

THE REGULAR MEETING OF THE BOARD OF SUPERVISORS WAS HELD ON THE 8th DAY OF JULY IN THE YEAR TWO THOUSAND TWO OF OUR LORD IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING AT 6:01 P.M.

IN RE: ROLL CALL

Julian T. Lipscomb	Present
Rebecca M. Ringley	Present
James H. Burrell	Present
Dean E. Raynes	Present
W. R. "Ray" Davis, Jr.	Present

Chairman Davis called the meeting to order.

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Raynes gave the invocation and led the Pledge of Allegiance.

IN RE: CONSENT AGENDA

Mr. Ellyson presented the Consent Agenda, which consisted of the following: approval of the minutes of June 10, 2002 work session and June 10 regular meeting; road name additions - Halstead Lane, Laurel Breeze Lane, Union Camp Road, Jack's Corner Drive, Wildlife Ridge Trail, and Bel Glen Drive; authorization for the County Administrator to execute Agreement Establishing the Crater Criminal Justice Training Academy; Acceptance of the Chickahominy Wastewater Treatment Plant Expansion; refund of \$830.00 to Connie L. Terry for cancelled conditional use permit fee; reimbursements to 33 applicants for septic tank pumpouts, totaling \$5,615; appropriations for FY2001-2002: to appropriate grant funds from NHTSA/NSA Buckle Up America, \$500.00; to appropriate money to AFDC Foster Care, \$3,563.00; to appropriate funds received from the Commonwealth of Virginia for "Animal Friendly Plates", \$245.79; to appropriate funds to cover shortage in Legal Services Budget, \$65,000.00, Total Supplemental Appropriation, \$69,308.79; \$4,308.79 Money-in/Money-out; \$65,000.00 from General Fund Balance; appropriations for FY2002-2003: to carry forward funds for open purchase order to Logan Systems, Inc, \$8,382.00; to carry forward funds for the State Fire Program, \$1,066.62; to carry forward funds for Capital Projects, \$304,798.03; to carry forward funds for the Airport, \$2,000.00; to carry forward funds for Economic Development pamphlets, \$12,000.00, Total Supplemental Appropriation \$328,246.65; \$-0-Money-in/Money-out; \$328,246.65 from General Fund Balance; budget transfers for the month of June, 2002; monthly revenues during June 2002 - \$1,734,615.71; monthly expenditures during June 2002 - \$3,954,475.08. Treasurer's Report - total cash as of May 2002, \$16,097,617.75.

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

Julian T. Lipscomb	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye
Dean E. Raynes	Aye
W. R. "Ray" Davis, Jr.	Aye

The motion carried.

IN RE: CITIZENS COMMENT PERIOD

Chairman Davis opened the Citizens Comment Period.

There being no one signed up to speak, Chairman Davis closed the Citizen Comment Period.

IN RE: ELECTED OFFICIALS REPORTS

Mr. Burrell reported on improvements to the recycling bins, most notably larger portholes which will make it easier for citizens to recycle corrugated cardboard, etc.

Mr. Lipscomb wished Emma P. Gregory a happy 90th birthday. She is the mother of Linwood Gregory, the Commonwealth's Attorney, and mother-in-law of Barbara Gregory, the Circuit Court Clerk.

IN RE: STAFF REPORTS

Chairman Davis introduced Paul Davis, the new Acting Unit Director of the Extension Service. Mr. Davis reported that his office has a new secretary, Rebecca Coates Adams. He also reported that he is the only agricultural agent left in the area as the four agricultural extension agents in the surrounding counties of James City, Charles City, Hanover and Henrico Counties retired at the same time as Sylvia Hathaway. Three of those counties, James City, Henrico and Hanover, have very active master gardener programs, wherein volunteers man the telephone all day, answering general homeowner questions. He has a temporary arrangement with these counties wherein he will work with the grain, hay and livestock producers in those areas, and in turn, they will answer any homeowner questions in New Kent if he is not in the office. If he is in the office and gets a call from a homeowner, he will answer it if he knows it off the top of his head. If he has to research it, he will forward the phone call (not long distance) to one of those counties. In return, they will also conduct training of anyone in New Kent who wants to become a master gardener. He will continue to handle pest problems and soil sampling in New Kent. He reported that there will be no new hiring by the Extension Service for at least a year, although transfers between areas will be allowed.

Chairman Davis then introduced Bill Kelly, the new Airport Manager. Mr. Kelly reported that the Young Eagles, sponsored by the Experimental Aircraft Association, will be at the Airport this weekend giving free airplane rides to children to promote general aviation. Their goal is to fly one million children before the 100-year anniversary of the Wright Brothers' flight. He reviewed the plans for Saturday and invited the Board and residents to stop by. Mr. Kelly also reported on the Civil Air Patrol's presence at the Airport. The CAP will be meeting at the old terminal building, which will be renovated with donated materials and labor supplied by the CAP and local pilots. The CAP will also provide opportunities to the youth of New Kent.

IN RE: RESIDENT ENGINEER'S REPORT

Gary Jennings, Resident Engineer from VDOT, reported that it is hoped that the westbound I-64 rest area will open by Labor Day. The eastbound rest area will close at 8:00 a.m. on July 15, 2002, and be completely rebuilt into a Welcome Center, to be re-opened sometime in 2003, hopefully mid-summer. This work is being done under a design-build contract, at a fixed cost.

Contractors have started clearing for the project at Routes 249/155, and should start work on the project at Routes 249/655 next week. The notice to proceed for the project at Route 60 at Bottoms Bridge has

been issued for July 15, which means the contractor has 10 days after July 15 to start work. Mr. Jennings reported that the work on Route 608 has been completed, and that work has begun on the Route 623 Cooks Mill Bridge replacement. Maintenance work in the last month has included tree and brush control, mowing, ditching and litter pick up.

Mr. Burrell indicated that members of the Mt. Pleasant Church had been calling regarding the slope that had been shaved. Mr. Jennings reported that water had been standing around the curve, and crews went further down the road and tried to open the ditch line, and did shave some of the slope next to the Church, exposing some tree roots. They plan to cut the roots off. Mr. Burrell asked if they could seed and straw to try to prevent erosion. Mr. Jennings indicated that they would try to install some type of slope establishment.

Chairman Davis inquired why the eastbound I-64 rest stop had been closed on Friday, July 5. Mr. Jennings reported that it was closed due to a burst pipe, on Friday as well as Sunday. Upon inquiry, Mr. Jennings indicated that the marked trees along Route 249 are scheduled for removal, at which time Chairman Davis noted that some dead trees had not been marked. Mr. Jennings indicated that his report on the cost regarding Hidden Drive should be received this week.

IN RE: PRESENTATION of Resolution R-20-02 in recognition of Jesse Beaman

Chairman Davis presented framed copies of Resolution R-20-02 to the widow and brother of Jesse Beaman, reading it aloud for those in attendance. Mrs. Ringley expressed her condolences to the family. Emory Beaman thanked the Board and the County for honoring his brother.

IN RE: PRESENTATION - Lt. Col. Timothy Cramer, Chief of Staff, Civil Air Patrol

Lt. Col. Cramer, Chief of Staff, corrected the agenda which reflected that he was the Wing Commander. He read a letter from Colonel Joseph R. Vazquez, who is the Wing Commander of the Civil Air Patrol, United States Air Force Auxiliary, thanking New Kent for the accommodations, consideration and support given to the Byrd Squadron of the Virginia Wing of the Civil Air Patrol in their relocation to the New Kent Airport. Col. Vazquez pledged the CAP's support in assisting with permissible activities at the New Kent County Airport and surrounding areas. He represented that the CAP's presence in New Kent will present new opportunities for volunteer participation in their three great missions which are aerospace education, emergency services and the cadet program which serves young people and residents and, as well, will bring new and additional business with local merchants and service companies. Many of the local pilots that use the airport have shown interest in joining the CAP organization. The squadron will also serve to attract the County's young people to participate in their events. The New Kent Airport is ideally situated - just far enough away from the Richmond Airport and its traffic patterns to avoid any air traffic control problems, but close enough to many of the other CAP bases to make it practical to hold training missions and sessions, using New Kent County as the training base. Recent airport improvements offer users a safe and inviting atmosphere for aviation activities of all kinds. The CAP looks forward to a long and mutually beneficial association.

Lt. Col. Tim Cramer expressed his thanks to the County as well. He introduced other CAP members who had accompanied him, namely Lt. Col. Marcia Cramer, the Group IV commander, in charge of all squadrons in Central Virginia; Capt. Tom Redford, the squadron commander for the Byrd squadron which will be stationed in New Kent; Capt. Franklin Moore, deputy commander for the squadron; senior member Rita Cadman, a new member of the Byrd squadron as well. He expressed his special thanks to Mr. Lipscomb and Bill Kelly for their assistance, both of whom were instrumental in achieving the objective of moving the Byrd Field Squadron to New Kent.

Lt. Col. Cramer explained that the Byrd Field Squadron has a long history at Byrd Field, going back to World War II. With the current world situation, the squadron has been unable to meet at the Air Guard because of security, and has been meeting temporarily in one of the Mason Halls.

The Civil Air Patrol performed coastal patrol during World War II, and has new missions and taskings in the coming years. Currently, it is very active working with the state and federal government, as the Air Force auxiliary, looking for missing airplanes and people, as well as performing disaster relief during and after hurricanes, tornadoes, etc. Its capabilities are many. The CAP has 12 light aircraft stationed throughout Virginia, several in this area, and has air and ground team members. It also performs some work for the DEA and the Customs Service, and will shortly begin working for Homeland Security, performing aerial reconnaissance and photography. Its 1300 members in Virginia stay busy. There are over 60,000 members throughout the United States who volunteer their time, without any pay or any expectation of publicity. Having the CAP in New Kent County is a good thing for the CAP and also provides to the citizens of New Kent and its environs an opportunity to join an organization that is oriented towards integrity and leadership. Youth aged 12, or in 6th grade, can join its cadet program. Cadets are model citizens and concentrate on four different areas: military leadership, moral leadership, aerospace education and physical education.

IN RE: PRESENTATION - Lamont Myers - report on Baseline Economic Plan

Mr. Myers presented a report on the second part of the work that he is performing for the County. For his analysis, he has looked at a number of key economic factors and variables over the last ten years to determine where the County has come from and recommends that the County use that as a basis for upcoming decisions as they relate to the Comprehensive Plan, primarily with regard to zoning, land use and economic development. In many instances, he has compared these numbers with surrounding jurisdictions to give the County a sense as to where the County stands.

The first factor at which he looked was population and household growth. He reported that New Kent was the third fastest growing community in the Richmond metropolitan area, on a percentage basis, over the last ten years, behind Powhatan and Hanover. Regardless, the County still enjoys a very low population density, about 64 persons per square mile, which is still on the low end of the entire region. He predicted that growth pressures will continue to increase - development of the Kentlands alone has the potential to double the number of building permits. There are a large number of existing lots of record that have not yet been subdivided, and land is still a bargain, compared to other localities. As growth pressures increase in neighboring jurisdictions, it stands to reason that much of that growth will find its way naturally to New Kent.

The next economic variable he looked at was income and poverty. New Kent enjoys the fourth highest median household income in the metropolitan area, as well as the second lowest poverty rate, and the third lowest poverty rate among children under age 17. However, of some concern is the fact that the poverty rate of children under age 17 was 9.4% which is 1 ½ times the overall poverty rate for the community.

Looking at employment and unemployment rates, he reported the good news is that the County added over 1200 new jobs between 1990 and 1999, and has consistently enjoyed low unemployment, lower than the national, state and regional averages - although most of those people do work elsewhere. The entire area, not just New Kent, reflects poverty rates significantly higher than the unemployment rate, which is a sign of a problem with underemployment (low wage rates). While the wage rates in Southeast Virginia started to reach parity with the rest of the nation in 1980, they have begun to slip back which he feels is a result of the rate of growth in military employment and growth in some of the lower paying jobs, such as

call centers, etc. He expressed his belief that there is an issue to be addressed with underemployment, primarily for spouses and single heads of household.

Regarding construction and housing, single family permit activity has increased during the last five years, the values of which were relatively low until the last two years, most likely because of the value of some of the houses being built in Brickshire. One area of concern is that the ratio of non-residential to residential activity still remains quite low. As a matter of fact, for about half of the years since 1990, the amount of new non-residential building permit activity in proportion to the total building permit activity, was less than 10%. Typically, the target is 20 - 25%, but is not unusual for a community to try to balance that with their economic slate. 1995 looked great at first - there was \$28 million in new non-residential permit activity - until he realized that \$20 million was for the new jail, and most of the rest was for water improvements. That is also an issue that the County needs to address.

He next looked at retail sales, which is a very important revenue-generator for any locality in that 1% of the 4.5% sales tax comes back to the community in which it is collected. New Kent has consistently ranked low in per capita retail sales, with the exception of food sales. There is a very low incidence in sales of clothing, furniture and general merchandise. The good news is strong growth in restaurant sales - in fact, one of the highest growth rates in the region.

Regarding lodging and tourism, revenues remain virtually non-existent. Traveler spending did increase dramatically during the 1990s, from \$7 million to \$26 million, a good portion probably due to Colonial Downs. The four I-64 interchanges provide great development opportunities for lodging and tourism, but that is something that will take a considerable amount of time. There is still a significant amount of vacancy in the Williamsburg market, and while convention activity in Richmond is very strong with the Convention Center being expanded, New Kent is too far from downtown to share any effect of that growth. He does not expect a great deal of that type of development during the next ten years. He does think that there are some significant opportunities in village retail, primarily things like beds and breakfasts, restaurants, antique shops, and other small retail to capture that flavor. There is a trend in tourism in Virginia (which he will cover in his next report) towards more family-oriented and multi-generational travel, as well as a trend towards day-trippers, people who go for one day. He is impressed with Smithfield and what that town has done with small shops and restaurants and how vibrant that small community is.

Looking at community patterns, he expressed no surprise that only 20% of New Kent's labor force works in the County, with the largest number continuing to work in Richmond and Henrico. New Kent continues to be a bedroom community, which can explain the low unemployment compared to the low number of employment opportunities in the County.

In looking at agriculture, he considered the number of farms and acreage devoted to agriculture in New Kent. The number of farms decreased by one-third from 1974 to 1997, but the acreage in those farms devoted to crop production decreased by almost half during that same period. There are a number of possible agricultural preservation policies that can be considered, the advantages and disadvantages of which can be examined at a later time.

He also looked at the operating budget and some key considerations that will help with guiding some of the development and land use. The land book values continue to be disproportionately residential. There have been some good increases in personal property taxes but they fall solely on local residents. Horse racing revenues for the County are about \$500,000 and have been able to hold the line on some of the personal property taxes. The school population continues to grow, but at a slower rate than the population as a whole. Per pupil operating costs are increasing faster than inflation, but at a slower rate than the state average. The school division is doing a good job at holding the line on those costs and keeping them

below the statewide rate of increase.

Considering all of this information, he presented a SWOT analysis (strength, weaknesses, opportunities and threats). He reported that the strengths include the presence of four interstate interchanges, a large supply of vacant land, a highly regarded public school system, attractively low tax rates, natural environment, and a strategic location within the “path of progress” between two significant metropolitan areas that, over time, will continue to grow together along the path of the interstate.

Weaknesses include lack of public utilities at those interchanges, severe topography at some of these interchanges which limits development opportunities, lack of critical mass purchasing power (given the small size of the population) - making it important to look at areas that can draw from neighboring jurisdictions to provide that mass of purchasing power necessary to attract new retail development. There is a low level of non-residential development activity compared to residential development, and a small available work force, which is a result of the small population and the fact that the County has a very low unemployment rate. It is important for the County to attract projects that will provide employment and consider ways to get workers into the community. All of this, particularly the low level of non-residential development activity, has a potential for fiscal stress. As residential service demands continue to increase, the County has to find ways to balance those with the type of non-residential development that pays local tax revenues without demanding public services.

Opportunities include ways to get workers in - the fact that we have I-64 which makes it is very easy to get here from some of the other jurisdictions, including Henrico County and the upper end of the Peninsula, without burdening our back roads or residential roads. There is a tremendous opportunity for the right kind of village-oriented tourist activity and opportunities for higher end housing, which pay more in tax revenues that it demands in public services, as well as housing geared toward the elderly. This is not to be viewed to be to the exclusion of other types of housing - there still remains a need, as in every community, for affordable housing for those types of people who do not make a large wage, but whose presence in the community is so critical, not the last of which are schoolteachers and public safety staff. Regarding public utilities, on Route 33 there is the new IDA-controlled industrial park and the availability of some significant commercial tracts in Kentlands, as well as some large single land holdings that are proximate to these interchanges and do provide tremendous opportunity over the next five to ten years. From the standpoint of conservation and agricultural protection, there is an opportunity to purchase conservation easements while land values are relatively low.

He reported that threats include competition for the gambling dollar - the biggest threat to horse racing recently has been the state lottery, which has been on the ascendancy after a period of dropping. There are increasing public education costs that will continue to demand more and more in the way of public revenues. There is impending school construction requirements that have been well publicized. According to Andy Hagy, there are over 60 competing industrial sites within a 30-mile radius, which is a very significant number and gives an idea of just how competitive the field of economic development is, and the size of the challenge. Another threat is the potential for the interstate interchanges to develop piecemeal, without any type of overall guidance, presenting the likelihood that their contributions to the community may not be maximized.

Mr. Myers identified six primary needs, some of which are overlapping. The first is to attract development that will have a net positive fiscal effect on the community - development that will not impact on the quality of life but will provide tax revenues that are above and beyond what are demanded in the way of public service. The second is the need to attract employment opportunities for the working poor - to provide higher wage rates for those persons. The County needs to concentrate development near the existing transportation network - it has a very good interstate system and is blessed with four interchanges. If development is concentrated along the interstate, it would be the path of least resistance

in terms of trying to attract the desired types of businesses - that is where they want to be - and would have the least disruptive impact on roads in residential and agricultural areas, and will generate the least amount of demand for new highway construction. Public utilities at those interchanges is a very critical need. It is important to maximize the potential of the interchanges so that they are developed in a cohesive way to generate the most revenue for the County as possible. Finally, it is necessary to preserve the open space and cropland that is so synonymous with New Kent and the quality of life that everyone in the County enjoys.

Mr. Burrell thanked Mr. Myers for his enlightening presentation. Mr. Myers offered to provide copies of the text of his report for those who would like them.

IN RE: APPOINTMENTS

The Board will continue to make appointments to various committees.

Mr. Lipscomb had no appointments for District One.

Mrs. Ringley had no appointments for District Two.

Mr. Burrell appointed Annie Lewis as District Three's representative to the Board of Trustees for the Heritage Library for a four year term beginning July 1, 2002 and ending June 30, 2006.

Mr. Burrell moved to appoint R. Loretta Johnson-Quarles as District Three's representative to the Comprehensive Plan Advisory Board, for a one year term beginning July 1, 2002 and ending June 30, 2003.

Mr. Burrell moved to appoint Deputy Todd Landrum as District Three's representative to the Youth Services Commission for a four-year term beginning July 1, 2002, and ending June 30, 2006.

Mr. Raynes moved to appoint Thomas L. Goodale as District Four's representative to the Board of Trustees for the Heritage Library for a four-year term beginning July 1, 2002, and ending June 30, 2006.

Mr. Raynes moved to appoint Phillip Stowell as District Four's representative to the Comprehensive Advisory Board for a one year term beginning July 1, 2002, and ending June 30, 2003.

Mr. Raynes moved to appoint David Sisk as District Four's representative to the Comprehensive Plan Advisory Board for a one year term beginning July 1, 2002, and ending June 30, 2003.

Mr. Davis had no appointments for District Five.

The members were polled:

Rebecca M. Ringley	Aye
James H. Burrell	Aye
Dean E. Raynes	Aye
Julian T. Lipscomb	Aye
W. R. "Ray" Davis, Jr.	Aye

The motions carried.

Mrs. Ringley moved to appoint Jennifer Reed Burrell as the youth member of the Youth Services Commission to serve a one-year term beginning July 1, 2002, and ending June 30, 2003.

The members were polled:

James H. Burrell	Aye
Dean E. Raynes	Aye
Julian T. Lipscomb	Aye
Rebecca M. Ringley	Aye
W. R. "Ray" Davis, Jr.	Aye

The motion carried.

IN RE: PUBLIC HEARING - Ordinance O-21-02, to establish an Absentee Voting District for New Kent County, Virginia, in the Old Courthouse

Mrs. Gwen Ellyson presented this request from the Electoral Board to establish a Central Absentee Voting Precinct, or CAP, in New Kent County, the purpose of which is to record, cast and count all absentee ballots for an election in one central place rather than distributing the absentee ballots to each of the polling places for processing and counting after the polls close. Several years ago, the State Board of Elections recommended that New Kent County set up a central absentee precinct. New Kent was unable to act on the State Board's recommendation at that time due to space limitations. A CAP should be located as close as possible to the voter registration office and, at that time, the courtroom of the Old Courthouse was utilized as a polling place for the Courthouse precinct. During local redistricting, the Electoral Board was asked to submit recommendations to the Board of Supervisors for possible polling places. It was during this time that the Electoral Board saw the opportunity to free up the courtroom of the Old Courthouse as a regular polling place. Virginia Election law requires that a minimum of three officers of elections serve at a special absentee precinct. The Electoral Board requested funds for this anticipated expense during the recent budget process and the funding was approved. The Electoral Board has further requested that the CAP be used for November elections only. It would be cost prohibitive to use the absentee precinct for primaries, as the number of absentee ballot requests for primaries is typically very small (during the last primary on June 12, 2001, there were only nine absentee ballots cast countywide). In order to better serve the voters of New Kent County, the election officials, and the media, the Electoral Board asks that this request be given favorable consideration. This will enable them to get election results to the public faster and send their officers of election home earlier on Election Day.

In response to inquiry from Mr. Davis, Mrs. Ellyson reported that the number of absentee ballots cast varies, depending on the election cycle and type. During the last presidential election, there were 292 absentee ballot requests countywide, 269 of which were cast. Last year during the gubernatorial election, there were only 135 absentee ballots cast. She explained that with a CAP, the absentee ballots can be voted in person at the Registrar's office, or can be returned by mail. The ballots are retained in the Registrar's Office until Election Day. They can be processed prior to 7:00 p.m. but cannot be counted until the polls close at 7:00 p.m. The officers at a central absentee precinct are also there to handle any voter who goes to his regular precinct and indicates that he requested but never received his absentee ballot - that voter would be sent to the CAP for that issue to be resolved. If absentee ballots are handled at the regular precincts, they cannot be processed until after 7:00 p.m., after the polls have closed and all voters have voted and left the polling places. Then the tedious work of processing the absentee ballots begin, and thereafter the officers of elections have to complete all of the other paperwork.

Mrs. Ellyson also reported that the benefits from having the central absentee precinct far outweigh the resulting extra paperwork required.

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

Mr. Lipscomb moved to adopt Ordinance O-21-02. The members were polled:

Dean E. Raynes	Aye
Julian T. Lipscomb	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye
W. R. "Ray" Davis, Jr.	Aye

The motion carried.

IN RE: PUBLIC HEARING - ZM-3-02 (Ordinance O-23-02) John A. Pearman, Jr. and James B. Pearman have applied to rezone from R-2 to B-1 approximately 0.7 acres of property located on the south side of Pocahontas Trail (US Route 60), approximately 2,000 feet east of its intersection with Courthouse Road (SR 155) and further identified as tax map parcels 41A2-26 and 41A2-26A. The two parcels together constitute a through lot between Pocahontas Trail and Boulevard Road. There is an existing single-family house on Parcel 41A2-26 and the address of that house is 9300 Boulevard Road. The Comprehensive Plan designates this area as the Providence Forge Village. The Planning Commission recommends approval.

George Homewood, Planning Director, reviewed this rezoning application, using a PowerPoint presentation to show the location of the property. He indicated that the existing zoning, as well as that proposed, conforms with the Comprehensive Plan. He reported on the surrounding zoning - there are five parcels zoned A-1, six parcels classified as R-2, and twenty-three classified B-1. The character of the immediate area is distressed commercial. The property is situated at the median break on Route 60 and an unimproved right-of-way extends between Route 60 to Boulevard Road on the western boundary of the parcels, which would afford attractive access to commercial development of the property. There is no specific use planned; the property is being marketed and there are no proffers.

The property is very small in size, with marginal soils for septic systems, which means whatever is developed on the property will be of low intensity, in keeping with the village concept. What appears as a jumble of land use designations is entirely appropriate in a healthy village area. The application was reviewed by the normal state and local review agencies, and all responses were either neutral or in support of the request. Given the proximity of the railroad tracks and the nature of the surrounding parcels in Providence Forge, the subject parcel, on which one piece there is a residential structure, appears no longer viable as residential. The Planning Commission heard the application on June 17 and recommends approval. Staff likewise recommends approval.

Upon inquiry by Chairman Davis, Mr. Homewood reported that it is believed that the State owns the unimproved right of way which he believes to be 40 feet.

Mrs. Ringley asked if there was any comment from any of the adjacent property owners at the Public Hearing before the Planning Commission. Mr. Homewood reported that only John Jones, who

represented the Pearmans, appeared.

Chairman Davis opened the Public Hearing. John Jones appeared on behalf of the Pearmans. He reported that the right of way is directly across from the pass-through in the median of Route 60, and lines up with the lane that goes back and services Judge Sowder's home and others in the back section. It amounts to a grass and gravel road at present, provides access to the turn in to Eddie's Service Center, and does go through to Boulevard Road and provides a driveway access to the property that is immediately adjacent to the west. Ideally, while the property containing the restaurant is being actively marketed at this time, a logical inference would be that this property could be joined with that, which would give them an immediate turn from Route 60 into the restaurant parking lot, and make the restaurant a little more viable than it is at present.

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

Mr. Lipscomb moved to adopt Ordinance O-23-02, as presented. The members were polled:

Julian T. Lipscomb	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye
Dean E. Raynes	Aye
W. R. "Ray" Davis, Jr.	Aye

The motion carried.

IN RE: MEETING SCHEDULE

The next regularly scheduled meeting of the Board of Supervisors will be held at 6:00 p.m. on August 5, 2003. There will be a closed session on Friday, July 12, 2002, to interview candidates for County Administrator.

IN RE: ADJOURNMENT

Mr. Lipscomb moved to adjourn the meeting. The members were polled:

Julian T. Lipscomb	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye
Dean E. Raynes	Aye
W. R. "Ray" Davis, Jr.	Aye

The meeting was adjourned at 7:19 p.m.
