

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE THIRTEENTH DAY OF MARCH 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 REVEREND JEFFERSON FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

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IN 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. Bradby requested Ms. Barbara Hale's district be changed from two to four in the Minutes. Mr. Salmon moved to approve the Minutes, Appropriations, Refunds and Finance Report as presented.

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 report for February, 1995. Ms. Burrell brought to the Board's attention the purchase of a one million dollar CD with an annual yield of 6% for one year with no penalty for early withdrawal at Citizens & Farmers Bank. Mr. Salmon moved to approve the Treasurer's Report 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 brought up a bill that has been supported by the Board and Delegate Grayson to restrict the riding in the back of an open pick-up truck on interstate highways without some form of security. He reported from a local newspaper about another death of a teenager when thrown from the bed of an open pick-up truck on March 12, 1995. He was a resident of West Point but came to New Kent County's public schools. This bill has gone through the House and the Senate and is now waiting for Governor Allen's signature. Mr. Ringley presented the Board with Resolution R-10-95 requesting Governor Allen's signature and moved to approve this Resolution as presented.

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

FOR RESOLUTION R-10-95 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 359.

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Mr. Boroughs told the Board about his trip to Wisconsin to visit the plant where the fire trucks are going to be made. It was very informative and everything Mr. Gallaher had put in his reports was true. The telesqurt will be delivered to Company Three early in April.

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IN RE:             STAFF REPORTS

Mr. Larry Gallaher, Director of Public Safety reported on the transfer stations. The weather has been holding them up some but hope to see some real progress at Rt. 612. The concrete should be poured this week. He met with Delmarva to discuss a site for the Lanexa area and he is waiting for Chesapeake to get back to him if they can give us this land. Mr. Burrell asked to move on this as fast as we could because of the cost to the County. Mr. Gallaher explained about the trip charges. Once the transfer stations are in place this will greatly reduce the number of trips and this is what cost the most.

Mr. Gallaher reported on the Courthouse roof. Mr. Muller expects to begin next week. He has 30 days to start with a 45 day limit to finish.

Mr. Gallaher also spoke about the trip to the Pierce manufacturing plant in Wisconsin and had pictures if anyone was interested in seeing the trucks. He said the trip was a prepaint inspection which is normal for a purchase such as this. The telesqurt was paid 100% by Henrico County and the trip charges were included in the total price of the truck.

Mr. Gallaher continued, New Kent has come under the National Weather Service as of February 1, 1995. Last Wednesday they contacted us to advise a tornado was heading towards New Kent, of which thankfully, did not materialize. In the past we were notified after the fact but now that we fall under the National Weather Service, we will be able to be on top of any serious changes in the weather.

Mr. Charles Gillett addressed the Board with an update on the airport. The weather during most of February was not the best for flying but they did have over 40 aircraft visit the airport during the month. They have leases on all but two hangers. They currently have thirty-two aircraft based at the airport. Revenues from fuel sales and rentals for the month of February totaled \$4,679.00. They hired a contractor to repair the road to the farmhouse and mobile home at a cost of \$200.00. They finalized the location of two new security lights with Virginia Power and have authorized them to install them. The aviation fuel pump failed on Sunday, February 28th but the County employees repaired the pump on the following Tuesday. This pump is probably 40 years old and will have to be replaced soon. He met with the airport consultant to reevaluate the condition of the main terminal and hangers. He also met with Virginia Department of Aviation to discuss safety, action and upgrades and had a follow up meeting at the airport to discuss the recent engineer's safety report. Conducted a survey of airport signs along the roads to the airport and met with the Resident Engineer and provided him with suggested sign locations. He said it was his understanding the Virginia Department of Aviation will pay for the signs and the Highway Department will be erecting them. Volunteers continue with grass cutting and painting the fence. There is still a lot of interest in the airport and they are anxious to have a Fixed Base Operator there as soon as possible. Mr. Salmon mentioned the Airport Advisory Commission was interviewing applicants for the FBO position Tuesday, March 14th.

Mr. R. J. Emerson, Jr., County Administrator, brought before the Board the lowest bidder on the Elevated Tank in connection with the water system for the Regional Jail. All bids were received on Friday, March 10, 1995 and the lowest bidder was Pitt-Des Moines Inc. in the amount of \$886,300.00 and the second lowest bidder was Brown Steel Contractors Inc. for \$947,800.00. It is recommend that Pitt-Des Moines be awarded the bid for the elevated tank. This will be 100% reimbursed from Henrico County. Mr. Burrell moved to award the bid for the Elevated Tank to Pitt-Des Moines Inc. for \$886,300.00.

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

Motion passed.

Mr. Ringley said he understood all these large appropriations for the jail are non-taxable but will we get the money for issuing the permits? Mr. Emerson responded, that is correct, we will get the permit money but the most important issue is that we will own the water and the sewer system.

Mr. Salmon asked at this time for Mr. David Maloney and Mr. William Johnson to come up front to the speaker. Mr. Salmon introduced Mr. William Johnson, III as a candidate for the Accounting & Budget Officer. Mr. Johnson is a graduate of Hampton University. He has a Bachelor in Science and Accounting. He is the Finance Officer for Louisa County and has had a lot of experience in this area, as well as the Department of Taxation. Mr. Salmon then introduced Mr. David Maloney. Mr. Maloney is currently Senior Planner for the Richmond Regional Planning District Commission, before that he was a Planner for Chesterfield County. Mr. Maloney also is a graduate from the University of Richmond with a Masters of Urban and Regional Planning and a BA in Political Science. Mr. Salmon made a motion to employ Mr. William Johnson for the Accounting and Budget Officer and Mr. David Maloney as the Director of Planning/Assistant County Administrator. Mr. Burrell asked to have a motion made for each individually instead of together. Mr. Burrell asked for a subsidiary motion and moved to vote on each individually. Mr. Burrell felt that if anyone of the Board members for any reason didn't want to vote for a specific candidate, they would be forced to vote against the one they wanted or for the one they did wanted. In all fairness, they should be voted on as individuals.

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

Mr. Salmon made a motion to employ Mr. William E. Johnson, III as the Accounting & Budget Officer.

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

Mr. Salmon made a motion to employ Mr. David P. Maloney as Director of Planning/Assistant County Administrator. Mr. Burrell said he, along with the other Board members, interviewed the five candidates and there was one female candidate he felt more qualified. Mr. Ringley remarked he was also involved in

interviewing these five candidates and he wanted to state whoever sent those five candidates to the Board for their selection, he wanted to thank them because he didn't feel there could have been a better slate to choose from. Mr. Ringley continued that Mr. Maloney has worked with the County and is familiar with what is going on in New Kent and well prepared to take us into the next seven to ten years. Mr. Boroughs remarked that Mr. Maloney has worked on a lot of ordinances for the County over the last few years and he already has speed because of this work with the County. His work with the Richmond Regional Planning District Commission will also be a benefit because he was worked with other people in the State. Mr. Boroughs continued he was very much in favor of Mr. Johnson because of his qualifications. He brought up an issue published in the newspaper about the Board being afraid of women. He called the President of the Civic League and the gentlemen from the NAACP and asked them how he should interview. They replied first of all to look at the people from New Kent County, which they did do. Then he asked the question about the women and they said if the woman had the experience we should hire her, if she didn't have the experience then you need to look at the person with the best qualifications. Mr. Johnson knows the Bright Accounting System which is what we have here and he can hit the ground running. Mr. Boroughs said he doesn't discriminate between races or male and female. Mr. Bradby said this was not the appropriate time for personal opinions and we should place the motion on the floor and vote on it. Mr. Burrell replied he wanted to comment on something Mr. Boroughs said. He said this was a white women, not a black women and he wanted make that clear. He still stood by his statement that this women was very well qualified. Mr. Boroughs replied to Mr. Burrell's statement that the race of the women was never discussed with the NAACP or with the Civic League. Mr. Salmon asked for the vote on Mr. David P. Maloney.

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

Motion passed.

Mr. Salmon welcomed Mr. Johnson and Mr. Maloney to the County and looked forward to a starting date of April 3, 1995. Mr. Salmon told them he felt New Kent County citizens would be more than gracious and welcome you to the County. Mr. Salmon said he was elected from his District to make decisions and he felt he picked the best candidate for each of the positions. Mr. Boroughs asked to make one last comment on this subject, he said he appreciated the letter from the Civic League and speaking with Mr. Pollard and please continue the letters so we can keep the lines of communication open.

Mr. Ringley asked if Item #3 could be moved up because of the length of time before the Public Hearing.

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IN RE:           RESIDENT ENGINEER'S REPORT

Mr. Riley said he would make it short, he had nothing to report on, all has been quiet in New Kent. Mr. Boroughs thanked them for the fast response to a culvert problem on Route 273. Mr. Burrell also wanted to thank them for getting the signs replaced on Route 632.

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IN RE:           PRESENTATION

Mr. Salmon asked Delegate Grayson to come forward to make his presentation. Delegate Grayson said he wanted to bring the Board up to date on the General Assembly. They finished with a balanced budget and the Triple A Bond rating is in tact, provided the funds for 10,250 new prison beds and recognize the welfare reform and this was accomplished with no new taxes. Virginia remains either 45 or 46 in the

nation in terms of tax burden. They were also able to restore projected cuts in mental health, meals on wheels, higher education, extension services and libraries and finally they were able to find funding for making the Commonwealth Attorney a full time position in New Kent County. He expressed his appreciation to the County Administrator for his quick response and input on various bills being presented and also thanked the Board members for their attendance during the session. Delegate Grayson also expressed his thanks to the Chairman, Michael Salmon and Mr. Ringley meeting with the Secretary of Transportation, the Secretary of Commerce & Trade and Mr. Riley in order to discuss opportunities for Route 155. Mr. Salmon interjected he wanted to thank Delegate Grayson for arranging those meetings with the Senators. Delegate Grayson also stated that riverboat gambling has failed again and feels that support is slipping for this type of endeavor.

Delegate Grayson then asked Ms. Lynn Jenkins to come forward to present a resolution to her. He read the resolution for all to hear. This was presented to Ms. Jenkins for all her time and dedication as a volunteer, especially with the Girl Scouts. She was forced to reduce her time for volunteering because of contacting Lyme disease.

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IN RE: COLONIAL DOWNS

Mr. Mike Johnson made a brief presentation. They are still logging and have over 116 acres complete and invited the Board for a helicopter flight to view the area on Tuesday, March 14th.

Mr. Pete Johns also did a brief presentation. Work continues nicely even with the appeal. The survey crews continue on the main boulevard which wanders through the entire project. They are redoing some of the surfacing on the entry road. The engineering is complete on both the sewer and the water systems and they will be ready for bid very shortly. They have been working with the County Administrator and his staff and the consultants who have been hired on the Route 155 corridor study, as well as the master plans. They hope to submit these plans to the Planning Commission the end of April or the beginning of May. Mr. Johns said they are pleased with the type of development they will be submitting to the County and look forward to seeing it become a reality.

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IN RE: CUP-3-95 EDWARD M. ALLEN, SR. ESTATE

Mr. Emerson gave the Board an overview of this application. This is in a Conservation C1 District therefore all the uses require a Conditional Use Permit. They are interested in constructing a cabin for hunting purposes and have met all the requirements of the Ordinance and also all the requirements of the Bay Act. The recommendation from staff is approval as present. Mr. Boroughs moved to approve CUP-3-95 as submitted.

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: CUP-1-95 GROSJEAN G. AND JANET H. CRUMP

Mr. Salmon stated he has a business relationship with Mr. John Crump even though this relationship does not affect this matter on the property or the Board's actions in this item, he is withdrawing from participation in this matter and will abstain from voting on this issue.

Mr. Emerson stated this Conditional Use Permit applied for by Mr. and Mrs. Grosjean Crump is to operate a bed and breakfast on their property. The property is zoned A-1, Agricultural. The bed and breakfast ordinance is drafted for the A-1 Agricultural properties. The Crump's property fully meets the ordinance and also they have met, if not exceeded, every aspect of it. They currently envision having ten events per year of outside activities which is allowed under the ordinance. The recommendation from staff is approval as presented. Mr. Boroughs moved to approve CUP-1-95 as submitted.

Mr. Bradby asked about not have a restaurant on the premise. Mr. Emerson replied the only thing that can be served in a bed and breakfast is breakfast itself and that is limited to ten people. There are some exceptions on catered foods.

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

Motion passed.

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IN RE: PUBLIC SERVICE RECOGNITION WEEK

Mr. Emerson stated Ms. Betty Burrell drafted a letter to the Board asking for them to adopt Resolution R-8-95 as presented for Public Service Recognition Week of May 1-7, 1995. Mr. Emerson read the resolution which briefly states recognizing those 20 million public employees who serve at the federal, state, city and county levels and provide a wide range of services. Mr. Bradby moved to approved Resolution R-8-95 as presented for Public Service Recognition Week set for May 1-7.

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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FOR RESOLUTION R-08-95 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 336.

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IN RE: PUBLIC HEARING - RESOLUTION R-7-95 ANNUAL SECONDARY HIGHWAY BUDGET

Mr. Riley, Resident Engineer, read the priority items for the Secondary System. Mr. Ringley had a few questions for Mr. Riley. He wanted to know about Ashford Road and Mr. Riley replied it is #9 on the list. The first allocation will be for 1996/97. The Six-Year Plan will start this fall. Mr. Ringley asked about Route 604. Mr. Riley replied they are pretty close to target. Mr. Salmon opened the public hearing. Mr. Charlie Washburn who lives on Route 604 stated the road is very rough and needs to be scraped. Mr. Robert White from Barhamsville asked about the project on Route 634 and what it entailed. Mr. Riley replied there is an allocation of \$59,606.00 for 1995/96 and an allocation for 1996/97 of \$53,394.00 and 1997/98 an allocation of \$168,571, 1998/99 an allocation of \$146,000.00 and 1999/2000 of \$122,429.00.

The estimated date on this is the spring of 1998. Mr. White asked when the dirt road will be paved and Mr. Riley said construction will start in May of 1998.

Lillian Brown asked about Route 604. The road is in very bad shape and it seems this project keeps being pushed back. Mr. Riley replied that Route 604 was moved up on the priority list from #12 to #4. They are anticipating beginning construction in 1996. A lot of this will depend on how the right-of-way goes. It will be a minimum of two years if all goes well and if the people on the road want it and are willing to work with the right-of-way people and sell their property at a reasonable price, the project will move.

Mrs. Sam Snyder of District Three asked Mr. Riley if he could give completion dates for all the roads listed. Mr. Riley replied that Quaker Road is scheduled to be completed in 1995; Angleview Lane has moved from 1995 to 1996 because of the difficulty of purchasing the right-of-way; Dispatch Road scheduled to be completed in 1996; Poindexter Road will probably take two years if they start it in 1996 it will be 1998 before it is finished; Townsend Road is scheduled to be done in 1997; Polish Town Road is scheduled to be completed in 1999; and Paige Road to be completed in 1997.

Mr. Salmon closed the public hearing. Mr. Boroughs moved to approve Resolution 7-95 as presented.

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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FOR RESOLUTION R-07-95 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 338.

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Mr. Boroughs said he had one more question. He asked about the Coleman Bridge and will it be closed down. Mr. Riley replied the last he heard they had worked out a plan so that they wouldn't have to close down the bridge. Mr. Boroughs also asked for someone from VDOT to check on the stop light in Eltham. Mr. Ringley asked if the highway still works on the ditches. Mr. Riley replied it is something that we don't do as often as we use to and something we need to do than is being done. Mr. Boroughs asked for Mr. Riley's help with the trash pick up on Route 273.

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IN RE:            ANNUAL AUDIT REPORT

Mr. Randy Jones of Robinson, Farmer, Cox & Associates presented the annual audit report to the Board. Mr. Jones explained there had been a change in the format comparing it to former years. The School Board and the Industrial Development Authority are presented as component units of the County. The end of June, 1994 the General Fund had a balance of approximately \$2,118,000, however \$732,000 of this was primarily part of a bond fund that was received for the upgrading of the Courthouse. Approximately \$1,300,000 is the undesignated reserve fund balance in the General Fund. The Board tries to maintain a reserve fund of approximately 10% of the Operating Budget. This fund is a little short at the present time. The report noted some internal control problems and the County has corrected some of these and is in the process of correcting all these items. Mr. Bradby said he had a few comments he would like to make. One, as a result of this report he would ask for the Finance Committee to meet, especially the department of Accounting and Treasurer to be sure things are coordinated. Mr. Salmon interjected the Finance Committee is meeting on March 24th.

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IN RE:           MANAGEMENT STUDY REPORT

Mr. Spencer Elmore of Robinson, Farmer, Cox & Associates presented a preliminary report on the requested Management Study. The first department they looked at was the school because they have the greatest impact on the budget. Mr. Elmore said this report would be an interim report on the school, and it is strictly a statistical analysis. Mr. Elmore did note some significant disparities between New Kent and other local comparable school divisions. Mr. Bradby commented he appreciated Mr. Elmore's frankness and wanted to know if he had shared these documents with the School Superintendent and the School Board? Mr. Elmore replied he delivered the report to Mr. Adams earlier in the day and they did speak briefly over the phone. Mr. Bradby also asked if this was the only department they have evaluated. Mr. Elmore responded, they have been involved with some personnel issues here and assisting the County with those and they have been somewhat sidetracked with working with the County Administrator on the budget. Mr. Ringley inquired about bringing the teachers salaries up to the State median. He said from what was explained tonight that there is money already in the budget to do that if they wanted to. Mr. Elmore replied it was their prerogative to move monies around and set their priorities. Mr. Emerson said there was money left over from the bond issue for the debt service this year. Mr. Salmon asked if the Sheriff's Department be elevated next because that is the next biggest expenditure of money. Mr. Elmore replied they would be happy to.

Mr. Salmon and the Board discussed various dates to meet on a work session on the budget. It was determined the first meeting would take place March 25th from 8:00 a.m. to 3:00 p.m.

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IN RE:           APPLICATION FOR PERMIT TO HOLD BINGO & RAFFLES

Mr. Emerson said everything was in order on this application. The State law requires you have a local agency file the application and they have applied for the Historic Richmond Foundation to conduct a raffle at the Races at Marengo being held in New Kent. Mr. Boroughs move to approve the application for permit to hold bingo games and raffles, submitted by the New Kent Horse Breeders' Association on behalf of the Historic Richmond Foundation.

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:           BINGO APPLICATION

Mr. Emerson said everything was in order on this application. This is a fund raising event for the Auxiliary/New Kent Volunteer Fire Department #2 (Quinton) set for one evening from 7:00 p.m. to 10:00 p.m. and we encourage them to hold fund raisers. Mr. Boroughs moved to approve the application for a bingo permit as submitted by the Auxiliary/New Kent Volunteer Fire Department #2.

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: DELMARVA REQUEST FOR PUD CHANGE

Mr. Emerson explained Delmarva Properties has requested we amend our PUD Ordinance, Division 14-A, Section 9-236, Item 1. With such a large project, this is a higher requirement than would possibly be necessary for a project this size. Once the overall plan comes forward and all the pieces are put together, they will be down to this detail before they go to record. Mr. Emerson's feelings are that it should come out of the ordinance, however it should be referred to the Planning Commission. Mr. Boroughs moved to refer to the Planning Commission the request of Delmarva Properties to amend Division 14A Section 9-236 by deleting site plan requirement item #1, it being resolved by this Board that such amendment is for the purpose of public necessity, convenience general welfare and good zoning practice.

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: REQUEST FROM SHERIFF HOWARD

Mr. Salmon asked Sheriff Howard to come forward and address the Board of Supervisors on his request for appropriations. Mr. Burrell moved to approve \$15,500 to be appropriated to the Sheriff's Department and also moved to approve \$4,084 for the upgrade in the 911 software. Mr. Salmon asked the motion be held until Sheriff Howard explained the need for this additional money. Sheriff Howard then explained to the Board why he was requesting extra money. The most critical was money for vehicle supplies. He has 8 cars with over 100,000 miles on them and since July they have had to put in 5 transmissions. He is also short on funds for uniforms. During the last 12 months they lost 5 deputies and these uniforms have to be replaced. Another area is for upgrades on the computer which will effectively link with the 911 interface. This would amount to \$15,500. A separate request, in the amount of \$4,084, is for a hard drive to power the 911 interface. This interface would link 911 information to the CAD system. This compiles all the information that comes through on 911. Mr. Ringley said he felt the importance of 911 for the community and the information that could be gained from the added equipment would be beneficial. Mr. Salmon asked for the vote.

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: RESOLUTION R-6-95 CONVEYANCE FROM CHESAPEAKE FOREST PRODUCTS INC. FOR WASTE WATER TREATMENT PLANT AND EASEMENTS.

Mr. James Cornwell, Jr., County Attorney, explained to the Board, pursuant to our agreement with Henrico County and Goochland County, we have to acquire the real estate property where the waste water

treatment plant, well sites, and easements will be located in reference to the regional jail but also open up the Route 33 Corridor for future expansion. We have negotiated with Chesapeake Forest Products to acquire all the property for nothing and the deed before you tonight is for 9.382 acres. This will be for the waste water treatment plant site. He said the Board must accept the conveyance by State statute and he will be bringing the deeds for the other sites as they become available. Mr. Boroughs moved to adopt Resolution R-06-95 as presented.

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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FOR RESOLUTION R-06-95 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 341.

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IN RE:            APPOINTMENTS

Mr. Bradby moved to appoint Mr. Frank Taylor as District Four's representative to the Agricultural & Forestal Advisory for the term ending December 31, 1998 and also move to appoint Jaquelin Pomeroy as District Four's representative to the Historic Commission for the term ending December 31, 1998. Mr. Salmon asked for the vote on these two appointments.

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:            MEETING SCHEDULE

The regular meeting of the Board of Supervisors will be held on Monday, April 10, 1995 at 7:00 p.m. The Planning Commission will meet on Monday, March 20, 1995 at 7:30 p.m. There will also be a Budget Work Session on March 25, 1995 from 8:00 a.m. to 3:00 p.m. with the Board of Supervisors and Department Heads. Mr. Ringley said he was concerned about the School Bus Garage, some of the safety violations and so forth. He felt the Board members should visit the garage before they approve any monies.

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IN RE:            CITIZENS COMMENT

Mr. Salmon reminded the citizens there is a time limit and called the first speaker, Mr. Ed Hayes. Mr. Hayes said he had three issues to bring before the Board. He said he wanted to make perfectly clear he was not speaking against the merits of the individuals who were selected but rather making some general comments about the process. As reported in the press the County had established a process and then violated their own rules that they were going to send five names to the Board rather than three. Mr. Salmon interjected there were no rules established, that was a misprint in the paper. He wanted to remark on Mr. Emerson's comments pertaining to the County Attorney, that we would save money. He was at a

loss as to how one can pay more money for two days a week and then supplement that with additional services that you will have to retain via the other law firm at an unspecified rate. How can you sell that as a cost savings? It is an insult to peoples intelligence that you are saving money. The last thing is concerning Mr. Emerson's comment in the paper about the race track. It was indicated the County has obligated itself to a \$1.25 million dollar expenditure for Route 155. He stated he tries to follow what is going on in the County and completely missed this large obligation or public disclosure of this money. If the County has obligated itself to this type of expenditure it should be done in public. He felt they would not have had the support of the County if indeed they do have this obligation. Mr. Boroughs replied he made comments several times on picking up the tabs on roads and different things if we couldn't get the State to pay for it. There were also comments made about expenditures for the Legends Golf Course to get the business. This will apply to any large business that comes into the County. There will be expenditures we will have to pick up on to attract these large enterprises.

Mr. Louis Abrams addressed the Board. He said he was Vice Chairman of the Planning Commission and his comments were on the interviewing of the candidates for the Planning Director. He wanted to make it clear he had no problem with the selection but on the final night of the decision, there was no doubt in his mind that we only needed to send the Board two. He said as he recalled they were to send three. He said he heard through the grapevine that five had been sent. He reiterated there were only to be three sent.

Reverend Milton Hathaway said he listened to the comments made about the selection process. He said he thought the process was flawed. He believed in what Mr. Abrams said was correct and that after the meeting additional names were sent in. He felt the citizens should be concerned about that. He shared with his representative his concerns about the process and that in fact, what he felt would occur did occur, and he followed through with his letter to the newspaper. The Board has gotten rid of staff under the guise of cleaning house and being more open. When he suggested in November and December the Board should appoint some citizens to the selection process, he was in hopes the openness would come about. When he was informed that two members of the Planning Commission were appointed to the committee, he felt like it was a good faith effort. Now tonight he was convinced it was not. In reference to the letter from Mr. Bradby, if he favored a particular applicant he should have contacted a member of the Board. He stated he didn't favor a particular applicant, he favored an open and honest process. He said Mr. Bradby's letter stated he felt the process was correct and that three men and two women were submitted by the committee. He wanted the Board to understand his belief and that the process was wrong and the citizens should follow their lead they have established and they will have no alternative but to get rid of the elected officials who will not hold to a higher standard of honesty and integrity. He was also concerned about the footnote to his letter (added by the Editor). Apparently there was no attempt to contact the third member of that committee. The process was wrong, he has no problem with Mr. Maloney, he will do a good job and he has no problem with Mr. Emerson, he does a good job, but he is not convinced after hearing the presentation tonight. The presentation on the schools should have been done in a work session and with the school board present, not in a general meeting. He felt the Board acted with less integrity, the buck stops with you. Mr. Salmon replied, he thanked Reverend Hathaway for his comments but he wanted to follow up on his comments. He stated emphatically, he does hold his principles very high, he has high standards, this process was not exclusive but inclusive. He spoke with staff and there were two other members of the three member commission that said it was five. There weren't three and two added, it was always five. Reverend Hathaway interjected it was exclusive and they used that to circumvent the process of the committee. Mr. Salmon continued saying all five applicants were interviewed and the Board with a four to one vote picked the most highly qualified. There was nothing flawed in the process and he felt very offended about the comments made by Reverend Hathaway that his standards and principles were less. Mr. Salmon and Reverend Hathaway continued to verbalize briefly about the number of individuals to be sent to the Board and each had their own opinion. Reverend Hathaway said in November he would work very hard to help the citizens express their opinion to put up with this kind of action. Mr. Ringley wanted to make one comment, the committee was not picked by the

Board of Supervisors, the committee was picked by Mr. Emerson. Reverend Hathaway replied the responsibility falls to the Board. If they adopted that process, then you have to share ownership of it. If you did not want that process, then you should have said to the County Administrator that is not our desire. Mr. Ringley asked the County Administrator to go back through the minutes and he felt it would reflect there were five members to be interviewed. Mr. Boroughs stated when he received the letter from the Civic League, he called Mr. Anderson and Mr. Pollard. Their comments were to put in a women to balance the power, but the most important was to hire the most qualified. Nothing was done underhanded, but the best qualified was the man they hired. He said he did not want to go back to special interest groups and would rather lose the election. Mr. Hayes made a few remarks to Mr. Boroughs and left the meeting. Mr. Salmon said he wanted to bring to the attention of Reverend Hathaway the minutes of the meeting on February 13th and in those minutes it was publicly stated "Mr. Salmon asked the board members for a date when they could meet the five applicants for the Planning Director position". That was weeks ahead of the actual interviews which was February 28th and there were five applicants to be interviewed. Reverend Hathaway replied that when the committee met it established its guidelines that those three committee members acted under. What he is suggesting, when the committee met the process was to select three. When the meeting was over the understanding was they were sending three to be interviewed, he is at a loss to understand how we got five. Mr. Salmon said he was at a loss how it became three when all along it was five. Mr. Burrell stated Mr. Abrams called him and told him he was very excited about the three applicants they were sending to the Board. He said it was three and not five. He stated that was his comment, he didn't know what went on, he wasn't going to imply anyone was lying, he could only say what Mr. Abrams told him. Mr. Salmon added by saying they all were very concerned. He added they continue to act as a Board of high integrity and high standards and they feel like they had done that. When that gets questioned, everybody gets upset. Whether it was three or five, they interviewed five and picked the most qualified person to fill the position.

Mrs. Brenda Snyder from District Three addressed the Board. She wanted to express her concern about the most recent firings and hirings of County employees. No explanations or reasons were given for any of those decisions. Other County's publish finalists in their hiring procedures and some even interview publicly and allow citizens to ask questions of potential employees. New Kent does everything, as usual, behind closed doors. I sat here and watched the closed door. Mr. Emerson was hired without anyone else being considered or being interviewed for the job. Mr. Gillette seems to be doing a good job as Acting Airport Manager, but he was appointed without anyone being interviewed. Charles Bowery has been hired part-time at the airport, was anyone else interviewed, was the job advertised? Mr. Cornwell is making almost as much money working two days a week as Mr. Morgan did full time. In the hiring of the new Assistant County Administrator/Planning Director, the top candidate by all accounts was a women. Now what do you do, add more people to the list and maybe the citizens won't question the decision not to hire her. In reference to Reverend Hathaway's letter to the Chronicle the editor wrote a note to his letter. Why did the Chronicle do that on this subject and this particular letter? She found it very odd. Reverend Hathaway is an honest and honorable man. She never knew Reverend Hathaway to speak anything but the truth and that truth has always been substantiated. She could only conclude the good old boy system in New Kent tried to hire their man and got caught in the act.

Ms. Thelma Wilson said she has been coming to the Board Meetings for over sixty years and she said she suffers when they are in pain and happy when they are happy. She was real sorry seeing what they had to go through.

Mr. Salmon thank all of those for their comments and said he had a request from the fire department before they adjourned. Mr. Salmon moved 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 § 2.11-344(a)(7) of the Code of

Virginia. Mr. Salmon said he did not expect any action on this matter. Mr. Burrell asked to be excused. Mr. Salmon said he was excused.

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

Mr. Salmon moved to go back into regular session.

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

Mr. Ringley 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	Excused
E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye
Michael D. Salmon	Aye

Mr. Salmon stated they met on a legal matter concerning the volunteer fire department and no action was taken.

Mr. Bradby moved to continue the meeting until March 25th at 8:00 a.m.

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