

THE REGULAR MEETING OF THE BOARD OF SUPERVISORS WAS HELD ON
THE 9TH DAY OF JULY IN THE YEAR TWO THOUSAND ONE OF OUR LORD IN
THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING AT 6:00
P.M.

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

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

IN RE: ROLL CALL

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

IN RE: CONSENT AGENDA

Mr. Emerson presented the Consent Agenda, which consisted of the following: approval of the minutes from the June 4, 2001 budget public hearing, the June 11, 2001 work session meeting and the June 11, 2001 regular meeting; approval of the Abstract of Votes prepared by the New Kent Electoral Board on 6/13/01; Resolution R-12-01 adding Piper Drive into the State Secondary System by VDOT; Resolution R-13-01 adding Ready Mix Drive into the State Secondary System by VDOT; Resolution R-14-01 requesting the Virginia Department of Health, Office of Emergency Medical Services to make the effective date of their new regulations January 1, 2003 rather than January 1, 2002; Resolution R-15-01 requesting VDOT to designate State Routes 249, 608 and 609 as Virginia Scenic Byways; requested road name change for Tilford Mill Lane; and a requested penalty abatement for a utility bill for Terry L. Oakes; refund of \$120.00 to Melissa Stump for a Parks and Recreation class cancellation; refund of \$170.00 to Emily Emmons for a Parks and Recreation class cancellation; refund of \$60.00 to Karen Strimple for a Parks and Recreation class cancellation; refund of \$170.00 to Brenda Mula for a Parks and Recreation class cancellation; refund of \$60.00 to Patty Starnes for a Parks and Recreation class cancellation; refund of \$85.00 to Susan Bates for a Parks and Recreation class cancellation; refund of \$60.00 to Robin Jones for a Parks and Recreation class cancellation; appropriation of state monies to Social Services for Day Care for Children - \$238.00; appropriation of additional money to the Sheriff's budget - \$10,832.00; appropriation of additional Litter Prevention Grant funds - \$8,920.00 for a Total Supplemental Appropriation for FY2000-2001 of \$19,990.00; \$11,070.00 Money-in/Money-out; and \$8,920.00 from Litter Control Fund Balance; FY2001-2001 carry forward funds from the Library of Virginia for microfilming of records for the Circuit

Court - \$25,817.00; carry forward funds for furniture for the Circuit Court - \$4,315.04; carry forward funds for the Comprehensive Plan budget - \$24,926.44; carry forward funds for the Airport perimeter fencing - \$84,812.69; carry forward funds for the radio system project - \$103,561.71; carry forward funds to replace tanker (Co. #3) - \$184,792.52; and carry forward funds for the state Fire Program - \$2,072.36; total supplemental appropriation of \$430,297.76; \$57,130.84 from general fund balance; \$305,316.77 from capital projects fund balance; \$67,850.15 from airport fund balance; FY2001-2002 Appropriations: appropriation of additional part-time funds to the Circuit Court Judge - \$1,600.00; appropriation of money to the Sheriff's Grant Funds for Highway Safety - \$7,500.00; total supplemental appropriation of \$9,100.00; \$7,500.00 money-in/money-out; \$1,600.00 general fund-fund balance; Finance Report for June 2001 of \$2,448,576.90; and Treasurer's Report showing total cash as of May 2001 of \$14,494,890.25. Mr. Emerson stated Resolution R-14-01 had been requested to be removed by VACO and he also noted a typo in the totals for FY2000-2001. Chairman Lipscomb also noted in Resolution R-15-01, Rt. 606 needed to be added. Noting the removal of R-14-01 and the other two changes, Mr. Burrell made a motion to approve the consent agenda. The members were polled:

Mrs. Ringley	Absent
Mr. Burrell	Aye
Mr. Raynes	Aye
Mr. Davis	Aye
Mr. Lipscomb	Aye

The motion carried.

IN RE: CITIZEN'S COMMENT PERIOD

Chairman Lipscomb opened the Citizen's Comment Period. Mr. John Crump, Commissioner of Revenue, stated he was there to speak as a citizen, not as the Commissioner of Revenue. Mr. Crump urged citizens to get out and vote for the Republican Party candidate for the House of Delegates on July 21, 2001. He also voiced his support for the New Kent County candidate, Doug Houston. Mr. Crump said the only voting prerequisite was that you are a registered voter.

IN RE: ELECTED OFFICIALS REPORTS

Mr. Davis stated he had no report but was grateful for a safe and good 4th of July holiday in the area.

Mr. Burrell reported he would be attending an upcoming meeting of the Richmond Convention & Visitor's Bureau and would report back to the Board at the August meeting.

Chairman Lipscomb asked Mr. Emerson if the Memorandum of Understanding ("MOU") had been signed by all participating localities to which Mr. Emerson responded it was

being circulated now. Mr. Emerson stated West Point had signed on with their representatives being Anthony Romanello, Town Manager and Jim Hudson, a Town Council member. Charles City County had also approved the MOU and according to their County Administrator, would be making their appointments soon.

Chairman Lipscomb made a motion to appoint Pete Johns to the Board of the Regional Economic Development Organization for a one-year term beginning July 1, 2001 and ending June 30, 2002. The members were polled:

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

The motion carried.

IN RE: STAFF REPORTS

Mr. Emerson referred the Board to an earlier memorandum from Charles Loving, Director of Public Works, wherein Mr. Loving made a recommendation as to which subdivision wells should be the first to go on the new generators. Mr. Loving explained he had suggested three subdivisions to go on the generators first and his recommendation was based on research which included looking at the interruptions and determining which subdivisions had the most and the longest interruptions. The three suggested subdivisions were: Kenwood/Greenwood Estates, Quinton Estates and Whitehouse Farms. The other subdivisions would be added as funds would allow. Mr. Burrell asked if the generators should be put out for bid. Mr. Loving stated he intended to move forward with the consultant to develop plans and specifications then to bid the project out.

Mr. Emerson asked for concurrence on the sites selected by Mr. Loving and to move forward with advertising the generator ordinance for the August meeting. There was a consensus of the Board for the County Attorney to advertise the ordinance, time permitting, for the August meeting.

Mr. Emerson then asked Mr. Cornwell to give an update on the septic depth issue. Mr. Cornwell referred the members to an earlier letter he had sent to which he had attached a proposed ordinance. The changes to the ordinance will impose requirements that a second treatment of wastewater shall be installed on any septic system drainfield serving any structure in New Kent requiring trench depths to be installed at a depth greater than 60 inches below the finished grade of any lot. It will also require any sewage disposal system(s) which will discharge effluent to a single absorption area or multiple absorption areas with or without combined flows, such that the loading rate applied to any acre, as determined by the New Kent Health Department, exceeds 1,200 gallons per day shall be defined as a mass sewage disposal system. Mr. Cornwell stated these changes had been suggested with the assistance of the State Health Department. Mr. Emerson asked if

there was a consensus of the members to go forward with advertising these ordinance changes for the August meeting, time permitting. There was a consensus of the members to move forward with advertising for the August meeting, if possible, if not possible, then the September meeting.

IN RE: RESIDENT ENGINEER'S REPORT

Mr. Rob Prezioso, Resident Engineer from VDOT, updated the Board of Supervisors on projects which have been accomplished within New Kent County and other tasks which are scheduled to be completed. He stated VDOT had been busy mowing and were close to completion of this round of mowing on the secondary roads. He stated VDOT had been doing beaver dam work, installing driveway pipe, brush control in Eltham, working on the shoulders of I-64 and Rt. 60, and working with the Sheriff's Department on finding trouble spots (trees that need limbing and potholes) along I-64. He reported that the Rt. 106 project was coming along and the bridge was being poured that night. He expects the Rt. 606 work to begin mid-August. He estimated the time of completion for the I-64 water/sewer project to be the spring of 2002. Mr. Prezioso reminded the members and citizens of the public forum on the weigh station issue would be 7/31/01 from 4:00 p.m. to 7:00 p.m. He also stated the Commonwealth Transportation Board would be meeting about the 6-year plan on Thursday, July 12, 2001. He also reported the traffic engineer study of Rt. 33 at Eltham was underway and that the Brown's Avenue deed was readying for circulation and he hoped to bring a resolution to the Board in August. Mr. Davis asked about using a bush hog to cut limbs in the air and Mr. Prezioso stated VDOT was no longer allowed to do this. Mr. Burrell asked for some attention to broken pavement on Stage Road and another area needing to be swept. Chairman Lipscomb told Mr. Prezioso about a section of road at Hampstead, in the curve, where the trees were blocking the view and needed to be trimmed. He also stated the same was true at a place $\frac{3}{4}$ of a mile past Cosby Mill Road in Hanover.

IN RE: PRESENTATION – By Messrs. Matthew Bolster and Barry Starke of K. W. Poore & Associates, Inc. regarding the status of the Comprehensive Plan Update.

Chairman Lipscomb recognized Mr. Bolster. Mr. Bolster gave a brief background of the Comprehensive Plan Update undertaking, stating three public meetings had been held at which time K. W. Poore had conducted a visual preference survey. He recognized Mr. Starke who gave a more detailed summary of the meetings, showing a poster of pictures like the ones used at the meetings. Mr. Starke stated K. W. Poore had asked for written comments from the public which had been compiled and studied. Mr. Bolster stated K. W. Poore's next plan was to interview local officials, including the members of the IDA, in order to determine challenges they seen the County facing. Their study has been divided into two phases: Phase I was the visual preference survey and Phase II is an analysis of existing conditions and land use survey. Mr. Bolster distributed an updated schedule and apologized for the delays so far, stating those had been because of several things, including a turnover with staff at K. W. Poore. Chairman Lipscomb confirmed they would be on schedule from here on out and Mr. Starke stated he hoped so.

IN RE: PRESENTATION – By the New Kent County Health Department regarding the status of the sanitarian work in the department.

Steve Fuhrmann from the Hanover Health District spoke with the Board regarding work in the Health Department. He stated the Health Department had received 14% fewer applications for 2001 but the second six months of the year was proving to be dramatically higher. He stated they had received more requests for septic permits than other permits. He also stated there was a hiring freeze on by the State but they had received an exemption to hire someone to help out in the sanitarian area in New Kent. They are looking for someone from the district who already has experience so as to lessen the training time. There was discussion from the Board members with regard to turnaround time for construction permits. Mr. Davis specifically asked how far behind they were on construction permits to which Mr. Fuhrmann responded turnaround was 3-4 weeks, more like 4 but that was pretty much the standard statewide. Mr. Fuhrmann said the Health Department was encouraging people who needed a short turnaround time to hire outside soil evaluators. Chairman Lipscomb stated he understood the turnaround time was no shorter with an AOSE. Mr. Fuhrmann stated this was not the case and stated if you had an AOSE, turnaround time was approximately 2 days. Mr. Fuhrmann asked that the Board inform the Health Department when the public hearing for the septic depth would be and they would try to have someone from their department present.

IN RE: PUBLIC HEARING – Zoning Ordinance Amendment ZO-03-01 to amend Section 9-183 *Permitted Uses*, Zoning Ordinance Amendment ZO-04-01 to amend Section 9-198 *Permitted Uses*, and Zoning Ordinance Amendment ZO-05-01 to amend Section 9-37 *Definitions* to the New Kent County Zoning Ordinances.

Mr. Mitchell presented the background information for Zoning Ordinance Amendments ZO-03-01, ZO-04-01 and ZO-05-01. He stated the County staff had proposed the following amendments to the zoning ordinance in an effort to foster better land use practices and economic development in New Kent County. He said these amendments will essentially allow lower impact development to occur in zoning districts which are designated for higher impact or land use intensity. Currently, the B-3 permitted uses are already permitted in the M-1 and M-2 zoning districts. The first two amendments complete this process by allowing less intense uses to be permitted in the more intense zoning districts. This will be a positive influence in the economic development of the County. The last amendment is an effort to offer better administration of the County's zoning ordinance and to clarify what a specific listed use actually means or permits. Mr. Burrell questioned some of the definitions, confirming questionable definitions would fall under the latitude of the zoning administrator. Mr. Cornwell stated it would also depend on what the applicant called himself.

Chairman Lipscomb opened the public hearing.

No one had signed up to speak.

Chairman Lipscomb closed the public hearing, asked for discussion from the Board and called for a motion. Mr. Raynes made a motion in order to address, protect and promote public convenience, necessity, general welfare and good zoning practices in the County, to approve rezoning ordinance amendments ZO-03-01, ZO-04-01 and ZO-05-01. The members were polled:

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

The motion carried.

IN RE: APPOINTMENTS – The Board will continue to make appointments to various committees.

Mr. Raynes made a motion to appoint Raquel Winston as District Four's representative to the Youth Services Commission for a one-year term beginning July 1, 2001 and ending June 30, 2002.

Mr. Davis made a motion to appoint Diane Walls as District Five's representative to the New Kent Clean County Committee to complete a four-year term ending December 31, 2003.

Mr. Davis made a motion to appoint Faye Patterson as District Five's representative to the New Kent County Board of Social Services for a four-year term beginning July 1, 2001 and ending December 31, 2005.

Mr. Davis made a motion to appoint Kim Turner as District Five's representative to the New Kent Youth Services Commission for a four-year term beginning July 1, 2001 and ending December 31, 2005.

Mr. Davis made a motion to appoint Jack Chalmers as District Five's representative to the Comprehensive Plan Advisory Commission for a one-year term beginning July 1, 2001 and ending June 30, 2002.

Mr. Davis made a motion to appoint Jimmy Potts as District Five's representative to the Comprehensive Plan Advisory Commission for a one-year term beginning July 1, 2001 and ending June 30, 2002. The members were polled:

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

The motions carried.

IN RE: MEETING SCHEDULE – The regular meeting of the Board of Supervisors will be held Monday, August 6, 2001 at 6:00 p.m. A work session will be held prior to the regular meeting at 4:00 p.m. in the courtroom of the Old Courthouse. The Board will continue to discuss redistricting at this work session.

IN RE: ADJOURNMENT

Before the Chairman adjourned the meeting, Mr. Emerson reminded the Board and citizens present of the four informal meetings to view the proposed redistricting plans:

July 23, 2001 5-7 pm at the Providence Forge Recreation Center
July 26, 2001 5-7 pm at the New Kent County High School
July 30, 2001 5-7 pm at the G. W. Watkins Elementary School
August 1, 2001 5-7 pm at the Co. #3 Fire Station in Eltham

Mr. Burrell made a motion to adjourn the meeting. The members were polled:

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

Chairman Lipscomb adjourned the meeting at 7:28 p.m.