

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE THIRTEENTH DAY OF NOVEMBER 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 October 8, 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 he will attend a meeting of the Transportation and Safety Committee meeting to be held when VACo meets at The Homestead November 18-20, 1990. The committee has discussed items that relate to the 1991 VACo Legislative Package.

Mr. Ringley reported that he had attended a meeting of the Hanover Health Committee.

IN RE: FINANCE REPORTS

Mr. Ellyson moved to approve the expenditures for the month of October 1990 totaling \$271,698.48 as presented in the monthly expenditures report.

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

IN RE: TREASURER'S REPORT

Mr. Ellyson moved 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.

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

IN RE: STAFF REPORTS

Mr. R. Joseph Emerson, Jr., Planning Director, introduced to the Board a document called "Memorandum of Understanding" and explained that authorization is needed for executing the agreement. Mr. Robinson moved to authorize the Chairman of the Board and the County Administrator to execute the Memorandum of Understanding between the Colonial Soil and Water Conservation District and New Kent County in order for the Soil and Water Conservation

District to be responsible for the approval of soil and water quality conservation plans as required by the Chesapeake Bay Preservation Act.

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

Mr. Patrick J. Morgan, County Attorney, gave each of the Board members a copy of an "Outline of Proposed Statement for Mr. Ringley," which the chairman will deliver at a meeting on November 26th at Phillip Morris. The meeting was proposed by Richmond Regional Planning District Commission to discuss with the legislators problems experienced by the County in dealing with provisions of the Chesapeake Bay Preservation Act. No action was necessary.

Mr. H. Garrett Hart, III, County Administrator, reported that he had attended a meeting of the Virginia Board of Corrections to which he had been invited to discuss aspects of the regional jail project.

Mr. Hart also brought up the subject of the application of Virginia Natural Gas for a conditional use permit. He said that staff has received several citizens' complaints. He proposed that the public hearing which had been scheduled for December be postponed until January, with a request that Virginia Natural Gas be present at the December meeting to give a full explanation as to where exactly the pipeline is going in relation to the easement, and that they certify that all property owners have been notified. The Board entered into lengthy discussion concerning the matter. Mr. Boroughs moved to cancel the public hearing with Virginia Natural Gas pipeline in December and to have members of Virginia Natural Gas at the Board meeting to discuss the full aspects of what they intend to do with the pipeline in connection with the application.

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

Mr. Hart mentioned that correspondence from Virginia Association of Counties included an 8-minute video concerning their mission and goal which would be presented toward the end of the Board meeting.

IN RE: PUBLIC HEARING, CONDITIONAL USE PERMIT CUP-2-90

Mr. Emerson again presented the application of Capital City Coon Hunters Association for a conditional use permit to operate a hunt club in an agricultural zone on property located on Route 604. He said that additional information had been received, and that adjacent property owners had been notified. A short video of the property was shown. Walter McCormick, member of the hunt club, answered questions asked by Mr. Hart and Mr. Robinson. Mr. McCormick said that he had concerns about Item No. 10, Conditions for Approval, concerning a yearly basis for renewal of permit; and with Item No. 11, no alcoholic beverages on premises. Mr. Johnny Brown, an adjacent landowner, opposed approval of the permit. Mr. Robinson moved approval of Conditional Use Permit CUP-2-90 with the following conditions, as amended: (1) A site plan be submitted; (2) The hunt club shall be located two hundred and fifty (250) feet from the property line of a residential use; (3) The shooting hours shall be restricted between 6 a.m. and 10 p.m., including target practice; (4) No permanent or extended overnight lodging; (5) Dog pens and runs

are to conform to State Health Department standards as to construction and cleanliness; (6) No unlicensed vehicles to be left on the property; (7) Sanitation facilities must be approved by the Health Department; (8) No dumping of trash or open unattended fire barrels; (9) No shooting matches without the proper county permits and approval; and (10) Renewal of the permit every five (5) years. Motion passed.

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

IN RE: RESIDENT ENGINEER'S REPORT

Mr. Tom Hawthorne reported that the Commonwealth Transportation Board on October 23rd took action to deallocate funds from the current year's secondary budget, reducing funds from \$630,285 to \$561,486, approximately \$59,000 reduction this year.

IN RE: CABLE TV

Mr. William Newborg of 1st Commonwealth Communications, Inc., presented a short report and answered questions concerning technical problems with reception in Five Lakes.

IN RE: RESOLUTION OF APPRECIATION R-36-90, DR. FARRAR W. HOWARD

Mr. Robinson moved to adopt Resolution R-36-90 expressing appreciation for Dr. Howard's many years of service devoted to citizens of New Kent County. Dr. Howard retired in October.

FOR RESOLUTION R-36-90 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX FOUR AT PAGE 338.

IN RE: REGISTRAR'S REPORT

Ms. Gwen Ellyson, New Kent County Registrar, reported on voter registration activities for the past year. Total number of registrants as of November 13, 1990 is 5,669. She presented the Abstract of Votes cast in the County of New Kent at the November 6, 1990 General Election.

FOR ABSTRACT OF VOTES, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX FOUR, AT PAGES 339-344.

IN RE: REZONING CASE C-5-90, W. T. AND CHARLYNE W. SMITHDEAL, JR.

At its October meeting the Board referred this rezoning case back to the Planning Commission. In his recounting of information concerning the case, Mr. Emerson reported that the Planning Commission favored approval. Mr. Ringley moved to approve Rezoning Case C-5-90. Motion passed.

Robert A. Boroughs	Aye
Paul C. Robinson	Aye
Richard S. Ellyson	Aye

E. David Ringley Aye

IN RE: SALE OF PROPERTY AT AIRPORT

Mr. Hart reported that he and members of the Public Safety Department had met at the property and determined what needs to be done to ready it for sale. He recalled that in previous discussions the Board expressed a desire to sell both by auction and by sealed bid. In response to Mr. Robinson's question, Mr. Morgan said that it would not be necessary to hold another public hearing on the matter. Mr. Robinson recommended that Staff proceed with readying the property for sale, and requested that the Board be provided with the appraiser's report and with copies of the announcement of the sale, looking toward a possible sale in January.

IN RE: EMERGENCY OPERATIONS PLAN

Mr. J. Lawrence Gallaher, Jr., Director of Public Safety, summarized the major changes in the updated plan from the previous plan, adopted in 1986. He said that basically the plan is the same but is structured a little differently; that the 1986 plan had specific hazards that were planned for but the update has specific sections and will be easier to follow. Then a discussion focused on the Board's availability or unavailability, due to a possible disaster, to pass the required resolution declaring an emergency. Mr. Ellyson moved to adopt Resolution R-35-90 as presented.

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

FOR RESOLUTION R-35-90 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX FOUR, AT PAGE 345.

IN RE: COUNTY PROCUREMENT POLICY

Mr. Morgan, County Attorney, said that the updated Procurement Policy includes a few modifications, particularly in (1) Sec. 2-1 raising the amount to \$15,000 maximum for which a purchase may be made without going through the formal procurement procedure; (2) When procuring nonprofessional services, the Board determines in advance that competitive sealed bidding is not practical or fiscally advantageous to the public; and (3) Update of sections that quote the Code of Virginia to ensure that any changes in Code of Virginia do reflect in the County's Procurement Policy. Mr. Ellyson moved to readopt the Procurement Policy as revised.

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

IN RE: BANKING SERVICES

Mr. Morgan reported that sometime ago a committee composed of the Treasurer, County Administrator, and County Attorney had interviewed the four applicants for banking services. The committee found that the most impressive proposal was presented by Sovran Bank, including a recommendation that an account with Citizens and Farmers Bank be maintained also for ease of

depositing and transferring funds. Mr. Ellyson moved that the Board go into executive session for discussions relating to investment of public funds where competition or bargaining is involved pursuant to § 2.1-344(a)(6) of the Code of Virginia.

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

Mr. Ringley stated that it was unknown at that point whether any action would be taken. When the Board returned, Mr. Robinson moved to resume the meeting. Motion carried as follows:

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

Mr. Robinson certified that the matters discussed in executive session were matters involving banking services, the proposal for which the Board went into executive session, and that no other business was discussed that was not permissible in executive session.

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

IN RE: MEETING SCHEDULE

Mr. Emerson announced that the Board would meet with the Planning Commission at 7:30 p.m. on November 26th for a work session on Chesapeake Bay regulations. He also said that there would be a joint public hearing on November 28th for AFD's and HB 1076, to be followed with an attempt to culminate the final review of the Comprehensive Plan. The next regular Board meeting will be held on Monday, December 10, 1990.

The video on VACo was shown, after which Mr. Ringley 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