

Executive Session

AN EXECUTIVE SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE THIRTEENTH DAY OF FEBRUARY IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-FIVE IN THE BOARD ROOM OF THE COUNTY OFFICE BUILDING BEGINNING AT 5:30 P.M. WITH ALL MEMBERS PRESENT EXCEPT E. DAVID RINGLEY, WHO WAS DELAYED AT WORK.

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IN RE: ROLL CALL

James H. Burrell	Aye
E. David Ringley	Absent
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

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IN RE: EXECUTIVE SESSION

Mr. Bradby moved to go into executive session to discuss as personnel matter pursuant to § 2.1-344(a)(1) of the Code of Virginia and 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 § 2.1-344(a)(7) of the Code of Virginia.

James H. Burrell	Aye
E. David Ringley	Absent
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Mr. Boroughs moved to go back into regular session.

James H. Burrell	Aye
E. David Ringley	Absent
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Mr. Bradby certified that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under Virginia law, and (ii) only such public business matters as were identified in the motion by which the executive meeting was convened were heard, discussed or considered in the executive meeting.

James H. Burrell	Aye
E. David Ringley	Absent
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Mr. Salmon said they would recess for ten (10) minutes and reconvene at 7:00 P.M.

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Regular Meeting

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE THIRTEENTH DAY OF FEBRUARY IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-FIVE IN THE BOARD ROOM OF THE COUNTY OFFICE BUILDING BEGINNING AT 7:00 P.M. WITH ALL MEMBERS PRESENT. THE INVOCATION WAS OFFERED BY THE HONORABLE ROBERT A. BOROUGHS FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

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RE: ROLL CALL

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

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IN RE: CONSENT AGENDA

Mr. Boroughs moved to approve the Minutes, the Bylaws as amended, the Appropriations, the Refunds and the Finance Report contained in the Consent Agenda.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

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IN RE: ELECTED OFFICIALS' REPORT

Ms. Betty Burrell, Treasurer gave the financial reports for December 31, 1994 and January 31, 1995. Mr. Boroughs asked about the Soil & Erosion Escrow. Ms. Burrell explained that they send a letter to the Planning Department secretary and let her know which CDs matured during that month, ask her for the disposition of those accounts, and whether they are to be disbursed back to the individual. She stated that they do not collect escrow accounts for soil and erosion anymore. Mr. Salmon asked about the \$2.9 million in the checking account. Ms. Burrell replied that she had met with Commonwealth Investment Counsel and they have started a fund that allows us to liquidate as long as we notify them by 10:00 a.m. on the morning that we need the money. Ms. Burrell said she will be investing some of the \$2.9 million with them. Ms. Burrell said she did have one additional comment, and that she had written a letter to the editors of four papers in circulation in the area. In the letter she tried to relieve some fears because of happenings in other counties across the United States and that New Kent County does not invest in anything that is not authorized by the Code of Virginia and we are more concerned with the investment than the return on investment. Mr. Burrell moved to approve the Treasurer's Report for the months of December and January and to authorize the Treasurer to continue to invest County funds in the highest yielding investments.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Mr. Ringley said he had two items he wanted the Board to look into. The first was a deer had come onto the parking lot of his store and had died. Many people called and wanted to know who was responsible for removing the animal in a private place. He spoke with the VA Game & Animal Fisheries and they do not go on to private property to remove an animal. He said his concern was that if an animal was partially dead and an employee went out and attempted to remove the animal they could be hurt. Also, about having a rabid animal come on private property and what you homeowner should do. Mr. Ringley said he would like to have a set policy so that we could inform the homeowner the proper procedure in handling this type of problem. Mr. Emerson replied, if it were a rabid animal we would call the Health Department as well as our Animal Control and it would be the same situation if you found an animal half alive. If the animal is dead and found on private property, it is the responsibility of the homeowner. If the animal wandered in and then collapsed, if the people were afraid to finish it off themselves, they could call Public Safety.

Mr. Ringley said his second concern was an article in the Tidewater Review of obscene language in the editor section of the newspaper. He said several parents called to complain about the article. He spoke with the principle in one of the schools and the younger children are exposed to the newspaper as part of their education. Mr. Ringley then read part of the article with the offensive language in it. He asked that we write the newspaper and express our feelings about this type of language. Mr. Salmon asked Ms. Rackley, a writer on the Tidewater Review, if she had any comments about this article. Ms. Rackley said that they needed to talk to the editor. There was a mistake in the computer system and it should have never have appeared. It was not intentional but was missed when they proof read the article. The writer is young and he was put on leave of absence because of this error. Mr. Salmon said he was also concerned and felt the Board should ask the Tidewater Review to use better care in their editing. Mr. Bradby suggested having the County Administrator address a letter to the editor and have the Board Chairman sign it so that it can go immediately instead of waiting until the next board meeting. Mr. Burrell asked Ms. Rackley if there was going to be a apology from the editor and she replied she thought there would be one from the editor.

Mr. Salmon asked the board members for a date when they could meet the five applicants for the Planning Director position. After some discussion the date was set for February 28th starting at 6:00 P.M. Mr. Ringley asked for a clarification on the dates for the ad for the Accounting & Budget Officer. Mr. Emerson explained the newspaper put in the wrong date and they did run the ad an additional day because of their error. The ad ran for over two weeks and did not close until today, February 13th at 4:30 p.m. Mr. Boroughs asked that they also interview for the County Attorney position on the same night.

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## STAFF REPORTS

Mr. Larry Gallaher, Director of Public Safety, reported on the progress of the transfer stations. The landfill site is basically done as the recovery tank and the slabs have been finished. They are waiting on the delivery on the compact unit itself, at which time they will do the electrical work. The one on Route 612, the recovery tank is due to be put in tomorrow. He said they are still hoping to find a site in the Lanexa area. Mr. Emerson said he spoke with Delmarva on the property that we are interested on Route 623 and they said it would be acceptable to them. Mr. Ringley asked about the cost of removal and Mr. Gallaher replied the majority of the cost is in removing the waste. When the transfer stations are put into place, there will less trips of waste which will save you the most money. Mr. Burrell asked about notifying the citizens of when an area is closed. Mr. Gallaher said there will be signs at the old location, and in the newspapers.

Mr. Charles Gillett, the Acting Airport Manager, updated the Board on the events at the airport. He mentioned the problem of getting the first load of fuel, but it worked out for the good because they were able to share a load of fuel with Williamsburg which helped bring the price down. Mr. Salmon asked about the cost of the fuel and Mr. Gillett replied they paid \$.79 a gallon less than what Mr. Worley charged for the fuel that was left. Mr. Gillett continued his report explaining that there are 35 hangers for rent at the airport and there are only 5 that are not rented. Only one owner removed an airplane from the airport and that was only a partial airplane. Revenues and rentals for the month of January from fuel sales totaled \$3,250.00. They hired Charles Bowery as a part-time employee to help out at the airport. They requested the Department of Virginia Aviation to look at the lighting systems and they spent two days there replacing light bulbs and repairing the runway lighting system. Mr. Gillett said they were able to obtain a radio and a new windsock from the Department of Aviation. He continued as he explained he met with Virginia Power of Representative concerning the installation of security lights around the building and terminal areas. The building had been completed cleared out and they had some volunteers donate furniture, plants, pictures and they also had volunteers cut the grass and do some cleaning up around the airport. Mr. Gillett said they conducted tours around the airport and facilities for several potential bidders, reporters and other interested citizens. This past Friday he met with the Department of Aviation to discuss maintenance items, safety repairs and actions and about getting some promotional items and some signs. They were very receptive to the ideas and will be putting together a package and will be coming back with recommendations. Mr. Salmon said he would like to commend Mr. Gillett for coming in and jumping into something like this under these circumstances and that he has done a great job. Mr. Gillett was appreciative of the compliment and asked for the continued support of the Board. He mentioned in the future there are some items that will need to be replaced. There are leaks in the roof of the terminal building, the windows need to be replaced and the hangers are also in need of repair.

Mr. James E. Cornwell, Jr., Special Counsel, spoke to the Board about an agreement that was submitted to them on September 29, 1994 on subdivision Woods Edge, Section 2. This had actually been signed by the former Administrator back in 1993. There were some discussion at that time about the connection fee. Mr. Cornwell explained that he had investigated this matter and all but three connections have been completed. The connection fee under the contract was \$1,200 and our present connection fee is \$1,500. It was felt that since this contract had been submitted to the Board some time ago and that since almost all the connections have been done, Mr. Cornwell recommended the Board consider the Chairman to authorize the contract and finish up this project with the understanding that now all contracts will allow the connection fee to be adjusted in accordance with what the Board sets it on a yearly basis. Mr. Boroughs said it was a matter of housekeeping and moved to accept the agreement as presented.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Mr. Emerson said he had two staff reports to present. The first was on the Route 33 Corridor Well. The bids were received on Tuesday, February 7, 1995. This is for the water system at the regional jail. The low bidder was Sydnor Hydrodynamics in the amount of \$413,329.00. The second lowest bidder was Gammon Well in the amount of \$472,848. All the bids appear to be in order. Your consulting engineer recommends you award this project to Sydnor Hydrodynamics in the amount of \$413,329.00. This is completely reimbursed by Henrico County. Mr. Boroughs moved to award the bid to Sydnor Hydrodynamics on the Route 33 Corridor Wells in the amount of \$413,329.00.

James H. Burrell	Aye
E. David Ringley	Aye

Marvin D. Bradby     Aye  
Robert A. Boroughs   Aye  
Michael D. Salmon    Aye

Mr. Emerson's second report is on a request from the County's School System about Student Government Day. They are currently planning Student Government Day for March 14 and on March 17 for the shadowing. They did say if these days were not acceptable it could wait until May. Mr. Emerson requested the Board's input as to their feelings on this matter. Mr. Salmon suggested May might be a better time because budgets should be complete and we would have more personnel in place by May. Mr. Bradby said he was in agreement with the Chairman's suggestion. After discussion between board members, it was determined the first two weeks of May would work but not on a Friday. Mr. Emerson was instructed to contact the schools and set up a date for May.

Mr. Salmon asked Mr. Emerson to give a quick synopsis on the master plan for the racetrack area. There have been a number of articles in the papers of different industries looking at New Kent to set up business and felt it would be good to hear from the Administrator what was happening. Mr. Emerson explained that Delmarva Properties are looking at developing approximately 5,000 acres in the County and are working with Higgins and Associates Land Planners and Architects in the design of this planner unit development. It will be coming in under the County's Planned Unit Development Ordinance. They have been working with the County in order to achieve an area plan for the Route 155/60 corridor at Providence Forge in order to determine the off site impacts, as well as working with us to provide additional help for the review of such a large development issue. This will have a tremendous impact on the County both in a positive manner and also will have a drain on certain services. In order to examine this impact, they are required to submit impact studies, these must be reviewed, build models and make sure that they correspond with what the actual needs are. Currently next Tuesday at the Planning Commission Meeting, kicking off the area study for the Route 155/60 Providence Forge area along with the rest of the project that will be encompassed by the 5,000 acres. It is anticipated Delmarva will make their formal applications some time in April or May. This will be a 12 to roughly 16 month approval process because of the amount of time in reviewing a project that large. Throughout the process there will be several public meetings and Mr. Emerson has encouraged Delmarva to hold public information meetings throughout the community so they will be able to gather the comments from the citizens toward this type of development. Mr. Salmon also encouraged the citizens to keep an eye out for these public hearings and make your comments towards this master plan. Mr. Ringley asked if there were still no plans for Mickey Mouse to come to New Kent. Mr. Salmon replied we have never been contacted by Disney. Mr. Salmon said he had one more issue to bring up and that was about the budgeting process. He hoped by the end of the month to have all the budget requests and the expenditures and get started on the budget. We will not know the numbers we are getting from the State until the 3rd week in March. Mr. Emerson also mentioned that they will need the final draft on the audit before they could get the final revenues numbers.

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IN RE:               RESIDENT ENGINEERS REPORT

Mr. Riley told the Board that VDOT will be meeting with Delmarva to begin the traffic impact study on Route 155. The initial meetings will determine the key points which will allow them to set up a computer model and determine what improvements need to be done. Mr. Riley commented on another point of interest to the Board, VDOT has decided to increase the number of secondary roads that they are stripping. The criteria would be a road at least 18 feet wide and carries 500 vehicles per day. If it is 20 feet wide and carries 500 vehicles they will strip the center line and the edge lines. The initial cost of this is approximately \$6,000, probably 8 to 10 miles of road way in the County. The cost of this will come out of the secondary construction budget. The second item he had was setting up the annual public hearing on secondary priorities and annual budget for '95/96. Mr. Riley suggested the March meeting for this. Mr.

Salmon asked Mr. Emerson if he saw any problem with this date and Mr. Emerson said that day would be fine. Mr. Burrell asked Mr. Riley about Stage Road coming from Route 33 going West the speed signs are missing and he wanted to know if the State had removed them. Mr. Riley said he wasn't aware of the signs being removed but he would look into the issue. Mr. Bradby inquired about the speed limit from 45 to 55 on Route 155. Mr. Riley answered that they have looked at this area and as they get closer to the opening of the racetrack, the 45 mph speed limit will be extended to Rt. 64. Mr. Ringley asked about the upgrade on the intersection of Route 249 and 60. Mr. Ringley wanted to know how that will coincide with the traffic light and turning lane with the business that is going in there. Mr. Riley said the owner of the property has agreed to improve the driveway so you don't have such a big drop. Mr. Emerson asked Mr. Riley if he received the layout for the Route 155 improvements. Mr. Riley replied he did and Mr. Emerson told him they needed an answer pretty quickly so they are able to apply funds.

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Mr. Salmon mentioned a change in the Agenda. Mr. Randy Jones of Robinson, Farmer, Cox Associates will be presenting the audit at the next meeting in March. Also, Delegate Grayson could not be present tonight but will make his presentation to Lynn Jenkins at a later date.

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IN RE: FIRE APPARATUS

Mr. Larry Gallaher, Director of Public Safety, explained a few changes to the Board on the bids received for the fire equipment. He mentioned there were a few arithmetic errors the vendors made and he made a few errors in arithmetic in his evaluation. The bottom line is exactly the same. The bid were solicited on three trucks, a custom built truck, a freightliner commercial chassis and a mack truck. The bids break down as follows; the low bid on the custom truck was from Pierce Manufacturing for approximately \$203,043 each, the low bid on the freightliner chassis was also received from Pierce of \$164,952 each, and one bidder on the Mack which was Quality Manufacturing, Inc. for a base bid of \$212,277 each. Taking into consideration all the options available, Pierce was the low bidder at \$154,770 per truck, for a total of \$464,310 for the three trucks. Mr. Salmon asked to relay a bit of information to the Board from Mr. Pearson. In speaking with him, Mr. Pearson was able to ascertain they could bring in the custom truck that the fire department had originally speced out at \$184,000. Mr. Salmon told Mr. Pearson he would present this information to the Board and a few of Mr. Pearson's concerns about the difference in the custom and the commercial trucks. One of those items was the hood on the commercial truck and how they have problems getting into some of the driveways in the County. Mr. Gallaher responded to the driveway problem by saying the commercial truck is a little over an inch narrower than the custom truck. The wheel base on the commercial will be a little bit longer than on the custom which makes the turning diameter from curve to curve a little bit greater. Mr. Boroughs mentioned that the Board has discussed this over the last few months and since then the price has gone up. Mr. Boroughs then moved to spend \$464,310 for three trucks and also within this to have Bond Counsel to start the work as soon as possible.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	No

Motion approved.

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IN RE: PUBLIC HEARING ON C-7-94

Mr. Emerson addressed the Board on the public hearing on C-7-94, Rezoning Application of Quinton Property Associates, Tax Map and Parcel Number 19-62A. This consists of 0.6 acres from Residential, R-1 to Business, B-1. The request has been filed by Quinton Property Associates in order to allow the

development of a single story office structure. The County Comprehensive Plan designates this area as Village, which allows compact development and includes areas which are designated as population centers. Part of this property is already B-1, this is a piece of property split by the road when the road was rebuilt. This property fits well within the Comprehensive Plan and the Planning Commission recommended the rezoning of C-7-94 to be approved by the Board of Supervisors as submitted. Mr. Ringley presented a disclosure statement explaining that he is a part owner of Quinton Property Associates and therefore he would not be participating in the discussion or the voting of this item. Mr. Salmon then opened this item up for public comment. No comments being made, Mr. Salmon closed the public hearing on C-7-94. Mr. Boroughs moved to approve Rezoning Application C-7-94 as submitted, based upon the County's adopted Comprehensive Plan that specifies the Bottom Bridge area as a Village, and the development strategies embodied in the Comprehensive Plan for the Western End of New Kent County.

James H. Burrell	Aye
E. David Ringley	Abstain
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Motion approved.

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IN RE:           ORDINANCE O-01-95, SCHOOL BOARD ELECTION

Mr. Cornwell, Special Counsel, told the Board this Ordinance calls for the election of school board members. The voters of New Kent County by referendum approved the statutory change that allows school board members to be elected by the public at large. This ordinance establishes the election of the school board by the voters of New Kent County. Such School Board shall consist of five members with one member being elected from each election district created by this chapter. The first election will occur at the regular general election in November of 1995. The term of the member of each of the School Board shall be the same as the terms of each of the members of the Board of Supervisors of New Kent County and shall commence on January 1st following their election. The Board shall have all powers and duties as provided by Section 22.1-79 of the Code of Virginia. Any vacancy in the office will be filled as provided by the Code of Virginia. Mr. Salmon opened the meeting up for public hearing. No comments being made, Mr. Salmon closed the public hearing. Mr. Burrell moved to adopt Ordinance O-01-95 as presented. Mr. Salmon mentioned to the public that this election will be held this November and would encourage anyone that is interested in running for public office to contact the State Board of Elections for the packet of information on running for office.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Motion approved.

Mr. Cornwell addressed the Chairman, Mr. Salmon, of having Bond Counsel present and they would like to address the issue of the bonds. Mr. Salmon said before he heard from them he had one question to ask of Mr. Adams, Superintendent of Schools. Mr. Adams mentioned a bid came in higher than expected in relation to the athletic facility. Mr. Salmon wanted to know if this was something they had to consider before moving on the bonds. Mr. Adams said he had discussed this with the School Chairman and Vice Chairman and they are about \$70,000 short on the grading of the facility. Mr. Adams explained they are in the process of asking for other bids by piece or asking the National Guard to help with this project. Mr. Adams said the School Board would appreciate any consideration the Board of Supervisors could give to this matter. Mr. Burrell said he felt the needs of the school system were more critical than spending more on the athletic facility project.

Mr. Ned Smither of Carter Kaplan spoke to the Board in reference to the bond issue. Mr. Smither gave an update on the market. When the rates were falling, non rated bonds were very aggressive and you had attractive interest rates. Now with the rates going up it has required us to look at new ways to sell these bonds. Mr. Smither said they had hoped to do a 20 year bond issue for the fire trucks and athletic facility but it looks now like a 10 year financing with the first 5 years amortized to make it look like a 20 year financing bond. He said there would be a 1% refinancing charge if in the first 8 years you wanted to refinance this bond. They have it figured for a bond of \$1,250,000 which would pay one years capitalized interest, it would cover \$650,000 towards the athletic facility and the three fire trucks. Mr. Salmon asked Mr. Smither about the County not being rated because we are too small, but was it a possibility in the near future. Mr. Smither said once the County gets to be 85 percent residential and 15 percent commercial they could start looking at a rating. Mr. Salmon moved to have Carter Kaplan proceed with the bond financing as stated with a 10 year amortization and a 20 year schedule.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Motion carried.

Mr. Cornwell told the Board, Mr. Dan Siegel of Bond Counsel, has prepared a resolution along these lines, if you would want to adopt it or if you wanted to have another meeting. Mr. Siegel explained the resolution which really adopts what they just did with the financing for the fire truck and the athletic facility. He then went on to explain a few changes that will be made to make the language more explicit in the resolution. Mr. Salmon moved to adopt Resolution R-05-95 as presented, subject to the attorney's final approval.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Resolution passed.

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IN RE:           PRESENTATION

As mentioned previously by Mr. Salmon, this presentation will be done in the future when Delegate Grayson is able to be present. Ms. Nancy Rodriques of Delegate Grayson's office was present to give the

Board an update on the General Assembly. Ms. Rodriques said she was here to answer any questions the Board or citizens may have on the legislative actions at the State Capitol. She mentioned three key areas in which New Kent County citizens are concerned about. The first one was that they were very much against river boat gambling and that was not passed. Another one was about funding for extension services and these funds have been restored. The third was the pick-up truck bill which was vetoed by the Governor but they did bring it back this year and there were enough votes in the House should the Governor veto it again, they stand a good chance of overriding that veto. There has been one hitch and that is Senator Early from Chesapeake has asked the bill be reconsidered. Ms. Rodriques gave a phone number for anyone to call on HB2245, which is the pick-up truck bill, to voice their concern. Ms. Rodriques made one personal comment in reference to dealing with school groups coming through the State Capitol. The high school group coming from New Kent was the most well behaved and most prepared. She also remarked that last year they received no page applications from New Kent County. This year with the help of the school, they received many applications and they did select Norma Lynn Hagens out of 200 applicants, to work at the General Assembly Building. Mr. Ringley wanted to thank Delegate Grayson and his staff for the special treatment he received while up at the House. Mr. Salmon asked her to urge Delegate Grayson to push on the funds we lost from the Department of Housing and Community Development to build the road going into the racetrack. We would appreciate any kind of effort Delegate Grayson could give us on this very important project Ms. Rodriques said they are very much aware of this problem and Delegate Grayson has spoken with Secretary Martinez of VDOT on this particular subject.

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IN RE: COLONIAL DOWNS

Mr. Mike Johnson gave the Board an update as to the progress of the track. He stated they have finished cutting the haul road today and put stone down which will allow us to start timbering again back on the property. Mr. Johnson mentioned he will put in a request to have the speed limit set at 45 MPH all through the area, especially with the truck traffic. He then showed a working drawing of the five tier grandstand. The first level will hold approximately 1800 to 2000 people. The second floor is the mezzanine floor and will have the main kitchen to serve the first and third floors. Also the main office of Colonial Downs, the money room, security, etc. The third floor will consist of several lounges, also a dining area, and an enclosure grandstand which will hold 1800 people. The fourth floor will have ten suites plus an area for dining and the fifth floor is the press area. Mr. Johnson said everything is still on track and the court date is May 8th.

Mr. Pete Johns spoke next to the Board. He touched briefly on some of the avenues they hope to bring in with relationship to the track. One area would be an equestrian village. Mr. Johns showed a drawing of this village. This area will have a pastoral setting leading up to the equestrian village. There will be white picket fence along the road with the paddocks where horses will be turned out. A common theme of this portion of the project is the common greens similar to a village green. There will also be a polo field also along this area. Mr. Salmon asked about the golf course and Mr. Johns replied it is ahead of schedule and everyone is very excited to see it open.

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IN RE: ROOF BIDS

Mr. Cornwell, Special Counsel, spoke about the only bid we received for the repair of the roof on the Old Courthouse. The bid was placed by Edward L. Muller Construction Company in the amount of \$42,877.00. He mentioned they have taken bids on this project six times and this is the lowest bid they have ever received. Mr. Ringley moved to award Edward L. Muller Construction Company the bid for repairs to the roof in the amount of \$42,877.00. Mr. Boroughs said he felt there was probably something the County could do ourselves or with the Clerk of the Works to make this more reasonable. Mr. Burrell said he had one comment, we may be able to do it cheaper, but if the rain damage continues, we may be

looking at more to fix the roof if we don't do something soon.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	No
Michael D. Salmon	Aye

Motion passed.

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IN RE: NEW KENT YOUTH

Mr. Joe Taylor presented to the Board an overview of the organization, along with a financial update and some specific objectives. Mr. Taylor asked to recognize those people who make the organization what it is. He introduced Ms. Rebecca Putney, Vice-President; Ms. Robyn Arrington, Secretary; Ms. Diane Jenkins, Baseball Commissioner; Mr. Frank DeCoursey, Football Commissioner; Mr. Dane Clingan, Ways & Means Chairman; and Ms. Holly Waltrip, Treasurer. The New Kent Youth Association provides the children of New Kent County a place to play organized sports. Mr. Taylor said they have an annual overall budget of \$70,000. He gave a brief overview of the type of participation they get for each sport. This is strictly a volunteer operation and the primary goal is for the children to have fun, learn team spirit and sportsmanship. Mr. Taylor said they were asking the Board to consider putting \$20,000 in the budget each year to go towards New Kent Youth Association. Mr. Dane Clingan spoke next to the Board. He said he wanted to make sure they understood the money that might be appropriated to the NKYA, would not take the place of their continued efforts to raise money but it would allow more children to participate. One of their new fund raising project this year is sponsoring a horse show on March 25th. Mr. Salmon thank them for their presentation and encouraged the Board take this into consideration during their budget sessions. Mr. Bradby responded that if they did do something like this they should take into consideration other groups within the County so it would be set up on an equitable basis. Mr. Burrell also mentioned a 911 Club that would fall into this category. Mr. Ringley wanted to know if all children get to participate and Mr. Taylor said yes, no one is left out. Mr. Boroughs expressed their appreciated for all the good work that they do for the children in the County.

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IN RE: PAY RAISES FOR BOARD OF SUPERVISORS

Mr. Salmon mentioned he asked Mr. Cornwell to go back and see when the last time the Board addressed a pay raise and he couldn't find one. They believe it was at least 1981 or before. Mr. Salmon explained the position pays \$4,000 a year and the Chairman get \$4,400 a year. He said the position take up a tremendous amount of time, the pay excludes certain people from running for the jobs from an economic basis. Mr. Bradby replied he was concerned about this raise. He said he felt it was a community service and he didn't run for the office for the money. Mr. Bradby continued he could not support an increase due to the amount of benefits that some Board members are receiving already which would give them an effective salary between \$12,000 and \$13,000 a year. Mr. Ringley said he had an editorial from the Richmond Times Dispatch on January 3, 1995 in reference to this same subject. They showed a comparison of salaries between counsel members for Richmond, Chesterfield, Henrico and Hanover. Mr. Ringley said any time an increase of any kind is suggested, Hanover County seems to be the one everyone looks at to use as a comparison. He mentioned he spends as much time or more as Supervisor at various meetings, on committees, meeting with the constituents, etc., than any supervisor in Hanover County dared to do. He went on to say, he never has billed the County for mileage, meals or anything he does in Richmond. He also sends out newsletters two or three times a year and each time the cost is approximately \$700 which he pays out of his pocket. He said he did not take the job for a salary, there is a lot of expense involved and a lot of time involved and another thing to consider, this raise will not be

effective to this Board, it will be for the Board elected in November. Mr. Salmon stated, the state law does not allow current sitting supervisors to increase their salaries during their term. Mr. Burrell wanted to add that there is a deadline to put this into effect and he believed it was July 1. Mr. Boroughs then added his comments. The citizens criticize the Board members for what they do or don't do, but he said if they went back through the records, there probably aren't any more than 10 or 15 meals that the County has paid for since he has been on the Board. He made one trip to Las Vegas and can show the receipts for another person, one trip to South Carolina that netted the County around \$140,000 of profit. He said this Board has taken a lot of criticism for \$4,000 on what they have not done, it is time for the people to take a look and see what the government is doing for them. Mr. Salmon moved to set the Board of Supervisors salary, to be effective January 1, 1996, \$11,000 per Board member and \$11,500 for the Chairman, with continue fringe benefits. He said he felt strongly that the salaries needed to be adjusted to get caught up. Mr. Ringley said before they vote, he would like Mr. Cornwell to look into school board salaries, he felt they were greatly underpaid at \$1,000 per year.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	No
Robert A. Boroughs	No
Michael D. Salmon	Aye

Motion passed.

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IN RE:           V.P.I.

Ms. Sylvia Hathaway addressed the Board. Ms. Hathaway, along with Judge Hoover and Sandra Whitaker prepared a report showing the need for a Community Service Work Coordinator. She then asked Judge Hoover to address the Board. Judge Hoover said he found a problem in small communities they do not have an effective program for punishment in cases that really do not call for detention or incarceration sentence. What we have now are hours assigned to the young person to do community service work. Right now it amounts to washing police cars. You tie us a deputy that has to supervise them and sometimes the work simply isn't there for them to perform community service. What they are asking is for a coordinator for the four counties (New Kent, Charles City, King & Queen and King William) and modeled after what is being done in Williamsburg. The coordinator will find work sites, supervises the quality of work and sends a written report back to the Court letting him know the work is completed and in a satisfactory manner. If the work is not done or not done in a satisfactory fashion, it allows the Court to bring the youth back into Court and impose additional punishment. Ms. Whitaker was then asked to address the Board in how this will work and the cost of the operation. Mr. Bradby asked if this program had been accepted by the other counties. Judge Hoover said New Kent was the first one addressed but they were going to the other counties and would advise them of their response. Ms. Whitaker told the Board the State does provide for funding to the local jurisdictions but you have to meet certain criteria. The criteria that is necessary does not exist in these four counties. Ms. Whitaker said this is a budget request but more than they had asked for before. She then gave some background on this type of program in some of the surrounding communities and the success they have had with it. This program is for the younger child who is probably a first time offender. Mr. Bradby asked about procuring funds either from State or Federal once the program is up and running. Ms. Whitaker replied the block grants that help support programs such as this are being handled different than in the past. Legislation was passed so communities will be getting funds from block grant to use for youth services. The bill is in committee now but the Governor has not signed it as yet. At the present time we have no idea how it will work, how you apply, etc. but that she will be following the progress on this. Mr. Salmon thanked them for their presentation and asked the Board to put this in the budgeting process. He asked Ms. Whitaker to keep the Board abreast on the conclusion of the block grants and how the three other counties stand on this issue.

Mr. Bradby wanted to go on record that he was in favor of this and would be interested in looking at outside funding as well.

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IN RE:           AGREEMENT WITH VIRGINIA DEPARTMENT OF HEALTH

Mr. Cornwell explained that the Board had budgeted and appropriated funds for use with the Health Department of New Kent County. This is an agreement for those services that are rendered by the Health Department to New Kent County for the period of July 1, 1994 through June 30, 1995. The amount of the local match is \$7,159 less than committed by New Kent County and that the Department is requesting \$3,250 for certain items as outlined in a letter from Hanover Health. They would like to use \$750 to equip an EHS health specialist and also would like \$2,500 for renovating the health department. Mr. Cornwell said he would recommend approval of the agreement Mr. Boroughs moved to approve the agreement as presented and authorize the Chairman to execute same.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Motion passed.

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IN RE:           SCHOOL BOARD PROPERTY, UNIMPROVED FIVE LAKES

Mr. Cornwell explained some time ago the school declared a surplus of a parcel containing 19.60 acres which is an undeveloped portion of Five Lakes Subdivision. Under the State statute, once the school board has declared the land surplus, they must deed the property to the County, however the law also requires you to accept the transfer. Mr. Boroughs moved to accept this deed and authorize the Chairman to execute same.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Motion passed.

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IN RE:           STANDING APPOINTMENTS

Mr. Salmon made the following appointments to the Standing Committees:

Finance Committee	E. David Ringley, James H. Burrell
Public Safety Committee	Marvin D. Bradby, Robert A. Boroughs
School Board Liaison Committee	E. David Ringley, Robert A. Boroughs
Legal Affairs Committee	Marvin D. Bradby, James H. Burrell
Personnel Policy & Management Committee	Robert A. Boroughs, E. David Ringley

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APPOINTMENTS

Mr. Burrell move to appoint Mr. Frankie Gaines to the Charles City, New Kent, Henrico Mental Health and Retardation Board for an unexpired term ending December 31, 1996; he also moved to appoint Mr. Larry Smith as District Three's representative to the Airport Advisory Commission for the term ending December 31, 1995. Mr. Burrell moved to reappoint Ms. Barbara Moss as New Kent's representative to the Hanover Health Advisory Committee for a term ending December 31, 1996. Mr. Ringley said he noticed that there are three vacancies on the Recreation Commission because this Commission has not been active, maybe this should be reactivated and they could watch the monies distributed to the youth organizations. Mr. Boroughs moved to appoint Mr. Stran Trout to the Public Facilities Authority for an unexpired term ending June 30, 1996; Mr. Chap Harrison to the Public Facilities Authority for an unexpired term ending June 30, 1998; and Mr. Charles Davis to the Public Facilities Authority for an unexpired term ending June 30, 1999. Mr. Boroughs also moved to appoint Mr. Albert Dean as District Five's representative to the Agricultural & Forestal Advisory for the term ending December 31, 1998. Mr. Ringley moved to appoint Mr. Herb Jones as District Two's representative to the Board of Road Viewers for the term ending December 31, 1995; move to appoint Mr. Lyle Gleason as District Two's representative to the Wetlands Board for the term ending December 31, 1998 and moved to appoint Mr. Raleigh Cook as District Two' representative to the Airport Advisory Commission for the term ending December 31, 1995. Mr. Salmon moved to appoint Mr. Rodney McNew as District One's representative to the Airport Advisory Commission for the term ending December 31, 1995; he moved to appoint Ms. Lisa Robertson as District One's representative to the New Kent Clean County Committee to fill an unexpired term ending December 31, 1995 and he also moved to appoint Ms. Janet Salmon as District One's representative to the Social Service Board for the term ending June 30, 1997.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Motion passed.

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IN RE:                    APPROPRIATION FOR ATHLETIC FACILITY

Mr. Emerson reviewed this appropriation that was on the agenda in January and the Board had refused to pay Don Southard's salary, who was Clerk of the Works for the school board, plus the \$500 for legal services for Mr. Jones. The Superintendent of Schools did respond to your request for further explanation of both of these issues. Mr. Ringley said he had a hard time paying the Clerk of the Works, especially when they did not have the required building permits and was asked to cease and decess work by not having these proper permits. Mr. Ringley moved to approve the attorney's expense of \$500.00 to John C. Jones and not approve the Clerk of the Works.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Abstain
Michael D. Salmon	Aye

Motion carried.

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IN RE: MEETING SCHEDULE

The next regular meeting of the Board of Supervisors will be held on Monday, March 13, 1995 at 7:00 P.M. The Planning Commission will meet on Tuesday, February 21, 1995 at 7:30 P.M. The Board of Supervisors will also meet to interview the applicants for the position of Planning Director on February 28, 1995 at 6:00 P.M.

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IN RE: CITIZENS COMMENT

Ms. Barbara Hale addressed the Board and she lives in District Four. Her concern was about the Director of Finance and the audit that has been going on. She also mentioned she had sent in a application for that position and hoped her comments wouldn't affect that. As a taxpayer she is concerned when the entire financial department leaves and there seems to be some secrecy about this whole situation. Mr. Salmon replied to Ms. Hale that this was a personnel matter and it will not be discussed with the public. The audit will be presented next month to the Board and the public and will address some of the questions the citizens may have. Mr. Ringley mentioned that this is a personnel matter but wanted to advise the citizens that there were no funds taken or anything of that nature. She referred to some articles in the newspaper, in specific the wrong date on the ad for the Accounting & Budget Officer and felt that the position may have already been filled before the ad even went into the paper. Mr. Salmon assured her this was an error by the paper and no positions have been filled.

Mr. John McLaughlin, Sr. addressed the Board and as a volunteer of the New Kent Fire Department, he wanted to thank the Board for the action they took tonight in ordering the three fire trucks so desperately needed.

Mr. Harold K. Seitz, Chief of New Kent County Fire Departments, thanked the Board for these fire trucks. One tanker went down today at 5:00 and one engine needs to be pulled out of service to be repaired. He also thanked Larry Gallaher for all his time and effort in getting this taken care of. He said he wouldn't have cared if it was a bucket on wheels, it would have looked wonderful to them right now.

Reverend Milton Hathaway addressed the Board on a couple of issues he was concerned about. One is the tremendous growth that New Kent will be experiencing and he hoped the Board would sponsor a resolution supporting local contractors where possible in this development. Mr. Bradby asked to interrupt a moment and replied they have asked the developers to use the local population as far as the work and construction goes. They said they would attempt to do so where ever possible. Mr. Salmon added all applicants for new developments have been asked to use local people but he felt it was a good idea to put it into the form of a resolution. Reverend Hathaway continued with the impact on housing as we continue to grow and that portion of affordable housing. He was very excited about the indication that this Board will support some movement on recreation for the youth. The last issue he commented on was on salaries for the Board. He felt it was time for New Kent to address that issue and the Board does deserve more for all their efforts. Mr. Ringley replied that the salary increase had not been addressed for at least sixteen to twenty years and it was overdue. Also on the housing issue, he thought the place to start would be in the Planning Commission area. Mr. Emerson also added that in discussions with Delmarva, he indicated to them the desire of the Planning Commission Board to have more affordable housing and they have indicated they are going to set aside an area for affordable housing. Mr. Salmon said he wanted to encourage the Planning Commission as well. He said two years ago Richmond Regional Planning District sponsored a study on affordable housing and suggested we get a copy of that study. Mr. Boroughs also mentioned the jail is taking applications now for the new facility and they will look at those from New

Kent. This will also be the process when the race track opens, they will look at New Kent residents first and then they will open it up to the general public.

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IN RE:           ADJOURNMENT

Mr. Salmon moved to adjourn the meeting and they will reconvene on February 28th at 6:00 P.M.

James H. Burrell	Aye
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye