 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX BOOK FOUR AT PAGE 233

IN RE: APPOINTMENT OF STANDING COMMITTEES

The Chairman explained that the Board has six standing committees and made appointments as follows:

Finance Committee	Mr. Ringley and Mr. Robinson
Public Works Committee	Mr. Boroughs and Mr. Robinson
School Board Liaison	Mr. Boroughs and Mr. Ringley
Legal Affairs Committee	Mr. Ellyson and Mr. Ringley
Personnel Policy and Management Committee	Mr. Ellyson and Mr. Robinson

IN RE: PROPOSED SIX YEAR PLAN

Mr. Tom Hawthorne, Resident Engineer, presented to the Board a working copy of the proposed Six Year Plan for the Board's review. Mr. Hawthorne stated that he would be available to answer any questions the Board might have. He requested the Public Hearing be scheduled for the February regular Board meeting. Mr. Ringley requested that consideration be given to placement of a guardrail on Route 665 near the intersection of Route 640.

Mr. Hawthorne stated that, under normal criteria for installing guardrails on the secondary system, that location does not meet the requirements. He stated that his department would review the request again.

IN RE: WOOD'S EDGE WATER SYSTEM

The Chairman explained that the Board would receive a report from the Wood's Edge Subdivision Engineer, Mr. John Hutcherson, concerning the source of supply and feasibility study required by Article III Division 1, Section 8-32 of the New Kent County Code.

Mr. John Hutcherson presented his report to the Board and explained that it was a detailed description of the central water system that serves Section 1 of Woods Edge Subdivision. He pointed out that this description is a requirement of Section 8-32 of the County's Subdivision Ordinance. Mr. Hutcherson submitted a financial analysis of the operation, maintenance, and upkeep requirements for the system. He explained that a minor rate increase was needed, the rate had not changed in New Kent since October 10, 1983.

Following a brief discussion, Mr. Robinson suggested that Staff review the Study for technical accuracy and report a recommendation back to the Board.

Motion was made by Mr. Robinson to defer action on Wood's Edge Water System Feasibility Study until the February Board meeting. Motion carried as follows:

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

IN RE: APPOINTMENTS

The Chairman explained that the Board may wish to fill the remaining vacancies on the various Boards and Committees for those members whose terms end December 31, 1989.

Motion was made by Mr. Robinson to recommend the appointment of Jane Barnard as District Four's representative to the Zoning Appeals Board for a four-year term ending December 31, 1993. Motion carried as follows:

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

IN RE: REQUEST OF COMPREHENSIVE WATER AND SEWER STUDY

Mr. R. Joseph Emerson, Jr., Director of Planning, explained that, at the request of the Board, a preliminary proposal package for a Comprehensive Water and Sewer Plan has been drafted, which includes the objectives and scope to meet the existing and future water and sewer needs of the County.

The County Administrator advised the Board that there was no money appropriated in the 1989-90 budget. He suggested that the proposal be developed and cost discussed, so it could be included in the FY 1990-91 budget.

Mr. Robinson concurred with Mr. Hart's suggestion. Mr. Emerson stated that the County could conduct an RFP process contingent on the work being done in FY 1990-91 budget year.

Following this discussion, motion was made by Mr. Robinson that the County of New Kent conduct an RFP process to obtain proposals on services being performed in 1990-91 budget year in developing a Comprehensive Plan to meet the existing and future water and sewer needs of the County. Motion carried as follows:

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

IN RE: REZONING CASE C-14-89 - WAYNE J. BRITT

The Chairman explained that the Board deferred action on rezoning case C-14-89 and requested the applicant, Mr. Wayne Britt, to submit to the Board of Supervisors a revised site plan that would reflect the wetlands included in the property. The Chairman stated that the County had received a letter from Mr. Britt requesting that the decision on rezoning case C-14-89 be deferred until the February regular Board meeting, because he is attempting to have the Corps of Engineers examine the property.

Motion was made by Mr. Ellyson to defer action on rezoning case C-14-89 until the regular Board of Supervisors meeting on February 12, 1990. Motion carried as follows:

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

IN RE: E-911 EMERGENCY SYSTEM

The Director of Planning, R. Joseph Emerson, Jr., reported on the status of the 911 Emergency System. He explained that Staff plans to award bids for sign erection the first week in February. He stated that bids for updating address maps and delivery of notices will be awarded the first week in March. Mr. Emerson advised that the sign erection project should be completed in May. Notification of address changes are to be delivered in September and projected implementation of 911 Emergency System in February or March 1991. He stressed that this action would be dependent on C & P Telephone.

Mr. Ellyson urged the staff to be sure the signs can be read at night. He requested an example be seen by The Board.

IN RE: APPROPRIATION

The Chairman explained that the Board received a letter from the Chairman of the New Kent County School Board informing the Board of Supervisors of \$61,132 in additional State revenues for their 1989-90 School Budget year. He stated that the School Board had supplied a description of how they intend to expend the funds and requested that the money be appropriated to their budget.

Mr. G. G. Crump, Chairman of the New Kent County School Board, was present to answer any questions.

There being no further comments, motion was made by Mr. Ellyson to appropriate \$61,132 of additional State revenue to the 1989-90 School Budget. Motion carried as follows:

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

IN RE: LIVESTOCK CLAIM

The Chairman explained that the Board had received a request for compensation for lost livestock in accordance with the Code of the Commonwealth of Virginia. He stated that the request was from Mr. Thomas Jefferson regarding the loss of eight chickens that were destroyed by a dog. The Chairman stated that the Director of Public Safety had provided a properly executed livestock claim in the amount of \$40. J. Lawrence Gallaher, Director of Public Safety, reported that his office had investigated this claim and had impounded the dog responsible. He stated that all proper procedures had been followed and requested the Board to approve this claim.

There being no further discussion, motion was made by Mr. Robinson to approve payment in the amount of \$40 to Thomas Jefferson for his livestock claim of November 17, 1989. Motion carried as follows:

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

IN RE: TAX REFUNDS

The Chairman explained that the Board would consider authorizing tax refunds requested by the Commissioner of Revenue. The Chairman reviewed Resolution R-3-90 refunding \$80.50 to New Kent Video due to double assessment on a computer system and \$108 to Robert C. Alley, Inc., for an erroneous assessment on personal property taxes.

Motion was made by Mr. Ellyson to adopt Resolution R-3-90 as presented. Motion carried as follows:

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

IN RE: MEETING SCHEDULE

The Chairman announced that the Board's next regular meeting has been scheduled for Monday, February 12, 1990.

IN RE: CITIZENS' COMMENT PERIOD

Mr. John Mullen, a resident of Route 627, addressed the Board and stated that he had oral agreements from 90 percent of the property owners on the dirt section of Route 627 to donate property needed to make road improvements. Mr. Mullen stated that after receiving their reassessment notices the property owners had withdrawn their offer. He also wanted to go on record as withdrawing his offer of property. Mr. Mullen stated that he felt the reassessment of his property was the fair market value, but the rate of taxes and the increase in assessments will be difficult to handle.

The Chairman thanked Mr. Mullen for his efforts on this project. He stated that the Board will be working to try to lower the tax rate this budget year.

The County Administrator thanked Mr. Mullen for his concern and efforts in talking with his neighbors to assist in this project.

IN RE: EXECUTIVE SESSION

Motion was made by Mr. Ringley to go into executive session to discuss a personnel matter pursuant to Section 2.1-344(a)(1) of the Code of Virginia and 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 Section 2.1-344(a)(7) of the Code of Virginia.

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

Motion was made by Mr. Boroughs to return to regular session and carried as follows:

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

Motion was made by Mr. Robinson that the Board 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. Motion carried as follows:

Robert A. Boroughs	Aye
Paul C. Robinson	Aye

Richard S. Ellyson Aye
E. David Ringley Aye

Motion was made by Mr. Ellyson to adopt Resolution R-8-90 as presented. Motion carried as follows:

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

FOR RESOLUTION R-8-90 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX BOOK FOUR
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There being no further business, motion was made by Mr. Robinson to adjourn the meeting. Motion carried as follows:

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

H. Garrett Hart, III
County Administrator

E. David Ringley
Chairman