

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 14<sup>th</sup> DAY OF FEBRUARY IN THE YEAR TWO THOUSAND FIVE OF OUR LORD IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING AT 6:00 P.M.

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IN RE:            INVOCATION AND PLEDGE OF ALLEGIANCE

The Reverend Charles Reynolds, pastor of Providence United Methodist Church, gave the invocation, followed by the Pledge of Allegiance.

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IN RE:            ROLL CALL

Mark E. Hill	Present
D. M. "Marty" Sparks	Present
James H. Burrell	Present
Stran L Trout	Present
W. R. "Ray" Davis, Jr.	Present

The meeting was called to order.

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IN RE:            CONSENT AGENDA

Interim County Administrator Richard S. Ellyson presented the Consent Agenda, which consisted of approval of the minutes of the special work session on January 5, 2005; regular meeting of January 10, 2005; special work session of January 19, 2005; work session of January 26, 2005; and special work session of January 28, 2005; adoption of the Amended Bylaws; Resolution R-11-05 requesting that roads in Deerlake Section A be accepted into the State system for maintenance; Resolution R-12-05 requesting that certain roads in Quinton Park be accepted into the State system for maintenance; Resolution R-07-05 adopting a meeting compensation policy; authorization for the County Administrator to execute application for 2005-2006 Local Government Challenge Grant for Arts Alive, Inc.; Resolution R-08-05 in appreciation of the services rendered by emergency responders on January 19, 2005; Resolution R-13-05 creating the Housing Rehabilitation Board and making appointments; road name additions: Linkshire Lane, Torranceville Trace, Delvinburg Terrace, and Pelham Point Lane; Refunds: \$100.00 to George A. Philbates, Jr., refund of land disturbance permit fee; \$2,751.20 to Kentland Investments, LLC - real estate tax refund following value reduction of TM#33B2-B by the Board of Equalization; \$11,298.92 to Bluegreen Property of VA - real estate tax refund following value reduction of TM#33B8-1 by the Board of Equalization; total of \$720 to 350<sup>th</sup> License Plate depositors; Appropriations: Funds received for reimbursement of professional services for Farms of New Kent, \$8,690.00; additional funding due to increased demand for View AFDC Working Day Care – Mandated, \$10,000.00; additional funding due to increased demand for View AFDC Working Day Care – Mandated, \$2,000.00; additional funding due to increased demand for View AFDC Working Day Care – Mandated, \$9,000.00; funds for Grant #IN04-05-51218-03 (Operation Buckle Up), \$1,000.00; Total Supplemental Appropriations: \$(30,690.00) Total; \$ 28,590.00 Money-in/money-out; \$2,100.00 From General Fund; Inter-Departmental Budget Transfers: \$939.00 from Reserved from Contingency (4-1-91020-0001) to Refuse-Asphalt Repair Rt. 612 (4-7-94200-4000); Treasurer's Report: Total Cash as of December 2004: \$22,525,844.01.

Mr. Burrell asked for a correction to the second set of minutes on page 10, second paragraph, where it referred to "Chairman Burrell".

Mr. Trout moved to approve the Consent Agenda, with the requested correction to the minutes. The members were polled:

Mark E. Hill	Aye
D. M. "Marty" Sparks	Aye
James H. Burrell	Aye
Stran L Trout	Aye
W. R. "Ray" Davis, Jr.	Aye

The motion carried.

Mr. Ellyson asked for Board consideration of a request from the Fire Chief for an appropriation to pay the County's match on a grant for a new ambulance and defibrillator. Fire Chief Larry Gallaher explained that the County had applied last year for this grant, which is funded through license plate sales. The grant was awarded, but it must be used to purchase a replacement ambulance, not a new one. They plan to replace a 1985 ambulance at Company 3. The price of the ambulance will increase by about \$20,000 after February 15 and action by the Board tonight will save money.

Chief Gallaher indicated that there is \$125,000 in the budget each year for a new ambulance, and the ambulance for this fiscal year has already been purchased. If the new ambulance is ordered tomorrow, it should be delivered in 90 – 120 days. The total cost of the ambulance is \$98,246.00, of which the grant will pay \$51,875.20 and the County's match would be \$46,270.80. He indicated that this is less than the cost of the last ambulance that was purchased, which was about \$111,000.

Mr. Davis suggested that the Board could deduct this amount from the sum budgeted for the ambulance for the upcoming fiscal year.

Mr. Trout commented that the breakdown did not seem to be the 80/20 split provided in the grant. Chief Gallaher stated that the 80/20 amounts were based upon a "bare bones" spec ambulance.

Chief Gallaher indicated that he was not ready to move forward on the defibrillator at this time.

Mr. Davis commented that with the number of calls being answered, it is apparent that the ambulance is needed.

There was discussion regarding disposal of the 1985 ambulance that is being replaced. Chief Gallaher stated that they have not yet decided how they will (or can) dispose of it. He reported that future grants for ambulances will be rare.

Mr. Trout moved to appropriate \$46,270.80 from the Capital Fund fund balance for the County's match for the Virginia Dept. of Health Ambulance grant. The members were polled:

D. M. "Marty" Sparks	Aye
James H. Burrell	Aye
Stran L Trout	Aye
Mark E. Hill	Aye
W. R. "Ray" Davis, Jr.	Aye

The motion carried.

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IN RE: CITIZENS COMMENT PERIOD

Chairman Davis read the reviewed the rules for public comment and opened the Citizens Comment Period.

Bill O'Keefe of 4746 Bishops Gate Way in Providence Forge spoke in favor of approval of the Farms of New Kent. He stated that the "best deal is the deal that gets made" and he believes that approving the rezoning application filed by the Farms of New Kent would be preferable to by-right development of the land. He stated that the revenue received from the development would help pay for the CIP needs of the County and avoid a large tax increase which could create a hardship on those on fixed incomes.

Brenda Mula of 7400 Old Roxbury Road in Quinton expressed her displeasure with the letters that she and her neighbors received about easements for the utility project. She read aloud parts of the letter that detailed many of the proposed activities which may take place on her land and stated she was insulted by the \$10 offer. She indicated that many of the affected homeowners are the same ones that were involved in the prior Interstate 64 project.

Ann Seitz of 7400 Old Roxbury Road in Quinton also spoke about the easement letter. She was affected by the I-64 project as well and was upset that the County is asking for an easement. She questioned how the County determined the value of each easement and their offer of \$10. She questioned whether she would still have to pay taxes on the land, where the access would be, and who will pay the legal fees. She indicated that the County should be providing landowners better information as to how the project will be handled, and should be meeting with the individual landowners to discuss how it will affect their land. She urged the County to be fair and save time by making fair offers.

Barbara Tester of 4900 Old Field Lane in Quinton spoke about the easement letter as well. She stated that she has many questions and was insulted by the letter and its \$10 offer. She indicated that she needs to know a lot more about what they plan to do on her land. She would like to be able to attend some informational meetings where the project can be explained in detail and they can learn what is expected, rather than receiving a letter asking for a signature.

Ed Hayes of 7811 Deer Run in New Kent gave the Board members a handout that concerned population and budget figures, and reviewed a few of the items, all dealing with the proposed CIP. He stated that the Board should have a referendum on the CIP, like it did for the school bond. He indicated that his handout had very specific questions that should be answered by the Board members.

George Philbates, Jr. of Clarke Road in New Kent stated that the citizens had voted against the school bond referendum on two occasions, and they don't support the construction of a new school. He state that the architectural fee alone for a new school would pay for trailers that would provide 58 new classrooms. He stated that the County should use its funds to attract more bus drivers and increase the teachers' pay, and he described some improvements that could be made at the high school that would provide more capacity. He stated that New Kent needs to get more businesses in the County before it builds a new school.

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Robert F. Kay of 5461 Tyshire Parkway in Providence Forge spoke in favor of the Farms of New Kent. He spoke of the County's obligations for utilities, the tax base, affordable housing, and the Wessex report. He stated that the County needs the revenues that will come from Farms of New Kent in order to execute its game plan for water, sewer and schools.

Clarence Griffin of 7231 Old Roxbury Road in Quinton spoke concerning the letter regarding sewer easements, and stated that he concurred with the comments previously stated by Ms. Mula, Ms. Seitz and Ms. Tester. He too was insulted by the County's letter. He stated that New Kent wanted a 40 foot easement across the land to use as it pleases and are asking him to give access across the rest. He is aware of the price of land and is not willing to take \$10. The easement across his land is 654 feet long, which is a little over .6 of an acre. He stated that the County has left the landowners with no rights.

There being no one else signed up to speak, the Chairman closed the Citizen Comment period.

Mr. Burrell reported that the Board of Supervisors met with the School Board last week, where a motion was made to vote on February 28 on the issue of building a new school at a price tag of over \$36 million and he feels the Board needs to let the citizens know about it. He moved that the proceedings be videotaped and broadcast on the government channel. He also asked that the Board consider delaying the vote to its regular meeting in March.

Mr. Sparks stated that the Board had already voted to make a decision on February 28, but he would have no problem with the work session being videotaped and broadcast.

Mr. Trout asked if it was Mr. Burrell's suggestion to tape the entire work session, or just that part that had to do with the schools, to which Mr. Burrell responded that he'd want to tape and broadcast just that portion that dealt with the school.

The members were polled on Mr. Burrell's motion to tape and broadcast the work session:

James H. Burrell	Aye
D. M. "Marty" Sparks	Aye
Stran L Trout	Aye
Mark E. Hill	Aye
W. R. "Ray" Davis, Jr.	Aye

The motion carried.

Mr. Burrell made a motion that the citizens be immediately informed, telling them exactly what is intended, by placing ads in the Times Dispatch, Daily Press, Tidewater Review and Chronicle. Mr. Trout expressed his concerns about the expense of placing newspapers ads and suggested that the Board follows its normal procedure by notifying the local media and providing give them with a copy of the agenda so that it can be publicized. Mr. Burrell countered that the Board is talking about a \$37 million project, and that if the County advertises for public hearings, why not advertise that a decision will be made concerning construction of a new high school and renovation of the existing high school into a middle school. He stated that an article in the paper would be good, but it may not contain the exact same information that would be in an ad. He encouraged the Board to let the citizens know what was happening, like it did with the meals tax. He suggested that an alternative would be for the County to send out an informational letter concerning the vote that the Board intends to take on February 28 on construction for a new high school, giving

information about the cost involved. Mr. Trout indicated that he is concerned that the public should know, but he believes in the power of the press and that providing a copy of the agenda to the media would be sufficient. Mr. Burrell maintained that the information should be sent out in a mailing as well, and suggested letting the public come out and then the Board vote at another time. Mr. Trout contended that he still thinks it would be better publicized with the reporters, and as the meeting on February 28 is not a public hearing, there will be no opportunity for public comment. Mr. Burrell countered that the citizens would have an opportunity to write or call their supervisors, or write letters to the editors, and that they should be involved and informed.

Mr. Sparks asked what information would be included in the mailing, as the Board really has few details. Mr. Davis agreed that was a good point. Mr. Burrell stated that the mailing should be that the Board will be voting and what the estimated cost will be. He stated that it was unfair to the citizens not to let them know.

Mr. Burrell then amended his previous motion and moved that the Board send out a mailing to every household in County, notifying them of the vote, by Friday of this week. The members were polled on the amended motion:

Stran L. Trout	Nay
Mark E. Hill	Nay
D. M. "Marty" Sparks	Aye
James H. Burrell	Aye
W. R. "Ray" Davis, Jr.	Aye

The motion carried.

Mr. Davis stated that the Board will need to make arrangements to meet with the landowners from whom they need easements, and the Board members were asked to make those arrangements.

Mr. Sparks stated that the citizens had made good comments tonight and he hopes that the County can communicate better than it has in the past.

Mr. Trout concurred. He stated that many of the affected owners have been through this before with the State and it is important that the staff and Supervisors from Districts 2, 3 and 4 set up meetings with them. Mr. Davis agreed, stating that a lot has changed since the easement letters were mailed out. He suggested that community meetings be set up by the Supervisors in the affected districts.

Mr. Trout asked that the County Administrator look into obtaining more reliable video equipment, replacing that which failed tonight. Mr. Ellyson reported that an estimate for upgrading the audio and video systems has just been received and he would be sharing it with the Board. Mr. Sparks commented that if the speakers at the podium could be heard, it would be a big improvement.

Chairman Davis presented a plaque to Mr. Philbates, recognizing him for being in business in the same location for over 50 years. He commended Mr. Philbates for his interest in County government, his attendance at meetings, and his comments during Citizens Comment. He stated that he valued Mr. Philbates' opinions, even if he didn't always share them. Mr. Davis indicated that the County wants to recognize its businesses, especially those that have been in operation for a long time.

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IN RE: RESIDENT ENGINEER'S REPORT

Gary Jennings, Assistant Resident Engineer with Virginia Department of Transportation, reported that although the State is permitting the roads in Quinton Park to be brought into the system, they do have some concerns that he wanted to share with the Board. He stated that the work that is now being done in Quinton Park is work that should not be taking place in January and February, and the State should not be accepting subdivisions roads when that is happening. However, they have obtained a one-year surety from the contractor that they can call if the developer does not complete the work. The Department of Transportation wanted these concerns to be on the record. He indicated that maintenance of the roads in Quinton Park will start tomorrow.

Mr. Jennings reported that the Route 632 project will be shown to prospective contractors next week and be bid in March.

Regarding the Route 155 bridge project, he reported that the pier has been removed and the contractor is waiting for the arrival of the trusses. The project is still on schedule to be completed by April 1.

He reported that they closed the Route 607 bridge today and have worked out an agreement with Waterloo Farm to provide access for the local residents. The project is to be finished by April 15.

Mr. Jennings reported that the Route 613 truck restrictions have been approved by the Commonwealth Transportation Board, and once the papers have been signed by the Commissioner, the signs will be installed.

He indicated that work on the Accounts Receivables project set up for Plum Point will start on February 21. It is hoped that some additional ditch work will be covered under the grant.

Mr. Jennings reported that they will start putting down stone on Route 618 on Wednesday, and they hope to finish the project at Routes 611/665 in 2 days.

He reported a widespread case of "pothole-itis" throughout New Kent, which they hope to have under control by April.

Mr. Hill expressed his appreciation for Mr. Jennings' work with Waterloo Farm. Mr. Jennings gave Tracy the credit for that arrangement.

Mr. Hill also stated that if help was needed getting the signature of the Commissioner on the Route 613 truck restrictions paperwork, he'd be glad to assist.

Mr. Hill reported that he had received complaints about some previous patchwork that is now starting to separate on Route 611. He also reported litter along Route 249. Mr. Jennings agreed to send their litter contractor out to take care of it.

Mr. Sparks thanked Mr. Jennings and his staff for their work in Quinton Park, and stated that the residents were very pleased that the roads are going into the system.

Mr. Sparks thanked him for the work on Route 613, and stated that he is looking forward to the truck restriction signs being posted. He also thanked him for the work on Old Roxbury

Road. He pointed out that there is still litter along Airport Road. Mr. Jennings reported that the litter contractor has been directed to make another sweep out there.

Mr. Burrell thanked Mr. Jennings for the work on Route 618. He reported a dead deer on Stage Road. He asked about the start date on the Route 632 project. Mr. Jennings indicated that it should be awarded in April, and work should start at the end of April or sometime in May, with a completion date in September 2006.

Mr. Burrell inquired about the additional rumble strips at the intersection of Routes 249/30/33. Mr. Jennings reported that their installation is on the list. Mr. Burrell indicated that he would call Mr. Jennings about the continuing problem at the church.

Mr. Trout agreed with Mr. Jennings' comments on the potholes. He urged that the project on the Route 155 bridge stay on track as the road closure is a detriment to the Providence Forge businesses.

Mr. Davis inquired about the ditch work being done on Route 273. Mr. Jennings indicated that they are only responding to customer complaints at the present time, and that ditching and the re-opening of pipes will not start until this spring.

Mr. Davis commended VDOT for its ice removal efforts and success in keeping open the main roads during the recent bad weather.

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IN RE: INTRODUCTION OF NEW EMPLOYEES

Community Development Director George Homewood introduced the Planning Intern, Amanda Crocker.

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IN RE: PUMP AND HAUL AT PROVIDENCE FORGE SHOPPING CENTER

Paul Robinson, property manager for the Providence Forge Shopping Center, reported that his client has failing drain fields at the shopping center, and is in the process of obtaining repair designs. The current pump and haul permit will expire in March and the Health Department has suggested the shopping center be added to the County's permit until such time as the repair work can be completed.

Mr. Trout inquired if the shopping center tenants were the only customers of the pump and haul, to which Mr. Robinson reported that they were. It includes Food Lion, Eckerd Drug, Subway, and the other tenants.

Mr. Davis asked about a time frame. Mr. Robinson stated that they are currently at the mercy of the Health Department and the process is taking a lot longer than was anticipated. It is costing the owner a considerable amount of money to pump and haul.

Mr. Burrell stated that it would be in the best interest of the owner to get his system operational as soon as possible. Mr. Robinson stated that they would need at least six months and maybe even a year, but it will depend on the Health Department.

Mr. Burrell moved to permit Providence Forge Shopping Center, LLC, to be added to the County's pump and haul permit for a period of one year, beginning March 1, 2005. The members were polled:

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Mark E. Hill

Aye

D. M. "Marty" Sparks	Aye
James H. Burrell	Aye
Stran L Trout	Aye
W. R. "Ray" Davis, Jr.	Aye

The motion carried.

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IN RE: WENTLING ADDITION TO THE PAMUNKEY RIVER VALLEY II AFD

This matter was postponed from the January 10, 2005 meeting.

Mr. Sparks stated that the Board had previously discussed this at length and asked if there had been any changes.

The applicant reported that he had met with the Conservancy and he is seriously thinking about that option. However, he still needs more time to think about the significant legal ramifications and has not yet been able to make a decision. He would still like to add his property into the AFD. He reported that he has just bought an adjacent parcel and once he completes the boundary line adjustment, the parcel will be 102 acres. He stated that the property meets all of the criteria for addition to an AFD, and was completely re-seeded 8 – 10 year ago.

Mr. Davis inquired how the boundary line adjustment would affect this application. Planning Manager Rodney Hathaway stated that it would have no effect, and that it would be necessary for Mr. Wentling to submit a new application for the recently-purchased parcel.

Mr. Hill asked Mr. Wentling if he had met with anyone from the Board or staff since the last meeting, and the applicant stated that he had not.

Mr. Davis stated that nothing has changed in the last month. Mr. Wentling stated that he wants to keep the property as woodlands and that it fits all of the parameters.

Mr. Trout stated that one of his major concerns is that this is part of a large lot subdivision and that approving the application would set a precedent. He stated that the alternative of putting the property into some type of conservation easement would benefit the other lots in the subdivision, as well as the County.

There was discussion regarding the minimum requirements for addition to an AFD. Mr. Homewood reported that those minimum requirements are 20 acres for forestry, 10 for agriculture and 5 for horticulture. He went on to say that staff's concern with this application is that there are many 25 acre lots that have been created since the 2001 widespread rezonings from A-1 to C-1. With the 20 acre minimum, most landowners could reserve 5 acres for a home and put the balance in an AFD, even though there is no development potential. This can clearly be used clearly as a method to obtain a tax break for anyone with a 25 acre lot. That concern was also shared by the AFD Board who, like staff, has recommended against approval. Mr. Wentling is not quite sure what he wants to do and says he needs more time to consider a conservation easement. Mr. Homewood indicated that the Board did not need to take action tonight, but will need to make a decision before the next tax bills are issued. That should give Mr. Wentling the time he needs to make his decision.

Mr. Davis commented that there would be less tax with a conservation easement than with an AFD.

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Mr. Wentling stated that he has not yet decided if a conservation easement would be fair to his children and he still would like to proceed with adding his property to the AFD.

Mr. Davis stated that his concern is that this property is located in a large lot subdivision, and approval would open the door to others.

Mr. Trout moved to deny Resolution R-03-05 as presented. The members were polled:

D. M. "Marty" Sparks	Aye
James H. Burrell	Aye
Stran L Trout	Aye
Mark E. Hill	Aye
W. R. "Ray" Davis, Jr.	Aye

The motion carried.

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IN RE:            APPROPRIATION REQUEST FOR RATE ANALYSIS

Public Works Director Alan Harrison explained that the reason for the analysis was to determine the proposed CIP's impact on rates. He said that a preliminary assessment by Steve Jacobs indicated that it would not affect the rates. However, if it does affect the rates, then the CIP might have to be adjusted. He indicated that Steve Jacobs has done this for the County in the past, is most familiar with its operating budget, and can get it done within 2 – 3 weeks.

Mr. Sparks commented that the County had adjusted its rates in September.

Mr. Hill asked how the Board could justify spending \$6,000 on a rate analysis when rates were just set six months ago. He stated that \$6,000 is too much to spend.

Mr. Trout stated that the County had just set the rate. Furthermore, no one knows how many customers are going to be on-line in the next year or two, and there is no track record available for Patriots Landing, Kentland or Farms of New Kent (if approved).

Mr. Harrison stated that this analysis would also look at connection fees and user charges, and may not necessarily result in increased rates, but will determine what impact the proposed CIP will have on the rates. He stated that the County should review the rates each year as an aggressive approach and not get behind. It is important to know if the County will have enough cash to pay for what's in the CIP.

Mr. Davis stated that it is premature, as the rates were just set in July, and the connection rates were set in September. He suggested that this be put in next year's budget.

The Board thanked Mr. Harrison for all of his hard work.

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IN RE:            CAPITAL IMPROVEMENTS PLAN

Mr. Ellyson stated that \$50,000 for the Visitors' Center had been mistakenly omitted from the proposed CIP. Mr. Homewood stated that the omission was intentional, as the Planning Commission did not have a good feeling for the proposed Visitors' Center, how it would work or the need for it, and had recommended that it be omitted.

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Mr. Hill added that the Planning Commission recommended that the county markers be omitted as well.

Mr. Homewood related that last summer County staff was asked to submit recommended projects and use of capital funds for the next five fiscal years to create a five-year CIP. The list was compiled and reviewed by the County Administrator and then presented to the Board. The Board discussed the projects during work sessions, making initial cuts and changes. The CIP was then turned over to the Planning Commission to review and adjust as a complement to the Comp Plan, making sure that it reflects true needs and is not just a "wish list". The Planning Commission held a public hearing in January and thereafter went through the individual projects one at a time. The proposed plan is a list of all projects, in priority order, with total amounts assigned and justifications. The total of the CIP as proposed by the Planning Commission is \$148.5 million for all needs. There is no suggestion on how to pay for them.

Mr. Trout inquired if all requests were left in. Mr. Homewood indicated that they were not. As previously reported, the Visitors' Center and markers were removed. Other projects were pushed out farther into the future, one of which was the new financial management system for the County, along with the automated permitting system. These changes reduced the total CIP from \$152 million to \$148.5 million.

Mr. Homewood pointed out to the Board that 85% of the CIP is for utilities and schools, leaving 15% for the rest of the projects, which is actually only about 2.5 or 3 times more than what the County has spent on an annual basis in the past. Considering the pennies on the tax rate that have been set aside for capital, cash proffers, and the growth that is expected in Bottoms Bridge with the construction of the sewer system, the CIP is really not out of line. Some of the money has already been committed to sewer and school projects.

Mr. Ellyson explained that the financial management system that was moved farther into the future would replace the Bright system which is not adequately serving the County's needs. He indicated that if the Board was going to leave that where the Planning Commission has recommended, it might as well move the \$50,000 included next year for a study of what's available to replace it.

Mr. Homewood indicated that in the future, department heads will be asked in early summer to review the CIP and revalidate or refine the requests, which will give the Planning Commission the summer to review it and make their recommendations by September so that it can be added into the cycle for the operating budget process. In reality, whatever decisions are made tonight will be reviewed again in 6 or 7 months, and will not be irrevocable.

Mr. Trout pointed out that without the utilities and schools, the other projects total only \$17 million over the five year period. He thinks that puts a clearer light on the plan and brings it down to something that is more manageable. He stated that this is not a budget but a plan.

Mr. Davis agreed. He stated that this was the first CIP that the County has developed in a long time and it shows the needs of the County over the next five years.

Mr. Sparks stated that the cost of the high school needs to be changed to \$38.2 million to reflect the updated information recently received. Mr. Ellyson reminded that the new figure of \$38.2 million included all the fees, including the architect.

Mr. Burrell stated that if the Board votes on this, it will be saying that these are the projects that the County would like to see, but it would not be a commitment to do any of them.

Mr. Davis concurred, stating that it would be a plan to go along with the Comp Plan. He added that the Board doesn't have to vote on it.

Ms. Katz advised that the Board cannot have it as its official plan without affirming it. Mr. Trout stated that the County needs the CIP in order to accept cash proffers. Ms. Katz confirmed, adding that proffer estimates should be based on the CIP, and that the Board does need to adopt it.

Steve Jacobs of Robinson Farmer Cox was invited to comment. He stated that the crucial part of the CIP is what is planned for FY06. Those figures are the ones that would impact proffers, as they are deemed to be the County's "plan of action".

Mr. Trout stated that the Board would not be making a commitment until it adopts the operating budget. There was a discussion about what had been committed for utilities and how that was reflected in the totals.

Mr. Hill moved to adopt Resolution R-14-05, changing the cost of the high school to \$38,208,058 and the totals to \$150,677,280.

Mr. Burrell repeated that the Board is voting on the plan and not committing to any specific item. Mr. Davis concurred, stating that it is only a guide and can be changed.

Mr. Hill stated that he would hope that the Board would give this document as much teeth as it gave to the Vision 2020 Comp Plan. He commented that the department heads had worked hard on it, the Planning Commission worked hard, and that it sets forth the needs of the County. He went on to say that he hopes that this Board will not be like previous Boards, "sweeping things under the rug and acting like they don't exist".

The members were polled on Mr. Hill motion:

James H. Burrell	Aye
D. M. "Marty" Sparks	Aye
Stran L Trout	Aye
Mark E. Hill	Aye
W. R. "Ray" Davis, Jr.	Aye

The motion carried

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IN RE: LACY REZONING

Planning Manager Rodney Hathaway reviewed the application for a Conditional Use Permit filed by Dr. Karen Lacy to operate an existing structure as a kennel. The property is 3.306 acres located at 9400 Tunstall Road and is identified as tax map parcel 10-50B. The property currently contains a two-story dwelling, a frame garage and a 20' x 60' kennel which she is currently using to board her personal dogs. The applicant currently has a home occupation permit for breeding and training Border Collies.

Mr. Hathaway reported that the subject property is surrounded by a 55 acre parcel owned by the applicant, which contains sheep, goats, horses and a vacant two story dwelling. The closest occupied dwelling to this parcel is approximately 900 feet away. The owner has not

proposed to construct any additional buildings on the property, and would use the existing kennel to operate her business. The parcel is designated as rural lands in the Comp Plan, and staff finds that the request is consistent with the Comp Plan and that the proposed use would not have an adverse effect on the rural character of the area. The property is zoned A-1 and is surrounded by A-1 zoned property. He indicated that kennels are permitted as a conditional use under A-1 zoning. A kennel is defined as "a place to house, board, breed, handle or otherwise keep or care for dogs or other household pets for sale or in return for compensation".

Mr. Hathaway reported that the Planning Commission, on January 18, 2005, conducted a public hearing on the application and voted 10:0:1 to forward it to the Board with a favorable recommendation. He stated that a petition in support of the application has been received from adjacent property owners, and that staff recommends approval of the application with conditions outlined in their report.

Mr. Burrell reported that he had visited the property and was impressed by the operation. He feels this is something that would have no negative effect on the County.

Mr. Sparks asked Dr. Lacy about the proposed hours of 8:00 a.m. – 8:00 p.m. as set forth in the conditions. Dr. Lacy stated that she is comfortable with those hours. Mr. Sparks suggested that an earlier start date might better suit her purpose.

Mr. Davis asked about requiring that boarded animals be inoculated against rabies. Dr. Lacy stated that her contract with customers requires that all animals be fully inoculated.

Mr. Trout asked if this was going to be an animal hospital, which would require business zoning. Dr. Lacy stated that it would not – her doctorate is in theology, not in veterinary medicine.

Chairman Davis opened the Public Hearing.

Daniel Fox, who with his wife owns Petticures, addressed the Board. He indicated that they were a boarding and grooming kennel, and when they applied for their permit, the County imposed many conditions. He stated that it was only fair that the same conditions be imposed on Dr. Lacy, including the maximum limit of 10 cats and 10 dogs, a separate septic system, proper lighting and driveway, and approval by the State.

Patsy Fox, another owner of Petticures, stated that she had not been aware that the applicant was intending to operate a boarding kennel, thinking it was for breeding purposes only. She stated that she could not believe that this was approved by the Planning Commission when it was required to state what service would be provided to the County that is not already being offered. She stated that they have an affordable pet boarding business. It cost them \$2,000 for the CUP, and \$8,000 to have the separate septic system installed. They are limited to boarding 10 dogs and 10 cats. She has had no day off in 3 ½ years, as she runs the business by herself. As a professional courtesy, she contacted the local vets and other groomers in the area to let them know of her application. She was upset that neither the applicant nor the County staff contacted her. She questioned whether there was a need for another kennel in the County, as she is only boarding 2 animals at the present time. She stated that the County forced her to spend a lot of money and are now failing to protect her. She asked the County to do the right thing. She stated that she has never advertised outside of New Kent and serves the County residents only.

There being no one else signed up to speak, the Public Hearing was closed.

Mr. Hill stated that it is not the County's intention to pit one against the other, but he does not see Dr. Lacy's operation as competition for Mrs. Fox.

Mr. Davis stated that he felt the Board needed to review the restrictions that were placed on the Foxes by a previous Board.

Mr. Sparks asked Mrs. Fox if she saw any reason why the customer base wouldn't support both businesses. As he sees it, there are two issues, the first being what was required of Mrs. Fox, and the other is whether Mrs. Fox is able to maintain her current customer base. Mrs. Fox stated that she wanted to grow her customer base so she can fill her kennel in the slower months.

Dr. Lacy apologized for not contacting Mrs. Fox but felt that her business will draw from her Border Collie customers, and she does not look to have a large-scale operation. She is doing this to help off-set her taxes, is not going to hire help, and does not see her business competing with that of Mrs. Fox. She indicated that most of her customers are not from New Kent, and she feels that there is enough business to go around.

Mr. Trout stated that any application stands on its own and how it fits into the community. He stated that he hopes the Planning Department could provide information on what restrictions were applied to Mrs. Fox.

Mr. Sparks moved to defer action on CUP-05-04 to March 14, 2005, and that staff provide information on the previous applications. The members were polled:

Stran L Trout	Aye
Mark E. Hill	Aye
D. M. "Marty" Sparks	Aye
James H. Burrell	Aye
W. R. "Ray" Davis, Jr.	Aye

The motion passed.

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IN RE: DELETION FROM THE BOTTOMS BRIDGE SERVICE DISTRICT

County Attorney Phyllis Katz reported that adoption of Ordinance O-02-05 would permanently remove a parcel that was incorrectly included in the Service District because of an error in the records of the Commissioner of the Revenue. It was previously temporarily removed in December so that a refund could be made of the ad valorem tax that was charged and paid by the landowner.

Chairman Davis opened the Public Hearing. There being no one signed up to speak, the Public Hearing was closed.

Mr. Hill moved to adopt Ordinance O-02-05 as presented. The members were polled:

Mark E. Hill	Aye
D. M. "Marty" Sparks	Aye
James H. Burrell	Aye
Stran L Trout	Aye
W. R. "Ray" Davis, Jr.	Aye

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The motion passed.

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IN RE: WAIVER OF VEHICLE LICENSE TAX FOR CERTAIN VOLUNTEERS

Ms. Katz deferred to Mr. Trout to review proposed Ordinance O-24-04. Mr. Trout announced that although he is a member of the group that is eligible to receive this benefit, he does not intend to accept it. He explained that the County previously provided half-price decals to volunteer fire department and rescue squad members as well as auxiliary deputy sheriffs and last year decided to waive the fee in its entirety. He stated that this waiver was put into effect by emergency ordinance at the end of last year and language for the permanent ordinance is now in a format that should work and is acceptable to all parties. It is his understanding that the half-price discount given to members of the National Guard is controlled by State Code and will not be changed.

Chairman Davis opened the Public Hearing. There being no one signed up to speak, the Public Hearing was closed.

Mr. Sparks moved to adopt Ordinance O-24-04 as presented. The members were polled:

D. M. "Marty" Sparks	Aye
James H. Burrell	Aye
Stran L Trout	Abstain
Mark E. Hill	Aye
W. R. "Ray" Davis, Jr.	Aye

The motion carried.

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IN RE: AMENDMENTS TO CHAPTER 38, WATER & SEWER SYSTEMS

Public Works Director Alan Harrison reported that in light of the proposed changes to the subdivision ordinance, the County will need to make some changes to the utility ordinance to clarify some of the policies. He summarized the changes for the Board, which include the elimination of central sewer systems or mass community drain fields serving development constructed outside designated sewer service areas. There will be no community water system serving a development located within a service area if the development is within 2,500 feet of a service area. There may be a community water system serving a development that falls outside of those parameters – however the system must be constructed by the developer at his expense and deeded to the County for continuing operation. No compensation will be provided to the developer, except the actual costs of pipe materials resulting from over-sizing required by the County that do not relate to the utility need of the development. There will be no provision for credits, and the compensation to be paid is to be arranged for in the Utility Service Agreement. Requirements for generators have been removed from the ordinance as they are now in the utility design standards. Submittal of a development master utility plan will be required, as well as the requirement for a Utility Service Agreement between the County and the developer in which the obligations of each are spelled out.

Ms. Katz added that the Ordinance will also strike the entire portion pertaining to bio-solids as that is now controlled by State Code. She indicated that if the Board wants its own bio-solids ordinance, there is a model ordinance that has been crafted by VACo that she can provide for their review.

Mr. Davis stated that the changes would not permit a package plant for 20 – 30 homes. Mr. Harrison confirmed that, stating that was the type of thing the County is trying to prevent.

Chairman Davis opened the Public Hearing. There being no one signed up to speak, the Public Hearing was closed.

Mr. Trout stated that these changes fit into what the County is working on for service areas. He thanked Mr. Harrison for his work, stating that it will move the County in the direction that will support the sewer system and keep other land in the County rural.

Mr. Burrell moved to adopt Ordinance O-06-05 as presented.

Mr. Hill inquired if a water system would be permitted on a development of 25 acres. Mr. Harrison stated that it depended on where it was within the County. For example, in Lanexa it would be permitted, because it would not be located within 2,500 feet of a service area. If the 25 acres were on the south side of Interstate at Route 106, which is within a service area and where there is an existing well, then the developer would be required to connect to the public system.

Mr. Hill stated that he is concerned that the Board, by adopting this ordinance, may not appear “pro business” which may discourage businesses from wanting to locate along Route 106. Mr. Burrell stated that this is basically prohibiting mass septic systems, and does not say anything about prohibiting individual systems. Mr. Hill stated that if the County wants to encourage businesses, it needs to be willing to be a partner and offer some financial assistance. Mr. Sparks stated that this ordinance doesn’t say that the County can’t do that, and that it could be through the EDA. Mr. Trout stated that the south side of Route 106 is within the service area, and the County has never said that sewer service wouldn’t be available there, just not through a dog-leg of the main trunk line. Mr. Davis stated that the Board members needed to understand the changes and be comfortable with them.

The members were polled on Mr. Burrell’s motion:

James H. Burrell	Aye
Stran L Trout	Aye
Mark E. Hill	Nay
D. M. “Marty” Sparks	Aye
W. R. “Ray” Davis, Jr.	Aye

The motion carried.

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IN RE: SUBDIVISION ORDINANCE

Community Development Director George Homewood reported that one year ago, the Planning Commission began their discussion of the new subdivision ordinance. It has been reviewed by a subcommittee of the Planning Commission as well as the full Commission, and he has reviewed it with the Board of Supervisors during a work session as well as individually. He stated that no ordinance ever written is perfect, and most require amendments six months later, but he feels that the subject ordinance is "pretty close to perfection". He stated that staff will come to the Board with problems as soon as they are found. He reviewed the chart of comparisons, which explained the changes. One major change is that the new subdivision ordinance has many more definitions. There are flow charts, diagrams and format requirements, and it lays down rules to accommodate the County's GIS system in order to keep that information up to date. He stated that the major concern with the ordinance dealt with the large lot subdivision and the parent minor tract subdivision; however, nothing has changed with either of those processes and they are left alone as legacy provisions. They require very little legislative action, mostly administrative, and will eventually be moved into and become a part of the zoning ordinance.

Another change is that all roads in subdivisions will be public roads, or private roads built to public road standards, including rights of way. In that way, if landowners on a private road want the State to take it over, then one person would not be able to prevent it.

Mr. Hill inquired if the subcommittee involved anyone from the development community that was not on the Planning Commission. Mr. Homewood indicated that although the subcommittee consisted of Planning Commission members only, others participated including Mr. Horsley. Mr. Horsley made several suggestions that were incorporated but he did not actually sit on the subcommittee.

Mr. Burrell commented that the subdivision ordinance was a well crafted document and it should be adopted.

Mr. Davis inquired if the site plan requirement for townhouses would also pertain to rentals. Mr. Homewood stated that it pertained to shopping centers developments where individual units are for sale.

Chairman Davis opened the Public Hearing.

David Horsley stated that he did not realize that the Board would be voting on this tonight, and was disappointed that no one called him to let him know. He stated that he would have liked to have had some input. He stated that his concern was that no one would be able to afford to bring in a small lot subdivision and that this would change New Kent County.

There being no one signed up to speak, the Public Hearing was closed.

Mr. Homewood stated that nothing has changed in the ordinance since the Planning Commission recommended approval back in October. He indicated that he doesn't see it as changing anything in New Kent except that roads will need to be built to public standards and that there will be options for clustering, and he does not think Mr. Horsley's comments are entirely accurate. The ordinance has been posted in the library, the administration office and in Community Development, and hasn't been kept a secret.

Mr. Hill had Mr. Homewood lead him through different scenarios with 25-acre parcels. Mr. Homewood reported that only one home would be permitted on a 25-acre parcel that was zoned A-1. Rezoning would determine the number of lots in R-1, where lot size is 20,000 square feet, or 2 units per acre if served by sewer (if on individual septic, may be less). If a parent tract, 5 homes could be built.

Mr. Sparks inquired if the 2 houses per acre would include a requirement for open space. Mr. Homewood responded that it would, by using clustering. However, considering some of the soils in New Kent, it might need to be served by sewer.

Mr. Sparks asked about the street extensions. Mr. Homewood explained that it would require providing a stub access where a road could be provided into an adjoining and compatibly zoned tract, in order to create a circulation pattern between three long cul de sacs.

Mr. Trout stated that one of his concerns is large tract subdivisions, which tend to take up a lot of property. Mr. Homewood concurred, stating that they contribute to sprawl.

Mr. Sparks asked about street lights. Mr. Homewood stated that the proposed change is requiring a street light at intersections in areas zoned R-1, R-2 and R-3 where density is more than one dwelling per acre. Sidewalks and other infrastructure are also required as density increases. These are public safety issues. Streetlights will allow residents to use the infrastructure within their subdivisions after dark with less fear. Sidewalks will keep pedestrians out of the roadway with vehicles.

Mr. Hill indicated that he would like for a couple of the local residential developers to review and comment on the proposed subdivision ordinance. He stated that the Board has been slow and methodical in its decisions and this will change New Kent if adopted as written.

Mr. Sparks agreed with Mr. Hill, stating it was a big document and additional input would be helpful. He'd like to know how it will affect the price of homes, and it won't hurt to get some different opinions.

Mr. Davis suggested that the Board sit on it for a month to allow whoever is interested to provide their comments. Mr. Trout wanted it made clear that the public hearing is not being continued, only the vote.

Mr. Burrell moved to defer the discussion and vote on Ordinance O-03-05 until the March 14, 2005 meeting, in order to have an opportunity to take written comment. The members were polled:

Stran L Trout	Aye
Mark E. Hill	Aye
D. M. "Marty" Sparks	Aye
James H. Burrell	Aye
W. R. "Ray" Davis, Jr.	Aye

The motion passed.

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IN RE: AFFORDABLE HOUSING

Mr. Homewood stated that there is no perfect way to create an Affordable Housing policy. What has been suggested is to create an advisory board that would be tasked to develop

and propose an Affordable Housing Unit program for consideration and adoption as policy. The action tonight would not establish policy, create a program or create affordable housing, but will only create an advisory board that will report back to the Board of Supervisors. Nothing that the advisory board does will have any force of law behind it without Board of Supervisor approval. This is the first step only, and if the advisory board can't reach consensus, then it would be the only step. The composition of the advisory board is set by State Code. He distributed a hand out for the Board members to read.

Mr. Sparks asked if the Board could appoint a committee rather than an advisory board. Ms. Katz advised that the County does not need to have a board to have an affordable housing program. If the Board does create the statutory advisory board, then that board has the power to advise, not to implement. She explained the two components that would be required in the zoning ordinance and the general ordinance, and stated that the County would, at a minimum, need a definition of affordable housing.

Invited to speak was Susan Gaston, of the Gaston Group, on behalf of the Williamsburg area Association of Realtors. She stated that her clients were very interested in improving the ability of first time home buyers. She stressed that home ownership is critical to the vitality of a community and is the bedrock of stable communities. This American dream is becoming increasingly difficult to achieve because of the rising cost of homes and the lack of affordable housing. She would prefer to call them "work force housing" because it is where teachers, deputy sheriffs and firemen live. Many in the work force cannot afford to live where they work, and this is becoming a pervasive problem in the State, not just in rural communities. She stated that the Association recognizes this and is working with a number of the area localities to find a win/win solution, and would like to be a part of New Kent's effort.

Mr. Trout expressed his doubt that this is a problem in New Kent. According to the records in the office of the Commissioner of the Revenue, 39% of the homes in New Kent fall within the range of affordable. Ms. Gaston admitted that she has not looked at the specifics in New Kent.

Mr. Burrell asked if there is any legislation pending in the General Assembly. Ms. Gaston stated that there are bills in both the house and the senate, and her organization is working with VACo and VML, although they are still in the "compromise" process.

Mr. Sparks asked if their definition of affordable included rental units. She indicated that the options included single family, cluster housing, apartments and large lot zoning.

Ms. Gaston named Port Warwick and Kiln Creek as popular communities that offer a large variety of options that includes affordable housing. She urged the Board to think of it as work force development and not public assistance housing. She stated that the price of affordable housing depends on the locality, and that would be determined by the advisory board.

Mr. Burrell asked what the upper limit of affordability is in Newport News. Ms. Gaston stated that she did not have that information but would obtain and provide it.

Mr. Trout asked how to maintain affordability. Ms. Gaston stated that varies with the localities and would be controlled by ordinance.

Chairman Davis opened the Public Hearing.

Eddie Pollard stated that this was a step in the right direction and he thinks it would be good for the County. He stated that people take pride in homes that they own. His own daughter who is a coach at VCU can't afford to buy a home in New Kent. He stated that teachers and firefighters should be able to live where they work, and something has to be done. He urged the Board to adopt the program.

Pete Johns spoke on behalf of Farms of New Kent. They are in support of creating an affordable housing program in New Kent and feels that creating an advisory board would be a solid first step. The advisory board should undertake a true assessment of New Kent's needs. He stated that the program needs to be flexible and should fit all of New Kent, and he is willing to help.

There being no one else signed up to speak, the Public Hearing was closed.

Mr. Burrell moved to adopt Ordinance O-04-05 as presented.

Mr. Trout stated that the process scares him, and suggested that the Board look into it further. He fears that this type of advisory board would try to set price controls and may end up punishing those involved. He does not think that this is a crisis in New Kent where 39% of the homes are deemed affordable.

Mr. Davis stated that in New Kent, it is the land values that are making home unaffordable. He stated that he does not want price controls.

Ms. Katz stated that the Board could tell the advisory board what to do and the Board does not have to take the advisory board's suggestions.

Mr. Hill asked what if the advisory board doesn't do what the Board asks, then who makes the decisions? If it would fall to the Board of Supervisors, then he doesn't want that responsibility. He stated that he does not know if New Kent needs this or not.

Mr. Sparks stated that he does not feel compelled to set up an affordable housing advisory board. New Kent does have a lot of affordable housing, and he'd like to know more but he doesn't think it is needed now.

Mr. Burrell asked how many teachers can afford to live in New Kent. Affordable houses are not turning over as often as higher priced homes, and are not available for purchase even though they exist. If the advisory board doesn't work, then it can be dissolved.

Mr. Davis stated that 80% of New Kent's teachers live outside of the County.

Mr. Sparks said many young teachers and deputies are not interested in buying homes and would probably like to rent instead.

Mr. Hill stated that information should be easy to obtain by surveying those who work for the County to see if they have a desire to purchase homes in the County.

The members were polled on Mr. Burrell's motion:

Mark E. Hill	Nay
D. M. "Marty" Sparks	Nay
James H. Burrell	Aye
Stran L Trout	Nay

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W. R. "Ray" Davis, Jr.

Aye

The motion failed.

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IN RE: COMMUNITY DEVELOPMENT AUTHORITIES

County Attorney Phyllis Katz provided information that she wanted to share with the three newest board members about CDAs. She pointed out that the most critical were the guidelines that were adopted by the previous Board.

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IN RE: ELECTED OFFICIALS REPORT

Mr. Trout reported on the upcoming Chamber of Commerce meeting at the Brickshire Members Club regarding the meals tax. He also presented Mr. Sparks with an MPO recognition award for his one year service.

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IN RE: DISTRICT APPOINTMENTS

The Board will continue to make appointments to various committees.

Mr. Sparks reported that Ray O'Leary has advised that he can no longer serve on the Parks & Recreation Advisory Board. Mr. Sparks then moved to appoint Pete D. Sweet as District Two's representative to the Parks & Recreation Advisory Board to complete a term ending December 31, 2005.

Mr. Davis moved to appoint Bill Simpson as District Five's representative to the Airport Advisory Commission to serve a one year term ending December 31, 2005.

There were no appointments for Districts One, Three or Four.

The members were polled:

D. M. "Marty" Sparks	Aye
James H. Burrell	Aye
Stran L. Trout	Aye
Mark E. Hill	Aye
W. R. "Ray" Davis, Jr.	Aye

The motions carried.

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IN RE: APPOINTMENTS TO BOARDS AND COMMISSIONS NOT DELEGATED BY DISTRICT

Mr. Trout moved to appoint Richard Ellyson as New Kent's alternate representative to the Richmond Regional Planning District Commission to complete a four-year term ending December 31, 2007.

Mr. Trout moved to appoint James Burrell as New Kent's Director of Emergency Management.

The members were polled:

James H. Burrell	Aye
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Stran L. Trout	Aye
Mark E. Hill	Aye
D. M. "Marty" Sparks	Aye
W. R. "Ray" Davis, Jr.	Aye

The motions carried.

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IN RE: MEETING SCHEDULE

The Chairman announced that the next regular meeting of the Board of Supervisors will be held at 6:00 p.m. on Monday, March 14, 2005, in the Boardroom of the County Admin Building. A work session will be held at 6:00 p.m. on Monday, February 28, 2005, in the Boardroom of the County Admin Building, at which time there will be a vote on moving forward with building a new school.

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IN RE: CLOSED SESSION

Mr. Hill moved go into closed session for consultation with legal counsel pursuant to Section 2.2-3711A.7 of the Code of Virginia regarding specific legal matters that require advice regarding EDA financing and acquisition of real estate and continuing processes. The members were polled:

Stran L. Trout	Aye
Mark E. Hill	Aye
D. M. "Marty" Sparks	Aye
James H. Burrell	Aye
W. R. "Ray" Davis, Jr.	Aye

The motion carried. The Board went into closed session. Mr. Burrell moved to emerge from closed session. The members were polled:

Mark E. Hill	Aye
D. M. "Marty" Sparks	Aye
James H. Burrell	Aye
Stran L. Trout	Aye
W. R. "Ray" Davis, Jr.	Aye

Mr. Sparks made the following certification:

Whereas, the New Kent County of Supervisors has convened a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by the Board that such closed session was conducted in conformity with Virginia law;

Now, there, be it resolved that the Board hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open session requirements by Virginia law were discussed in closed session to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Board.

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Chairman Davis whether there was any member who believed that there was a departure from the motion. Hearing none, the members were polled on the certification:

D. M. "Marty" Sparks	Aye
James H. Burrell	Aye
Stran L. Trout	Aye
Mark E. Hill	Aye
W. R. "Ray" Davis, Jr.	Aye

The motion carried.

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IN RE: LAND PURCHASE BY THE ECONOMIC DEVELOPMENT AUTHORITY

Mr. Sparks moved that the County finance the purchase of the Fisher property for the EDA. The members were polled:

James H. Burrell	Aye
Stran L. Trout	Aye
Mark E. Hill	Aye
D. M. "Marty" Sparks	Aye
W. R. "Ray" Davis, Jr.	Aye

The motion carried.

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IN RE: ADJOURNMENT

Mr. Hill moved for adjournment. The members were polled:

Stran L. Trout	Aye
Mark E. Hill	Aye
D. M. "Marty" Sparks	Aye
James H. Burrell	Aye
W. R. "Ray" Davis, Jr.	Aye

The motion carried.

The meeting was adjourned at 11:40 p.m.

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