

A WORK SESSION OF THE BOARD OF SUPERVISORS WAS HELD ON THE 13TH DAY OF SEPTEMBER IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-NINE IN THE COURTROOM OF THE OLD COURTHOUSE AT 5:33 P.M.

IN RE: ROLL CALL

Mark A. Hennaman	Absent (arrived at 5:50 p.m.)
Julian T. Lipscomb	Present
Rebecca M. Ringley	Present
James H. Burrell	Present
Frederick G. Bahr	Present

IN RE: REVIEW OF PLANS FOR THE CONTINUING RENOVATIONS IN THE ADMINISTRATION BUILDING.

Mr. Emerson reviewed the proposed changes to the Administration Building. Social Services has been moved to Providence Forge. Two new positions were added this year – Economic Development Director and Recreation Coordinator. Office space has been allowed for these new positions as well as the moving of the Planning Department downstairs to the old Social Services space, and moving the Commissioner of Revenue to the space the Planning Department will be vacating. It was the consensus of the Board to bid out the renovation work, which has been reviewed by all departments/offices that will be affected. The Board also asked Mr. Emerson to check into renovating the Boardroom – changing the dais to a crescent shape and replacing the chairs at the dais.

IN RE: EXECUTIVE SESSION

Mr. Cornwell made a motion requesting the Board go into executive session relating to the Racing Commission under consultation and briefings by legal counsel, consultants, or staff members pertaining to actual or probable litigation or other legal matters requiring the provision of legal advice by counsel pursuant to §2.1-344 (a)(7) of the Code of Virginia.

Mark A. Hennaman	Absent
Julian T. Lipscomb	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye

The Board went into executive session at 5:46 p.m. At 6:10 p.m. the Board returned from executive session. Mrs. Ringley gave the certification, whereas the New Kent County Board of Supervisors has convened an executive meeting 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 2.1-344.1 of the Code of Virginia requires a certification by the Board that such executive meeting was conducted in conformity with Virginia law; Now, therefore, 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 meeting requirement by Virginia law were discussed in executive meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board.

Mark A. Hennaman	Aye
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Julian T. Lipscomb	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye

THE REGULAR MEETING OF THE BOARD OF SUPERVISORS WAS HELD ON THE 13TH DAY OF SEPTEMBER IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-NINE IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING AT 6:17 P.M.

IN RE: ROLL CALL

Mark A. Hennaman	Present
Julian T. Lipscomb	Present
Rebecca M. Ringley	Present
James H. Burrell	Present
Frederick G. Bahr	Present

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

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

IN RE: CONSENT AGENDA

Mr. Emerson reviewed the Consent Agenda, which consisted of: Approval of minutes from the August 2, 1999 regular meeting; Petition to vacate an unimproved street in the Brown subdivision; Appointment of Professional Assessor (C. Eugene Sutherland, an employee of Wingate Appraisals) for the reassessment pursuant to Section 58.1-3275 of the Code of Virginia; Resolution R-30-99 finalizing the refinancing of the schools VRS obligation from the early retirement; Resolution R-31-99 requesting Industrial Access Road Funds from VDOT for the Basic Construction project; Lease agreement for the New Kent County Airport with Central Virginia Aviation, Inc.; Refunds of \$227.25 to Terry Dillon for overcharge on building permit and \$3,345.15 to USDA-RHS for delinquent real estate taxes paid in error for Brenda M. Wray who is in the Tax Deferral Program; Appropriation for funds for the Schools Resource Officer, which will be reimbursed by the School Board - \$50,956.00 from Revenue to Expenditures; Funding for another SRO officer through the Safe and Drug-Free Schools and Communities Act - \$30,800.00 from Revenue to Expenditures; funding allocated by the State Department of Social Services for the Head Start Transition to Work Program - \$5,500.00 from Revenue to Expenditures; Additional funds to complete inspections for the improvements at the new courthouse - \$2,500.00 from Revenue to Expenditures; Finance Report showing monthly expenditures for August 1999 of \$1,033,694.36; and Treasurer's Report showing total cash as of August 31, 1999 of \$8,178,813.24. Mr. Bahr asked Mr. Cornwell to review the FBO contract, which Mr. Cornwell did. Mr. Lipscomb made a motion to approve the Consent Agenda as presented.

Mark A. Hennaman	Aye
Julian T. Lipscomb	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye

FOR RESOLUTION R-30-99 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX SIX, PAGE 222.

FOR RESOLUTION R-31-99 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX SIX, PAGE 225.

IN RE: CITIZEN'S COMMENT PERIOD

The first person to speak was Mr. Chris Madison. Mr. Madison voiced his complaints against VDOT on their work taking place by his house. The next person to speak was Mr. Henry Tweedie. Mr. Tweedie read a letter to the Board concerning the relocation of a portion of State Route 656 (Continental Road) and the property owners request that the county abandon the old road except for the portion of 227 feet fronting on the property of Willie B. and Hannah Tate.

IN RE: ELECTED OFFICIAL'S REPORTS

Mr. John Crump, Commissioner of Revenue, reported on the two official record books for real property and personal property he is required to prepare. The total increase in revenue (if all is collected) for both real property and personal property between 1998 and 1999 is \$286,000.

Mr. Burrell commended the rescue squad and Companies 1 and 2 for their teamwork in dealing with the school bus accident. He attended a Central Virginia Waste Management Authority meeting and a Richmond Convention and Visitors Bureau meeting. Mr. Burrell discussed Sheriff Howard's concerns about the 911 system and asked Mr. Emerson to assist Sheriff Howard in his efforts to resolve the problems.

Mr. Hennaman commented on the county fair. He asked that staff look into putting the sign on Bailey Road (which was knocked down) back up. He asked staff to prepare a resolution recognizing John Townsend's achievement of Eagle Scout.

Ms. Ringley commended all the volunteer rescue squads, fire department, Sheriff's Department, and the school staff regarding their work at the school bus accident. She attended the Richmond Regional Planning District and MPO meetings last week. They still were unsure how much of the regional competitive money they will receive, ten percent has been reserved for a regional project. In the MPO meeting \$250,000 was allocated to studying the weigh station issue in New Kent County. Also, \$60,000 was allocated to do preliminary engineering on the Route 249 ramp from I64 eastbound. There will be mechanical repair services, charter and rental services, airplane flying lessons and supplies available at the New Kent Airport. September 18 the Young Eagles will have an event at the airport. She asked Mr. Emerson to expedite the hangar study that has been discussed.

Mr. Lipscomb mentioned the loss of a long time resident, Eva Jon Brown who was very active in the community. He received a petition requesting the junction of Route 249 and Route 665 to be officially named Davis Crossroads and requested staff to compose a resolution to VDOT regarding this. Also, a petition was received from the residents of Higgins Road, which is a state road, the residents would like to have it paved, and the petition Mr. Tweedie read regarding abandoning Continental Road, for which he would also like staff to do resolutions.

Mr. Bahr asked the Board to approve Resolution R-29-99 requesting the Virginia Department of Transportation Resident Engineer to review Old Church Road (Route 606) from the Hanover County line through New Kent County to Route 609 against the "Guidelines for Considering Requests for Restricting

Through Trucks on Secondary Highways” and report on their findings. He understands Hanover County has already passed a resolution and delivered it to VDOT for Route 606 from the Hanover County line to Route 301. Mr. Burrell made a motion to adopt Resolution R-29-99 and send it to VDOT.

Mark A. Hennaman	Aye
Julian T. Lipscomb	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye

FOR RESOLUTION R-29-99 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX SIX, PAGE 226.

Mr. Bahr also asked that staff do everything they can to assist the Sheriff with the 911 situation. He congratulated everyone on their efforts in putting on the fair. The 1999 Greater Lanexa Studio Tour will be October 23 and 24.

IN RE: STAFF REPORTS

Mr. Cornwell reported Delmarva constructed a wastewater treatment plant and two wells to serve Colonial Downs and their planned unit development. Delmarva has conveyed to the county the plant and one of the wells and is in the process of conveying the other well. Delmarva is selling a portion of the planned unit development to Bluegreen Corporation. The county has been discussing with Delmarva and Bluegreen the construction of an addition to the wastewater treatment plant, a division of the capacity in that plant, possible credits to Delmarva and Bluegreen towards connection fees or a portion of the connection fees to assist in the construction costs of the plant. The agreements are not concluded at this time, but Delmarva and Bluegreen are going forward and closing on their sale on September 24. Because of the time constraint, Mr. Cornwell requested the Board to consider authorizing the Chairman to sign the agreements once they have been finished, finalized and reviewed and approved by the Chairman, County Administrator, and himself. The agreements will not require the county to expend any funds other than the operation and maintenance of the water and sewer systems as normally would be. They would be covered by the county’s water and sewer rates. The county will agree to provide to Delmarva and Bluegreen a portion (probably 75 percent) of the sewer connection fees for twelve years to allow some recoupment of the cost of the construction of the sewer plant and water systems. There is no plan to have any division of the water connection fees. This agreement also ensures the systems will not be overtaxed and will be upgraded as growth occurs in that development. The agreement specifically provides they will never recover more than they put in and probably will recover considerably less. Mr. Lipscomb made a motion to allow the Chairman to sign the contracts when they are in finalized form.

Mark A. Hennaman	Aye
Julian T. Lipscomb	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye

Mr. Emerson stated he and Mr. Cornwell met with Mr. Jim Pyne of Hampton Roads Sanitation District (HRSD) and discussed the potential of contracting with HRSD to operate the sewage treatment plants in the county. Due to the time constraints to take over the operation of the Parham Landing plant by January 1, Mr. Pyne offered an interim operating agreement with HRSD. This would give the county time to make a decision of whether they wanted to operate the plant or contract with HRSD. He asked the Board

if they were interested in continuing the discussions with HRSD to operate the sewage treatment plants, and if so, were they interested in an interim agreement with HRSD while negotiating with them for long term operation or should the county hire their own operators while in negotiations. The Board discussed this issue. Mr. Burrell made a motion to enter into an interim agreement with HRSD Authority to operate the sewage treatments on an interim basis.

Mark A. Hennaman	Aye
Julian T. Lipscomb	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye

Mr. Emerson said they would negotiate an interim agreement and bring it to the Board for their approval and talk about the next step in the process at that time.

Mr. Emerson reviewed the status of the forms printer which would print the accounts payable, payroll, schools payroll and accounts payable, tax tickets, and Commissioner of Revenue's bills. Money had been budgeted, but then removed from the budget when the Compensation Board had funds for this purchase. The Compensation Board has dropped its contribution towards this purchase to \$2,000. This was bid out (with the anticipation of its use to print the tax tickets this year) and the cost has come in at \$38,661. The printer should pay for itself in the cost of printing, collating, man hours, etc. for the agencies that will utilize it. He asked the Board to award the bid and then appropriate the money from the capital fund at the next meeting. Dr. Geiger's department will use the printer approximately 20 percent and Dr. Geiger will ask the School Board to fund 20 percent (\$7,732.20). The Board discussed this issue. Mr. Lipscomb made a motion to authorize the County Administrator to go ahead with the negotiation and purchase of the forms printer.

Mark A. Hennaman	Aye
Julian T. Lipscomb	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye

Mr. Emerson updated the Board on the Airport issues. Currently there are bids in on the terminal, crack sealing, fuel pump, and fence. Staff will be moving forward with award on the fuel pump and crack sealing. The engineer's report on the terminal building should be ready by the next meeting – there are some cost over-runs in it. The fence needs to be rebid. Also, due to concerns regarding the 911 system, Mr. Emerson asked the Board if they would like to invite a representative from Bell Atlantic to the next meeting. It was the consensus of the Board to do this. The Chairman of the Planning Commission has canceled the September 20, 1999 meeting due to lack of agenda items. Regarding political campaigning, Mr. Emerson reminded everyone the courthouse area, including the administration building, are neutral grounds and in the past they have had to ask people to remove signs from county property.

Mr. Hennaman stated he has received complaints about the broadcasting of the board meetings on the local cable. The sound quality is horrible. Staff was asked to contact the cable company to see if this problem can be rectified.

IN RE: RESIDENT ENGINEER'S REPORT

Mr. Bob Riley, Resident Engineer, gave a summary of work performed by VDOT during the month of August 1999. The Board members shared their concerns with Mr. Riley.

IN RE: PRESENTATION – Resolution R-25-99 – The Board will present a framed copy of Resolution R-25-99 to Jeffery Alan Ozmon.

Mr. Bahr and Mr. Hennaman presented a framed copy of Resolution R-25-99 to Jeffery Alan Ozmon.

IN RE: PUBLIC HEARING – ORDINANCE O-8-99 – Relating to Assembly Uses in the M-1, Warehousing and Light Industrial and M-2, Heavy Industrial Zoning Districts and ORDINANCE O-9-99 – Relating to Uses Permitted in the M-1, Warehousing and Light Industrial and M-2, Heavy Industrial Zoning Districts.

Mr. Tyson reported staff was asked to develop a draft ordinance amending the Zoning Ordinance to permit assembly of goods from finished components in buildings not to exceed 10,000 square feet in size as a use by right, and in buildings exceeding 10,000 square feet in size as a conditional use. Under the current provisions assembly of electrical and electronic devices is a permitted principal use in the district, as is cabinet and furniture manufacturing, machine and welding shops, machine service centers, and upholstery shops. "Assembly" is defined as "the fitting together of manufactured parts into a complete machine, structure, or unit." "Manufacture" is defined as "something made from raw materials by hand or machinery." It is the intent of the proposed amendment to permit the assembly of parts into a finished whole, rather than the processing of raw materials. The ordinance would permit the assembly of any product, not exclusively electrical and electronic components. The ordinance also limits the scope of potential operations by requiring a conditional use permit for buildings of more than 10,000 square feet in size. At its July 19, 1999 meeting the Planning Commission voted to recommend approval of Ordinance O-8-99 as presented to the Board of Supervisors.

Regarding Ordinance O-9-99, staff was asked to draft an ordinance amending the Zoning Ordinance to permit the "pyramiding" of uses in the business and industrial zoning districts, whereby uses permitted in certain business districts would be permitted in the more intense industrial districts. Ordinance O-9-99 would permit by right any use in the B-3, Research, Engineering, and Office Districts and the M-1 and M-2 districts by reference. The B-3 district regulations do permit office site, office park development, which are designed to be accommodated adjacent to industrial park development. B-3 district regulations also permit some service type industries, such as printing, restaurant, and those types that can service industrial uses. The B-1 and B-2 district regulations would not pyramid above as they are generally designed to be more pedestrian oriented and generate a different type of traffic and different mix that is not compatible with industrial zoning classification. At its July 19, 1999 meeting the Planning Commission voted to recommend approval of Ordinance O-9-99 as presented. The ordinance removes the language giving the Board of Supervisors' agent the ability to approve conditional use permits. This is not permitted under State law. Mr. Burrell noted this would make it easier for business to come to New Kent. Mr. Bahr opened the public hearing for Ordinance O-8-99, no one was signed up, the public hearing was closed. Mr. Bahr also noted no one had signed up for the public hearing for Ordinance O-9-99. Ms. Ringley made a motion to approve Ordinance O-8-99 as presented.

Mark A. Hennaman	Aye
Julian T. Lipscomb	Aye
Rebecca M. Ringley	Aye

James H. Burrell	Aye
Frederick G. Bahr	Aye

FOR ORDINANCE O-8-99 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX SIX, PAGE 227.

Mr. Burrell made a motion to approve Ordinance O-9-99 as presented.

Mark A. Hennaman	Aye
Julian T. Lipscomb	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye

FOR ORDINANCE O-9-99 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX SIX, PAGE 228.

Mr. Lipscomb stated he would abstain from discussion with the Board and voting on the next two items, but retained the right to speak as a citizen.

IN RE: PUBLIC HEARING – ORDINANCE O-7-99 – Relating to Convenience Stores in A-1, Agricultural Zoning Districts.

Mr. Tyson reported staff was asked to draft an ordinance amending the Zoning Ordinance to permit small-scale retail stores in the A-1, Agricultural zoning districts. Under the current provisions, retail outlets are not a permitted principal or conditional use in the A-1, Agricultural zoning districts. Only under very unique circumstances are businesses such as antique shops, veterinary clinics, hospitals, zoological gardens, and some other types of activities that involve sale of goods. This draft ordinance would amend the Zoning Ordinance to permit convenience stores, not in excess of 4,000 square feet in floor area, as a permitted conditional use in the A-1, Agricultural Zoning Districts. Convenience stores were already a defined use in the Zoning Ordinance passed in 1987 and are defined as “any retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with the same. Such stores may also have pumps for the dispensing of fuel into motor vehicles. The term shall not include truck stops, nor shall the use permit any activity commonly associated with truck stops such as storing, maintaining, or parking trucks and other commercial vehicles overnight.” It is staff’s position this definition can be used in place of the suggested “country store.” The county Zoning Ordinance requires all conditional use permits be reviewed and approved by both the Planning Commission and the Board of Supervisors after a series of public hearings. The Planning Commission and the Board are charged with ensuring that the proposed use is in harmony with existing uses, promotes the Comprehensive Land Use Plan, and protects the health, safety, and general welfare of the public. Mr. Tyson reviewed the standards of review that applied to all conditional use permit applications. The Planning Commission and Board of Supervisors may impose rational limits on the operation of any conditional use. These limits were reviewed. At its July 19, 1999 meeting, the Planning Commission voted to recommend approval of Ordinance O-7-99 as presented. Mr. Hennaman commented that what was presented was not the intent he had in mind when he made his suggestions to the Planning Commission. He felt there was a desire among the citizens to have the ability to have these old stores reopened. He was concerned about having a convenience store being allowed in the A-1, District. He felt the scope of a convenience store was different than a general mercantile store in hours of operations, goods sold, and clientele. Ms. Ringley also had a problem with the convenience store definition. She offered a proposed definition for a general store: Any retail establishment offering for sale items of the general mercantile nature including food and beverage products, household, and hardware items. Such store shall not have pumps for dispensing of fuel. Such store shall be restricted to

3,000 square feet or less of retail sales floor. Such use shall be restricted to existing structures with historical value or significance. The terms shall not include truck stops nor shall the use permit any activity commonly associated with truck stops, such as storing, maintaining, or parking trucks and other commercial vehicles over night. The Board discussed the controls the conditional use permit would include. Mr. Bahr opened the public hearing. The first person to speak was Mr. George Philbates. Mr. Philbates was in favor of any ordinance that will broaden the way citizens can use their land. People and land can be over-regulated, which puts businesses out of business and stops new businesses from coming in. He felt gasoline sales should be excluded. The next person to speak was Ms. Jennifer Caldwell. Ms. Caldwell said she lives in an agricultural area and doesn't want a convenience store in her neighborhood. She's not opposed to a country store, but was concerned about a convenience store. She felt the Board needed to do a definition of a general store and not convenience store. She would like the county to periodically check to make sure these stores (operating with a conditional use permit) were complying with the county ordinances. The next person to speak was Mr. John Crump. Mr. Crump felt there were a lot of homes coming into the county and the difference needs to be made up somewhere. He felt this was an opportunity to provide for a business to operate and generate revenue. He didn't think anyone would want to or could operate a business under these conditions. He was in favor of a definition of a general store. He felt the blank spots in the county could and should be addressed for business opportunities. He suggested using "historically operated" as a mercantile property in the definition. He was in favor of this ordinance. The next person to speak was Mr. Julian Lipscomb. Mr. Lipscomb stated things change and older buildings should be given a chance to change. Regarding the gasoline and kerosene and #2 fuels, he sells coleman fuel for lanterns and gas grill tanks. He suggested a condition of no sale of on-road fuels. Some people buy off-road fuels for their lawnmowers, etc. The next person to speak was Mr. J. C. Francisco. Mr. Francisco felt it should be a country store, not a convenience store. Mr. Francisco didn't have a problem with Mr. Lipscomb's store, but he (Mr. Lipscomb) moved in before he had a business license. He thought Mr. Lipscomb should realize he shouldn't challenge the Board, he should follow the same procedures others do. He felt 4,000 square feet was too much, but thought the Board could work on the definition. Mr. Bahr closed the public hearing. The Board discussed the definition of a general store and other issues regarding this ordinance. Mr. Cornwell pointed out the definition could be substituted within 9-83 of the County Code in place of the convenience store. Mrs. Ringley made a motion to approve Ordinance O-7-99 with the following substitutions in place of the language of "Convenience store not in excess of 4,000 square feet in size." Any retail establishment offering for sale items of a general mercantile nature including food and beverage products, household and hardware items. Such store shall not have underground tanks or pumps for dispensing fuel for on-road vehicles. Such store shall be restricted to 3,000 square feet or less of retail sales floor. Such establishment shall be restricted to existing structures with historical general mercantile use. The term shall not include truck stop, nor shall be used for any activity commonly associated with truck stops such as storing, maintaining, or parking trucks and other commercial vehicles overnight."

Mark A. Hennaman	Aye
Julian T. Lipscomb	Abstain
Rebecca M. Ringley	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye

IN RE: PUBLIC HEARING – CUP-2-99 – Julian T. Lipscomb’s Conditional Use Permit application to operate a general merchandise store on the property shown on Tax Map and Parcel: 10-42, located on State Route 690, immediately adjacent to the Norfolk Southern Railway. The current zoning is A-1, Agricultural. The property is the site of a wooden structure containing approximately 3,500 square feet of floor area. The proposed use is a retail hardware store.

Mr. Tyson reported the property was last used for commercial purposes in the 1950s. The County Comprehensive Land Use Plan does designate this parcel for agricultural uses. The county’s Zoning Ordinance requires that all conditional uses be reviewed and approved by the Planning Commission and the Board. Mr. Tyson reviewed the Planning Commission’s recommended minimum conditions. At its July 19, 1999 meeting the Planning Commission voted to recommend approval of CUP-2-99 with the recommended minimum conditions. Mr. Lipscomb said it will be a general merchandise store, not a hardware store. He will sell groceries, horse feed, horseshoes, and general hardware. He wanted it to be like it was when he was a kid. You could get just about anything you wanted. He did not want the store to be open more than 12 hours a day. Mr. Bahr opened the public hearing. The first person to speak was Mr. George Philbates. Mr. Philbates stated he was in favor of this. The next person to speak was Mr. Phillip Felts. Mr. Felts was in favor of the store. The next person to speak was Ms. Stacy Simmons. Ms. Simmons was in favor of the store. The next person to speak was Mr. Doug Guthrie. Mr. Guthrie was in favor of the store. The next person to speak was Mr. Frank Becker. Mr. Becker was in favor of the store. The next person to speak was Mr. George Tate. Mr. Tate was in favor of the store. The next person to speak was Ms. Isabel White. Ms. White was in favor of the store. The next person to speak was Ms. Jennifer Caldwell. Ms. Caldwell was in favor of the store and felt the Board should go by the Ordinance Book and Comprehensive Land Use Plan. The last person to speak was Mr. J. C. Francisco. Mr. Francisco felt if the Board approved this, then they needed some legal advice because it violated the minimum lot size. Mr. Cornwell said that would not apply since it’s an existing structure and lot and it’s conforming. Mr. Lipscomb could not enlarge the building. Mr. Hennaman stated in order to address, protect, and promote public convenience, necessity, general welfare, and good zoning practices in the county, he moved to approve Conditional Use Permit CUP-2-99 as presented with the substitution of language pertaining to general mercantile. Mr. Cornwell asked, for clarification purposes, if Mr. Hennaman would add the following to his motion: To allow operation of a general store subject to the recommend conditions as amended. Mr. Hennaman agreed.

Mark A. Hennaman	Aye
Julian T. Lipscomb	Abstain
Rebecca M. Ringley	Aye
James H. Burrell	Aye
Frederick G. Bahr	Aye

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

Mr. Hennaman moved to appoint Ms. Jane Raynes as District Four’s representative to the Youth Service Commission to complete a four year term ending June 30, 2001 – contingent upon her acceptance of this appointment.

Mark A. Hennaman	Aye
Julian T. Lipscomb	Aye
Rebecca M. Ringley	Aye
James H. Burrell	Aye

Frederick G. Bahr Aye

Ms. Ringley made a motion to appoint Mr. Charles Davis as New Kent County's representative to the Public Facilities Authority for a five year term ending June 20, 2004.

Mark A. Hennaman Aye  
Julian T. Lipscomb Aye  
Rebecca M. Ringley Aye  
James H. Burrell Aye  
Frederick G. Bahr Aye

IN RE: MEETING SCHEDULE

The regular meeting of the Board of Supervisors will be held Monday, October 11, 1999 at 6:00 p.m. The Planning Commission scheduled for September 20, 1997 has been canceled.

IN RE: ADJOURNMENT

Mr. Hennaman made a motion to adjourn.

Mark A. Hennaman Aye  
Julian T. Lipscomb Aye  
Rebecca M. Ringley Aye  
James H. Burrell Aye  
Frederick G. Bahr Aye

The Board adjourned at 9:22 p.m.