

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE TWELFTH DAY OF MARCH 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 presented and carried as follows:

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

IN RE: ELECTED OFFICIALS' REPORTS

Ms. Betty Burrell-Moore, County Treasurer, informed the Board that the County has participated in the Set-Off Debt Program offered by the State; the County has submitted a total of \$75,737.92 worth of valid claims. She stated that potentially the County could receive the full amount if citizens submit their income taxes.

The Chairman briefly announced that he had received a letter from Milton Woodlief of Virginia Power commending the Board of Supervisors and the County Administrator, H. Garrett Hart, III, for their efforts of economic development in New Kent County.

IN RE: FINANCE REPORTS

The Chairman stated that he and the County Administrator had reviewed the expenditures for the month of February, which were available to any Board member. Motion was made by Mr. Robinson to approve the expenditures for the month of February 1990 totaling \$243,477.29 as presented in the monthly expenditure report. Motion carried as follows:

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

IN RE: TREASURER'S REPORT

Following review of the Treasurer's Financial Report as of December 31, 1989, motion was made by Mr. Robinson 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:

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

IN RE: STAFF REPORTS

Mr. J. Lawrence Gallaher, Director of Public Safety, addressed the Board and explained that the 1989 General Assembly had amended Section 36-137 of the Code of Virginia authorizing the Virginia Department of Housing and Community Development to assess a levy of up to one percent of the total building permit fees issued by each County. Mr. Gallaher stated that this money is to be used by the State for training inspection personnel. He advised that this surcharge is to be collected effective April 1, 1990. Mr. Gallaher stated he needed the Board of Supervisors authorization to collect the one percent surcharge to comply with this mandate.

Following a discussion, motion was made by Mr. Ellyson to authorize J. Lawrence Gallaher, Building Official, to collect the one percent surcharge and transmit the funds to the Virginia Department of Housing and Community Development and that a letter be sent to Mr. Jack Proctor with copies to Delegate Grayson and Senator Cross requesting an explanation of what the funds will be used for and projected receipts for the balance of this fiscal year. Motion carried as follows:

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

IN RE: RESIDENT ENGINEER'S REPORT

Mr. Ellyson informed Mr. Hawthorne, Resident Engineer, that the road closed/detour signs were still being placed on Route 613. Mr. Wallace, Assistant Resident Engineer, reported that to his knowledge VDOT was not responsible.

Mr. Ringley pointed out that Route 665 is not identified at the intersection of Route 640/612/665.

Mr. Boroughs noted that the shoulders are higher than the road on Route 665 near Crosses Grove causing drainage problems.

Mr. Hawthorne stated the concerns of the Board would be investigated.

IN RE: APPOINTMENTS

The Chairman explained that the Board needed to consider appointments to various Committees and Boards which currently have or will soon have vacancies.

Motion was made by Mr. Ringley to appoint Robert Stroube as District Two's representative on the Industrial Development Authority to fill an unexpired term to and December 31, 1990. Motion carried as follows:

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

IN RE: BARNEY GROVES

The Chairman explained that the Board had received a request from Mr. Groves to allow him to discuss the road requirements of the New Kent County Subdivision Ordinance, particularly how they apply to his desire to sell two 15 acre lots of his property on an existing private road.

Mr. Barney Groves addressed the Board and asked the Board to consider appointing a committee to review the Subdivision Ordinance. Mr. Groves feels that the landowners of New Kent are not represented.

The Chairman replied that the County ordinances are constantly reviewed and the Board and Planning Commission agreed not to appoint a committee at this time.

IN RE: SIX YEAR SECONDARY PLAN AND ANNUAL WORK BUDGET - PUBLIC
 HEARING

The Chairman explained that the Board of Supervisors would hold a joint public hearing with representatives of the Virginia Department of Transportation on the proposed Six Year Secondary Plan FY 1990-96 and Annual Work Budget FY 1990-91.

Mr. Tom Hawthorne, Resident Engineer for VDOT, explained that the County would receive approximately \$655,000 during the upcoming fiscal year to finance the priority listing projects. Mr. Hawthorne then reviewed the priority listing and opened the floor for public comment.

Ms. Alease Christian, a resident on Route 627 north, voiced concern reference a portion of Route 627 in front of her residence which she felt needed a guardrail.

Mr. Hawthorne stated that the location did not justify installation of guardrail, but he will personally review the site.

Mr. Michael Scott presented a petition to the Board from the taxpayers of Little Egypt Subdivision on State Route 605, requesting the Board of Supervisors to properly pave, ditch, and provide an adequate cul-de-sac at the end of State maintained Route 605. Mr. Scott explained the problems of school buses trying to turn around at the dead end and lost vehicles, including tractor trailers, being trapped at the end.

Mr. Ralph Schwartz, a home owner in Little Egypt Subdivision, stated that the road has been a problem for years and requested the Board to consider Route 605 as a top priority for road improvements.

Mr. Hawthorne responded that ditches could be installed and stressed that constructing a cul-de-sac would take much longer. He advised that a dead end sign could be installed next week. Mr. Hawthorne stated he would take the matter under advisement and investigate the problems.

Mr. Bill Bailey questioned the Route 611 project. Mr. Hawthorne stated that the drawings are not final, but advised Mr. Bailey to visit his office to review the plans.

Ms. Josephine Pemberton expressed concern regarding the sight distance at the railroad tracks at Tunstall on Route 606. She stressed that if a person stops at the posted line it is impossible to see trains coming. Mr. Hawthorne stated that flashing lights and gates are to be installed at Route 606 and completion date for this project is June 15, 1990.

There being no further comments, motion was made by Mr. Robinson to close the Public Hearing. Motion carried as follows:

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

The Chairman reviewed proposed Resolution R-9-90 approving the Six-Year Improvement Plan.

Following a brief discussion, motion was made by Mr. Robinson to adopt Resolution R-9-90 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-9-90 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX BOOK FOUR AT PAGE 242.

The Chairman explained proposed Resolution R-10-90 approving the Priority List for 1990-91 Fiscal Year.

Following a brief discussion, motion was made by Mr. Ellyson to amend Resolution R-10-90 to include Project 608-063-S35,FS708. 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. Robinson to adopt Resolution R-10-90 as amended. Motion carried as follows:

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

FOR RESOLUTION R-10-90 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX BOOK FOUR AT PAGE 243.

IN RE: Barney Groves

Mr. Groves continued to address the Board and explained that he intended to proceed with the road improvements to comply with the Subdivision Ordinance. He did request the Board to review the definition of "road" in the Subdivision Ordinance.

The Chairman and Mr. Ellyson advised that the ordinances are constantly up for review and the matter would be taken under advisement.

IN RE: NEW KENT CABLEVISION

The Chairman explained that the Board would receive a progress report on the installation of cable TV in New Kent County.

Mr. Britt Belyea and Mr. William T. Newborg of New Kent Cablevision were present to address the Board. Mr. Newborg advised the Board that New Kent Cablevision would not meet the completion date of March 31, 1990 as projected. He stated that they have experienced many problems. Mr. Newborg reported that Rt. 249 and all side runs, Rt. 155, Rt. 612 into Woodhaven Shores and part of Woodhaven, and Eltham area have been activated. He stated that cablevision has passed 900 homes at this time. Mr. Belyea expressed his frustration over the many problems encountered installing cable television in New Kent. He reported that construction crews have experienced major problems in trying to locate water pipes as they install underground lines in the subdivisions. There are problems in Kenwood Farms, Five Lakes, Woodhaven Shores, and Sherwood Estates with locating water lines. Mr. Belyea stated that installation crews have had to proceed slowly to be sure they do not disrupt people's water supply.

Mr. Ellyson expressed discontentment with the communication skills of New Kent Cablevision.

The Board members expressed their dissatisfaction with the installation of the cable service. Following a discussion, New Kent Cablevision representatives were requested to attend the regular Board meeting on April 9th to present a progress report.

IN RE: SCHOOL BOARD

The Chairman explained that Mr. G. G. Crump and Mr. Jack King of the New Kent County School Board were present to discuss improvements to the New Kent Primary School.

Mr. Crump informed the Supervisors of the School Board's intent to apply for a Literary Loan in order to replace the Primary School's roof, brick veneer the building, and possibly construct an addition to the building. Mr. Crump explained that the present roof on the Primary School leaks, brick veneer needs to be installed, and the building is overcrowded. He advised that it would take up to six months for the State to approve the loan and if approved it would take approximately eighteen months to receive.

Following a discussion, the Board took the matter under advisement.

IN RE: CENTRAL VIRGINIA WASTE MANAGEMENT AUTHORITY

The County Administrator, H. Garrett Hart, III, explained that at the last regular Board meeting the Board adopted a resolution of support for the creation of the Central Virginia Waste Management Authority. He stated that Richmond Regional Planning District Commission has requested the Board to schedule a public hearing for the adoption of a resolution creating the CVWMA. Mr. Hart explained that it is required that 30 days elapse between the publication date and the date of the public hearing.

Following a discussion, the Board agreed to schedule a public hearing on Wednesday, April 25, 1990, at 8:00 p.m. in the Board Room of the County Administration Building to adopt a resolution creating the CVWMA.

IN RE: TAX REFUNDS

The Chairman explained that the Board would consider authorizing tax refunds by the Commissioner of Revenue. The Chairman reviewed proposed Resolution R-11-90 requesting a refund \$185.50 to George F. Quinn for personal property taxes paid in New Kent and Henrico County, a refund of \$90.34 to Telmark, Inc. for taxes paid on farm machinery, and a refund of \$161.00 to Luther B. Adams for taxes paid for an erroneous assessment.

Following a brief discussion, motion was made by Mr. Robinson to adopt Resolution R-11-90 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-11-90 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX BOOK FOUR AT PAGE 244.

IN RE: STREET NAMING BIDS

The Chairman explained that sealed bids were solicited to complete the work of street naming and numbering in order to activate the E-911 Emergency System. He explained that the scope of work included preparing zoning overlays, updating the existing tax maps to include adding street names and preparing new inserts, setting up a system to maintain the street numbering system at the time building permits are issued, updating street names, assigning numbers to new structures, and mailing notification of street numbers to property owners and preparing new maps for the street numbering system. Mr. Patrick J. Morgan, County Attorney, stated that thirteen bid packages were mailed to potential bidders and only one bid was received from R. Stuart Royer & Associates, Inc. He stated staff recommended approval of this contract.

Following a discussion and explanation by Staff of the scope of work to be performed by R. Stuart Royer & Associates, motion was made by Mr. Ellyson to accept the bid of R. Stuart Royer at \$77,232 and appropriate the funds. 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, April 9, 1990. The Board cancelled the Budget Work Session on March 13th and rescheduled for March 20, 1990, at 7:00 p.m. The Chairman announced that a Joint Public Hearing with the Planning Commission will be held on March 21, 1990 at 8:00 p.m.

IN RE: EXECUTIVE SESSION

Motion was made by Mr. Ringley to go into executive session for discussions relating to prospective business or industry pursuant to Section 2.1-344(a)(4) of the Code of Virginia. 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 go into executive session for consultation and briefings by legal counsel, consultants, or staff members pertaining to actual or potential litigation or other legal matters pursuant to Section 2.1-344(a)(6) of the Code of Virginia. 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 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

There being no further business, motion was made by Mr. Boroughs 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