

THE REGULAR MEETING OF THE NEW KENT COUNTY BOARD OF SUPERVISORS WAS HELD ON THE 14th DAY OF JUNE IN THE YEAR TWO THOUSAND FOUR OF OUR LORD IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING AT 6:00 P.M.

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

County Administrator Gary Christie gave the invocation. Boy Scout Troop 106, sponsored by Williamsburg United Methodist Church, led the Pledge of Allegiance and provided a Flag Day Presentation.

IN RE: ROLL CALL

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

Chairman Burrell called the meeting to order.

IN RE: CONSENT AGENDA

County Administrator Gary Christie presented the Consent Agenda, which consisted of approval of the minutes of the April 26, 2004 work session; April 27, 2004 budget work session; May 4, 2004 work session; May 10, 2004 regular meeting, and May 12, 2004 work session; approval of change of August meeting date from August 4 to August 9, 2004, at 6:00 p.m. in the Board Room of the County Administration Building; adoption of Resolution R-18-04 in recognition of Ed Allen, Jr.; authorization for the County Administrator to execute the Communications Systems Upgrade Agreement; road name additions: Black Rail Court, Harlequin Court, Sedge Wren Court, House Finch Court, Rock Wren Court, Red Cross Bill Way and King Bird Court; refund of \$890.00 to Eric & Janet Whitlow for application fee for Conditional Use Permit; Appropriations: Funds to the School Board – health insurance funds, \$40,000.00; Additional funds to the School Board – Coca-Cola Enterprises, \$17,300.00; Grant funds from the Virginia Dept. of Health to the Sheriff's Office Title V Grant – Grant # 714F63 "Bike Smart, Virginia", \$500.00; Additional funds – FEMA Disaster Relief – Hurricane Isabel, \$21,310.26; DragonsRidge MotorSports Park reimbursement for professional services, \$11,481.73; Additional funds to the Dept of Community Development, \$19,126.75; DMV Child Safety Seat Mini-Grant, Grant No. OP04-50193-10, \$500.00; and DMV N.K. Bike Safety Program Grant, Grant No. PS04-50266-02, \$1,500.00; Total Supplemental Appropriations: \$(111,718.74) Total; \$92,591.99 Money-in/Money-out; \$19,126.75 From General Fund – Fund Balance;

Mr. Christie reported that in the near future, he would be asking the Board to approve an additional \$5,000 for other vendor services relating to the radio contract.

Mr. Hill moved to approve the Consent Agenda, as presented. The members were polled:

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

The motion carried.

IN RE: CITIZENS COMMENT PERIOD

Chairman Burrell opened the Citizens Comment Period.

Catherine Seitz Hargan expressed her concern about the advertised salary of \$37,558 for the Social Services Director position. She described the duties and responsibilities of this position and indicated that she did not think that the salary was sufficient to attract qualified applicants.

Marianne Powell, current Director of Social Services who will be retiring in the fall, reported that New Kent Social Services is an Agency I, which is determined by the number of employees. The salary range for a Director I is \$35,736 - \$55,918 under the State's pay scale. She reported that the State will only contribute the advertised amount and that any increase would have to come from the locality. The current ad has been out for one week and will close this Friday, and four applications have been received to date. If the County decides to fund an increase in the salary, then the ad can be extended. She explained that the State screens the applicants and determines who will be interviewed by the Social Services Board, who meets again on June 30.

There being no one else signed up to speak, the Citizens Comment Period was closed.

IN RE: RESIDENT ENGINEERS REPORT

Gary Jennings, Assistant Resident Engineer with the Virginia Department of Transportation, reported that area crews have been concentrating on mowing the grass along the interstate and primaries, and then will start on the secondaries. Work on low shoulders has been done along Routes 60 and 33, as well as pothole repair. Paving work has been done along Routes 611, 1310 and 651.

Mr. Jennings reported that plans have been made to install "no u-turn" and "no outlet" signs to reduce the number of commercial trucks from Route 33 turning around at Route 651. He also hopes to have "no parking for truck" signs in place within the month to reduce the number of trucks that are parking at the church. Once these signs are up, tickets can be issued.

He reported that the speed study is not yet back on the Route 33/249/30 intersection. Installation of speed bumps is still under consideration if the speed study does not recommend a reduction in the speed limit.

Mr. Hill thanked Mr. Jennings for the work performed on Route 1310, and also thanked Tracy for the work on Crumps Mill Road. He will be contacting them for a "ride along" to look at some other roads.

Mr. Hill inquired about a reduction in the 55 mph speed limit on Route 612. Mr. Jennings reported that the speed study has not yet been completed.

Mr. Sparks thanked Mr. Jennings for the work on Route 655 and Route 611, and asked him to look at the drainage problem at Dispatch and Henpeck.

In response to an inquiry from Mr. Trout, Mr. Jennings reported that the work on Terminal Road is still on schedule.

Mr. Davis inquired about signs along Route 33 that would direct traffic to the paper mill. Mr. Jennings reported that he will have to wait and review the State's new sign policy which will be effective July 1. He indicated that he has been trading phone calls with staff at the mill.

Mr. Davis inquired about the contracts for the Rural Rustic Roads project. Mr. Jennings reported that bids are due the fourth Tuesday of June and he anticipates that the work should begin at the end of July or beginning of August. He reported that he has requested work on the shoulders along Route 33.

Mr. Burrell reported dangerous pot holes on Stage Road west of Good Hope Road.

IN RE: INTRODUCTION OF NEW EMPLOYEES

Charles Hester, Parks & Recreation Director, introduced Matt Spruill, the new Programming Manager.

Mr. Christie introduced Alan Harrison, the new Public Works Director.

IN RE: ACKNOWLEDGEMENTS OF APPRECIATION

Mr. Christie thanked Bill Leary and Nancy Currence for their hard work while serving as Interim Public Works Director and Interim Parks & Recreation Director, and presented them with gift certificates to a local restaurant.

Mr. Davis stated that the County is filled with talented people, many of them early retirees, and he'd like staff to establish a list of those individuals upon whom the County could call in times of need, and suggested running an ad for volunteers.

Mr. Sparks thanked Cal Curling for his hard work during his tenure on the Electoral Board and read Resolution R-12-04 aloud for the audience and presented him with a framed copy. Mr. Curling accepted on behalf of his fellow members of the Electoral Board, Charles Moss and Nellie Crump, as well as Registrar Gwen Ellyson, and the precinct workers. Mr. Curling stated that he was proud that New Kent was the first County in the State to have touch screen voting machines county-wide. He stated that the 70+ individuals who work at the precincts are the backbone of the election process in New Kent.

Mr. Moss stated that Mr. Curling was instrumental in maintaining the process, he was going to miss him, and this was a well-deserved honor. Mrs. Crump took the opportunity to introduce the newest member of the Electoral Board, Clay Smith.

IN RE: MEMORANDUM OF UNDERSTANDING WITH CIRCUIT COURT CLERK

Mr. Christie reviewed the proposed changes in the MOU with Karen Butler, the current Circuit Court Clerk, which included an agreement to post notice of employment openings in the usual County places, office hours of 8:30 a.m. until 4:30 p.m., and the same benefits as other County employees regarding payment of leave balances at termination. Ms. Butler was present to answer any questions.

Mr. Sparks moved to approve the Memorandum of Understanding with Karen Butler, Circuit Court Clerk, as presented. The members were polled:

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

The motion carried.

IN RE: TEXT AMENDMENTS

Community Development Director George Homewood reviewed some of the proposed text changes to the subdivision ordinance. He believes that these will suffice until the new ordinance can be adopted.

He reported that the current definition of "subdivision" exempts large-lot subdivisions from much of the subdivision process. It appears that the Board intended this exemption to apply only to property currently zoned A-1, and not to residential, commercial or industrial land for which there are specific provisions and exemptions elsewhere within the subdivision ordinance. The effect of this provision is to provide a de facto minimum subdivision lot size of 15 acres in the A-1, or 25 acres without frontage on a public road. He indicated that this more properly belongs in the zoning ordinance and as it is redrafted, he anticipates that lot size issues will be entirely placed within the zoning ordinance.

Mr. Homewood indicated that the definition also contains internal inconsistencies regarding access requirements for 15 – 24 acre parcels as compared to the requirements of 25-acre and larger parcels. He believes that the intent was to require public or private roads to serve parcels of 15 – 24 areas, and an unimproved access in a 50-foot deeded right-of-way would be all that would be required for 25-acre and larger parcels. However, the wording requires public or private street access for "all lots of 15 acres or more" without limitation on what constitutes "more". Strict interpretation would mean all 25 or larger acre parcels, since 25 is "more" than 15. He indicated that practice has been to apply the requirements as it appears they were intended rather than as written; the draft amendment would conform the words to the practice and apparent intent.

He reported that the current provisions will be "grandfathered" in the time between the adoption of the Subdivision Ordinance and the Zoning Ordinance. Consequently, clarification of the definition needs to occur because the large-lot exemption will likely continue in its current form until the new Zoning Ordinance is adopted.

Staff proposes to advertise this text amendment for public hearing at the Board's July 12 meeting. It is anticipated that the new Subdivision Ordinance will be advertised for public hearing before the Planning Commission during the summer.

The second proposed text amendment, which is less controversial, removes all of the special planned unit development types, replacing them with a single Planned Unit Development district. Planned development is the preferred manner of development and each development should stand on its own merits and not be constrained by rules and regulations. The proposed amendment keeps the submittal criteria the same, and an applicant can propose anything that makes sense. The predominant uses must be compliant with the Comp Plan. Mr. Homewood proposes to advertise this text amendment for public hearing at the Board's July 12 meeting. He indicated that there were few speakers at the Planning Commission's public hearing.

Mr. Davis asked about advertisements. There was general discussion about the cost of ads and how to decrease the County's cost. The notices are also placed on the County's website.

Mr. Hill asked if the change in the definition of subdivisions would help to bring business to New Kent. Mr. Homewood reported that it would have no impact. Mr. Hill commented that 5 members of the Planning Commission say it will slow that process.

Mr. Christie asked if the Board wanted more work sessions or to move forward with a public hearing in July. There was consensus to move forward with a public hearing. Mr. Trout indicated that the Board

may want to spend some time on this at the next work session. Mr. Homewood reported that he would not be present at the June 28 work session but would have staff available.

IN RE: SECOND POLLING PLACE IN DISTRICT 2

Mr. Sparks stated that District 2 needs a second polling place because of the increasing amount of difficulty getting in and out of the single polling place at St. Elizabeth Ann Seton Church on Route 60. He indicated that this is the most densely populated district in the County. Charles Moss, on behalf of the Electoral Board, reviewed the request made earlier this year, reported that this second precinct would benefit the citizens, and asked the Board to move forward.

Mr. Davis inquired how long it would take to get the precinct open. Mr. Moss indicated that he thought the Justice Department would have 60 days to act on the request, but they anticipate that it will be open in time for the November election.

There was discussion regarding the dividing line, which is I-64, and how to notify those affected by the change. Mr. Moss indicated that the Registrar would send out notices and they would consider flyers and advertising in the newspapers.

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

Mr. Davis moved to adopt Ordinance O-08-04 as presented. The members were polled:

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

The motion passed.

IN RE: BOTTOMS BRIDGE SERVICE DISTRICT

Mr. Christie indicated that the Board had adopted the Ordinance creating the Bottoms Bridge Service District at its April meeting but because of the many changes, the Ordinance was re-advertised to give the public one more opportunity to comment. Shirley Francisco has asked that two of her parcels (19-33 and 19-34A) be included in the district, which would necessitate the addition of parcels owned by Mr. and Mrs. Hamrick (19-61) and the Christian family (19-35), neither of whom wish to join because of the mandatory utility connections. He reported that it will add \$351,602 to the project costs to serve these four lots.

It was reported that Mrs. Francisco would be amenable to including only parcel 19-33, thereby eliminating the necessity of adding the Hamrick and Christian property.

Chairman Burrell opened the Public Hearing.

J. C. Francisco spoke on behalf of his wife, Shirley Francisco. He indicated that this property was directly across the street from the Williams Tract. They have no plans to develop the property and are agreeable that 19-34A not be included.

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

Mr. Davis inquired whether the property had to be removed from the AFD prior to the time it is added to the Service District. Mr. Christie reported that the County Attorney, Phyllis Katz, had suggested that the Board go through this process first, as long as it had been removed prior to the time that the tax bills are sent out in the fall. The applicant has indicated that they can start that process right away.

Mr. Davis indicated that he had no problems with the addition but feels that the Board needs to comply with the Ordinance. Dan Siegel, acting as County Attorney, stated that this is not specifically prohibited in the County's ordinance but by State Code, but asked for additional time to research the issue. Mr. Francisco indicated that he was advised not to ask for withdrawal beforehand. Mr. Burrell suggested that the voting be delayed until the Board can be advised by counsel.

In response to an inquiry from Mr. Hill, Commissioner of the Revenue John Crump indicated that his office would need to know the status of the property by the first of September, before tax bills were prepared. Mr. Hill stated that the County Attorney and County Administrator had instructed Mr. Francisco and he should not be penalized, and suggested that the Board conditionally approve the addition, on a contingency basis. Mr. Davis questioned whether the Board could do that. Mr. Sparks suggested that the Board delay this matter until later in the evening or until the next meeting.

IN RE: RESTRICTING TRUCK TRAFFIC ON ROUTE 613

Gary Jennings, Assistant Resident Engineer with VDOT, reported that New Kent's request for a restriction is an extension of what Hanover has already done to restrict traffic along Route 613. This action will force commercial truck traffic to remain on I-64 rather than using Route 613 to by-pass the weigh station. Once this is approved by the Commonwealth Transportation Board, his department will install the signs and law enforcement can start issuing tickets to trucks that are traveling on Route 613 without a proper bill of lading for delivery to an address on Route 613.

There was some discussion about the State's previous plans to relocate the weigh station into New Kent, and Mr. Jennings indicated that he did not foresee that happening.

Mr. Sparks and Mr. Hill shared some of the complaints and comments received from their constituents, as well as what they have personally observed about commercial truck traffic traveling on Dispatch Road.

Mr. Jennings reported that Hanover's request is already with the Commonwealth Transportation Board for approval, and that he would try to get New Kent's request to the CTB for their meeting next month. He reported that the restriction will be effective as soon as the signs are installed; however, the Sheriff's Department may initially grant a grace period before issuing tickets.

Chairman Burrell opened the Public Hearing.

Gary Green thanked Mr. Hill for bringing this to the Board. He related that residents jog and children ride their bikes along Dispatch Road and it is not a place for commercial truck traffic.

Joe Leonard, a retired truck driver, reported that the truck drivers already know about this pending restriction. He related how the roads are being damaged and described the excessive speeds of truck traffic and his efforts to have the Sheriff's Department intervene.

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

Mr. Sparks moved to adopt Resolution R-16-04 as presented. The members were polled:

W. R. "Ray" Davis, Jr.	Aye
Mark E. Hill	Aye

D. M. "Marty" Sparks	Aye
Stran L. Trout	Aye
James H. Burrell	Aye

The motion carried.

IN RE: BON SECOURS FACILITY IN PROVIDENCE FORGE

Mr. Christie reported that Bon Secours is proposing an outpatient facility in Providence Forge where on 2 days per week, MRI, CT and other imaging services would be available through the use of a mobile unit. The State is conducting a public hearing on June 22 at 2 p.m. and he requested the Board's consideration of Resolution R-19-04 as evidence of the County's support. Central Virginia Health Planning Agency is in the process of conducting a needs assessment.

Mr. Davis reported that it was his understanding that the same unit plans to be in Tappahannock 2 days a week, where there is strong opposition from Riverside Health System.

Mr. Trout reported that the public response has been positive. The facility will not provide any emergency care but will provide some outpatient services. There has been some concern that it may compete with local doctors but he feels such a facility will be of real benefit to New Kent.

Mr. Sparks stated that the local doctors don't have this kind of diagnostic equipment.

Mr. Hill stated that he fails to see how it would compete with local doctors, but instead should be an asset for them.

Mr. Trout explained that the local doctors fear that it may expand into their area, but he feels that the Board should support the application.

Mr. Trout moved to adopt Resolution R-19-04 as presented. The members were polled:

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

The motion carried.

IN RE: BOTTOMS BRIDGE SERVICE DISTRICT (continued)

Mr. Siegel reported that in reviewing the statutes, the Ordinance is not the issue. Under the state code, the County is not allowed to impose special assessment, tax or levy on land in an AFD. He proposes that before adoption of this ordinance, the applicant enter into an agreement with the County that he will pay the assessment for that property regardless of whether the property has been removed by the time that tax bills are sent out, and that he will start the process to withdraw the property from the AFD. He suggested tabling any action until this agreement has been prepared and signed. He will be happy to have this agreement by the next meeting which will be in two weeks, and the Board can adopt the ordinance then.

IN RE: OFFICE SPACE

Mr. Christie reported that staff is continuing to search for office space for the extension service. Under consideration is office space at the former Southern States farm and the old Car Quest building.

The projected cost to rent the Southern States space is \$19,200, but includes 2,072 square feet as well as land and a greenhouse for demonstration purposes. Under a five year lease, yearly rent would be \$18,000 but would not include utilities, estimated at \$1,200 per year.

The cost to rent space in the Car Quest building is projected to be \$17,258 per year under a five year lease. Utilities would be included in the rent, and 1,475 square feet of office space is available.

The Car Quest building is \$1,942 less per year than the Southern States space, but Extension Agent Paul Davis believes that the Southern States location is preferable because it provides more office space as well as the greenhouse and demonstration land.

The Parks & Recreation department would not join in this move.

Mr. Christie reported that Charles City County does not have money in the upcoming budget to participate, but may consider sharing this space in the future.

Following discussion, Mr. Sparks moved to authorize the County Administrator to execute a five year lease for the Southern States Research Park offices building for extension service office space. The members were polled:

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

The motion carried.

Mr. Christie reported that the leases for the Social Services office and warehouse space are expiring and he suggests renewing it for another three year. The property has changed ownership since the original lease was signed and he is working with the agent, Paul Robinson, to determine the true amount of square footage. Mr. Christie suggested that the County enter a three year lease for both spaces as there are no plans to move Social Services during that time.

Mr. Hill voiced his concerns about the space needs of the County and the capital improvement plan, and the'd like to be able to house County employees in County office space rather than lease. Mr. Trout shares Mr. Hill's concerns and said he'd like for the county to be in a position to put its money to better use. Mr. Davis agreed with some of their comments, but indicated that the County needs to weigh the cost of leasing square footage against the cost of debt service.

Mr. Davis moved to authorize the County Administrator to enter into a three year lease for both the current Social Services offices and warehouse at \$32,040 per year. The members were polled:

Stran L. Trout	Aye
W. R. "Ray" Davis, Jr.	Aye
Mark E. Hill	Aye

D. M. "Marty" Sparks
James H. Burrell

Aye
Aye

The motion carried.

IN RE: FARMS OF NEW KENT – REQUEST FOR RELIEF

Mr. Christie reported that a PUD application fee of \$118,940 was collected from Farms of New Kent in FY03. Staff submitted invoices totaling \$33,162.40 for professional services rendered by Rickmond Engineering, of which Farms of New Kent has only paid \$212.00. FONK has asked that the outstanding invoice of \$32,950.40 be credited to their application fee.

There was discussion concerning the intent that the application fee (\$40/acre + \$1200 application fee) cover staff expenses and time, that outside services would be billed to applicants, and that granting this request would set a precedent. Mr. Davis suggested that staff track the time spent on PUD applications. Mr. Hill stated that he does not doubt that the application fee was earned by staff. The County needs to "stick to its guns" and collect this money to pay the bills. Mr. Sparks agreed with both, stating the County should be able to track its staff time on PUDs, especially now that staff has been added. Mr. Trout stated that the standard fees were set to cover time spent by County staff, but excludes contract services. He fears that if the County bills based on time spent, then it becomes a billing and time tracking problem. The amount due is for outside contracting services, and he is concerned about setting a precedent. The PUD application was withdrawn at the Board meeting before the vote and it is not appropriate to refund it. Mr. Hill stated that the County incurred this expense, hired Rickmond who did their job, and the County shouldn't be held liable for their withdrawal. Mr. Trout concurred there is no justification to reduce the fee. Mr. Sparks stated that there were three public hearings and 7 work sessions, and a tremendous amount of time spent by the Planning Commission, staff and Board.

No action was taken on the request.

IN RE: ELECTED OFFICIALS REPORT

Mr. Davis reported that he and Mr. Burrell had attended a meeting of the Bridge Naming Committee last week and discovered that it takes "an act of Congress" to change the name of a bridge. Nonetheless, they are soliciting public input to name the bridges that are replacing the Eltham and Lord Delaware bridges. He reminded that this Saturday was New Kent Clean County Day, and encouraged everyone to get out and clean up their streets and neighborhoods. VDOT has provided trash bags. Rain date will be next Saturday.

Mr. Trout reported that he had attended meetings of the Richmond Regional Planning District Commission and executive committee of the Metropolitan Planning Organization. Amelia County has asked to join the RRPDC and he gave a brief synopsis of that process. At the June 15 meeting of the Chamber of Commerce at the Brickshire Members Club, John Hager will be speaking and the public is invited. He reported that he had attended the New Kent High School graduation ceremony and commented on the high number of outstanding students, 50 of whom were honor graduates who received over \$340,000 in college scholarships. He congratulated Mr. Burrell and Mr. Davis, both of whom had children who graduated, and commended the School Board and Principal Jones for their fine students and graduates.

Mr. Sparks reported that he also attended graduation, which was a great event and had the largest crowd (over 2,000) ever. He indicated that Dr. Geiger had commented that this was the brightest graduating class that the school has ever had, and Mr. Sparks congratulated the schools for their good job in educating students. He also reported that the Board had met with planning staff from Hanover County, who has adhered to its Comp Plan and been very strict in its policy to provide utility service.

Mr. Davis reported attending a concert through Arts Alive in West Point, to which New Kent is a contributor. He saw many New Kent people in attendance, and stated that it was a beautiful facility with good acoustics. Season tickets will go on sale soon. New Kent does have a representative on the Board of Directors.

John Crump, Commissioner of the Revenue indicated that he understood the Board would be discussing the tax exemption program at its June 28 work session. He stated that anyone owning any amount of land would not be able to qualify for relief because of the net worth limits, and he will be glad to provide any information that the Board may need for their discussion. Mr. Hill inquired about the process to change the current program. It was reported that the Board would review the options at its work session and try to reach a consensus about new levels. Any change in the program would not go into effect until next year.

IN RE: STAFF REPORTS

Continuing the discussion that began during Citizen Comment, Mr. Christie reported that if the Board wanted to increase the salary of the Social Services Director with a local contribution, it would broaden the field of candidates. Marianne Powell stated that the agency designation is based on the number of employees, not population. New Kent Social Services has 3.5 social workers and 12 employees. If the Board chooses to raise the salary, then the State advises that position be re-advertised.

Mr. Hill moved that the County re-advertise the position of a full time Social Services Director at a beginning pay scale of \$44,040, at grade 15, step 58. The members were polled:

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

The motion carried. Ms. Hargan, who spoke about this issue during the Citizen Comment Period, stated that she thought this would put New Kent on a more even playing field.

Mr. Christie stated that the County wanted to sell a 1982 Mack Fire Truck for \$8,000 to Buddy Gray Fire Equipment from Alabama. This is the only response to ads that were placed in fire and trade publications.

Fire Chief Larry Gallaher stated that this vehicle is 22 years old and needs work, and the best estimate of value he can make is \$8,000 - \$10,000. Mr. Gray is in the business of buying and selling used apparatus, and will be able to sell this equipment after refurbishment. The vehicle will be sold to Mr. Gray "as is" and the buyer will send someone to pick it up. The fire company has already replaced it.

Mr. Hill moved to accept \$8,000 for the 1982 Mack Fire Truck from Buddy Gray Fire Equipment from Alabama. The members were polled:

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

The motion carried.

Mr. Christie reported that July 24 is not available for Mike Chandler whom the Board wanted to facilitate the retreat. There was consensus to keep the retreat on July 24 and find another facilitator.

IN RE: APPOINTMENTS

The Board will continue to make appointments to various committees.

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

Appointments to Boards and Commissions not delegated by District:

Mr. Sparks moved to appoint Fran Christie as New Kent's representative to the Hanover Health Advisory Board to serve a two-year term ending December 31, 2005.

Mr. Trout moved to appoint James Burrell as New Kent's representative to the Board of Directors of the Richmond Metropolitan Convention and Visitors Bureau, to complete a two year term beginning July 1, 2004 and ending June 30, 2006.

Mr. Sparks moved to appoint Rebecca Ringley as New Kent's representative to the Board of Directors of Senior Connections, the Capital Area Agency on Aging, to serve a three year term beginning July 1, 2004 and ending June 30, 2007.

Mr. Burrell stated that he would check with Norman Anderson to see if he is willing to accept re-nomination to the Local Disability Services Board.

Mr. Trout commended that it would be helpful to know more about what the requirements for each of the appointments are and what they do.

The members were polled on the appointments:

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

The motion carried.

IN RE: MEETING SCHEDULE

The next regular meeting of the Board of Supervisors will be held at 6:00 p.m. on Monday, July 12, 2004, in the Boardroom of the County Administration Building. A work session will be held at 6:00 p.m. on Monday, June 28, 2004, in the Board Room of the County Administration Building. The Board agreed to discuss utilities at the Courthouse at the June 28 work session.

IN RE: CLOSED SESSION

Mr. Davis moved go into closed session for discussion relating to business and industry development pursuant to Section 2.2-3711A.5 of the Code of Virginia involving prospective business or industry. The members were polled:

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

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

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

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

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

The motion carried.

IN RE: ADJOURNMENT

Mr. Davis moved for adjournment.

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

The motion carried.

The meeting was adjourned at 10:30 p.m.
