

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

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IN RE:           APPROVAL OF MINUTES

The County Administrator explained that the Planning Commission had adopted the June 21, 1988 public hearing minutes with a change in the wording concerning Linda Crenshaw's comments at the hearing.

Following discussion concerning the minutes of the public hearing, motion was made by Mr. Ellyson to approve the minutes as amended with the understanding that the County Administrator would check the minutes against the transcript taken at the hearing. 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:           ELECTED OFFICIALS' REPORTS

Mr. Charles Yeatts, Commissioner of the Revenue, gave the Board a progress report on the revenue he anticipates the County will derive from the upcoming tax year. He reported an increase of approximately \$253,000 in personal property and \$135,000 in real estate.

Mr. Ellyson reported that he had attended a Richmond Regional Planning District Commission Water Task Force meeting recently and the main emphasis had been a discussion on water needs by each locality.

Mr. Robinson stated that he had attended a Planning District Commission conference on July 22nd and July 23rd at which they had visited waste to energy recycling plants at Virginia Beach and Portsmouth. He also reported that he, the County Administrator and Mr. Ringley would be attending a conference at the Research Triangle in North Carolina on August 17th and 18th the theme of which would be Growth Management.

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IN RE:           TREASURER'S REPORT

The Treasurer distributed copies of the Treasurer's Report for the Board's review. Motion was made by Mr. Ellyson to accept the Treasurer's Report as presented 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:           FINANCE REPORT

The Chairman explained that he and the County Administrator had reviewed the monthly expenditures which were available to any Board member. Motion was made by Mr. Ringley to approve the expenditures for the month of July, 1988, totaling \$381,248.15 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

J. Lawrence Gallaher, Director of Public Safety, reported that on July 27th a truck loaded with 27,000 military rocket launchers overturned on Interstate 64 just east of the Route 33 exit in New Kent County. Mr. Gallaher distributed a proposed resolution of appreciation for all those who participated in the emergency for the Board's consideration.

Mr. Robinson stated that the staff had done an excellent job in handling the situation and he especially thanked Mrs. Thelma C. Wilson who represented the Red Cross in getting sandwiches and drinks to the rescue workers.

Following discussion, motion was made by Mr. Boroughs to adopt resolution R-29-88 as presented 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-29-88 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX FOUR AT PAGES 53-54.

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The County Attorney stated that due to a change in the State Code, the Board would be required to send all agricultural and forestal districts up for renewal to the Planning Commission and AFD Advisory Committee for their recommendation prior to approving renewal. Motion was made by Mr. Boroughs to allow this matter as an agenda item for discussion and carried as follows:

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

Following discussion, motion was made by Mr. Robinson to refer renewal of the Hampstead-Northbury-Shimokins, Old Dispatch, Pamunkey River Valley, Pamunkey River Valley II and Pamunkey River Valley III Agricultural and Forestal Districts to the AFD Advisory Committee and Planning Commission for recommendation 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:                 RESIDENT ENGINEER'S REPORT

Resident Engineer, Tom Hawthorne, reported that the Route 605 project at the new high school had been completed and accepted by the Virginia Department of Transportation.

Mr. Hawthorne also informed the Board that the plans for constructing a park and ride commuter lot in the median of Route 60 just west of its intersection with Route 249 had been approved and \$22,000 had been awarded for the project. He stated that construction of the lot should begin in September.

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IN RE:                   ZONING ORDINANCE AMENDMENT - PRINT SHOP DEFINITION

Frederick L. Bates, III, gave a staff report on the Board's request to amend the zoning ordinance to include a definition for print shops located in the B-1 zoning district. He presented five proposed definitions and explained that the Board could either select one or send all five definitions to the Planning Commission for their recommendation.

Mr. Ellyson asked about off-set printing and asked why it was not included in one of the definitions. Mr. Bates stated he would look into the inclusion of off-set printing.

Mr. Robinson asked that the definition for print shop indicate that production of harmful by-products through the printing process is not allowed in the B-1 district.

Motion was made by Mr. Ringley to refer the proposed definitions for print shop to the Planning Commission for their review and to be set for public hearing 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:                   STREET NAME SYSTEM

The Chairman explained that a work session had been held on August 1, 1988, on the street addressing system for the County and the Board had developed a list for consideration at this meeting. He asked if the Board members had any changes to make to the proposed list of street names prior to final action being taken.

Motion was made by Mr. Ellyson to change Route 611 from Quakers Road to Quaker Road in the proposed list of street names and carried as follows:

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

Mr. Ringley stated that in Five Lakes Subdivision there were three streets Lake Circle, Circle Drive and Club Circle, all of which were in the same general area and he felt the names were too similar. He suggested leaving Lake Circle, but changing Circle Drive to Cardinal Drive and Club Circle to Spring Drive. The Chairman pointed out that a private road in one of the five acre lot subdivisions was named Springhill Drive and felt Mr. Ringley might wish to rename Spring Drive.

There being some confusion, the Chairman recessed the meeting to allow the Supervisors to review the list and map more thoroughly. Following a brief recess, the Chairman called the meeting to order.

Motion was made by Mr. Ringley to change Route 1206 from Club Circle to Wilford Drive and Route 1205 from Circle Drive to Cardinal Drive 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. Boroughs to change Route 678 from Clarke Road to Slatersville Road due to the historic nature of the road and one portion of the road already being named Slatersville Road and carried as follows:

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

Mr. Ellyson stated that he had received a request to rename Route 630 Watkins Drive to George W. Watkins Drive. Mr. Hart indicated that it was the staff's recommendation and that of the post offices to keep the names as short as possible. Following discussion, motion was made by Mr. Ellyson to change Route 630 from Watkins Road to George W. Watkins Road and carried as follows:

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

The Chairman reviewed proposed resolution R-28-88 which would adopt the proposed list of street names as the official names for public right-of-ways in New Kent County and also delegate the authority of subsequent street naming to be the responsibility of the Director of Planning. Motion was made by Mr. Boroughs to adopt resolution R-28-88 as amended 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-28-88 AND ATTACHED STREET NAME LIST, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX FOUR, AT PAGES 55-61.

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#### IN RE: HISTORIC COMMISSION APPOINTMENT

Mr. Ringley informed the Board that Rev. Allen Coffey, District Two's representative on the Historic Commission had resigned due to his moving out of the County and he motioned to appoint Mr. Richard Howell to replace Mr. Coffey and fulfill his term on the Historic Commission. 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:            SOCIAL SERVICES BOARD, ANTI-LITTER COUNCIL, AND QUIN RIVERS  
                         AGENCY ON COMMUNITY ACTION APPOINTMENTS

Motion was made by Mr. Robinson to appoint as District Four's representatives; Diane Abbs to the Anti-Litter Council for a term ending December 31, 1991, Jean Salley to the Board of Social Services for a term ending December 31, 1992, and Ms. Charlene Christian to the Quin Rivers Agency for Community Action Board for a term ending December 31, 1991, 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:            DEBT SET-OFF PROGRAM

Ms. Betty B. Christian, Treasurer, explained the State's debt set-off program to the Board and stated she recommended the County participate. She stated that the program would allow the County to collect delinquent taxes through state tax refunds.

Mr. Ringley asked how long the taxes would have to go delinquent prior to collection by the State. Mrs. Christian stated that the list of delinquents was due to the State by October 15th of each year, therefore, the taxpayer would be approximately 15 months late prior to collection.

Mr. Ellyson stated that it was his understanding that any state claim (such as child support payments, etc.) would take precedent over the County's claim. Ms. Christian stated this was correct.

Mr. Robinson asked if they would collect fees other than taxes. Ms. Christian stated she would look into it, however, she felt taxes would be the only County funds allowed for collection.

Following collection, motion was made by Mr. Robinson to authorize participation in the set-off debt collection program and designate Betty B. Christian, Treasurer of New Kent County, as Set-off Debt Coordinator. 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:            HISTORIC SITE IDENTIFICATION MAP

Ms. Diane Jenkins, Chairperson of the New Kent Historic Commission, stated that the Commission has been working for five years on a historic map project and the Commission was now ready to display the map in the County Office Building. She explained that they were requesting \$1,500 to construct a display cabinet which would also house artifacts.

The Chairman stated that the Commission's minutes reflect a \$100 wood frame which would be constructed by the Vocational Agricultural Department at the High School and asked what happened to this project. Ms. Jenkins stated that several years ago it was planned that a frame would be made at the

high school but the project ballooned over time until it became a cabinet which would be placed in the County Office Building for all citizens to enjoy.

Following discussion, motion was made by Mr. Ellyson to appropriate \$1,500 to the Historic Commission budget for the purchase of the display case and carried as follows:

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

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IN RE: FIRE DEPARTMENT AUXILIARY BINGO PERMIT

The Chairman explained that for the past several years, the Fire Department Company No. 2 Auxiliary had approached the Board for a bingo permit to hold bingo games at the New Kent County Fair. He stated that once again the Auxiliary would like to hold bingo games at the Fair on August 27, 1988. Following discussion, motion was made by Mr. Ringley to approve the New Kent Volunteer Fire Department Company No. 2 Auxiliary's application to conduct bingo games at the New Kent County Fair to be held on August 27, 1988, 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: CHAPTER 7 AMENDMENTS

The County Attorney explained that since the County had entered into contract with a private company for the collection and removal of solid waste in the County, the County Code would need to be amended to reflect this action. Motion was made by Mr. Boroughs to authorize a public hearing on the proposed amendments to Chapter 7 at the Board's regular September 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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IN RE: SEPTIC TANK FEES

The Chairman explained that the State had instituted a \$75.00 fee for the installation of a well and septic tank. He stated that the County had been collecting \$50.00 for the same permit process prior to notification that the State would be also collecting a fee. He further explained that at a work session of the Board on August 1, 1988, the Board had decided to stop collecting the County's \$50.00 fee, to direct that a refund be given to all applicants who had paid both fees, and that all permits be issued directly from the Health Department without use of the building inspector's office.

The County Attorney explained that the Board could either amend Chapter 8 of the New Kent County Code abolishing the fee as emergency legislation and advertise a public hearing to officially adopt the ordinance at the next regular meeting or the Board could maintain its current policy and advertise for a public hearing at the next regular meeting to amend the ordinance.

Following discussion, motion was made by Mr. Boroughs to remain on the current policy and schedule a public hearing on the proposed ordinance at the September Board 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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IN RE:           FY 1988-89 COMPENSATION BOARD AMENDMENTS

The County Administrator explained that the County had received the final approved FY 1988-89 Compensation Board budgets and the Registrar's budget. He stated that all the amendments necessary were for the funding of salaries. He stated that the State did not fund the new computer system in the Treasurer's and Commissioner's offices and the County would be appealing to the State for additional funds.

Motion was made by Mr. Ringley to amend the FY 1988-89 County Budget as per Appendix A attached and appropriate \$2,386 from the fund balance to cover the increased expenditure 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 APPROPRIATIONS AS APPROVED IN APPENDIX A, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX FOUR, AT PAGE 62.

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IN RE:           SCHOOL BUDGET AMENDED - CHESAPEAKE CONTRIBUTION

The Chairman explained that Chesapeake Corporation had donated \$2,000 for the purchase of additional science equipment to the new high school. Motion was made by Mr. Boroughs to amend the capital outlay budget for school construction line item 19403 by \$2,000 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 a joint public hearing would be held with the Planning Commission and the Board on Tuesday, August 16, 1988, at 7:30 p.m. and the next regular Board meeting would be held on September 12, 1988.

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IN RE:           CITIZENS' COMMENT PERIOD

Mr. Robert Sulcer asked if the Board had anything to do with a survey which was recently circulated from an organization called New Kent Taxpayers. Mr. Robinson stated that County did not circulate the survey. Mr. Sulcer stated that he did not support the survey and cautioned the Board not to give it much weight.

Mr. William Scruggs read a portion of a letter sent to Mr. Robinson and Mr. Marshall Philbates concerning the conviction of Don Beverley (one of the applicants in conditional rezoning case CC-1-88) of tax evasion in 1982. He stated he felt this conviction should be considered before approving the rezoning permit.

Mr. Patrick Morgan, County Attorney, advised the Board that such a conviction could not be considered in the rezoning of the property involved in Case CC-1-88 and stated that the Board can consider only those factors listed in the County's Zoning Ordinance.

Mr. Ed Hayes asked the Board not to delay too long in making a decision on rezoning case CC-1-88. Rev. Milton Hathaway asked for additional public comment to be allowed on rezoning case CC-1-88 if new facts were introduced.

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IN RE: EXECUTIVE SESSION

Motion was made by Mr. Boroughs to go into executive session for consultation and briefings by legal counsel pertaining to actual or potential litigation or other legal matters pursuant to Section 2.1-344(a)(6) of the Code of Virginia 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 resume the regular session and carried as follows:

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

The Chairman announced that no action had been taken on the matters discussed in executive session.

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Motion was made by Mr. Ringley 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

