

AN EXECUTIVE SESSION OF THE BOARD OF SUPERVISORS WAS HELD ON THE 6TH DAY OF APRIL IN THE YEAR OF OUR LORD NINETEEN HUNDRED EIGHTY-EIGHT IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING AT 6:00 P.M.

IN RE: EXECUTIVE SESSION

Ms. Ringley made a motion to go into executive session for 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 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

The Board went into executive session at 5:20 p.m.

Mr. Hennaman arrived at 5:30 p.m.

Mr. Bahr arrived at 5:42 p.m.

The Board returned from executive session at 6:00 p.m. Mr. Hennaman gave the certification: Whereas, the New Kent County Board of Supervisors was convened in executive session 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 in the Code of Virginia requires a certification by the Board that such executive meeting was conducted in conformance with Virginia law; Now, therefore, be it resolved that the Board hereby certifies that to the best of each member's knowledge (i) only business matters lawfully exempted from open meeting requirements 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	Aye
Frederick G. Bahr	Aye
Rebecca M. Ringley	Aye
Julian T. Lipscomb	Aye

THE REGULAR MEETING OF THE BOARD OF SUPERVISORS WAS HELD ON THE 6TH DAY OF APRIL IN THE YEAR OF OUR LORD NINETEEN HUNDRED EIGHTY-EIGHT IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING AT 6:03 P.M.

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Lipscomb asked Mr. Burrell to give the invocation and lead the Pledge of Allegiance.

IN RE: CONSENT AGENDA

Mr. Emerson reviewed the Consent Agenda, which consisted of the following: Approval of the minutes from the March 9, 1998 Board meeting; requests for permission to advertise changing the courthouse precinct polling place to the courtroom in the old courthouse, which will be a public hearing along with last month's request to move the Providence Forge precinct to Taylor and Harrison; request for approval of contract with consulting agreement for county communications system study to be conducted by Frederick G. Griffin; Resolution R-8-98, renewal of Virginia Juvenile Community Control Crime Act biennial agreement between King William County, King and Queen County, Charles City County and New Kent County which provides a position that works with juveniles under the direction of the judge; Resolution R-9-98, Charles City County requested the Board adopt this resolution opposing legislation in the General Assembly that would prohibit and/or regulate by enactment the transportation of solid municipal waste on navigatable waters of the Commonwealth; Resolution R-10-98, which was requested by the Richmond Area MPO and is a request to Governor Gilmore to consider the appointment of an urban at-large member to the Commonwealth Transportation Board from the Richmond area; Refunds - one for building application zoning fee, one for a listing error by the general assessors, one for taxes paid on a vehicle in error, and one for a keying error for a total of \$1,005.89; several appropriations - \$82,819.00 for the schools which is increased monies for the attendance and increased sales tax funds from the state and \$70.00 in cafeteria operations, the Sheriff's funds for confinement of prisoners \$80,000.00, and funds for the county communications study (which is not to exceed \$35,000.00) which will be taken out of the E911 Fund Balance for total appropriations of \$197,889.00; a Finance Report showing total expenditures for the month of March 1998 of \$471,717.57; and a Treasurer's report showing a cash balance as of February 28, 1998 of \$8,541,097.07. Mr. Lipscomb asked Mr. Emerson when the public hearing would be for the proposed precinct changes. Mr. Emerson said probably at the next meeting. Mr. Burrell made a motion to approve the Consent Agenda as presented.

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

FOR RESOLUTION R-8-98 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX SIX, PAGE 116.

FOR RESOLUTION R-9-98 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX SIX, PAGE 117.

FOR RESOLUTION R-10-98 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX SIX, PAGE 119.

IN RE: CITIZENS COMMENT PERIOD

There were no citizens signed up to speak.

IN RE: ELECTED OFFICIALS REPORTS

Mr. Bahr said he attended the last Charles City County Board of Supervisors meeting. They seemed delighted at the idea that someone from New Kent was there. He will be attending the James City County Board of Supervisors meeting next month, and he plans to attend the West Point City Council meeting.

Mr. Hennaman had no report.

Mr. Burrell was pleased the Board passed the resolution supporting Charles City - he worked very hard for Charles City with the Central Virginia Waste Management Authority. Wastepaper is generating more revenue now. They are considering having the mixed paper container redesigned to hold more paper so it won't fill up before the metal and glass containers, which will reduce the number of pickups. Also, his mailbox was knocked down recently and he learned from talking with Deputy Anthony (who was formerly with James City County), that James City County enacted an ordinance setting a curfew for those under 18 years of age (they would need written permission to be out after curfew time). Mr. Burrell asked Mr. Emerson to look into this (with the Sheriff) and report back to the Board.

Ms. Ringley did not have a report.

Mr. Lipscomb said he learned that some people who have been appointed to commissions in the county are going to other meetings and are indicating they are representing New Kent, and actually they are not unless they have been appointed by the commission they serve on to do so. Mr. Lipscomb asked Mr. Emerson to send a letter to each of the committees telling them to notify their members that they must give their consent for a member to be their representative at meetings they attend.

Sheriff Howard recognized two of his staff members for graduation from training courses. Lt. Colonel Joe McLaughlin attended the Executive Leadership School. Investigator Mark Thatcher attended the Virginia Forensics Science Academy.

Mr. John Crump, Commissioner of Revenue, said he hoped to send out the letters of assessment next week, which is a report of all personal assets people have and the assessed values. Mr. Lipscomb said it was important for the citizens to review the form as there is a cut off date of June 1 for any changes.

IN RE: RESIDENT ENGINEER'S REPORT

Mr. Bob Riley reported VDOT had 54 requests for services during the month of March and 41 have been completed. They received 18 calls from the Sheriff's Office - all completed, and 3 calls from the State Police - all completed. The work on Rt. 249 (about 1.5 miles west of intersection with Rt. 33) is continuing - the problem is a cross pipe failure. Work continues on Poindexter Road addressing the erosion problems. Six driveway pipes have been installed. Mr. Bahr thanked Mr. Riley for filling the potholes on Homestead Road. Mr. Hennaman thanked Mr. Riley for filling the potholes on Window Shades Lane. He asked if the speed related issue on Waterside Drive had been addressed yet. Mr. Riley said he would check. Mr. Hennaman asked Mr. Riley to look at the amount of debris (mostly sand) on Carriage Road beginning in front of the library going east. Mr. Burrell asked Mr. Riley if the work on the eastbound lane of I64 by Bottoms Bridge of cutting the overhanging brush would continue. Mr. Riley said they were concentrating on drainage problems now, but they would be returning to that work. Mr. Burrell asked if by not having any snow removal expenses this past winter - could the money be used for other things? Mr. Riley said no, it couldn't. Mr. Riley said he spoke with Mrs. Owen on Brooke Boulevard and told her we (VDOT) were aware of her problem and will get to it as soon as they can. Ms. Ringley asked if Mr. Riley had spoken to the resident on Court Drive. Mr. Riley said he'd looked into the problem, but had not spoken to the people. Ms. Ringley asked Mr. Riley to check into the trash on Rt. 640. Mr. Lipscomb said that where they cleaned the ditch coming from Woodhaven down towards Rt. 612, the road is starting to break away and was going into the ditch - he asked Mr. Riley to check this.

IN RE: STAFF REPORTS

Mr. Emerson handed out copies of the final advertisements for the budget - they have been forwarded to the county's paper of record, the Tidewater Review, to run on April 8 and 15. There are three advertisements - one for the budget, one for Ordinance O-6-98 enacting tax rates which remain the same as the current fiscal year, and the advertisement reflecting information concerning water and sewer rates. The water rates remain the same and the county is creating (for the first time) sewer rates.

Ms. Shelley Carmichael handed out draft copies of a brochure she put together to mail out to the citizens. She asked the Board for their approval and any changes they wished.

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

No appointments were made.

IN RE: MEETING SCHEDULE

The regular meeting of the Board of Supervisors will be held Monday, May 11, 1998 at 6:00 p.m. The Planning Commission will meet on Monday, April 20, 1998 at 7:00 p.m. The public hearing for the FY 98-99 budget will be on April 22, 1998 at 6:00 p.m. and the FY 98-99 budget will be adopted on April 30, 1998 at 6:00 p.m.

Mr. Lipscomb recessed the meeting at 6:38 p.m. until 7:00 p.m.

IN RE: ORDINANCE O-1-98 for the removal of 14 acres from the Pamunkey River Valley Agricultural and Forestal District shown as a portion of Tax Map and Parcels: 15-3.

Mr. Maloney gave the following report. This is an application from L. C. Davis Sons for the removal of 14 acres from the Pamunkey River Valley Agricultural and Forestal District (Section II) (AFD). The property is shown as a portion of Tax Map and Parcels: 15-3. The removal of these 14 acres is being requested to permit the immediate family transfer of eight parcels of land. With the removal of these 14 acres from the Pamunkey River Valley AFD (Section II), the Pamunkey River Valley AFD (Section II) will consist of 706 acres. At its February 16, 1998 meeting the New Kent County Planning Commission voted to recommend approval of Application AFD-1-98/Ordinance O-1-98. The applicants declined to address the Board. The public hearing was opened, there was no one signed up to speak, and the public hearing was closed. The Board members had no discussion. Mr. Burrell made a motion to approve Ordinance O-1-98 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-1-98 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX SIX, PAGE 120.

IN RE: ADJOURNMENT

Mr. Bahr 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 adjourned at 7:03 p.m.