

A REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD ON THE NINTH DAY OF MAY IN THE YEAR OF OUR LORD NINETEEN HUNDRED EIGHTY-EIGHT IN THE BOARD ROOM OF THE COUNTY ADMINISTRATION BUILDING, NEW KENT, VIRGINIA. THE CHAIRMAN CALLED THE MEETING TO ORDER WITH ALL MEMBERS PRESENT.

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IN RE: APPROVAL OF MINUTES

Motion was made by Mr. Ringley to approve the minutes as corrected and carried as follows

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

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IN RE: ELECTED OFFICIAL'S REPORTS

Mr. Boroughs announced that the Planning Commission had begun work on the update of the Comprehensive Plan and the County had applied for a grant to fund consultant work on the Plan. Also, the Planning Commission would begin work sessions in the near future on the Subdivision Ordinance as it regulates commercial properties.

The Chairman explained that there were two very active Ruritan Clubs in New Kent County; one being in Providence Forge and the other being in Quinton. He reviewed proposed ordinance R-19-88 which proclaimed Sunday, May 25, 1988 as Ruritan Sunday and the week of May 15-21, 1988 as Ruritan Week. Motion was made by Mr. Ringley to adopt resolution R-19-88 as presented and carried as follows:

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

The Chairman then presented copies of the resolution to representatives of the New Kent and Providence Forge Ruritan Clubs.

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FOR RESOLUTION R-19-88 SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX FOUR AT PAGE 27.

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IN RE: FINANCE REPORT

The Chairman announced that he and the County Administrator had reviewed the expenditures and that they were available to all Board members. Motion was made by Mr. Boroughs to approve the expenditures for the month of April, 1988 totaling \$193,324.60 as presented in the monthly expenditure report and carried as follows:

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

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IN RE: STAFF REPORTS

H. Garrett Hart, III, County Administrator, announced that Animal Warden, Jesse Perdue, has resigned from his position with the County and at the present time Mr. Bradley Briggs, Assistant Animal Warden, is taking over Mr. Perdue's duties. The County is presently advertising the position of Animal Warden. He also announced that the County had three rabies cases in the last two weeks.

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IN RE:           RESIDENT ENGINEER'S REPORT

Tom Hawthorne, Resident Engineer, introduced the new maintenance superintendent for New Kent County, Mr. Don Withrow.

Mr. Boroughs as the status of the installation of the signal light at Routes 249 and 33. Mr. Hawthorne stated that there had been a delay in getting the strobe lights and that as soon as they were received, the lights would be operational.

The Chairman asked when the improvement of the intersection of Routes 155 and 60 would be completed. Mr. Hawthorne stated that it was scheduled to be advertised in September and would not be completed until Spring of 1989.

The chairman also asked about the passing lane on Route 647. Mr. Hawthorne explained that there had been a weather delay, however, he hoped work would resume this week. He also asked that regular maintenance be kept up on Route 627.

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IN RE:           REQUESTS OF TRANSPORTATION SAFETY COMMISSION

Mr. J. Lawrence Gallaher, Director of Public Safety, presented several requests to the Board which had been addressed at the April meeting of the Transportation Safety Commission. These three items were as follows:

1. The Commission recommends that the Board of Supervisors request that the Virginia Department of Transportation (VDOT) study the possibility of marking Route 249 from Route 640 north-eastward to the top of Pomeroy Hill with a double solid line.
2. The Commission recommends a speed study for Route 249 from the entrance of Clintwood East to Bottoms Bridge.
3. The Commission recommends support for the construction of a commuter park and ride lot on Route 60 at Bottoms Bridge.

The Chairman stated that he recalled requesting the Virginia Department of Transportation (VDOT) to do a speed study on Route 249 from Route 665 to Bottoms Bridge in the past. Mr. Gallaher stated that this was correct and VDOT turned down the request.

The Board entered into discussion concerning request number three regarding the park and ride lot. The proposed site was located at the intersection of Routes 60 and old Route 33. Mr. Hawthorne stated that financing would have to be obtained.

Motion was made by Mr. Boroughs to authorize the County Administrator to send a letter to VDOT regarding items one and two of the Transportation Safety Commission's request and that the staff and VDOT evaluate item three. Motion carried as follows:

Richard S. Ellyson	Aye
E. David Ringley	Aye
Robert A. Boroughs	Aye

Paul C. Robinson

Aye

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IN RE: RESOLUTION; OLD LOCK LANE - RURAL ADDITION

Mr. Ellyson stated that the residents of Old Lock Lane and the County staff had been working for quite sometime regarding getting Old Lock Lane road into the state secondary system as a rural addition. Mr. Ellyson motioned to adopt resolution R-16-88 which requests the road be taken into the state secondary system and carried as follows:

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

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FOR RESOLUTION R-16-88 AS ADOPTED SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX BOOK FOUR AT PAGE 28.

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IN RE: PROPOSED AMENDMENT TO CHAPTER 5 OF THE NEW KENT COUNTY CODE

The Chairman stated that staff had recommended the amendment of Section 5-14 of the New kent County Code as it pertains to the marking of lot lines for inspection purposes. He explained that this section needed to be brought into compliance with the newly adopted zoning ordinance.

Following discussion, motion was made by Mr. Ringley to authorize the advertisement of a proposed ordinance to amend Section 5-14 of the County Code for public hearing on June 13, 1988. Motion carried as follows:

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

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IN RE: TAX REFUND - CHARLOTTE HOLLEY

The Chairman stated that the Commissioner of Revenue had requested authorization of a tax refund in the amount of \$105.00 to Ms. Charlotte Holley for over payment of 1987 personal property taxes. Motion was made by Mr. Ellyson to defer action for additional information on the confusion between the two cars cited and carried as follows:

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

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IN RE: PUBLIC HEARING; 1988-89 ANNUAL SECONDARY HIGHWAY BUDGET AND PRIORITY CONSTRUCTION LIST

Mr. Hawthorne, Resident Engineer of the VDOT, gave a brief presentation on the 1988-89 Annual Secondary Highway Budget and proposed priority list. He explained that it was a requirement of state law that a public hearing be held annually.

Mr. Hawthorne reviewed the proposed priority project with County-wide incidental improvements being first. This category included rural additions, pipe installation at private entrances and surveying and preliminary engineering work. The next project listed was the reconstruction and realignment of the intersection of Routes 640 and 655 at Wrights Corner. He explained that this project was scheduled to be advertised in October. He pointed out that the total budget figure for the priority listing of \$598,300 was a preliminary figure and could be adjusted.

Mr. David Krebs, a resident of Old Lock Lane, thanked the staff for their hard work in getting the right-of-way obtained for improvement of their road. He asked when they could expect some work to be done on their road. Mr. Hawthorne stated the earliest any construction could begin would be July 1st. Mr. Robinson stated that he would like to disclose on item eight, Project 0613-063-132,M502 as he owns a parcel of land which would be affected by the road relocation and he will abstain from voting on that portion of the road improvements budget.

Mr. Ringley also disclosed that he would take no part in discussion or voting on item eight as he also had a personal interest in property which would be affected by the relocation of the intersection.

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FOR DISCLOSURE FORMS OF MR. RINGLEY AND MR. ROBINSON SEE BOARD OF SUPERVISORS ORDER BOOK, PAGES 29-30.

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Mr. Gene Martin stated that as a long time resident of the County he has observed the increased traffic load on rural roads which were designed to carry less traffic. He asked if the Board and VDOT had an ongoing program for the improvement and upgrade of these rural roads. Mr. Hawthorne explained that the Board has developed a Six Year Plan and the road projects stressed were those involving safety hazards. He further stated that it was unfortunate that a large number of road miles in the County were not designed for heavy traffic, however, it would take many years and many dollars to correct the situation.

Mr. Ringley asked why the similar projects of item three and item five were so much different in funding. Mr. Hawthorne stated that item five was additional financing whereas item three was complete financing. There being no further comment, Mr. Hawthorne closed his portion of the public hearing.

Following discussion, motion was made by Mr. Boroughs to approve resolution R-17-88 with the exception of item eight and carried as follows:

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

Motion was made by Mr. Ellyson to adopt resolution R-17A-88 to include project number 0613-063-132,M502 and carried as follows:

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

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FOR RESOLUTIONS AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX FOUR, AT PAGES 31-32.

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IN RE: PUBLIC HEARING; CONDITIONAL USE PERMIT TO OPERATE A BORROW PIT  
BRITTS, INC.

The Chairman opened a public hearing on a request from Britts, Inc. to operate a borrow pit (sand mining operation) on tax parcel 28A1-250A located approximately one-half mile off of Route 33 in Eltham. He explained that the operation of a borrow pit is a permitted use in the A-1, agricultural district with a conditional use permit. He briefly reviewed a staff report which stated that based on a meeting with representatives of the Department on Mines, Minerals & Energy and the Virginia Marine Resources Commission, the staff felt that the operation would be sufficiently regulated by the state so as not to constitute a threat to the health of safety of the environment or neighborhood.

The County Administrator, Garrett Hart, explained that the Division of Mines, Minerals & Energy has informed staff that they will hold their own public hearing at which time all residents within 1000 feet of the operation will be notified. Mr. Hart reviewed several conditions the staff recommended for the Board's discussion.

Mr. Clarence Turner, a resident of Kentwood Subdivision, stated that when they purchased their lot they were given a subdivision plan and asked what happened to the lots which were at the borrow pit site. Mr. Britt explained that the plat they refer to is very old and that many of the lots on the plat are no longer in existence. He stated they were either under water or marshland. Mr. Turner also expressed concern about the road to be used for the borrow pit site. The Chairman explained that the maintenance of the road had been recommended by staff to be a condition of the conditional use permit.

Mr. John Royster, representing Britts, Inc., stated that as a result of a meeting with Mr. Turner and other residents in the area, they had decided to move the road serving the borrow pit area in a more easterly direction.

Mr. Boroughs asked that the slides shown at the April Board meeting be shown once again for those present. Mr. John Royster gave a slide presentation which showed the area to be excavated. Mr. Royal Bowyer expressed his desire to see the Division of Mines, Minerals and Energy hold their public hearing locally rather than Richmond. The Chairman stated that the County would make that request.

The Chairman pointed out that the actual mining activities would be at least 300 feet from the nearest residence.

Mr. Randy Woodruff expressed concern about the possible reduction in land value in the are and stated he was opposed to the issuance of the permit.

Mr. Royal Bowyer expressed his concern for a mosquito problem being created as the pond area would be stagnant. He asked Mr. Royster what the pond would be used for upon completion. Mr. Royster stated it would be used for recreational purposes.

Mr. Bowyer stated that he was not for or against the project, however, he does live in the neighborhood and would like additional information on the project. Mr. Royster stated that they would be glad to answer any questions at anytime in their offices at Eltham.

Motion was made by Mr. Boroughs to close the public hearing and carried as follows:

Richard S. Ellyson  
E. David Ringley

Aye  
Aye



The Chairman explained that a new local Health Board was being organized for the Hanover Health District of which New Kent was a participant. he stated that one appointment needed to be made from New Kent County to serve on the Board. Following discussion, motion was made by Mr. Robinson to appoint Mr. Ringley to serve on the newly organized regional Local Health Board and carried as follows:

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

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IN RE: MEETING SCHEDULE

The Chairman announced that the Board's next regular meeting had been scheduled for Monday, June 13, 1988. Also, a joint meeting with the Planning Commission will be held on May 23, 1988. The Chairman announced that beginning with the June Planning Commission meeting, the Commission would be meeting on the Third Tuesday of Each Month.

Following a discussion concerning improvements to the courthouse facilities, the Chairman referred the matter to the Public Works Committee to meet with the County Administrator and Judge Carneal on May 16, 1988 at 9:30 p.m.

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IN RE: CITIZENS' COMMENT PERIOD

Mr. Harold Seitz, Administrative Chief of the New Kent Volunteer Fire Department, reported that they had sent out over 5,000 letter requesting contributions to the Fire Department. Of those letters, the Department received only 475 responses. The Chairman asked what was the dollar amount received. Mr. Seitz stated that approximately \$16,000 had been received from the letters alone.

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Motion was made by Mr. Boroughs to adjourn the meeting and carried as follows:

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

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H. Garrett Hart, III  
County Administrator

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Paul C. Robinson  
Chairman