

A WORK SESSION OF THE BOARD OF SUPERVISORS WITH REPRESENTATIVES FROM GREENHORNE & O'MARA, INC. TO REVIEW THE DRAFT WESTERN END AREA MANAGEMENT PLAN WAS HELD ON THE 2ND DAY OF NOVEMBER IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-EIGHT IN THE E.O.C. ROOM OF THE COUNTY ADMINISTRATION BUILDING AT 4:36 P.M.

IN RE: ROLL CALL

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| James H. Burrell   | Present                       |
| Mark A. Hennaman   | Absent (arrived at 5:20 p.m.) |
| Frederick G. Bahr  | Absent (arrived at 4:54 p.m.) |
| Rebecca M. Ringley | Present                       |
| Julian T. Lipscomb | Present                       |

IN RE: DRAFT WESTERN END AREA MANAGEMENT PLAN

Mr. Lipscomb turned the meeting over to Mr. Maloney who introduced Mr. Marty Crahan and Mr. Joe Wiltse of Greenhorne & O'Mara who drafted the plan. Mr. Maloney stated the Planning Commission, during its September meeting, held a public hearing on this plan and they recommended approval of the plan to the Board. Mr. Crahan and Mr. Wiltse gave the Board a summary and an overview of the plan. This specific area represents approximately 27,000 acres and today is largely zoned agricultural. The residential area is approximately 4,000 acres, about 4,600 acres are wetlands, and almost 13,000 acres have sensitive environmental features (around 40 percent). The existing and the lack of public utilities and recreational opportunities was discussed. The road systems in this area will be a major factor its growth. Mr. Crahan stated this was not a parcel specific plan and it's not meant to mirror the zoning plan. It's to be used as a guide. It's compiled using transportation elements, availability of utilities, population projections, opportunities for promoting competitiveness, recognizing the environmental constraints and other factors. The plan shows land area recommendations for certain land uses. Forty percent of the land is wetlands and under constraints, but there are national permits and individual permits so you can develop some of these areas. Placement of a sewer and pump station was discussed. The key elements are two capital improvement investment areas by Bottoms Bridge: 1) Main interchange with Interstate 64 and Routes 249 and 60; and 2) The fact it will be the first area to be served by public sewer. There is also a good opportunity for commercial development around the Route 106 and Interstate 64 interchange. The conservation areas form natural boundaries for land use. They recommend a village around the Bottoms Bridge area. Commercial and industrial areas were discussed. They also recommended the airport property be changed from airport to recreational designation. Ms. Ringley was concerned about the designation of development on the south side of Route 60. Discussion followed on the potential development options for this area. Future plans for sewerage were also discussed. The scenic river status of the Chickahominy River was discussed. Mr. Bahr asked if staff would get a price to run sewer into Five Lakes. Mr. Emerson stated between Route 295 interchange/Bottoms Bridge interchange, if utilities can be put in, there is a real opportunity to capitalize on potential commercial development.

The Board recessed at 5:55 p.m. to move the meeting upstairs to the boardroom.

THE REGULAR MEETING OF THE BOARD OF SUPERVISORS WAS HELD ON THE 2ND DAY OF NOVEMBER IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-EIGHT IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING AT 6:02 P.M.

IN RE: ROLL CALL

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

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

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

Mr. Lipscomb took a short recess starting at 6:04 p.m. The Board reconvened at 6:12 p.m.

IN RE: PRESENTATION - The Board will present Resolution R-25-98 honoring the late John Archer Pearman, Sr. to his family.

Mr. Lipscomb and Mr. Hennaman presented Resolution R-25-98 to Mrs. Elsie Pearman and her children, John A. Pearman, Jr. and James Pearman. The Pearman family expressed their thanks for the resolution.

IN RE: CONSENT AGENDA

Mr. Emerson presented the Consent Agenda, which consisted of: Approval of Minutes from the October 12, 1998 quarterly meeting with constitutional officers, work session with the Fire Department and Rescue Squad representatives, and the regular board meeting; Ordinance O-11-98 adding a provision to the New Kent County Code regarding Dangerous and Vicious Dogs and Ordinance O-12-98 amending a penalty provision of the Code to conform such penalties to the Code of Virginia. The motion causes the immediate adoption of these ordinances as emergency provisions of the Code and request authorization for advertisement and public hearing thereon at the December Board of Supervisors meeting; Resolution R-27-98, local funding for Maggie Walker Governor's School in the amount of \$46,503.00; Draft Proffer Policy, which explains the impact of development issues for consideration by developers when making residential development proposals to the County; Appropriations for matching funds for the Jamestown 4-H Education Center Grant from the Commonwealth through VA Tech - \$2,200.00 from Revenue to Expenditures; Appropriation for additional storm drainage system items at the New Kent County Courthouse per settlement agreement with MMM Design Group and Henderson, Inc. - \$34,000.00 from Revenue to Expenditures; Finance Report showing \$1,868,503.38 in expenditures for all funds; there was no Treasurer's Report due to the meeting being held a week earlier. Mr. Bahr requested Resolution R-27-98 be pulled out and acted on separately. Mr. Hennaman concurred. Mr. Burrell asked if the \$50,000.00 insurance on the vicious dogs ordinance was the maximum, Mr. Cornwell confirmed it was

from the Code of Virginia. Ms. Ringley verified the vicious dog ordinance was in addition to the current ordinance. Mr. Cornwell confirmed this. Mr. Hennaman made a motion to approve the Consent Agenda as presented with the exception of Resolution R-27-98.

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

FOR ORDINANCE O-11-98 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX SIX, PAGE 154.  
FOR ORDINANCE O-12-98 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX SIX, PAGE 157.

Discussion followed on the Maggie Walker Governor's School. Mr. Hennaman was not sure he could support this as the school bond referendum was being voted on tomorrow and since there were only four students attending from New Kent and they would not lose the opportunity to attend if the County chose not to support the resolution. Ms. Ringley pointed out this was a three phase plan and she would like to find out more about the anticipated costs on phases two and three. Mr. Burrell also wanted further information. Mr. Bahr made a motion to defer action on Resolution R-27-98 until the December 14 meeting.

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

IN RE: CITIZEN'S COMMENT PERIOD

The first citizen to speak was Mr. George Philbates, Jr. Mr. Philbates expressed his concerns and comments to a derogatory letter that has been circulated to neighboring counties entitled "Why Move to New Kent County?" He felt this was a way he could answer the letter. He countered the points made in the letter concerning population, roads, the school system, the family affair clique, and embezzlement in the early 1970's. The next person to speak was Mr. Billy Hott. Mr. Hott said the Board has received a lot of criticism during public comment periods, and regarding Virginia Towers he thanked the Board for serving the County well. The next person to speak was Mrs. Rebecca Philbates. Ms. Philbates congratulated Mr. Cornwell and his associates for working so hard on the tower issue. She is glad the Board will have a better role in determining where they will place the towers. She thought the letter was a slam to all the people who have family in New Kent. The next person to speak was Mr. Tom Mears. Mr. Mears saved a young girl who was being attacked by a rottweiler. He commended the Board for approving the emergency ordinance tonight and hoped they would give it strong consideration at the December meeting. The next person to speak was Mr. Chris Madison. Mr. Madison asked that the timer not be started until the person gets to the podium. He also understood from Fredericksburg (VDOT) that one of the main reasons for a hold up on making a decision on the bridge in Eltham was that the New Kent County Board of Supervisors would like to have a depot by the new bridge. The only reason he could see for this would be a garbage unloading place. He asked the Board to not delay the bridge project, which was very badly needed. He also requested the Board's help in getting BFI to not disturb him and his neighbors in the early morning hours. The next person to speak was Mr. Gary Green. Mr. Green was disturbed that the pamphlet sent out to District Two citizens stated the cost relating to the EPA mandates and fuel tanks, that the cost for the upgrade was less than the cost of the original proposal and

that's true - relining the tank instead of replacing it. Regarding the grant money for replacing the tanks, the money was available until a letter went out to Senator Robb and Congressman Scott to close the airport. The state pulled the funding at that time and they would not replace it until the letters were rescinded. We were not matching funds, they were matching our funds to the tune of about 80 percent. They have been asked by Mr. Burrell to come up with a Five Year Plan, which they are working on. They hope to present this to the Board at the December meeting. He asked the Board to rescind the letters. He stated the airport activity was getting great - fuel sales were way over what they were last year, and they had an opportunity to get it turned around, but they needed the Board's help. The next person to speak was Mr. Shawn Pratt. Mr. Pratt said the Board has requested the help of the NKAPA at the last two meetings to look at strategies as well as ways to make the airport break even over time. They are working with the Airport Advisory Commission to develop a five year plan for the airport. He felt it was important to rescind the letters to Congressman Scott and Senator Robb. Once the letters were sent out they (County) lost state funding. There is also the problem of the County's integrity now. They felt there were factual discrepancies in the letters sent out and the Airport Advisory Commission, with a unanimous vote requested the Board to correct the letter (which wasn't corrected). We then asked the letter be rescinded. They have worked with the state and federal legislators to let them know what the actual facts are. (Mr. Pratt expressed his concern about getting his full three minutes as the timer rang). Because the letter has not been rescinded pilots have gone to Hanover, West Point, and Petersburg. There are currently six open hangars. If the Board rescinds the letter it will show good faith in behalf of the County and maybe we can get some folks in here to help increase the economic benefit with regard to the airport. Of the three options being considered, no government entity (FAA, Dept. of Aviation, Virginia Aviation Board or the local Airport Advisory Commission) supports requesting forgiveness of grant funds. The next person to speak was Mr. Rod Molina. Mr. Molina had hoped the letters (to Scott and Robb) had been rescinded and urged the Board to make a motion to do so. Because of this letter they (County) will not get funds for the fuel farm and regardless of the misinformation that is out there - 80 percent, whatever the amount. They do not want future funding jeopardized. They are working on the five year plan, but it can't be effectively done unless you know what grant monies will be received. Mr. Molina felt they needed this to attract a manager/operator. The next person to speak was Ms. Susan Brubaker. Ms. Brubaker stated she was a pilot, aircraft owner, renter of hangar six, and resident of New Kent County. She was concerned about the misconception people have about pilots and aircraft owners and how to make money while providing no goods or services. She spoke of the sacrifices she had made to become a pilot and aircraft owner. She said she'd heard the Board had said if the airport made money they would no longer be interested in closing it. Airports usually make money through maintenance and rental aircraft as well as instructors. She felt the requirements for an FBO operator were ridiculous and impossible to meet and had spoken to six FBO operators at other airports. She felt general aviation was on the rise and the County could take advantage of it. The next person to speak was Mr. George Delk. Mr. Delk said he had nothing to add.

Mr. Bahr thanked Mr. Mears for saving the girl attacked by the dogs.

#### IN RE: ELECTED OFFICIALS REPORTS

Mr. Bahr said a definite date (November 21) has been set for the can collection on the Diascund Reservoir.

Mr. Hennaman had no report, but commended Trooper Mears for his heroic actions.

Mr. Burrell also commended Trooper Mears for probably preventing the death of the girl. Mr. Burrell also stated that Central Virginia Waste Management Authority is considering dropping glass from the

recycling program. It contaminates the paper and takes up space that could be allotted for paper, and the resources for glass are unlimited. It would save the County money by saving trips necessary to move the recycling bin. He asked for the Board's concurrence.

Ms. Ringley said the Insurance Services Offices have completed their public protection survey and citizens in certain areas will have a new classification effective November 1, 1998 and should contact their insurance carrier to see if they qualify for a lower rate. The speed limit in Bottoms Bridge has been reduced to 45 m.p.h. There was a work session prior to this meeting with Greenhorne & O'Mara discussing the Western End Area Management Plan, which is a plan for recommended land use. She invited any concerned citizens to contact her to discuss this issue. She thanked Trooper Mears for his bravery. Ms. Ringley said she understood when the County pursued the relining of the tank at the airport that the cost to the County would be less than what the 20 percent match would have been had they gone for the above ground fuel tank and by not doing this they did not further encumber the County with another grant from the state. Mr. Emerson confirmed this.

Mr. Lipscomb did not have a report. He thanked Trooper Mears for his actions. He encouraged everyone to vote tomorrow.

Mr. Burrell asked for a consensus from the Board to drop glass from the recycling program. The Board gave its consent.

#### IN RE: STAFF REPORTS

Mr. Maloney gave a report on the underground storage tank at the airport. Mr. Maloney stated the County received four bids for upgrading the fuel farm project at the airport, which will entail the removal of three underground storage tanks that were used for machinery and automobile fuel (this portion of the project was never eligible to receive state funding). The successful bidder was F. W. Baird for \$31,618 plus \$44.00 per ton for disposal of any contaminated soils. A separate bid was requested to upgrade the existing fuel pump to a more modern pump with credit card processing capabilities. The bid from F. W. Baird for this was \$23,995. It is the recommendation of the engineer to not pursue upgrading the fuel pump at this time. For comparison the local match, based on a preliminary engineering estimate by Draper Aden, the project to upgrade the tanks would have been around \$78,000. The local project share would have been \$36,890 (which would have been an additional \$5,200 from the County coffers). The County Attorney is reviewing the contract. Also several weeks ago automated credit card readings were installed to accept VISA, MasterCard, and Discover for fuel sales. Mr. Hennaman asked if fuel would be available for sale when it was being stored outside of the tank during the work. Mr. Maloney said it was not included in the bid to provide fuel sales during the work being performed. Mr. Hennaman wanted fuel to be available during the work. Mr. Lipscomb said at the Airport Commission most of the people said during that time of year pilots don't fly much because of the weather and they will fill up before the work begins. Mr. Hennaman said he was trying to avoid a problem, but if it was all right with the pilots, it was fine with him. Mr. Hennaman reminded the Board the tanks would not be placed above ground, as first thought, which was a concern to Mr. Worley. The process of relining the tanks will cost the County less money and they are not encumbering the citizens of more state funds. Mr. Burrell said they were asked at least twice tonight to rescind the letter because of the cost - facts show that it's actually being done for less. Also there will be less vapor loss of gas in underground storage tanks. Ms. Ringley asked if the \$78,000 for the above ground tanks included removing the three non aviation tanks? Mr. Maloney said it did. Mr. Bahr congratulated the staff and the Airport Commission for their work on this issue which resulted in saving the County money. Mr. Emerson said any citizen wanting information on the airport (there seemed to be a considerable amount of misinformation being spread about) is available through Mr. Maloney's office or his office. Also on the grants, maintenance grant funds have never been

discontinued, the only thing that was discontinued was capital grants and the project they have now undertaken saves money.

Ms. Carmichael, Accounting and Budget Officer, gave a brief report on the Accounting Procedures and Policy Manual which she presented for comment and review by the Board. Mr. Emerson said after the Board has reviewed the manual they could hold a work session to discuss the Board's comments/changes.

Mr. Emerson stated regarding on the work being done to the county courthouse, the Board appropriated money for drainage work around the courthouse as per the settlement agreement with MMM Design and Henderson Construction. Mr. Emerson and Mr. Loving met with representatives from R. Stuart Royer today to spec the repair work for the exterior of the building, which the Board is solely responsible for the cost. Mr. Loving, County Engineer, stated a preconstruction meeting had taken place on Wednesday (October 28, 1998) with Mid Eastern Builders, Inc. They are implementing an outside drainage improvement project that will remove the surface and foundation drainage away from the building. Work will begin Thursday (November 5, 1998), with a target date for completion by the end of November. R. Stuart Royer will give solutions to some of the on going problems at the courthouse - siding, deterioration of the columns, windows that have rotted, interior doors to the courtrooms, improving roof ventilation to eliminate moisture accumulation in the building, and painting. R. Stuart Royer's recommendation will have to be submitted for bids. Upon completion of the project to improve surface drainage and based upon recommendations by R. Stuart Royer, they have elected not to issue any type of solution or recommendation for inside problems of mildew and moisture for a period of about one year until they can gauge the effectiveness of the drainage project. Mr. Emerson said R. Stuart Royer had responded late this afternoon and they hoped to have the bid specifications on the exterior repair work by the end of this month. The Board will have to appropriate money to make these repairs. Mr. Hennaman stated there were three things working to create problems: 1) moisture underneath the building, 2) the exterior trim was mainly of white pine, a soft wood that is prone to rot, and 3) the building was not vented properly. People have criticized this Board for inaction regarding the courthouse, but this Board (over two years ago) initiated negotiations which turned into litigation to correct these problems. The Board went through the proper channels of resolving the issue. With regard to criticism that some of these problems should have been fixed, he did not think it would have been prudent to spend a lot of money fixing a problem for which it had not yet resolved the issue that created the problem. He felt staff and the Board have worked as expeditiously as they could to resolve this issue.

Mr. Emerson stated that Cablevision has indicated a section of Mihalcoe Lane off Route 106 has been activated and they are in the process of expanding into Barhamsville. The Circuit Court Judge has requested a work session with the Board prior to the December meeting to discuss his concerns about the courthouse and the repairs. Regarding the West End Area Plan the Board discussed tonight at the work session, did the Board wish to have another work session or did they want to schedule it for public hearing? It was the consensus of the Board to have another work session. Mr. Emerson said he would try to schedule it before the December meeting. Mr. Emerson asked the Board for an executive session at the end of the meeting to discuss a personnel matter.

Mr. Bahr asked which section of Barhamsville Cablevision was expanding into. Mr. Emerson said he would check. Mr. Bahr also requested representatives from Cablevision to appear before the Board to answer questions.

IN RE: RESIDENT ENGINEER'S REPORT

Mr. Bob Riley, Resident Engineer, gave a summary of work performed by VDOT during the month of October. The Board members brought their concerns about VDOT repairs to Mr. Riley's attention.

IN RE: PUBLIC HEARING - ANNUAL SECONDARY SIX YEAR PLAN - Mr. Bob Riley, Resident Engineer for VDOT, will present the Annual Secondary Six Year Plan.

Mr. Chris Winstead, VDOT representative, presented the Annual Secondary Six Year Plan which runs from July 1, 1999 through June 30, 2005. Every year there are several specific features they try to fund on a regular basis. The Poindexter Road project, which was completed recently, went over budget due to the right-of-way utility expenses and the construction which was over the estimate. They were successful in spreading the funds over two years for payment. The Continental Road project, stage one, is a revenue sharing project they will begin around the first of the year. The next six items range from pipe installation to rural additions, subdivision plan review, preliminary engineering, fertilizer and seed, and traffic services. These are expenses incurred on an annual basis. Mr. Winstead listed the priorities the County designated: 1) Polish Town Road, 2) Paige Road, 3) Ashland Farm Road, 4) Old Church Road, 5) Stage Road, 6) Mount Pleasant Road, 7) Henpeck Road, 8) Old River Road, 9) Continental Road, and 10) Old Telegraph Road. Mr. Winstead said there were no funds for allocation remaining to add more projects with the current priorities. Mr. Bahr asked what the cost would be to pave 4/10 of a mile on Homestead Road at the same time VDOT was working on Old Stage Road. Mr. Winstead said he would need a clear understanding of the work involved. Mr. Winstead said the problem of adding it to the current project is it would delay the Stage Road project about two years and affect the other projects as well. Mr. Winstead said the only way the Board could add a new project was if the Board chose to drop a project or to reprioritize the projects to free up the money base. Next year hopefully they will be in a position to add a project. Mr. Hennaman said he spoke with some of the residents of Old Telegraph Road and asked them about Mr. Riley's idea of improving the ends of the road and leaving the loop as is and most of the people he's spoken with think it's a good idea. This could free some money up, but until he's had an opportunity to speak with all the residents he is not prepared to uncommit anything tonight. Mr. Lipscomb opened the public hearing. The first person to speak was Mr. Bob Hershberg. Mr. Hershberg said he would like Homestead Road to be paved from where it ends at Wahrani Lane to Putnum Point Road where there are fourteen families affected and it was pretty much unanimous that those who live there would like it to be paved. The school buses come down to Putnum Point and pickup 6-8 children. They are concerned about the dust problems and the washboarding that make it difficult to drive on. He said he had a petition from all the landowners and they would like the Board to consider paving the 4/10 mile. The next person to speak was Ms. Elizabeth Holt. Ms. Holt said she lived on Diascund Point and she was against paving Homestead Road. She said her name was on a letter that was sent to the Board saying it was unanimous, but she doesn't think there's a need for it. She thought there was a need to continue care of the road, but it was not her request for it to be paved. The next person to speak was Mr. William Hill. Mr. Hill opposed the paving of Homestead Road. He said he had received several letters from people expressing their opposition to paving, and he read letters from: Ms. Judy Morgan, 3901 Homestead Road; Mr. Steve Pitts and Mr. Floyd Ray (who were also opposed to paving Wahrani Lane), and his daughter. Mr. Emerson said he had received a letter from Mr. Jerry Benson who asked that his letter be read to the Board. Mr. Emerson read Mr. Benson's letter for the record. Mr. Benson cited dust and washboarding as reasons to pave the section of Homestead Road as well as school buses using the road. Mr. Lipscomb closed the public hearing. Mr. Hennaman made a motion to approve Resolution R-26-98 as presented.

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

FOR RESOLUTION R-26-98 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX SIX, PAGE 158.

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

Mr. Lipscomb made a motion to reappoint Mr. George Tate as District One's representative to the Board of Road Viewers for a one year term ending December 31, 1999.

Mr. Lipscomb made a motion to reappoint Mr. Phillip Felts as District One's representative to the Airport Advisory Commission for a one year term ending December 31, 1999.

District Two had no appointments.

District Three had no appointments.

Mr. Hennaman made a motion to reappoint Ms. Jaquelin Pomeroy as District Four's representative to the Historic Commission for a four year term ending December 31, 2002.

Mr. Bahr made a motion to reappoint Mr. Edward W. Pollard as District Five's representative to the Planning Commission for a four year term ending December 31, 2002.

Mr. Bahr made a motion to reappoint Mr. Edward W. Pollard as District Five's representative to the Transportation Safety Commission for a four year term ending December 31, 2002.

Mr. Bahr made a motion to reappoint Ms. Isabell White as District Five's representative to the Agricultural & Forestal Advisory Commission for a four year term ending December 31, 2002.

Mr. Bahr made a motion to reappoint Mr. Bruce Howard as District Five's representative to the Board of Road Viewers for a one year term ending December 31, 1999.

Mr. Bahr made a motion to reappoint Mr. Eckhardt Schutz as District Five's representative to the Airport Advisory Commission for a one year term ending December 31, 1999.

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

Mr. Lipscomb made a motion to appoint Mr. Gary Green as New Kent County's representative to the Industrial Development Authority for a four year term ending December 31, 2002.

Ms. Ringley made a motion to appoint Mr. Conway Adams as New Kent County's representative to the Industrial Development Authority for a four year term ending December 31, 2002.

Ms. Ringley made a motion to reappoint Ms. Barbara Moss as New Kent County's representative to the Hanover Health Advisory Board for a two year term ending December 31, 2000.

Mr. Burrell made a motion to reappoint Ms. Rebecca Ringley as New Kent County's representative to the Hanover Health Advisory Board for a two year term ending December 31, 2000.

Mr. Lipscomb made a motion to reappoint Mr. Harold K. Seitz as New Kent County's representative to the Building Code Board of Appeals for a four year term ending December 31, 2002.

Since there were two motions made for the appointment to the Industrial Development Authority, Mr. Lipscomb called for a vote on the second motion, which was to appoint Mr. Conway Adams.

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

Mr. Lipscomb then called for a vote on the first motion to appoint Mr. Gary Green.

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

Mr. Cornwell confirmed the prevailing vote was for Mr. Adams with 2:1 and two abstentions.

A vote was called for the rest of the motions.

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

IN RE: MEETING SCHEDULE

The regular meeting of the Board of Supervisors will be held Monday, December 14, 1998 at 6:00 p.m. with a work session starting at 4:30 p.m. with Judge Hoover and a work session at 5:00 p.m. with Greenhorne & O'Mara. The Planning Commission will meet on Monday, November 16, 1998 at 7:00 p.m.

IN RE: EXECUTIVE SESSION

Ms. Ringley made a motion to go into executive session to discuss a personnel matter pursuant to ' 2.1-344(a)(1) of the Code of Virginia.

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

The Board went into executive session at 8:40 p.m.

The Board returned from executive session at 9:22 p.m.

Mr. Hennaman 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 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.

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

IN RE: ADJOURNMENT

Mr. Bahr made a motion to adjourn.

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

The Board adjourned at 9:24 p.m.