

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 11<sup>th</sup> DAY OF JANUARY IN THE YEAR TWO THOUSAND TEN OF OUR LORD IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 6:00 P.M.

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IN RE: CALL TO ORDER

Chairman Davis called the meeting to order.

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IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Burrell gave the invocation and led the Pledge of Allegiance.

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IN RE: ROLL CALL

Thomas W. Evelyn	Present
David M. Sparks	Present
James H. Burrell	Present
Stran L. Trout	Present
W. R. Davis, Jr.	Present

All members were present.

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IN RE: COUNTY ADMINISTRATOR

Mr. Davis introduced G. Cabell Lawton IV, current County Administrator in Fluvanna County, as New Kent's new County Administrator as of February 16, 2010. Mr. Lawton expressed his pleasure in accepting the position with New Kent and introduced his wife and children.

Mr. Evelyn moved to employ G. Cabell Lawton IV as County Administrator effective February 16, 2010. The members were polled:

Thomas W. Evelyn	Aye
David M. Sparks	Aye
James H. Burrell	Aye
Stran L. Trout	Aye
W. R. Davis, Jr.	Aye

The motion carried.

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IN RE: ANNUAL REORGANIZATION – ELECTION OF OFFICERS FOR 2010

The Board's first meeting of the year is designated as the annual reorganization meeting.

Nominations were opened for the office of 2010 Chairman.

Mr. Burrell nominated David M. Sparks to be the Chairman of the Board of Supervisors for a term of one year. There were no other nominations.

Mr. Davis moved to close nominations for Chairman of the Board of Supervisors. There being no discussion, the members were polled:

David M. Sparks	Abstain
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James H. Burrell	Aye
Stran L. Trout	Aye
Thomas W. Evelyn	Aye
W. R. Davis, Jr.	Aye

The motion carried.

Mr. Burrell moved to elect David M. Sparks as Chairman of the Board of Supervisors for a term of one year. There was no discussion and the members were polled:

James H. Burrell	Aye
Stran L. Trout	Aye
Thomas W. Evelyn	Aye
David M. Sparks	Abstain
W. R. Davis, Jr.	Aye

The motion carried.

Chairman Sparks accepted the gavel and presented Mr. Davis with a plaque in appreciation of his service as 2009 Chairman.

Nominations were opened for the office of Vice Chairman.

Mr. Davis nominated Thomas W. Evelyn to be the Vice Chairman of the Board of Supervisors for a term of one year. There were no other nominations.

Mr. Davis moved to close nominations for Vice Chairman of the Board of Supervisors. There was no discussion and the members were polled:

Stran L. Trout	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Abstain
James H. Burrell	Aye
David M. Sparks	Aye

The motion carried.

Mr. Davis moved to elect Thomas W. Evelyn as Vice Chairman of the Board of Supervisors for a term of one year. There was no discussion and the members were polled:

W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Abstain
James H. Burrell	Aye
Stran L. Trout	Aye
David M. Sparks	Aye

The motion carried.

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IN RE: ANNUAL REORGANIZATION – REGULAR MEETING SCHEDULE FOR 2010

Before the Board for consideration was Resolution R-01-10 setting the Board's 2010 meeting schedule.

Mr. Burrell noted that in recent years, the Board had dispensed with its August work session. Mr. Trout suggested that it might be better to leave it in the schedule and then cancel it if it was not needed. Mr. Burrell indicated that he had no problem with that as long as it was understood that the Board intended not to have an August work session unless it was necessary.

Mr. Davis suggested that the semi-annual meetings with senior staff be moved from the second Fridays in February and August to the same days in March and September.

Mr. Davis moved to adopt Resolution R-01-10 setting the Board's meeting schedule for 2010 and changing the dates of the semi-annual meetings with senior staff to March 12 and September 10. The members were polled:

Thomas W. Evelyn	Aye
James H. Burrell	Aye
W. R. Davis, Jr.	Aye
Stran L. Trout	Aye
David M. Sparks	Aye

The motion carried.

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IN RE: ANNUAL REORGANIZATION – BYLAWS

There was discussion regarding proposed changes to the bylaws and it was noted that there was consensus to leave the start time for public hearings at 7 p.m. rather than change it to 6:30 p.m. The remainder of the proposed changes included removing the reference to public hearings in the last paragraph of in Article IV, additional language in Article VII, D., and various changes under Article VIII which would change the language to reflect current practices regarding financial control procedures. It was noted that the amended bylaws could not be formally adopted for 30 days.

Mr. Trout moved that the Bylaws be amended as discussed and that a vote be taken at a future meeting that was no less than 30 days from the date of the meeting. The members were polled:

James H. Burrell	Aye
Stran L. Trout	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
David M. Sparks	Aye

The motion carried.

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IN RE: CONSENT AGENDA

The Consent Agenda was presented as follows:

1. Approval of Minutes
  - a. Work session of November 18, 2009
  - b. Special meeting of December 2, 2009
  - c. Special meeting of December 7, 2009
  - d. Special meeting of December 14, 2009
  - e. Regular meeting of December 14, 2009

2. Miscellaneous
  - a. Revision of *Personnel Policy 2.84 Paydays*
  - b. Payment of \$112.50 to Joseph L. Forrest, Jr. as compensation (fair market value) for livestock killed by dog(s) on 12/9/09, pursuant to Va. Code Section 3.2-6553
  - c. Resolution R-02-10 requesting VDOT to add the roads in Brickshire, Section P into the secondary system of state highways
  - d. Resolution R-03-10 requesting VDOT to add the roads in Brickshire, Section P1 into the secondary system of state highways
  - e. Salary supplement of \$5,137 for the General Registrar
  - f. Resolution R-04-10 requesting VDOT to add Littleleaf Lane in Section 4 of Wood's Edge into the secondary system of state highways
  - g. Resolution R-05-10 requesting VDOT to add Firethorn Lane in Section 3 of Wood's Edge into the secondary system of state highways
  - h. Resolution R-06-10 amending the policy for meeting payments to members of the Board of Supervisors
  - i. Permission to enter into contract with most responsible bidder for replacement of roof on new courthouse building
  - j. Resolution R-07-10 establishing a Surety Policy
  - k. Appropriation of unused funds to the Health Department
  
3. Refunds
  - a. \$167.69 to Ducts Unlimited for cancelled mechanical permit
  - b. \$67.76 to Comfort Masters Heating & Air for cancelled mechanical permit
  - c. \$50.82 to Downing Contractors for cancelled electrical permit
  - d. \$6,332.40 to Ryan Homes for cancelled permit
  - e. \$5,977.78 to Ryan Homes for cancelled permit
  - f. \$15,498.32 to Basic Construction Co. LLC for erroneous tax assessments
  
4. FY10 Carry Forward Appropriations
  - a. Capital funds for the real estate reserve set aside not used in FY09, \$716,001.00

Total Supplemental Appropriation:  
\$(716,001.00)                      Total  
\$ 716,001.00                      From Fund 7 – Capital Fund balance
  
5. FY10 Appropriations
  - a. Funds for FY10 Fire-Rescue revenue recovery to cover bank fees, \$3,408.00
  - b. Funds received to date for Fire-Rescue revenue recovery for Fire-Rescue personnel, \$20,422.00
  - c. Funds received from citizens for pre-pay Fire-Rescue revenue recovery funds, \$452.00
  - d. Funds donated to the New Kent Animal Shelter, \$1,220.00
  - e. Funds donated for various items, \$9,183.12
  - f. Additional State Social Services funds for Title IV-E Adoption Subsidy and Special Needs Adoption, \$1,845.00
  - g. Program income received to date for FY10 from CDBG Plum Point Grant participants, \$660.04

Total Supplemental Appropriation:

\$(37,190.16)	Total
\$ 37,190.16	Money In/Money Out

6. FY10 Inter-Departmental Budget Transfers
  - a. *Building Development*: \$3,240 from Unfilled Positions Contingency to Building Development salary line items
  - b. *General Services*: \$233 from Repairs & Maintenance – Historic School to Extension Telecommunications
  - c. *Training*: \$2,745 from Reserved for Contingency–Training to training line items of Board of Supervisors, County Attorney, Circuit Court Judge, Sheriff, Building Development, Community Development Administration, Economic Development & Social Services
  
7. Treasurer’s Report: Cash in Bank as of November 2009: \$51,685,316.44

Mr. Burrell noted that because of previous commitments, he had not been able to attend the November 18 work session and had to leave early from the December 7 special meeting and, therefore his vote on approval of the Consent Agenda would not include those particular minutes.

Mr. Davis moved to approve the Consent Agenda as presented, subject to Mr. Burrell’s condition that his vote did not include approval of the minutes from meetings where he was not present. The members were polled:

Stran L. Trout	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
James H. Burrell	Aye
David M. Sparks	Aye

The motion carried.

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IN RE: FARMS OF NEW KENT PLANNED UNIT DEVELOPMENT ORDINANCE  
AMENDMENT (PART 1)

Chairman Sparks announced that the previously advertised public hearing on requested amendments to the Farms of New Kent Planned Unit Development (PUD) ordinance was being deferred to the February meeting because of recent changes but that anyone present who wanted to comment would be permitted to do so during the Citizens Comment Period, and there would be another opportunity after 7 p.m.

County Attorney Jeff Summers explained that in light of some of the changes that had been recently requested by the applicant, it was prudent to re-advertise the matter for the February 8 meeting.

Attorney for the applicants, Charles Rothenberg, stated that his client appreciated the concern regarding additional advertising and felt that the additional time would permit them to better respond to some of the comments and concerns of Board members and citizens and they would be hosting an informational meeting at the New Kent Winery on January 21 for those who would like more information.

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IN RE: CITIZENS COMMENT PERIOD

Chairman Sparks opened the Citizens Comment Period.

Andy Conklin of West Point spoke on behalf of Arts Alive, an organization devoted to promoting the arts, serving and supported by the Counties of New Kent, King and Queen, and King William and the Town of West Point. He described some of their programs and reported a large participation by New Kent residents. He asked for the Board's continuing financial support in the upcoming budget process.

Both Mr. Davis and Mr. Burrell commented favorably about the organization and its benefit to New Kent residents.

Isabel D. White of Barhamsville spoke in opposition to any more changes to the Farms of New Kent PUD ordinance, commenting that other developers in the County had also been negatively affected by the economy and she did not think the Board should give this developer "special treatment".

There being no one else signed up to speak, the Citizens Comment Period was closed.

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IN RE: INTRODUCTION OF NEW GENERAL REGISTRAR

Electoral Board Chairman Charles Moss, accompanied by Vice Chairman William Taylor, thanked the Board for its support and resources over the years, noting that voter turnout in New Kent remained one of the highest in the region.

He then introduced the new General Registrar Rosanna Bencoach. Mr. Moss explained that Ms. Bencoach had formerly worked for the State Board of Elections and as an Assistant Registrar in Richmond, and was now living in New Kent, and had been appointed by the Board of Elections to complete an unexpired term that ended on June 30, 2011. Ms. Bencoach expressed her pleasure in accepting the position and its challenges.

The Board members welcomed the new General Registrar.

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IN RE: HERITAGE PUBLIC LIBRARY

Barbara Winters, Librarian for the Heritage Public Library, reported that she and others would be meeting with the Board at its January work session but wanted to give the Board a "sneak peak" of its plans for the renovations of the historic school into the Heritage Public Library. Architect Sarah Barber was also present and reviewed some drawings. She confirmed that the plans included restoring some of the original portions of the building and there was a phased approach with Phase I (8,000 square feet) and Phase II (7,000 square feet). Ms. Winters emphasized that one of their major goals was to protect the historical integrity of the building and it was confirmed that included in the materials for the Board's work session would be the concept plan, a schedule, and a cost estimate.

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IN RE: CENSUS 2010 – STAFF RECRUITMENT

Venise Brown and Danny Quarles with the Census Bureau gave a presentation to the Board. Ms. Brown reviewed the importance and history of the Census. It was reported that New Kent was part of an area that was being coordinated from a Newport News office and they expected to hire about 900 Census staff for the entire area. Mr. Quarles commented that

Census 2010 offered a variety of temporary employment, with both part-time and full time positions.

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IN RE: RESIDENCY ADMINISTRATOR'S REPORT

Jorg Huckabee-Mayfield, Interim Residency Administrator with the Virginia Department of Transportation, reported on issues regarding roads in New Kent County.

She advised that maintenance activities in the past month included ditch-cleaning operations, snow removal as well as pre-treatment, machining gravel roads, removal of loose stone resulting from resurfacing Mt. Pleasant Road, slope repairs, washout repairs, pothole repairs, tree removal, and pipe cleaning. Activities planned for the next month were reported to be shoulder work, pipe cleaning, removal of downed trees and debris, cleaning of ditches and pipes, pothole repair, litter pickup by inmates, machining of gravel roads, and defining the scope of work for repairs on Route 273/Farmers Drive.

She indicated that the Residency was continuing to work on accepting Winggapo Road into the State system, as well as evaluating corrective action needed on South Waterside Drive and other locations countywide.

Mr. Burrell asked how VDOT's cutbacks had affected operations in New Kent. Ms. Mayfield advised that the cutbacks had resulted in closure of the residency office but should not affect field positions or operations "on the ground".

Mr. Burrell reported potholes in the area of the interstate interchange at Route 155.

Mr. Trout thanked Ms. Mayfield for recently meeting with himself and others on an issue.

Mr. Davis reported a downed sign at the intersection of Route 30 and Route 273 in Barhamsville and suggested that a guardrail might improve safety at the intersection where there's a steep drop-off. He also reported a large pothole in the area of Route 33 and Route 273.

Mr. Evelyn spoke about some grading work needed on St. Peters Church Road and Steel Trapp Road.

Mr. Davis noted that all gravel roads would need work once the weather permitted.

Mr. Burrell thanked Ms. Mayfield for the work on Mt. Pleasant Road and Mr. Sparks thanked her for recent attention to Henpeck Road.

The Board took a short break and then resumed its meeting.

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IN RE: FARMS OF NEW KENT PLANNED UNIT DEVELOPMENT ORDINANCE  
AMENDMENT (PART 2)

Chairman Sparks repeated that the public hearing on the Farms of New Kent request to amend its PUD ordinance was being continued, but that anyone in attendance who wanted to speak would be permitted.

Herb Mitchell, a resident of the Arbors in Land Bay IV, stated that he did not know what the changes were so he could not address them, but he did think that some of the statements made by the developer were contradictory. He agreed that the developer should have the

flexibility to make its project a success, but he was interested in hearing how it planned to implement the changes, whether the changes would apply to all lots or to just certain lots, what plans and strategies they had to increase marketing and promote sales, and the status of the "second builder". Mr. Sparks remarked that those would be appropriate questions for the developer at the informational meeting it was hosting on January 21.

Doug Houston of 8635 Historical Path Road complained about the postponed hearings and how much it cost him for appointments he had to cancel at his veterinary practice in order to attend the advertised hearings. He also complained that information about the impact on tax revenues was available only from the developer but not from County staff.

There was no one else who indicated that they wished to comment.

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IN RE: 2010 LEGISLATIVE REQUESTS

Mr. Trout suggested that the Board formally approve its 2010 Legislative Requests. He reviewed that the first four items were carried over from the previous year's requests and affected only New Kent County, and that the remainder were issues that were supported or opposed by the County.

He reviewed that the first three requests involved adding New Kent to existing lists of localities which were allowed to require mandatory connection to water and sewer systems; to regulate well construction and well water quality; and to place liens on property for water and sewer charges and taxes. He noted that the last request was to remove the 1,000-acre minimum required for development agreements, pointing out that New Kent was the only county permitted to use development agreements by the current State Code.

He indicated that the remainder of the requests were situations where if an issue came up, New Kent would have a position, and included encouraging the use of non-potable and recycled water in industrial processes where possible; granting authority to a governing body to limit the duration of a special use permit; providing incentives for Low Impact Development; providing tax credits for the construction of green buildings or green development; providing tax incentives for reuse of abandoned buildings; postponing implementation of proposed stormwater program; supporting high speed rail extension from Washington D.C. to the Richmond region; adding a third urban at-large seat to the Commonwealth Transportation Board; supporting local government's authority to require new development to cover the costs of expanding public infrastructure; opposing actions to establish state-mandated caps on development fees, impact fees, proffers, water fees and sewer fees; providing local jurisdictions the option to fill a vacancy in an elected office through a timely special election; supporting amendments to the Virginia Freedom of Information Act to allow electronic meetings; and opposing legislation or regulation that would require the transfer to counties the responsibility for construction, maintenance or operation of new and existing roads.

There were no objections expressed to any of the items.

Mr. Davis asked about historic horseracing. Mr. Trout indicated that he understood that it was still being considered by Colonial Downs and that it could be added on to the list.

Mr. Trout moved to adopt the 2010 New Kent County Legislative Requests as drafted under date of December 6, 2009, with the addition of support of Historic Horse Racing at Colonial Downs. The members were polled:

W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
James H. Burrell	Aye
Stran L. Trout	Aye
David M. Sparks	Aye

The motion carried.

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IN RE: ELECTED OFFICIALS' REPORTS

Mr. Trout announced details of an upcoming Planning Commission work session on revisions to the sign ordinance, as well as the start of the General Assembly session, and welcomed updates on items that might affect New Kent.

Mr. Burrell advised that he had an upcoming meeting of the Central Virginia Waste Management Authority and hoped to have some information to share about reducing costs through enforcement of certain recycling and closing convenience centers one day a week.

Mr. Davis encouraged everyone to look out for their neighbors during the cold weather and to let Social Services know about anyone who needed help.

Mr. Evelyn announced details on the upcoming informational meeting hosted by the Farms of New Kent on requested changes to the PUD ordinance.

Mr. Sparks thanked his fellow Board members for their support for his chairmanship and stated that he was looking forward to working with staff, the new County Administrator, and the citizens.

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IN RE: STAFF REPORTS

Bill Whitley spoke about the need to schedule an all-day budget retreat and suggested that enough information should be available to hold that retreat on either February 12 or 19. Following discussion, it was agreed that the budget retreat would be scheduled for February 19 beginning at 10 a.m. at a location to be determined.

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IN RE: DISTRICT APPOINTMENTS

Mr. Evelyn moved to appoint George Tate as District One's representative to the Board of Road Viewers to serve a one-year term ending December 31, 2010.

Mr. Sparks moved to appoint Charles Martin as District Two's representative to the Airport Advisory Commission to serve a four-year term ending December 31, 2013.

Mr. Trout moved to appoint Ron Lang as District Four's representative to the Board of Road Viewers to serve a one-year term ending December 31, 2010.

Mr. Davis moved to appoint Charles Davis as District Five's representative to the Economic Development Authority to serve a four-year term ending December 31, 2013.

Mr. Davis moved to appoint Bruce Howard as District Five's representative to the Board of Road Viewers to serve a one-year term ending December 31, 2010.

Mr. Davis moved to appoint George Philbates, Jr. as District Five's representative to the Transportation Safety Commission to serve a four-year term ending December 31, 2013.

The members were polled:

Thomas W. Evelyn	Aye
James H. Burrell	Aye
Stran L. Trout	Aye
W. R. Davis, Jr.	Aye
David M. Sparks	Aye

The motions carried.

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IN RE:           NON-DISTRICT APPOINTMENTS

Mr. Evelyn appointed Larry Gallaher as a representative to the Board of Building Code Appeals/Board of Fire Prevention Code Appeals to serve a four-year term ending December 31, 2013.

Mr. Davis moved to appoint Melissa Canaday as an at-large representative to the Clean County Commission to serve a four-year term ending December 31, 2013.

Mr. Trout moved to appoint Dr. Alan Neumann as the alternate representative to the Wetlands Board to serve a five-year term ending December 31, 2014.

Mr. Sparks moved to appoint Robert Stroube as New Kent's representative to the Quin Rivers Community Action Board to complete a term ending December 31, 2012.

The members were polled:

James H. Burrell	Aye
Stran L. Trout	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
David M. Sparks	Aye

The motions carried.

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IN RE:           BOARD OF EQUALIZATION NOMINATIONS

Mr. Trout moved to nominate Ron Lang for Circuit Court appointment as a member of the Board of Equalization to serve a term ending December 31, 2010.

The members were polled:

Stran L. Trout	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
James H. Burrell	Aye
David M. Sparks	Aye

The motion carried.

County Attorney Jeff Summers advised that the Commissioner of Revenue had asked for a 30-day extension for completion of the General Reassessment. The Board members agreed to make the remainder of these nominations at the January work session.

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IN RE: BOARD AND STAFF APPOINTMENTS

Mr. Burrell moved to appoint Thomas Evelyn as the Board representative to the Agricultural and Forestal District Advisory Committee to serve a one-year term ending December 31, 2010.

Mr. Burrell moved to appoint David M. Sparks as the Board representative to the Airport Advisory Commission to serve a one-year term ending December 31, 2010.

Mr. Burrell moved to appoint Stran Trout as the Board representative to the Historic Commission to serve a one-year term ending December 31, 2010.

Mr. Burrell moved to appoint Thomas Evelyn as the Board representative to the Parks and Recreation Advisory Commission to serve a one-year term ending December 31, 2010.

Mr. Davis moved to appoint Stran Trout as the Board representative to the Planning Commission to serve a one-year term ending December 31, 2010.

Mr. Evelyn moved to appoint W. R. Davis, Jr. as the Board representative to the Social Services Advisory Board to serve a one-year term ending December 31, 2010.

Mr. Burrell moved to appoint W. R. Davis, Jr. as the Board representative to the Transportation Safety Commission to serve a one-year term ending December 31, 2010.

Mr. Sparks moved to appoint Thomas W. Evelyn as New Kent's Board representative to the Consortium Board of the Capital Region Workforce Partnership to serve a one-year term ending December 31, 2010.

Mr. Davis moved to appoint Rodney Hathaway as New Kent alternate representative to the Consortium Board of the Capital Region Workforce Partnership to serve a one-year term ending December 31, 2010.

Mr. Evelyn moved to appoint David M. Sparks as New Kent's Board representative to the Chickahominy District Health Advisory Board to serve a one-year term ending December 31, 2010.

Mr. Davis moved to appoint William H. Whitley as a member of the Community Policy Management Team to serve a one-year term ending December 31, 2010.

Mr. Burrell moved to appoint W. R. Davis, Jr. as the Director of Emergency Management pursuant to Code of Virginia Section 44-146-19 and as Director of Emergency Services pursuant to County Code Chapter 30-161.

Mr. Burrell moved to appoint E. Thomas Hicks as the Coordinator of Emergency Management pursuant to Code of Virginia Section 44-146.19 and as Coordinator of Emergency Services pursuant to County Code Chapter 30-162.

The members were polled:

W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
James H. Burrell	Aye
Stran L. Trout	Aye
David M. Sparks	Aye

The motions carried.

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IN RE: MEETING SCHEDULE

The Chairman announced that the next meeting of the Board of Supervisors would be held at 6:00 p.m. on February 8, 2010, and the next work session at 3:00 p.m. on January 27, 2010, both in the Boardroom of the County Administration Building, New Kent, Virginia.

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IN RE: CLOSED SESSION

Mr. Burrell moved to go into Closed Session for consultation with legal counsel pursuant to Section 2.2-3711A.7 of the Code of Virginia regarding actual or probable litigation. The members were polled:

Thomas W. Evelyn	Aye
James H. Burrell	Aye
Stran L. Trout	Aye
W. R. Davis, Jr.	Aye
David M. Sparks	Aye

The motion carried. The Board went into closed session.

Mr. Davis moved to return to open session. The members were polled:

James H. Burrell	Aye
Stran L. Trout	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
David M. Sparks	Aye

The motion carried.

Mr. Sparks made the following certification:

Whereas, the New Kent County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by the Board that such closed session was conducted in conformity with Virginia law;

Now there be it resolved that the Board hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open session requirements by Virginia law were discussed in closed session to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Board.

The Chairman inquired whether there was any member who believed that there was a departure from the motion. Hearing none, the members were polled on the certification:

Stran L. Trout	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
James H. Burrell	Aye
David M. Sparks	Aye

The motion carried.

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IN RE:           ADJOURNMENT

Mr. Evelyn moved to adjourn the meeting. The members were polled:

W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
James H. Burrell	Aye
Stran L. Trout	Aye
David M. Sparks	Aye

The motion carried.

The meeting was adjourned at 8:34 p.m.