

AN EXECUTIVE SESSION OF THE BOARD OF SUPERVISORS WAS HELD ON THE 9TH DAY OF MARCH IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-EIGHT IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING AT 4:30 P.M.

IN RE: EXECUTIVE SESSION

Mr. Lipscomb called the meeting to order and asked the clerk to call the roll.

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

Ms. Ringley made a motion to go into executive session for discussions relating to investment of public funds where competition or bargaining is involved pursuant to Section 2.1-344(a)(6) of the Code of Virginia and consultation with legal counsel and briefings by staff members, consultants or attorneys, pertaining to actual or probable litigation, or other specific legal matters requiring the provision of legal advice by counsel pursuant to Section 2.1-344(a)(7) of the Code of Virginia.

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

Mr. Bahr arrived at 5:10 p.m. and Mr. Hennaman arrived at 5:22 p.m., both joined the Board in executive session.

The Board returned from executive session at 6:02 p.m. Ms. 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.

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

The Board took a short recess.

THE REGULAR MEETING OF THE BOARD OF SUPERVISORS WAS HELD ON THE 9TH DAY OF MARCH IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-EIGHT IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING AT 6:12 P.M.

IN RE: ROLL CALL

Mr. Burrell gave the invocation and lead the Pledge of Allegiance. Mr. Lipscomb asked for a roll call.

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

IN RE: CONSENT AGENDA

Mr. Emerson reviewed the Consent Agenda for the Board, which consisted of the following: Approval of minutes of the February 9, 1998 Board meeting; Request for permission to advertise changing the Providence Forge Precinct Polling Place from the Providence Forge Recreation Association Building to Taylor and Harrison Chevrolet, and adoption of an ordinance amending the redistricting ordinance to accommodate this; Resolution R-7-98 authorizing submittal of FY 1999 Chesapeake Bay Grant Technical Assistance Grant proposal to the Chesapeake Bay Local Assistance Department; Appropriations for additional State funds for Fire Programs Grant, Additional part-time funds for the Treasurer's Office authorized by the Compensation Board, Funds associated with the Sheriff's Block Grant for In-Vehicle Video System, Funds for Electronic Monitoring in the Court Services Unit Department, and Funds to cover expenses in the Legal Services Department to cover litigation for a total supplemental appropriation of \$149,107.07; Finance Report showing total expenditures for February 1998 of \$439,400.23; and a Treasurer's Report reflecting a cash balance as of January 31, 1998 of \$8,809,332.54.

Mr. Burrell stated Taylor and Harrison Chevrolet is close to the current polling place, but the county will save \$300.00 if they move the precinct there. Mr. Hennaman corrected the minutes on the bottom of page 3 under Elected Officials Reports, it should read Mr. Lipscomb presented Mr. Hennaman with a plaque - not plaque. Mr. Hennaman made a motion to approve the Consent Agenda with the change to the minutes.

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

FOR RESOLUTION R-7-98 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX SIX, PAGE 112.

Mr. Burrell asked the Board to recognize the presence of Mr. Michael Holmes, Chairman of the Board of Supervisors for Charles City County and Mr. Jack Ward, Chairman of the Board of Supervisors from Hanover County, and Ms. Terry Lawler, School Board member from District Two.

IN RE: CITIZEN'S COMMENT PERIOD

The first to speak was Ms. Betty Burrell, Treasurer. Ms. Burrell spoke in reference to the tax deadline change. The position of her office is whatever is done, they will be amenable to it and will work with the Board, but they hope the Board will consider keeping the decal in December so it won't be an issue. They are also in favor of September. The next to speak was Mr. Lester Silva, 5948 Wensleydale Dr., New Kent. Mr. Silva said he would like to serve New Kent and thereby also this beloved country of adoption. Therefore, he plans to challenge Mr. Julian Lipscomb at the next election. He asked Mr. Lipscomb to help him (Mr. Silva) defeat him (Mr. Lipscomb) or to not run for reelection. He said he did not know much about politics, but he planned to defeat Mr. Lipscomb. He would like, with God's help and everyone present, to become the first foreign born president of the greatest country on earth. New Kent and little Sri Lanka will hopefully be put on the world map or he will be in a mental asylum. He asked for God's blessing on everyone in this wonderful country. The next to speak was Ms. Mary Fyfe, 5125 Hemlock Road, Quinton. Ms. Fyfe said she is a parent of a child that attends New Kent schools and she is also an employee at the elementary school. She was concerned the present budget did not allow for raises for teachers or support staff. In the past she had heard New Kent was a great place to live, but not to have your children attend the schools. She had heard the academic standards were not in keeping with other counties. It has been her experience the schools have improved and she has been pleased with the teachers and their ability to work with her when she had questions. The teachers and support staff work hard, and in reality it is a great school system. If the county decides to not give the teachers raises they truly deserve and the teachers decide to go elsewhere to meet the needs of their families, it may not continue to be a great system. The teacher turnover is frightening to parents. Teachers need experience in a classroom situation. New Kent should stop being a place where teachers go to practice and start paying teachers enough to remain in the county. The next to speak was Patricia Murphy, 4901 N. Waterside Dr., Lanexa. Ms. Murphy has two children in the school system. She asked the Board to reconsider additional funding for schools. Comments from the Board members concern her. Why do schools always have to be the one to bite the bullet? You (the Board) aren't listening to what's being said. The schools need more money, they don't spend money on luxuries. Due to funding cuts from the state the schools will operate on the same budget they are this year - with 140 more students. She felt the county has an excellent school system for the amount of money they spend on schools. She asked for dialogue between the Board of Supervisors and the School Board. She didn't understand why every year the Supervisors had to come down hard on the schools and make a public spectacle of the whole budget process - it seemed the schools were the only part of the county treated this way. Our children are the greatest resource the county has and their future depends on the education they will receive in these schools. They need the latest technology, smaller class sizes and excellent teachers to achieve this. She did not feel it was unreasonable for the teachers to make decent salaries in all experience categories. If you are doing a good job you should be rewarded for it. She asked the Board to try to come up with additional funding and to bite the bullet elsewhere and let the schools come first for a change. The next to speak was Mr. John Wheeler, 7700 Airport Road, Quinton. Mr. Wheeler said he made some assumptions based on 1,500 hours per year - working nine months. The base salary of a new teacher works out to \$15.80/hour, a ten year teacher is \$18.50/hour, and a twenty year teacher is \$21.85 plus they get an additional \$1,855.00 per year if they have their masters and another \$2,000.00 if they are a department head. They get nine sick days a year and they can convert two sick days into personal days and they get one personal day each year. Sick days can be accumulated from year to year and if a teacher with ten years retires they could get 90 accumulated sick days paid. If you are a single teacher you get \$1,590.00 in benefits per year, if you are single with one dependent you get \$1,994.00, and if you're a family you get \$2,160.00. They are afforded a tuition reimbursement at 40 percent up to six credit hours a year. The community, PTA, and PTO supports the teachers and the schools. There are no major problems here. The middle and elementary schools are old, but throwing money at education has not proven it makes it better. The LPT scores went up from 56.5 to 75.6 last year. Exit surveys shows there's a 45% return rate and 50% of the people that returned surveys said they left because of money - most had other reasons for

leaving. He didn't see where we (the county) have the tax base to support pay raises for our teachers. The next to speak was Ms. Angela Estis, 8101 Couch Lane, New Kent. Ms. Estis said she was a resident of the county as well as an educator for the primary school and she spoke on behalf of herself as well as her colleagues and support personnel. Ms. Estis was concerned about the ranking of New Kent - 111 out of 134, and in the surrounding localities New Kent ranks 11 out of 11. Considering this and the increase in revenues and the businesses the county has attracted, they are hoping this year the Board will make an effort to try to put a positive step with the teacher's salaries as well as the support personnel with the schools. Three years ago there was a 16 percent turnover rate with teachers leaving primarily for better paying positions in other localities. This past year it (turnover rate) was almost 25 percent. She had read an article in the Chronicle about increasing the step increases for the salaries for just the first six steps of the teachers. That might keep a few of the teachers here, but for the people who are here for longevity and have tenure, this will cause them to look elsewhere. Even with the percent increases proposed the School Board is trying to fund, it's still going to keep the county at a lower level than other localities. They would like to see any increase in the actual budget, if they could get a portion of that - and she realized they needed to keep a portion of that in the general fund, but it would be nice to get some of the money to help with their operating expenses. She also knew it could not be counted on from year to year and the amount would fluctuate, but she would like to see the percentage used to give more money brought in from actual revenues. She said she was getting conflicting information on where the money from the racetrack is going - are they getting any of that money? Also, the percent of the local revenues from the county has gone down even though there has been an increase in revenues for the county. They would like to see the school's percentage go up. She said she would like to see the School Board and the Supervisors work together with the county as one instead of hearing and reading things in the paper that seem like there is such a distance between the two. The appreciation isn't there for the job they are doing or for the schools the respect. She invited the Board to come to the schools and see how they were educating the children for the future. The next to speak was Philip Forgit, 116 Deerwood Drive. Mr. Forgit said he was an employee of New Kent schools. He is a third year teacher and like many others he is beginning to look. With New Kent ranking 111 out of 134 systems with almost any surrounding county he can make anywhere from \$1,500.00 to \$3,000.00 more. He felt something had to be done to address the teacher's salaries. If the present budget goes through that's been proposed, and it's been proposed based on the money you (the Board) offered to the School Board, you will continue to lose teachers with experience and talent. He felt it was common sense that if you lose 25 percent of your most qualified staff, what kind of an impact does that have? The people who stay need to be rewarded for their loyalty. He came for opportunity and he still feels that way and he wants to stay. He doesn't expect pay equal to Williamsburg, he knows what the tax base is and the county can't afford it, but teachers need to see a commitment from the county and the Board of Supervisors sitting down with the School Board and talking - going line item by line item questioning and asking them to justify. The next to speak was Ms. Barbara Havens, 11800 Cosby Mill Road, New Kent. Ms. Havens said she's a resident of New Kent and a teacher in New Kent. She wants a commitment to bring the teachers salaries in line with surrounding counties. She can go to Hanover and get a \$3,000.00 raise and better benefits. She's currently paying \$386.00 per month for her family medical insurance. There are people who love New Kent, care about the kids, who want to do a good job that can't stay. As a parent her children have new teachers year after year, and they are good people and want to do a good job, but they don't have the experience and they are fumbling and trying to get things in line. She felt her kids could be getting a better education if they could have teachers with experience - it's hard on the kids and the school system. The Board of Supervisors needs to work with the School Board to come up with a plan to find the money. The last to speak was Mr. Kenneth L. Otey, 5501 Roxbury Road, Providence Forge. Mr. Otey said he was a life long resident of the county. He's been teaching at the middle school for 24 years and is committed to education in the county. He sat in on some of the joint planning sessions between the boards and some of the things he's heard has bothered him. They are only looking for the Supervisors to provide a reasonable commitment to the school system. You say one thing - you're committed to education, and then you do another. Action counts more than just saying something. The only way he can remain in the county

(teaching) is through a supplement he receives from the Army Reserves. The only reason he stays in education is because he received a vision while in college that he wanted to teach. The Army Reserves pay him almost as much as he gets being a teacher. Most other teachers who have part time jobs cannot put in the amount of time it takes. It's not just the teachers - the aides, custodians, all aspects of the school system, the funding is not there. He's read in the paper the schools have gotten all the money from Colonial Downs last year. Where's the money? They need the Board's dedication to education.

Mr. Burrell commented the teachers are very concerned, but he heard at least three times the newspapers quoted. He was president of a PTA, on the School Board, and chairman of the School Board, so he's seen it on both sides, and he has two children going through school now. He sympathizes with the plight of the schools. He wanted to clarify that the Board of Supervisors does not give raises, they provide the money for the School Board and it's up to them to allocate. Also, regarding the comment that the boards do not work together - they have quarterly meetings, work as a team, have a very amenable relationship and work very hard to work for the county as a whole. He invited everyone to come to a board work session - if you come you will see where the money is going. The revenue is just not coming in like people think. We have approximately sixty agencies to fund and the school system gets the largest share. Whatever your salary is, add 1/4 to it because you work nine months a year. It has been shown that money doesn't bring test scores up. He would like to give the schools as much as he can, but throwing money at education isn't the way to raise test scores - the way to raise test scores is to get the parents involved. He wanted the teachers to come to the meetings because there were so many things that were not true; like, we're not working with the School Board and we don't care. Look at our budget, look at the revenue coming in, look where we put it, and you will know what we are doing with the racetrack money and other revenues.

IN RE: ELECTED OFFICIAL'S REPORTS

Ms. Ringley welcomed Mr. Jack Ward to the meeting. He gave her a tour of the new hospital in Hanover County, which will provide a welcome and needed service to this area. Also, she welcomed Mr. Bill Barker with the Richmond International Airport. She attended the Community Dialogue Meeting regarding the school facilities study - all of the Board members were in attendance. She also welcomed the teachers (those that were left) and applauded them for coming out and speaking. She is always open to hear from citizens and teachers. She has three children in the school system and she will argue with anybody who says her children are not getting a good education because they are. She works closely with the teachers and they have a full range of well qualified teachers in the schools and they have her total support. Speaking for the Board, they do support the schools.

Mr. Burrell concurred with Ms. Ringley in that they do care about education. Regarding recycling efforts, waste paper is beginning to generate a little income now.

Mr. Hennaman said he was disappointed the teachers left so soon and he thanked those that did stay. He wanted to thank them for coming, their comments, but what they (audience) saw was a prime example of why maybe there are some misquotes or things being attributed that are not true. Sometimes they hear part of what's going on and now those that are gone will rely on the paper or hearsay on what else was said. All of the meetings with the School Board are sessions open to the public. Some have been attended by teachers, but they are not well attended and we would like to see them extremely well attended. If you ask any School Board member they will tell you we had our rocky moments over the last couple of budget years, but this year it was the desire of all of us to start this budget year out very amicably with a good working relationship. We started back in the summer with the strategic planning session where we discussed how we would work through the year. The budget workshop at the high school was not contentious, but where members discussed openly and rationally and civilly. Regarding

the commitment to education, expenses go up in any department and enrollment has gone up, but if anyone looks at the budget and the revenue and expenditures to see where the money is going, there's nothing to hide. We have funded additional monies over the last three years - \$800,000.00 to the school system. He didn't think anyone could say this was a lack of commitment to the school system. One of the teachers group as well as the PTA has FOI'd some county information as far as salaries. There's nothing to hide - if they're looking for a smoking gun they won't find it. One assumption that was made by almost every speaker tonight was that they have to come up with additional money in order to fund these raises. You're assuming the money you're looking for to fund raises is not already in the budget.

Mr. Bahr seconded and agreed with what the other Board members have said.

Mr. Lipscomb appointed Mr. Bahr as the Board's emissary to surrounding county board meetings and would like for someone else to go with him. Mr. Burrell volunteered to do this.

IN RE: STAFF REPORTS

Mr. Cornwell stated they had bid out twice for request for proposals for a fixed base operator at the airport. Both times only two proposals were received. The first time he recommended they be rejected. Again, there are still only two proposals and he had concerns about both of them and he again recommended that both proposals be rejected and the Board reconsider this matter at a later date. Mr. Emerson recommended the matter be placed on the back burner until after this years budget deliberations and then have a work session to determine how they want to handle the airport. Mr. Burrell made a motion to reject the bids for the fixed base operator at the airport and to table the issue until after budget deliberations and then hold a work session.

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

Mr. Emerson stated he had a request from the Superintendent of Schools that the School Board has requested an additional meeting with the Board after their school budget hearing on March 17. They have requested either March 23 or 25. Mr. Emerson asked the Board to consult their schedules and give him the date they preferred next Wednesday.

IN RE: RESIDENT ENGINEER'S REPORT

Mr. Bob Riley reported during the month of February there were a total of 132 requests ranging from downed trees, high water levels, drainage problems, dirt roads and downed signs. Most of these calls were due to the heavy rains. They received 19 calls from the Sheriff's Office and 6 calls from the State Police. They have restaffed the Slatersville Sub-Area headquarters off Route 33 with four employees to improve services on dirt roads and drainage in the eastern end of the county. They bladed all dirt roads after the storms, trimmed trees, pulled ditches, added stone and stabilized slopes. The citizens advisory group looking at the replacement of the two bridges in West Point had selected the option to replace the existing draw bridges with two lane 55 foot high bridges and keep them on the same road the current bridges are on. They wanted to preserve the business section of West Point, but after more research it is obvious this is not the case. In trying to reach over the existing railroad track the quickest they could get back down to grade would be the stop light at Route 30, which would wipe out most of the businesses up

to Route 30. A consultant has been hired to study all the options. A meeting has been set up with St. Laurent about the possibility of moving part of the railroad yard and the unloading point for their barges - maybe downstream from the bridge, and the use of railroad tracks to bring things in instead of barges, relocate the railroad yard inside their work area where it wouldn't block the crossing so much.

Mr. Bahr asked Mr. Riley in regard to the bypass, if there was a possibility of putting a bridge across the York River. Mr. Riley said no, it would probably go upstream from the current bridge. Ms. Ringley asked about the condition of Ashland Farm Road. Mr. Riley said it was bladed after the last storm and he hasn't heard any complaints. Mr. Burrell asked about the second bridge. Mr. Riley said it would still swing around west of the existing bridge. Mr. Bahr asked if the Mattaponi River would also be bypassed. Mr. Riley said yes, it would. Mr. Hennaman thanked Mr. Riley for unblocking culverts in downtown Providence Forge, but just east of the section that was worked on, on Carriage Road there is still a lot of debris. Also, it appeared to Mr. Hennaman that the situation on Poindexter Road has been resolved.

Mr. Lipscomb stated last Tuesday night was the first of a three session planning meeting for citizens and it was very well attended. These meetings teach why there is a need for planning and the elements that go along with planning, zoning, and subdivisions. He encouraged any interested citizens to attend.

IN RE: PRESENTATION - The Board will present Resolution R-3-98 to Gary L. Green.

Mr. Lipscomb read Resolution R-3-98 commending Mr. Gary L. Green for his many contributions and devoted service to New Kent County and presented a framed copy to Mr. Green. Mr. Green thanked everyone.

FOR RESOLUTION R-3-98 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX SIX, PAGE 113.

IN RE: RESOLUTION R-4-98 establishing the week of March 29 through April 4 as Unity Week in New Kent County. Reverend Hathaway will give a presentation on Unity Week.

Reverend Hathaway gave an overview of the activities scheduled for the second annual New Kent Unity Week celebration. Their theme is "a community united". He invited all citizens to attend.

Mr. Burrell made a motion to adopt Resolution R-4-98 establishing the week of March 29 through April 4 as Unity Week in New Kent County.

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

FOR RESOLUTION R-4-98 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX SIX, PAGE 114.

IN RE: PRESENTATION by Mr. David Blackshear, Executive Director of the Capital Region Airport Commission on the progress at the Richmond Regional Airport during the past year.

Mr. Blackshear stated that Richmond Regional Airport will start on April 1 with Air Tran, a low fare jet carrier. He handed out copies of their annual report - they have experienced an 11.5 percent growth so far this year. The new parking garages are paid for by the users as are the other services offered at the airport. They need an additional runway and are working on bureaucratic problems in getting this accomplished.

Mr. Jack Ward, Chairman of the Airport Commission, stated they are progressive and growing at 15 percent each year. His main goal is to extend the runway by adding 1,400 feet to the runway to accommodate any aircraft that wants to land. Richmond is the only airport that can handle livestock. Mr. Ward invited the Board to take a tour of the airport. He also thanked the Board for their support in his election as the second vice president of the Virginia Association of Counties - he is there to serve.

IN RE: TAX COLLECTION DATE - The Board will receive public comment on establishing a date for local tax payment other than December 5.

The first citizen to speak was Mr. Phil SanMartino, 7300 Egypt Road. Mr. SanMartino agreed with moving the tax date as some people had problems paying during holiday times. He felt the decal deadline should also be moved, but if changed the county should prorate the amount due. Mr. SanMartino felt September would be an ideal month, but he felt the county could find itself in a large class action suit by residents if the taxes are not prorated and there is a date change. The next citizen to speak was Mr. Chris Madison, 19311 Eltham Road. Mr. Madison said the Board must consider this issue keeping in mind what Governor Gilmore has proposed with the car tax. He would like to see the date remain as it is. Some people use a Christmas fund for their taxes. People have the option of paying this tax early, but the bills don't go out until November so they don't know how much they owe - could the bills be sent out earlier? The next citizen to speak was Ms. Becky Philbates, Clarke Road. Ms. Philbates said she was sorry these people (teachers) left and they are only concerned about one thing - themselves. She would like to see the tax dates stay as they are. People can make arrangements - they can pay it by the month, week, whatever they want to do, the Treasurer will work with them. Ms. Philbates uses her Christmas Club for taxes. People don't want it in January, some don't want it during their vacation times, and in September the children are going back to school. Ms. Philbates felt people's escrow in their mortgages could be affected. The next citizen to speak was Mr. Edward Pollard, 7924 Vermont Road, West Point. Mr. Pollard said changing the date is not going to make it any easier or better for anyone. There is not a good time to pay taxes. Most taxes are due in the state on December 5. He suggested the Board leave the date as it is. The next citizen to speak was Mr. George Philbates, P. O. Box 28, New Kent. Mr. Philbates stated he is not in favor of moving the date three months ahead - that's cutting 25 percent off, then the next year you pay the full twelve months - losing ninety days, and if you do pass it there will be a class action suit - they've already approached me on it and I told them yes. If you do have to move the date, why not wait until the taxes are past and paid in December and then come in on June 1 and prorate it at half. It would be more sensible than moving it three months. He knows Ms. Burrell has payment plans. Mr. Philbates stated he was against changing the date completely. What about the farmers? They don't get their crops in until October or November - how are they going to pay their taxes? The next citizen to speak was Ms. Jennifer Caldwell, 4301 Old Nottingham Road. Ms. Caldwell thanked Mr. Hennaman and Ms. Ringley for getting back to her with information she requested at the last board meeting. Ms. Caldwell said it's been a real learning experience for her regarding changing the tax collection date. She said she had come to some wrong conclusions. She thanked Ms. Betty Burrell and Mr. John Crump who have worked patiently with her to try to help her understand this issue. Ms. Caldwell used a chart she had

made to explain the principal of what would happen if the tax date was changed. She learned from Ms. Burrell you could pay your taxes twice a year, once a year, once a day if you wanted to. There are a lot of options available for payment. She understood it was a difficult task for Ms. Burrell and the Treasurer's Office to accomplish all the paperwork in such a short period of time. She asked the Board to consider the fact that a change in the date would affect her budget. She has to stay within her budget and she budgets for all payments. Her chart showed three calendar years with \$100.00 for each month of each year. The year you proposed to make the change, when September comes she will need an additional \$300.00 which she hasn't budgeted for. She will lose the interest on the \$300.00 and the county will get a windfall, which could amount to \$102,000.00. She isn't opposed to this, but would like to see it used for something that would really bring harmony in the county - we've heard of one need tonight, there will be others. She also suggested if the Board decided to move the tax date to September - is there another month that would be better or could the people be given a thirty day grace period to come up with the money? She showed another chart depicting three calendar years. The previous year she had to get three decals for cars, which was due in April and cost \$60.00. The middle year where the change was made, she paid again in April \$60.00 and then again in December \$60.00. So for that calendar year she paid \$120.00 for decals. The following year they paid again in December \$60.00. She hoped the Board would consider the financial hardship these changes cause. The next citizen to speak was Ms. Donah Hockaday, 11008 Pocohantas Trail, Providence Forge. Ms. Hockaday stated she was against changing the tax date to September. There are many ways available to pay your taxes. There was no compensation for changing the decal date. Her taxes are paid in her monthly mortgage payments. She was never contacted to participate in the poll. She questioned why the Board wanted to shove money into the end of the third quarter of the year. People will lose interest on money paid early - how will they be compensated? She didn't see why the county should get a windfall and she was sure they already have something to spend it on, which is why they (Board) is battling with the few people who don't want this to be paid in September. She is tired of America changing what our country stands for and the rules that govern our country for everybody who cannot respond to the rules and follow correct behavior. The tax laws have been since civil war times that you pay at the end of the year. Do not change things just for the sake of change - leave things the way they are. The next citizen to speak was Ms. Nancy Hayes, 7811 Deer Run. Ms. Hayes stated she's not concerned about the date, but the time in between - the windfall, how will it be used? She wanted to make sure it wasn't being passed off as helping someone with their budget. The next citizen to speak was Mr. Billy Hott, P. O. Box 77, New Kent. Mr. Hott stated there were a lot of people who can't pay it at different times of the year - why not have it at the end of the year - December 31. If you move the date once you might continue to move it. Either leave it like it is or move it to December 31. The next citizen to speak was Mr. Robert White, 5700 Farmers Drive, Barhamsville. Mr. White said he was one of the few farmers in New Kent that still operate. He felt it was causing a great hardship on the landowners and farmers because they can't pay their expenses until the crops are in. December is when the crops that show profit (if any) are harvested and they are the ones used to pay the taxes. The move to September would cause many to have to borrow the money to pay the taxes. Many mortgages would have to be restructured to pay the escrow amount earlier. If it's a workload problem with the Treasurer's Office, then we need to move the stickers back to April. Mr. White was opposed to changing the date for tax collection. The next citizen to speak was Ms. Isabel Davis White, 5711 Farmers Drive, Barhamsville. Ms. White was opposed to moving the date. She said she was told by her supervisor they (county) run out of money in September and she felt this was very poor budgeting. She has to budget and so does everyone else. September is when the tuition for college is due. Changing the tax date would make a burden on the taxpayers many of whom are dependent on crop money to pay their taxes - the contracts come up in December. She felt this was just another way of increasing taxes. Ms. White felt the Board should do what the citizens of the county wanted, not be sneaky about raising taxes. Ms. White felt the tax collection date should be left as it is. If people can't budget their money all year long to pay their taxes, they are in bad shape. If anybody in the Treasurer's Office can't handle the stress, then someone else can do the job.

Mr. Hennaman clarified some of the points and issues that were brought up. He hoped that everyone realized the survey that went out was sent in a tax mailing by the Commissioner of Revenue. He thought it was mailed to every taxpayer, but did not know for sure. Several hundred people responded. Personally, Mr. Hennaman felt the Board was indifferent on this issue and the public hearing was to take public comment. The Board simply was trying to find out what the people want to do - the Board did not come up with this on its own. We (the Board) have gotten a lot of information tonight. He appreciated all the comments, and it's not a decision the Board planned on making tonight, and they may take more public comment when they get to the point when they set the tax date. Mr. Bahr said it was his understanding it would mean they would be able to send a bill out in the summer and other bills later in the year, which would allow the Treasurer's Office not to hire extra help or temporary help. What he did tell Ms. White was that before the present Board came on and before the county was managed as it presently is, we did one year have to borrow money in order to make the September payments. Mr. Burrell stated September was suggested to make sure the cash flow didn't get too low. Mr. Emerson stated this proposal of the Board was not set with any thought in mind of trying to supply low cash flow - the county currently has a strong fund balance. Previously they did have to establish a line of credit at a local bank, but it was not used and currently they are not in a situation where they would have to have such an instrument now. Mr. Bahr said he was strongly affected by the plight of the person who rents their land out and does not get paid until December to bill him in September is probably inequitable. He suggested the Board consider having the bills sent out in August, have them due December 5, but offer a 2 percent discount to those who pay by September 5, which would amount to saving 8 percent on their money if they didn't pay until December 5. Mr. Lipscomb stated this issue came about from last December 5. If this public hearing had been held on December 1, the room would be packed with people saying they don't want the tax collection date on December 5. Ms. Ringley stated the survey results show the preferred date of June for the collection of real estate and personal property taxes according to the respondents of the survey. We keep talking about September, but it's June and then March as the preferred date for the decals. She also clarified it was not a Board directive to send out the survey. This was in no way an effort to manipulate anyone's money or to change the cash flow. The Commissioner of Revenue was simply responding to the citizen's comments he received that December 5 was a hard time for people to pay their taxes. She agreed that anytime would be a hard time for people to pay. Mr. Hennaman said someone had made a comment about the Board bending to the wishes of just a few whereas the majority of those who spoke indicated something else. There were 7,500 surveys sent out county wide, 1,000 people returned them and the majority of those who returned them wanted a different due date other than December 5. Mr. Burrell said this was not something the Board decided to do - they heard from many people they did not want to pay their taxes around Christmas. The Board was responding to what the citizen asked them to put in a public hearing. If the citizens overwhelmingly want a date we will respond to what the citizens want, it is not what the Board wants.

IN RE: SLUDGE APPLICATION 1-98 for L. C. Davis Sons to apply Biosolids to Tax Map and Parcel Number 15-3.

Mr. Lipscomb asked Mr. Maloney to give his report. Mr. Maloney stated this was an application for Land Application of Sewage Sludge on part of Tax Map and Parcel Number 15-3. The application is for a 56.6 acre field, which is identified as field 2, on tract 227, farm 52. Sludge was previously applied to this parcel prior to the adoption of the current ordinance. This application is to allow the owner to complete the application of the sludge. All required information under the county's sludge ordinance has been included. The samples of the sludge do conform with State Health Department requirements. The appropriate fees and surety amounts have been paid by the applicant and the insurance information and all other information required by the ordinance have been supplied. It is the recommendation of staff the application be approved by the Board of Supervisors per the county's sludge application ordinance.

Mr. Lipscomb opened the public hearing. Mr. Wayne Davis, 7406 Davis Pond Road, West Point was the only person signed up to speak. Mr. Davis had no comment. Mr. Lipscomb closed the public hearing. Mr. Bahr made a motion to approve Sludge Application 1-98 as presented.

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

The motion was carried.

IN RE: ORDINANCE O-2-98 to amend and readopt Section 14-6 of Chapter 14 of the New Kent County Code to increase the return check fee from \$10.00 to \$20.00.

Mr. Lipscomb asked Mr. Cornwell to give his report. Mr. Cornwell said the State Code of Virginia allows the county to impose a \$20.00 service charge on returned checks and presently the County Code only allows a \$10.00 charge. The Treasurer requested and I have drafted for your consideration this amendment to increase the returned check charge to \$20.00. This would apply to checks that are returned for insufficient funds, because there is no account, or the account is closed.

Mr. Lipscomb opened the public hearing. There were no persons signed up to speak and the public hearing was closed. Mr. Hennaman stated he only wished the statute allowed them to charge more. Mr. Burrell stated that even if they adopt this ordinance, it will probably be the lowest anywhere in this part of the state. Mr. Bahr made a motion to approve Ordinance O-2-98 as presented.

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

FOR ORDINANCE O-2-09 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX SIX, PAGE 115.

The motion was carried.

IN RE: DISCUSSION - The Board will consider the Fire Department's funding request.

Mr. Lipscomb asked Mr. Emerson to give his report. Mr. Emerson stated this was a request from the Volunteer Fire Department for an appropriation to their operating budget in the amount of \$24,600.00 It has been reviewed by the Director of Public Safety and he determined \$11,262.00 was reasonable. Mr. Emerson recommended the Board appropriate \$10,000.00 with the directive the Volunteer Fire Department end the year in the black and make up any unfounded or unnecessary expenses to complete the year out of their fund raising accounts. Mr. Gallaher stated he had done a very in depth study of their request and came up with \$11,262.00 he felt was reasonable. He also recommended it should be given in a manner that only allowed them to spend the money as needed.

Mr. Hennaman asked if this was the second time this same question presented itself in as many budget years. Mr. Gallaher answered that was correct. Mr. Hennaman stated the amount of money the Board appropriates on an annual basis to the Fire Department and to the Volunteer Rescue Squad has always been meant to be a supplement to their annual operations. Until this Board is in a position to completely take over the operations of the Fire Department, which we are working towards, until we say no this is going to be a pattern - wanting more money at the end of a budget year because they have overspent. Ms. Ringley stated she attended a meeting between the Fire Department, Mr. Emerson, Mr. Hennaman, and Mr. Gallaher before she was elected to the Board. At this meeting there was a request made for more specific revenues expenditure information from the Fire Department. She said she would feel better about doing her job as far as appropriating money to the Fire Department if she was given this information. She hoped Mr. Pearson would be able to provide this information so the Board could be better prepared to make their decision. Mr. Lipscomb said he couldn't see a fire truck sitting and not being able to run and he felt they needed the money to run through the end of the year. Mr. Burrell stated the fact this has happened twice before causes him some concern because all of us operate on a budget and we are doing the best we can for all the agencies and to maintain a reserve fund by law. If we do appropriate we need to say succinctly we will not ever allow this to happen again. We cannot as a Board use the taxpayer's money to make appropriations when someone runs short. Agencies need to live within their budgets. Mr. Burrell said he was in favor of this one time appropriation, but to let it be known it cannot happen again, unless there is an extreme emergency. Ms. Ringley said she understood a large portion of the Fire Department's budget comes from volunteer fund raising efforts and they base their budget on a projected revenue. She did not know what the projected revenue was for this year and therefore does not know the reason more funds are needed. Mr. Burrell made a motion to appropriate \$10,000.00 from the county's fund balance to the Fire Department's budget fund #032000 to be allocated by line item as per the direction of the County Administrator.

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

The motion carried.

IN RE: CLAIM - Business Data of Virginia vs. Ms. Betty J. Burrell, et.al. The Board will take input concerning the claim of Business Data against the Treasurer.

Mr. Cornwell stated it was his understanding no one from Business Data was present and he was advised earlier today this matter has been resolved. He asked the Board to set this matter over to the next Board meeting when hopefully it will not come back on the agenda because it will be settled. Mr. Bahr made a motion to table this issue until the April 6 Board meeting.

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

The motion was carried.

IN RE: PRESENTATION - Ms. Elizabeth Foster, Partner with KPMG Peat Marwick will discuss the FY97 County Audit of the financial records.

Ms. Foster and Ms. Beth Meinen, Senior Manager at Peat Marwick gave the following report. Ms. Foster gave the high lights of the audit starting with the opinion being a clean opinion with the exception of the fixed assets currently not being reported in the accounting books. At which time the county would decide to do this, which we understand they are moving in that direction, that qualification would be lifted and the opinion would be the cleanest possible opinion available. Qualified opinions happen in some counties across the state. On the balance sheet (at June 30, 1997) total assets were approximately \$18 million dollars including the assets of the schools. There was also an unrestricted, unreserved, undesignated fund balance of approximately \$3.1 million dollars. Their observation of the budget process was that it is conservative which they like to see. This means the actual revenues exceeded what was budgeted by approximately \$800,000.00 and the actual expenditures were approximately \$1.2 million dollars less than what was budgeted. This is moving in the right direction. She reminded the Board their audit not only includes the audit of the numbers and the financial statements, but also the federal funds the county receives. For the June 1997 fiscal year the county received approximately \$1.3 million dollars in federal funds - which include the school numbers. They were required this past audit year to look at four of the programs and they found two small exceptions in the food stamps program. They did not encounter any difficulties or problems during the audit. The management letter provided operational and accounting types of recommendations, which they believe the county is taking seriously and working to implement.

Mr. Hennaman asked Ms. Foster, in her professional opinion, while the county fund balance has grown significantly, would it be safe to say the county has just reached the point where they should have been all along? Ms. Foster said yes, clearly when the fund balance was below \$1 million dollars and had been there for some time, the county was not in a safety zone - they are now in the safety zone.

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

District One had no appointments.

District Two had no appointments.

District Three had no appointments.

District Four had no appointments. Mr. Hennaman sent his appeal to citizens of District Four if they had an interest in serving on the Board of Social Services to please contact him.

District Five had no appointments.

IN RE: MEETING SCHEDULE

The regular meeting of the Board of Supervisors will be held Monday, April 6, 1998 at 6:00 p.m. The Board will continue budget work sessions on Wednesday, March 11, 1998 at 9:00 a.m. in the conference room. The Planning Commission will meet on Monday, March 16, 1998 at 7:00 p.m.

Ms. Ringley stated Ms. Lisa Gill, School Board member had joined the meeting and her daughter, Elizabeth, was with her. Elizabeth is a very famous speller in the county and Ms. Ringley congratulated her.

IN RE: ADJOURNMENT

Mr. Hennaman made a motion to adjourn.

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

The meeting was adjourned at 8:39 p.m.