

THE REGULAR MEETING OF THE BOARD OF SUPERVISORS WAS HELD ON THE 7TH DAY OF AUGUST IN THE YEAR TWO THOUSAND OF OUR LORD IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING AT 6:00 P.M.

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

Chairman Burrell gave the invocation and led the Pledge of Allegiance.

IN RE: ROLL CALL

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

IN RE: CONSENT AGENDA

Mr. Emerson presented the Consent Agenda, which consisted of the following: Approval of the Minutes from the July 10, 2000 work session and the July 10, 2000 regular meeting; request from the Parks and Recreation Department for approval and adoption of Bylaws and approval of a Shared Use Agreement between the Board of Supervisors and the New Kent County School Board; request from the Airport Advisory Commission for approval of a hanger rate increase from \$85 to \$115 for open bay hanger, from \$95 to \$125 for closed hanger and from \$35 to \$50 for the ramp; Mr. Burrell asked that Resolution R-20-00 be pulled until the next meeting of the Board of Supervisors; Resolution R-23-00 regarding the renewal of Evelyn AFD; Resolution R-24-00 regarding the renewal of Rankin AFD; Resolution R-25-00 regarding VDOT's Project 612-063-118, M501; Resolution R-26-00 regarding VDOT's Project 612-063-118, M502; Resolution R-27-00 regarding VDOT's 613-063-132-M501; Resolution R-27-00 regarding VDOT's Project 613-063-132-M501; Resolution R-34-00 regarding VDOT's Project 0656-5300; refund to Lawrence D. Powell, Jr. and Ann C. Powell of \$169.24 for personal property taxes; refund to BMW Financial Services, NA, Inc. of \$509.77 for personal property taxes; refund to Old Wood Ltd. of \$30.30 for an electrical permit application; refund to Donna & Ronald Foxhill of \$224.47 for a building permit; appropriation of an adjustment of FY 2001 Victim/Witness budget to the amount allocated by the grant award of \$486; appropriation of carryforward funds of \$5,881.06 for the purchase of furniture in the Treasurer's Office; appropriation of \$49,289 for adjustment of the FY 2001 Social Services budget to amounts allocated by the State; appropriation of additional funds of \$49,141.00 for the Department of Social Services for At-Risk Fee System day care, Adult Protective Services and Adult Services; appropriation of carryforward funds of \$3,750.00 for the Airport Business Plan; appropriation of carryforward funds of \$36,260.95 for Public Safety items/services not received prior to the end of the fiscal year; total supplemental appropriation \$51,230.01, a

total of \$11,210.00 from money in/money out, a total of \$9,612.87 from the General Fund Balance, and \$30,407.14 from the Capital Fund Balance; Finance Report showing monthly expenditures for July 2000 of \$2,018,914.60; and Treasurer's Report showing total cash as of July 2000 of \$11,677,206.51. Mr. Lipscomb made a motion to approve the consent agenda with Resolution R-20-00 removed.

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

IN RE: CITIZEN'S COMMENT PERIOD

Mr. Burrell opened the Citizen's Comment Period. The first person to speak was Mr. John Crump in his capacity as President of the New Kent County Historical Society. Mr. Crump was seeking advice from the Board on how to proceed with the historic brochure the Historical Society has been working on. Mr. Emerson reported to the Board he was addressing this issue in the staff report section of the Board meeting.

Mrs. Isabel White was the next person to speak. She voiced her concerns over the Eltham Bridge. She felt that New Kent was not taking a strong enough stance with regard to the bridge issue. Mr. Davis explained that he had attended every meeting West Point and the Commonwealth Transportation Board has had with regard to the bridge. He also pointed out that the Board of Supervisors had passed Resolution R-17-00 which stated the Board supported the bypass only if it took off the 7-11. Otherwise, the Board supported B-2. Mr. Davis stated he felt the Board had done all it could do regarding the bridge and pointed out that New Kent is not in the District having the final "say so" over the fate of the bridge.

Mrs. Thelma Wilson voiced her continued concern over the loss of the green area by the Old Courthouse to a parking lot.

IN RE: ELECTED OFFICIALS REPORTS

Mr. John Crump reported on the newspaper article for which Mr. Lipscomb had been interviewed regarding the cell phone tax Alltel had been charging citizens of New Kent County. Mr. Gregory has also been working on the problem. After several phone calls, Mr. Crump spoke with someone in Little Rock, Arkansas who confirmed that Alltel was erroneously taxing New Kent County citizens. Mr. Crump had to give her the zip codes used in New Kent County. As of August 8, 2000, Alltel will cease charging the tax to those customers. A refund will be generated for the people who have been charged. It may take Alltel up to 2 months to complete the refund process. We need to attempt to disseminate this information and have everyone who has been charged this tax by Alltel to contact Alltel. Mr. Gregory is following this conversation up with a letter to Alltel.

Mr. Crump also reported on the home survey his department had conducted. For the calendar year 1999 Mr. Crump developed a list of names and addresses for all new homes built in New Kent County and the certificates of occupancy issued during 1999. There were 140 CO's issued for new homes during 1999. The Revenue Department sent out a survey asking questions such as "Have you constructed a new home in New Kent County in the past few years?" "Did you live in New Kent County prior to your new home?" "Do you have school aged children?" "Will they attend New Kent schools?" "How many children and how old are they?" Of the 140 surveys sent out, 96 responses were received. Thirty-three indicated they lived in the county prior to building their new home which, hopefully, means they like New Kent enough to build a new home here. Thirty homes said they have school aged children; 50 children were reported; 16 of those 50 were already in the school system. Mr. Crump stated he had supplied a copy of these survey results to the School Board.

Mr. Lipscomb reported he had attended a meeting of New Kent, Charles City County and King William Boards and Administrators with regard to establishing a Regional Economic Development group. Mr. Lipscomb asked Mr. Emerson to report how he felt about the meeting and also asked Mr. Emerson if the Board of Supervisors needed to take any action on the meeting. Mr. Emerson stated the primary mission of consolidating the efforts of the three counties is to acquire more state funding available to a regional operation. At the end of the meeting, the concept and direction given to the Boards of Supervisors members who were in attendance (it was not a convened meeting) was to discuss it at the next Board of Supervisors meeting and appoint a Board member and the Administrator to begin a group meeting with their counterparts in the other two localities to see which direction to take from here. A study is now available which lets us know what the structure needs to be. What needs to be decided now is: (1) is the New Kent Board of Supervisors interested and committed to the process enough to put more time into it? And if so, (2) a Board member needs to be appointed to attend the meetings with the other counties with Mr. Emerson. Mr. Emerson stated he felt the undertaking was very worthwhile. He also stated that West Point had expressed an interest in joining the group. Mrs. Ringley stated that she felt that economic development in New Kent was very important and on all of our minds and something that New Kent was being very proactive with at this time. One of the benefits from having a regional group is that there is money available to a regional group that would not be available to New Kent locally. There was a consensus of the Board members to direct Mr. Emerson to move forward with the regional economic group. It was also pointed out that Julian Lipscomb had previously been appointed to the economic development committee. The minutes need to be researched to confirm the length of Mr. Lipscomb's appointment.

Mr. Lipscomb inquired about the park land at Diascund Reservoir and whether or not to proceed. Mr. Burrell expanded by saying someone had given New Kent County a parcel of land on the Diascund Reservoir, along with \$250,000 to develop a park on the land. The money would have to be used on that particular parcel of land. There was a consensus of the Board members to direct Mr. Emerson to move forward with the park acquisition.

Mrs. Ringley reminded the citizens of the County Fair at Colonial Downs on August 17-19, 2000. Mrs. Ringley also reminded the citizens that the Board was meeting a week earlier than usual due to a conflict with the Local Government Officials meeting being held in Charlottesville. One topic at the LGOC meeting of particular interest to New Kent County was re-districting. Another topic of interest to New Kent County is a study being conducted by the Virginia Association of Counties on the shrinking revenue available to local government and how to tap into some of the burgeoning state funds. Mrs. Ringley reported that the School Board was meeting simultaneously with the Board of Supervisors, hence, no School Board representative could be present at the Board of Supervisors meeting.

Mr. Davis reported he had attended the Commonwealth Transportation Board meeting of the Fredericksburg District on July 25, 2000 to reiterate New Kent County's interest in the Eltham Bridge and where it should go. Mr. Davis had also attended the Basic Construction open house on July 27, 2000. He reported that the Farmer's Market in West Point was now open. The hours of the market are Friday afternoon opening at 4:30, all day Saturday and all day on Sunday. Vendors are needed for the market.

Mr. Burrell reported he had attended a Board meeting of Richmond Convention and Visitor's Bureau and there was not much of interest to New Kent County. The Board meets every other month. He reported that he had received a letter from St. Peter's Church asking the Board of Supervisors for their support in their attempt to get a stamp commemorating the 300th anniversary of the St. Peter's Church building. Mr. Lipscomb stated he felt it appropriate to ask the County Administrator to draw up a resolution regarding the church and to bring it before the Board at the September meeting.

IN RE: STAFF REPORTS

Mr. Emerson reported there were several staff reports. The first was from Larry Gallaher, Director of Public Safety. Mr. Gallaher reported the public safety radio replacement project is underway. The contract has been reviewed and revised and should be nearing its final form. One last item to complete is to get the final agreements with VDOT so we can locate our equipment on their towers. Mrs. Ringley asked about the time frame for installing this equipment. Mr. Gallaher replied he believes the system installation will be completed by the end of the year at the latest. He also reported the E111 fire truck (replacing the one involved in a crash in November 1999) is now in full service. Mr. Davis asked Mr. Gallaher about the problems Co. #3 had experienced with one of their trucks. Mr. Gallaher reported it was his understanding that the brake drum on the truck exploded. Mr. Lipscomb asked Mr. Gallaher about any driver training/education he had planned for fire and rescue teams. Mr. Gallaher reported that he had asked the fire departments to develop a department-wide standard for driver qualification. Each company has their own standards, but Mr. Gallaher hopes to have a department-wide standard, including training on the roads of New Kent County, so that it is a more uniform standard.

Mr. Emerson reported on the request from the Historic Commission for the printing of their history brochure. Mr. Emerson stated Mr. Crump had given him price quotes for the printing and development of the brochure. Mr. Emerson also stated his recollection was that the Board requested the Historic Commission review and provide a recommendation regarding this brochure. To his knowledge, the brochure has not yet been to the Historic Commission. Mr. Emerson wanted confirmation from the Board that the brochure was to go to the Historic Commission and the Historic Commission was to run the project and any funds given were to be given to the Historic Commission. Mr. Emerson stated he would forward this request to the Planning Department for their review before forwarding the request on to the Historic Commission.

Mr. Emerson asked for direction from the Board of Supervisors with regard to authorization for refunds. The Board asked that Mr. Emerson and Mr. Cornwell prepare an ordinance allowing the Treasurer to authorize refunds up to \$2,500. Mr. Cornwell will prepare this ordinance and present it at the September meeting for public hearing.

Mr. Emerson also asked for direction from the Board of Supervisors with regard to the VIPNet project establishing a web site for New Kent County. By consensus, the Board of Supervisors directed Mr. Emerson to proceed with the VIPNet project on a revenue sharing basis.

IN RE: RESIDENT ENGINEER'S REPORT

Mr. Rob Prezioso, Assistant Resident Engineer from VDOT, updated the Board of Supervisors on projects within New Kent County that have been completed or are scheduled to be completed. VDOT is in the midst of mowing, removing trees and re-surfacing various roads in the county. Mr. Lipscomb pointed out that he had received a call regarding the drainage at Carter's Road and Mr. Davis reported a problem in Barhamsville with road naming. It was determined that the Board of Supervisors has the authority to name or change the name of roads if there are no residents on the roads.

IN RE: PRESENTATION - James W. Stewart, III, Executive Director
Henrico Area Mental Health & Retardation Services

The State Code of Virginia requires that the Board of Supervisors take action on the annual performance contract between the Community Services Board and the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services. Mr. Stewart presented the contract to the Board of Supervisors for their approval. Mr. Stewart reported that the contract had been available for public review from June 20, 2000 through July 20, 2000 and no comments had come forth. Mrs. Ringley made a motion to pass Resolution R-28-00 that accepted and approved the FY 2001 Community Services Board Performance Contract:

Julian T. Lipscomb	Aye
Rebecca M. Ringley	Aye

Dean E. Raynes	Aye
W. R. "Ray" Davis Jr.	Aye
James H. Burrell	Aye

IN RE: PUBLIC HEARING - Ordinance 0-05-00; Contractor Service Establishments as a Conditional Use in the B-1 and B-2 zoning districts. This is a proposed amendment to Sections 9-37 (Definitions), 9-170 (Uses permitted by conditional use permit only - B-1, General Business, zoning district) of the New Kent County Zoning Ordinance to permit a contractor's service establishment as a conditional use in the B-1 and B-2 zoning districts and to provide a new definition for such use.

Margaret Guy, Director of Planning, presented a detailed explanation of the request, stating the request had been approved at the June 19, 2000 meeting of the Planning Commission.

Mr. Burrell opened the public hearing. No citizens signed up to speak.

Mr. Burrell closed the public hearing.

Mr. Lipscomb made a motion to approve Ordinance 0-05-00 in order to address, protect, and promote public convenience, necessity, general welfare and good zoning practices in the County.

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

IN RE: PUBLIC HEARING - Conditional Use Permit Application CUP-2-00: Delaware Corporation; Tax Map and Parcel 19-38B. Delaware Corporation has submitted a request for a conditional use permit for a contractor's services establishment in the B-1, General Business, zoning district on property identified as Tax Map and Parcel 19-38B, located on the north side of State Route 60, approximately one mile west of State Route 249.

Ms. Guy presented CUP-2-00 to the Board for approval, stating that at its meeting on June 19, 2000, the Planning Commission voted unanimously to recommend approval of CUP-02-00 submitted by Delaware Corporation for a conditional use permit for a contractor's service establishment to the Board of Supervisors with the conditions as presented, which were: (1) an approved site plan as required by Division 18 of the New Kent County Zoning Ordinance; (2) all necessary building and health department permits

shall be obtained prior to occupancy and commencement of operations; and (3) no outside storage or repair of air conditioning and heating equipment or parts or other equipment and supplies shall be permitted on the site unless fully screened from view of State Route 60 and adjacent parcels.

There was discussion as to whether Mr. Barber (Oscar Barber, President of Delaware Corporation) would be required to put up a privacy fence. Mr. Barber will be required to install a privacy fence with a minimum height of 6 ft. Mrs. Ringley also confirmed that a commercial entrance had not yet been installed but was going to be installed.

Mrs. Ringley asked that the County Planning Department staff be very diligent in any conditions placed on this project. She commended Mr. Barber on the fine building he has built, welcomed his business to New Kent, but also pointed out that the facility was built with the intent of prefabricating ductwork which was not an allowed use at the time the building was built.

Mr. Burrell opened the public hearing. No citizens signed up to speak.

Mr. Burrell closed the public hearing.

Mr. Lipscomb made a motion to approve CUP-2-00 in order to address, protect, and promote public convenience, necessity, general welfare and good zoning practices in the County.

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

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

Mr. Raynes made a motion to appoint Jayne W. Barnard as District Four's representative to the Zoning Appeals Board for a five-year term ending December 31, 2004.

Mr. Raynes made a motion to appoint Gene Adkins as District Four's representative to the Board of Social Services for a four-year term ending June 30, 2004.

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

IN RE: MEETING SCHEDULE – The regular meeting of the Board of Supervisors will be held Monday, September 11, 2000 at 6:00 P.M. A work session will be held on Monday, September 11, 2000 at 4:00 p.m., prior to the regular meeting.

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

IN RE: ADJOURNMENT

Mr. Lipscomb made a motion to adjourn.

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

The Board adjourned at 7:29 P.M.