

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE EIGHTH DAY OF OCTOBER 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: MINUTES

Mr. Robinson moved to approve minutes of the meetings held on September 12, September 18, and September 20, 1990.

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

Mr. Boroughs moved to approve minutes of the meeting held on September 10, 1990.

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

IN RE: ELECTED OFFICIALS' REPORTS

Mr. Robinson reported that the Richmond Regional Planning District Commission at its last meeting had created a Citizens Advisory Committee for the Central Virginia Solid Waste Management Authority, composed of representatives from participating counties. He said that New Kent County will need to make a countywide citizen appointment to this Advisory Committee. He also reported on other committee meetings he had attended.

Mr. Boroughs requested support from the Board in getting the Capital Improvements Plan done, and requested that it be sent to the Planning Commission for review. The Board concurred.

The Chairman introduced SCA Officers and Sponsor from New Kent High School, and announced that Student Government Day would be on October 17th.

Mr. Ringley read a resolution proclaiming American Education Week November 11-17, 1990.

Mr. Boroughs moved to adopt the resolution.

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

Mr. Ringley reported that he attended a Youth Services Issues Breakfast for the purpose of discussing juvenile detention problems in the Ninth Judicial District. He asked that the County Administrator send to each board member a copy of the materials concerning juvenile offenders and their detention.

IN RE: FINANCE REPORTS

A report of expenditures for the month of September, totaling \$246,640.23, was approved upon motion of Mr. Ellyson, which passed:

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

The Chairman presented the Treasurer's report, accounting for the various funds through 8/31/90. Mr. Robinson moved to accept the Treasurer's Report and to authorize the Treasurer to continue to invest County funds in the highest yielding legal investment, subject to audit.

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

IN RE: STAFF REPORTS

In connection with the Courthouse Renovation Project, Mr. Hart suggested that the Board meet with the architect on the same date to be set for discussion of the 1991 Legislative Package, and this was agreed to by Board members.

Mr. Robinson inquired about the status on the sale of the property at the Airport. Mr. Morgan answered that some renovations need to be done. It was the consensus of the Board that the renovations should be done and the date for sale would be decided at the next Board meeting.

IN RE: RESIDENT ENGINEER'S REPORT

Mr. Hawthorne reported that the railroad crossing in Providence Forge would be replaced, beginning on October 22nd, with work to take about three days. He also said that the next phase of work on Route 627 has been delayed from April until June 1991 due to budget cuts. Concerning the intersection of Routes 608 and 609, landowner authorization had not been signed but would be within a few days.

IN RE: CABLE TV

Mr. Donald A. Perry, President of 1st Commonwealth Communications, Inc., presented the report.

IN RE: PUBLIC HEARING ON ORDINANCE O-20-90, REDUCED LICENSE FEE

The following persons spoke in favor of giving a full discount on license fees to volunteers in the rescue squad and fire companies: Dennis Gaston, Wade Britt, W. C. Pearson, Butch Carter, Andrew Mihalcoe, Ima Sowers, Dr. Brian Wright, and Thelma Wilson.

Mr. Robinson moved to enact Ordinance O-20-90 with an amendment that would change the fee from one-half of the fee applicable to the type of vehicle licensed to a waiver of the fee applicable to the type of license. Motion failed as follows:

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

Mr. Boroughs then moved to adopt Ordinance O-20-90 as presented.

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

FOR ORDINANCE O-20-90 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX BOOK FOUR AT PAGE 328.

IN RE: PUBLIC HEARING ON ORDINANCE O-4-90, FLOODPLAIN

Mr. Morgan presented the proposed ordinance, pointing out changes and requirements. Mr. Robinson recommended that the words "and adjacent property owners" be added to Sec. 9-62.2(B) following "jurisdictions". He said that a correction needs to be made to Paragraph D of the same section with the addition of the word "plan". Mr. Boroughs moved to adopt the Floodplain Ordinance O-4-90 with amendments.

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

FOR ORDINANCE O-4-90 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX BOOK FOUR AT PAGES 329-337.

IN RE: PUBLIC HEARING ON REZONING CASE C-5-90, SMITHDEAL

Mr. Emerson read the Statement of Proffers which had been presented to the Board under separate copy, and followed with detailed explanation. A video of the subject property was shown. John Slosjarik and Dr. Brian Wright spoke in favor of the rezoning, both mentioning the need for new businesses to come into the county to increase the tax base. Opposing the rezoning were Wayne Stewart, Eugene Moore, Greg Davis, Janice Lawrence, Bob Sulcer, Ron Jordan, Ima Sowers, and Wayne Little, several referring to a belief that their property would be devalued. Mr. Ringley read a letter from Mr. Charles T. Gillette who had opposed rezoning to B-2 but could support rezoning to B-1.

After lengthy discussion, Mr. Ringley moved to send the application back to the Planning Commission for further review.

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

IN RE: CONDITIONAL USE PERMIT CUP-2-90, CAPITAL CITY COON HUNTERS

Mr. Emerson presented the application of Capital City Coon Hunters for a conditional use permit to operate a hunt club in an agricultural zone. The property is located on Route 604 and a video of the isolated property was shown. Mr. Ellyson suggested that a condition be added that no alcoholic beverages are to be consumed on the premises.

Mr. Ellyson moved that the Board defer action and set for public hearing at the November meeting after proper notification of all adjoining landowners.

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

IN RE: CONDITIONAL USE PERMIT CUP-6-90, VIRGINIA NATURAL GAS
PIPELINE

Mr. Robinson stated that a subject of such magnitude and far reaching consequences warrants a public hearing before the issuance of a permit.

Mr. Ellyson moved that CUP-6-90 be set for a public hearing in January 1991 and that all affected property owners be notified.

Mr. Robinson moved to amend the motion and set for public hearing in November.

Mr. Ellyson accepted a friendly amendment to set for public hearing in December. Motion passed.

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

IN RE: RESOLUTION R-35-90, EMERGENCY OPERATIONS PLAN

The Emergency Operations Plan, last adopted by resolution in September 1986, has been completely revised and updated. Mr. Robinson moved to defer action on Resolution R-35-90 until the November meeting.

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

IN RE: APPOINTMENTS

At the regular September Board meeting, it was requested that a Board Member be assigned to the CADRE Parents Committee. After some discussion, it was agreed that Mr. Boroughs and Mr. Ringley would try to attend as many meetings as they could.

IN RE: 1991 LEGISLATIVE PACKAGE

The Board set the date of October 29th for a work session on the 1991 Legislative Package, the meeting to begin with a light meal at 6:30 p.m. The meeting will be held in the Lower Conference Room following the work session with architects of the courthouse renovation project.

IN RE: CAPITAL AREA AIRPORT COMMISSION

Discussion of the subject resulted in agreement to defer consideration until the first of next year. Staff is to continue forwarding material to the Board.

IN RE: NOVEMBER MEETING DATE

The November meeting of the Board was set for Tuesday, November 13, 1990, with instruction to publish a change-of-date notice in the newspaper.

Mr. Robinson made a motion that the Board refer an ordinance amendment to the Planning Commission, being an amendment of Sec. 9-243 of Division 15 that would require that adjacent property owners to be notified in writing prior to the Board considering an application for a conditional use permit.

He further amended the motion to require staff to notify adjacent property owners as a matter of practice between now and the time the ordinance amendment may be adopted.

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

Mr. Boroughs moved to adjourn the meeting.

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