

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE THIRTEENTH DAY OF MARCH IN THE YEAR OF OUR LORD NINETEEN HUNDRED EIGHTY-NINE 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

Motion was made by Mr. Boroughs to approve the minutes as presented and carried as follows:

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

IN RE: ELECTED OFFICIALS' REPORTS

Sheriff Howard gave the Board a status report on the development of a regional jail in Saluda. He reported that it may be as much as three years before the additional space at the Saluda Jail would be available. Garrett Hart, County Administrator, added that Hanover County had contacted the County concerning a regional jail being constructed in Hanover. He stated that he and the Sheriff would meet with Hanover County officials and report back to the Board.

Mr. Robinson stated that the Finance Committee had met recently with an auditor from Robinson, Farmer & Cox to review the audit. He also stated that the Richmond Regional Planning District Commission had finalized their budget and would be requesting a nine cent increase in membership dues.

Motion was made by Mr. Ringley to reappoint Rick Howell (from District Two) to serve on the Historic Commission for a four year term ending December 31, 1992. Motion carried as follows:

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

Mr. Boroughs thanked Mr. Gallaher, Director of Public Safety, and Mr. Pryor, Animal Warden, for their diligence in enforcing violations at the dumpster sites. Mr. Boroughs then presented a proposed resolution (R-7-89) which would allow New Kent County to be eligible for the Section 8 Existing Housing Assistance Payments Program. He explained these funds would be administered by the Quin Rivers Agency for Community Action, Inc. for rehabilitation of substandard housing in the County.

Mr. Robinson asked if the County would be required to provide any matching funds for this grant. Mr. Hart stated that through his discussions with Mr. Rollins of the Quin Rivers Agency the County would be required to provide no local funding to this program.

Motion was made by Mr. Boroughs to adopt resolution R-7-89 as presented and carried as follows:

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

FOR RESOLUTION R-7-89 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX BOOK FOUR AT PAGE 134.

IN RE: FINANCE REPORT

Motion was made by Mr. Robinson to approve the expenditures for the month of February, 1989, totaling \$217,990.45 as presented in the monthly expenditure report and carried as follows:

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

IN RE: PRESENTATION OF COUNTY AUDIT

Mr. Randolph C. Jones of Robinson, Farmer & Cox, presented the County audit for the year ending June 30, 1988. Mr. Jones explained that he had met with the Board's Finance Committee recently and reported that there were no problems in the County's accounts which require attention at this time.

The Chairman acknowledged receipt of the audit and thanked Mr. Jones for his attendance.

IN RE: RESIDENT ENGINEER'S REPORT

Mr. Cliff Wallace of the Virginia Department of Transportation, reported that at the February meeting there was some discussion concerning the signing of the Route 612/249 intersection. He stated that the traffic engineers had reviewed the intersection and found that it needed no further signing. He stated that it was presently signed with the largest stop sign available.

Mr. Wallace asked the Board's permission to hold a public hearing on the 1989-90 annual budget at the May 8, 1989, Board meeting. It was the consensus of the Board to authorize the public hearing.

Mr. Wallace gave an update on the following projects: (1) Wrights' Corner Project (realignment of Routes 665, 640, and 612 intersection), (2) Route 627, (3) Route 613, and (4) Route 606.

IN RE: REPORT FROM THE COMMITTEE ON PARI-MUTUEL RACING IN NEW KENT COUNTY

Mr. C. Linwood Gregory, Chairman of the Committee on Pari-Mutuel Racing in New Kent County, presented the Board of Supervisors with their final report. He thanked the Board for the opportunity to serve on this committee and acknowledged the contributions made by many members of the Committee. He especially thanked Stran Trout who composed the first draft of the report and typed the final report. He thanked Mark Kilduff and Charles Davis who co-authored the report along with Mr. Trout and himself. He thanked Sheriff Howard for his report on his visit to the Charles Town Track in West Virginia and David Frank for his five page report

on his findings concerning the Prairie Meadows Track. He acknowledged the assistance of Harold Seitz, Administrative Fire Chief of the Volunteer Fire Department, and Mr. Levi Dillon who shared his knowledge of horses and horse racing. Mr. Gregory also thanked the County Staff and Mr. Charles Yeatts, Commissioner of the Revenue, for his assistance.

Mr. Gregory summarized the report stated that New Kent County is an ideal location for the construction of a "Class A" horse track, commercial development would be stimulated, extensive resident development was not anticipated, about 600 full-time equivalent jobs would be created, the County should receive approximately \$1,000,000 annually in revenues derived from the facility, horse racing was an environmentally clean industry, and crime has been found to be extremely low in and around horse tracks.

Mr. Gregory then listed the Committee's recommendations:

A. A study should be made of the need for and best methods of establishing a waste water treatment plant to service new development in the County including the proposed race track.

B. New Kent County should maintain strict architectural control over the race track and over other commercial development in the vicinity. A land use plan should be made for the vicinity.

C. A "buffer zone" should be required around the track for the protection of the track facility and the surrounding landowners.

D. The track's demand on the County's fire and rescue resources should be clearly addressed by the developer.

E. Due to the scope of such a project, and the long term impact on the County, a New Kent Racing Committee, small in number, should be established to assist the Board of Supervisors in overseeing the planning, construction, and operation of the racing facility.

F. The environmental impact of any proposed race track project should be given due consideration.

Mr. Robinson asked Mr. Gregory if it was the Committee's intent that items A, B, C, D, and F would be addressed when a particular site or project was proposed. Mr. Gregory stated that was correct.

Mr. Ringley asked if the Committee had considered the make up of the committee recommended by item E. Mr. Gregory felt that two County staff members, a Board member, the Sheriff, and a small number of citizens would be appropriate for such a committee.

Mr. Robinson stated the Committee effectively addressed the issues and commended the Committee for their report which he felt reflected a "job well done".

Mr. Ellyson recognized the attendance of ten members of the committee at the meeting. Mr. John Mihalcoe, a member of the Racing Committee, stated this was one of the "cheapest studies" the County had received.

Motion was made by Mr. Robinson to disband the Committee on Pari-Mutuel Racing in New Kent County. The motion carried as follows:

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

IN RE: AIRPORT MANAGER'S QUARTERLY REPORT

Mr. Arthur Worley, Airport Manager and Fixed Base Operator at the New Kent County Airport, gave a brief report of the activities at the airport ending December 31, 1988. Mr. Worley invited the general public to visit the airport.

Mr. Robinson asked how many aircraft were regularly housed at the airport. Mr. Worley stated approximately 50 aircraft. Mr. Robinson then asked if the fencing project had begun at the airport. Mr. Worley stated that the project was underway.

IN RE: INDUSTRIAL PARK SALE

The Chairman explained that Mr. Robinson had been requested at the February meeting to make a report to the Board on his recommendations for the sale of the industrial park property at the New Kent Airport. Mr. Robinson reviewed his report which gave a background review of the property and several operations the County might undertake in developing the property. He stated that the Board needed to address this question; Does the County have the money, expertise and time to develop the Industrial Park if it is determined to be economically feasible? Mr. Robinson made the following recommendations:

1. Sell the first parcel to the current prospect as previously outlined;
2. Perform soil analysis and feasibility analysis to determine the most economical and profitable development plan, and to discover some of the potential limitations on the development of this parcel of land;
3. Have the land appraised as a single tract to be sold "as is" and as developed sites per the preliminary plan initially suggested by Wilbur Smith, less and except the initial parcel sold.

Mr. Ellyson thanked Mr. Robinson for the excellent job he did on the report.

Following discussion, motion was made by Mr. Boroughs to accept the recommendation of Mr. Robinson and negotiate for the sale of the first parcel to the current prospect as previously outlined and perform soil analysis and feasibility analysis to determine the most economical and profitable development plan for the balance of the property. Motion carried as follows:

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

IN RE: APPOINTMENTS

Motion was made by Mr. Boroughs to reappoint Mr. E. David Ringley as the Board of Supervisors' representative to the Hanover District Health Advisory Board for a two year term ending December 31, 1990, 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 appoint Mr. Richard S. Ellyson as the Board of Supervisors' alternate representative to the Richmond Regional Planning District Commission for a term ending December 31, 1991, and carried as follows:

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

Mr. Hart explained that he had contacted Mr. Henry Haupt who was currently serving on the James River Certified Development Corporation and he had requested not to be reappointed to the CDC. Mr. Robinson stated that he had someone in mind who was also in the banking field, however, he would like to withhold his recommendation until the next meeting.

Motion was made by Mr. Boroughs to reappoint Mr. Paul Robinson as New Kent County's representative on the James River Certified Development Corporation for a one year term beginning July 1, 1989 and ending June 30, 1990. Motion carried as follows:

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

Motion was made by Mr. Robinson to appoint David Frank, as District One's representative, Clarence Talley as District Two's representative, David Paul as District Three's representative, and John A. Hubbard, Jr. as District Four's representative on the Comprehensive Plan Review Committee. Motion carried as follows:

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

IN RE: HISTORIC COMMISSION'S ANNUAL REPORT

Ms. Diane Jenkins, Chairperson of the New Kent Historic Commission, presented the Commission's 1988 Annual Report to the Board. She stated that they Commission was actively developing an Historic Preservation District zoning classification for the Board's consideration. She felt that preservation and economic development could work together. Ms. Jenkins also reported that the Virginia Landmarks Commission was conducting a survey of the County's historic sites which should be complete in September. She also requested a joint work session with the Board to discuss several items mentioned in the report in more detail.

Mr. Robinson asked what was the function of the Historic Society. Ms. Jenkins stated that it was a private organization and not affiliated with the County government.

The Chairman thanked Ms. Jenkins for her report and stated that the Board would schedule a joint meeting with the Historic Commission following the budget process.

IN RE: AULTMAN CONDITIONAL USE PERMIT

Mr. Hart explained that the County had received a conditional use permit application (CUP-1-89) from Wanda Aultman for the operation of an amusement arcade in the Austin's Auto Glass building in Providence Forge. He reminded the Board that a similar conditional use permit had been issued for an operation in the same building several years ago and recommended that this application be issued with the same conditions.

Mr. Robinson stated that he had received complaints of litter in the general area of this operation and suggested the requirement of trash receptacles at the location.

Mr. Ringley asked if the Board could require an adult attendant on the premises at all times. County Attorney, Patrick Morgan, stated he felt this would not be a legal requirement.

Motion was made by Mr. Robinson to approve conditional use permit CUP-1-89 with the following conditions:

1. that no alcoholic beverages are to be sold on the premises,
2. hours of operation shall be from 11:30 a.m. to 11:00 p.m., and
3. waste paper receptacles shall be placed on the parking lot of the use.

Motion carried as follows:

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

IN RE: JIM'S BODY SHOP CONDITIONAL USE PERMIT

Mr. Hart explained that the County had received a conditional use permit from Jim's Body Shop to operate their business in a B-2 zoning district.

Mr. Robinson felt that it may be proper to require certain conditions on this permit and suggested perhaps restricting the number or time that vehicles can be kept.

Mr. Xuong B. Nguyen, applicant, was present and stated that he had no problems with the conditions.

Motion was made by Mr. Robinson to approve conditional use permit CUP-2-89 with the condition that all disabled vehicles are to be maintained under cover or screened from public view. Motion carried as follows:

Paul C. Robinson	Aye
E. David Ringley	Aye

Robert A. Boroughs Aye
Richard S. Ellyson Aye

IN RE: TAX REFUNDS

The Chairman explained that the Commissioner of Revenue had requested tax refunds to be made to Bernard Eacho, Jr., General Electric Credit Auto Lease, Inc. and Textron Financial Corporation.

Motion was made by Mr. Robinson to adopt resolution R-6-89 as presented which would authorize refunds to Bernard Echo, Jr. in the amount of \$429.00, General Electric Credit Auto Lease, Inc. in the amount of \$129.00 and Textron Financial Corporation in the amount of \$3,291.00. Motion carried as follows:

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

FOR RESOLUTION R-6-89 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX BOOK FOUR AT PAGE 134.

IN RE: BUDGET WORK SESSIONS SCHEDULED

The County Administrator stated that he would like to have at least three budget work sessions with the Board in preparation of the FY 1989-90 County Budget. He explained in the first meeting he would like to review those department's budgets directly under the Board's control, during the second meeting he would like to schedule the Board to meet with the Constitutional Officers, state agencies, fire department, rescue squad, etc., and during the third meeting he would like to review revenues.

The Board scheduled work sessions on Wednesday, March 29, 1989, at 7:30 p.m., tentatively scheduled a work session with the School Board on April 6, 1989, at 7:30 p.m. and a work session on April 17, 1989, at 7:30 p.m.

IN RE: SELECTION OF ARCHITECTURAL SERVICES - COURTHOUSE
EXPANSION PROJECT

The Chairman explained that the County had advertised for requests for proposals for architectural services for the proposed additions to the courthouse. He stated that the review committee, composed of himself, the County Administrator and County Attorney, had reviewed the proposals and were ready to make a recommendation to the Board.

As this matter concerns the negotiation of a contract, motion was made by Mr. Robinson to go into executive session in accordance with Section 2.1-344(a)(5) of the Code of Virginia 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. Ringley to resume the regular meeting 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. Robinson to negotiate for architectural services with Williams, Tazewell and Cook. Motion carried as follows:

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

There being no further business, motion was made by Mr. Ringley to adjourn the meeting and carried as follows:

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

H. Garrett Hart, III
County Administrator

Richard S. Ellyson
Chairman