

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE EIGHTH DAY OF MAY 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 GREEN FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

IN RE: ROLL CALL

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

IN RE: CONSENT AGENDA

The Board of Supervisors reviewed the Consent Agenda and Mr. Salmon said there was one item he wanted to pull out which was the appropriation for the antenna to be placed at the Courthouse to be used in conjunction with the Rescue Squad. When this request was made previously they had asked the Director of Public Safety if he had any money in his budget for this expense, Mr. Gallaher replied he did not. Mr. Salmon then asked Sheriff Howard if could look at his budget and also the E-911 budget to see if there were any funds available for this project. They would look at this appropriation again at the June meeting. Mr. Bradby moved to approve the Consent Agenda excluding the appropriation for the antenna.

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

Motion passed.

IN RE: ELECTED OFFICIALS' REPORT

Ms. Betty Burrell, Treasurer, gave the financial report for the month of March, 1995. She noted that they were beginning to get better interest rates and she put \$1,000,000 in a CD with Citizens & Farmers Bank. Mr. Bradby moved to approve the Treasurer's Report for March and to authorize the Treasurer to continue to invest County funds in the highest yielding legal investments.

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

Motion passed.

Sheriff Howard addressed the Board in reference to the use of inmate labor. The Sheriff said he has been in contact with Sheriff Mathews of Henrico County to discuss the specifics of using inmate labor for projects around the County Office Buildings. Sheriff Mathews will be sending a list of cans and can'ts for the inmates, including the parameters of policies and procedures in using this type of labor. No one with

violent behavior will be eligible for this work. There will be a background check before anyone will be selected to do work for the County. They will take every step possible to see they don't run or cause any trouble. Mr. Boroughs asked about using this labor on cutting grass along some of the roads that is very high or washing cars, painting, etc. Sheriff Howard replied any of this type of work can be done by the inmates. Mr. Bradby inquired about the care of these inmates. Sheriff Howard replied that Henrico personnel will take care of the supervision of these inmates. Sheriff Howard said after the Board receives their packet from Henrico, he would like to bring Sheriff Mathews over to discuss with the Board the program that is being proposed. If this program is approved, then the Board will have to notify Henrico of the approval and pass a resolution to that effect. Once this is done the Circuit Court Judge of Henrico will issue an order which will grant Sheriff Mathews the opportunity to use his people.

Mr. Boroughs wanted to recognize Rudy Jones from Charles City. Mr. Burrell also said a representative from Delegate Grayson's office was present and Mr. Ringley mentioned Mr. Joe Mann, candidate for the House of Delegates was present.

Mr. Ringley asked about the Five Lakes water meter problems and Mr. Emerson replied Mr. Gallaher, Director of Public Safety would be addressing that issue in his staff report. Mr. Ringley then continued making comments about some of the articles recently in the paper written by one particular individual and the erroneous data that was published. He said Ms. Sam Snyder reported that New Kent County was going to install a \$1.4 million dollar facility for Virginia Power at the Industrial Park, also the Board was going to spend \$750,000 more to upgrade the interchange at Rt. 155 and Rt. 64. Mr. Ringley went on record to say the Board does not do anything with Virginia Power as far as investing and building their facilities. Ms. Snyder gets reams of paper under the Freedom of Information Act, since she gets this information made available to her, to please get the facts straight before writing articles to the Editor and publishing wrong information. The power plant will be paid for by Virginia Power and the County has applied for grant funding for the additional money required to bring the first horse track to the State of Virginia. The Board does everything in its power to save the taxpayers money, not spend it. Mr. Salmon wanted to add, the Board is really pleased with the participation from VDOT and it looks like the \$1.4 million dollars is coming on line for the interstate and will not cost the County a penny. The money will be coming from the State, VDOT and a CDBG grant and he wanted to thank the Board for their hard efforts in obtaining money for this project. Mr. Ringley also wanted to add, a statement was made at the VDOT meeting that New Kent has never asked for funds before.

Mr. Boroughs asked the County Administrator to advise the Board when the \$2.6 million dollar substation comes through and how much is collected for the permits and he would also like to know what kind of revenue this will bring to the County.

Mr. Salmon reported on his visit, along with the County Administrator, to Minneapolis, Minnesota, along with other regional leaders from the area. This was an opportunity to see how other regional areas work with their county governments. We cannot exist as a County by ourselves, we must become part of the region. New Kent is in a favorable position being half way between Richmond and Williamsburg, we can have the best of both regions. Minneapolis does work a little different than Virginia Counties, but we were able to gain some insight and ideas of things that have been positive with all regions pulling together. The Richmond Regional Planning District Commission has been a leader in trying to pull together the region. They helped New Kent with getting the race track, and Goochland with getting the Motorola plant. They have now started a program called Focus Forward which asks for citizen participation in ideas for the future. The next meeting will be here in New Kent on May 24th from 7:00 - 9:00 p.m. This is an open forum discussion and everyone is invited to participate.

Mr. Salmon asked if Ms. Sylvia Hathaway was present to report on the State Extension Service meeting. Ms. Hathaway wasn't present at the time, but Mr. Boroughs also attended the meeting and gave an update.

He said they will be running over \$3 million dollars short next year and 63 people will be taking early retirement. They are having these meetings all over the State and will send everyone a report once they have had a chance to review all the input from these meetings.

Mr. Salmon then recognized Mr. Jim Campbell of Virginia Association of Counties, who asked to address the Board. Mr. Campbell wanted to give a brief dialogue about the association which New Kent belongs to. First and foremost, the counties expect VACo to be very active legislatively and they had a very exciting 1995 session. They are producing a report on all the legislation passed at this session and will be sending each county a copy. It was a good session for County governments because we retained what we started with. Specifically two major battles, one was to preserve sources of revenue for the Counties in the BPOL tax and the other issue was modifications in the State budget. This modification is in appropriations that come to local governments. These were dramatic proposals that would have reduced monies the local governments would receive. It would have had significant impact on almost every County in the Commonwealth. They fought both of these very important issues and won. One of the areas they were defeated in was the erosion of County power in making local land use decisions, specifically the regulation of single wide mobile homes. Mr. Campbell said he has heard and seen articles in the paper that this year VACo has become a politically active partisan organization. He stated very strongly that VACo is County oriented, not politically oriented. VACo will continue to take positions that affect Counties as a whole regardless of what the partisan positions are. Mr. Salmon wanted to thank the staff at VACo for the updates during the session and the availability of his people whenever they had a question about a bill. Mr. Burrell also added Mr. Campbell has been very instrumental in helping us. Mr. Boroughs asked Mr. Campbell about the participation and the attendance to the VACo meetings, is it really important for them to attend? He said the Board has been criticized for spending money to go to these meetings. Mr. Campbell replied, their participation in the Association of Counties is critical. The annual meeting, the last two years, has been held in Bath County, Virginia. The work that is accomplished at that particular meeting, where you and supervisors from across the State come to meet, is critical to binding together the legislative positions that VACo, as an association, will support. If you are not present at those particular meetings, issues will come up that impact New Kent County and New Kent County's view points won't be considered at all. What's going to happen is Fairfax County is going to start prevailing or Henrico County or Roanoke County or something like that. It is critical that every County be represented as much as possible at these meetings so all of the views can be considered in this process. That's not to say New Kent County's position is going to float to the top every single time, because we are a state wide organization, there is some give and take and some compromising, but if you are not there, you can rest assured that New Kent County's interests will not be represented. Mr. Boroughs also asked about the National Association of Counties (NACo). Mr. Campbell continued, the exact same situation applies to NACo. This year it will be held in Georgia. He encouraged them to continue with their participation in NACo. This year NACo produced favorable results on the unfunded mandates. They continually pass these mandates on water issues, safety issues, purchasing issues, etc., and they do not understand the ramifications on the local budgets. This year one of the first bills the 104th Congress passed, with the full efforts of NACo, was a bill to address the unfunded mandates issue. Again, if New Kent County had not been there to express their concerns on behalf of your citizens, your interests are not going to be reflected. We encourage you to continue your participation in these organizations. Mr. Campbell added that there are two new programs that VACo is offering one is on property insurance. VACo has made a presentation through VACORP and we hope that you will recognize it is a County program, it is designed to help New Kent County save money. There are 30 Counties who now participate and we hope New Kent will be the next member. The other program is health insurance. They are very optimistic on the information they have so far and hope to finalize something by the end of this year. The more Counties that join together on these programs, the more economically advantageous they will be. Mr. Boroughs asked if the association would take a look at the extension service once they have the final numbers from the State. Mr. Campbell replied, they would be happy to look at this, it seems every year they are on the block for cutting funding to this group.

Mr. Salmon then addressed Ms. Sylvia Hathaway and asked if she had anything to report on the meeting. She replied they probably won't know anything until the end of the summer.

IN RE: STAFF REPORT

Mr. J. Lawrence Gallaher, Director of Public Safety, reported on several items. First was the trash site at Rt. 612. It should be operational by June 1st. They have power, telephone and the equipment should be set by the end of next week. The roof is progressing very nicely on the Old Courthouse. They will be putting the shingles on next week. In reference to the water meters at Five Lakes, new meters were installed the early part of December in that area and they did not go back and reread the meters. Therefore, the customers were billed for one quarter plus almost an additional month of water. Mr. Gallaher continued, he had done a lot of research on this trying to get an average usage per month, per household. Charles City said their average is around 5,000 gallons. Hanover said their average was between 5,000 and 7,500 gallons and looking at New Kent's it is around 6,000 gallons. Mr. Ringley remarked he had spoken with Mr. Duke Price of Hanover Health Board and the average is 75 gallons per day, per person. This would equal to 13,500 for one quarter and looking over the reports that were sent him, the average is around 26,000 which seems extremely high. Mr. Emerson also added with this additional month it pushed some people over the minimum bill. He asked the Board for their approval to form a subcommittee to look at these bills and make a determination of how to handle this particular problem. The Board members agreed. Mr. Ringley said the new rates which were generated about 2 to 3 years ago were based on the old consumption. If in fact, these new meters are correct and the water usage is that high, he voted to pass an increase on the water rates to sustain the system. He felt they may have to go back and do a rate reduction. Mr. Emerson commented they need to look at a true normal quarter before any determination of that kind could be made. Mr. Ringley said he had some citizens who refuse to pay their bill until this has been looked at. Mr. Salmon encouraged them to pay the bill so they did not incur a late charge and if a refund is necessary these accounts will be adjusted. Mr. Emerson wanted to remind the citizens it is an enterprise fund and if they don't pay their bills, we don't have money to run the water system. Mr. Gallaher had one last item and that was the report on the airport. Mr. Charles Gillett, the airport manager, was asked to make this report. Mr. Gillett said the activity had picked up over the last month. Revenue from rentals and fuel sales during April totaled \$4,120 and the year-to-date total is \$16,404. There are currently 31 aircraft based at the airport which include one new arrival and one that left the airport during the month. The drink machine has been vandalized twice and they are installing the "No Trespassing" signs that were recently purchased. They have also had problems keeping the red and green lenses on the lights at the end of the runway. The rental farm house septic system has failed during the month. It was determined to be beyond economical repair and the tenants were given to May 31 to vacate the property. They moved out April 30th. Sheriff Howard has increased the police patrolling around the airport. Mr. Charles Bowery has been hired to mow the grass and brush along the runway. They are still having volunteers doing a lot of work around the airport which has it looking very nice. There have been some complaints on not having a FBO, but most of those are people who live out of the County. There are three items on the safety report that was submitted last month. These items were reported from the State Aviation Department. These are the tree trimming and removal, the cracked ceiling, and restriping and numbering the runway. Mr. Salmon interjected he would like to get the Board's endorsement on these safety items. There is up to \$75,000 in the State's budget this year to pay for safety improvements and maintenance. New Kent would need 10% match to the funds the State would give to fix these safety items. Mr. Salmon moved to authorize this match to be funded so these safety items could be taken care of subject to review by the County Administrator to make sure those items are appropriate. Mr. Salmon, then opened for discussion, on his motion. Mr. Boroughs wanted to know once we have the FBO in place, would this come under his jurisdiction? Mr. Salmon replied it probably would still come under the County's responsibility. Mr. James E. Cornwell, County Attorney, replied the agreement has not been written yet and one of the things they are working on is the concept whether the FBO is also going

to be the Airport Manager and if so, what checks and balances will be put in place. He said these type of items will not come under the FBO. Mr. Burrell said he wanted to look at it further because we have no real figures at the present time. Mr. Salmon replied the cost would be from \$7,500 down. Mr. Burrell asked if they could wait until June so they could possibly get some estimates. Mr. Gillett said he could get some estimates on what needs to be done. Mr. Salmon replied the only thing that bothered him about waiting is that these are safety items and we put ourselves at risk. Mr. Burrell wanted to know if this money is included in the budgeted amount for the airport. Mr. Salmon replied he felt it should be included in the budget but the numbers are not up to date. The Accounting Office will be looking at the budget to see if any monies are available. Mr. Emerson said he felt the money budgeted to the airport has already been spent because of salaries and there was no accurate amount for the cost of electricity. Mr. Ringley felt since they were safety items he did not want to postpone. Mr. Bradby concurred with Mr. Ringley, since these were safety related items they should be done. Mr. Boroughs asked Mr. Gallaher how he felt. He replied these were items they have tried to work on in the past but they really need to be taken care of. Mr. Salmon called 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.

Mr. Salmon thanked Mr. Gillett for all the hard work he has done along with the Airport Advisory Commission. He wanted the citizens to know how dedicated the Airport Advisory Commission has been, they are very active and look forward to a new FBO.

Mr. Cornwell advised the Board of the progress on selecting the FBO. They are doing background checks and anticipate doing some site visits. Right now they are trying to determine if they will combine the FBO and Airport Manager positions together and are negotiating the contract. Hopefully by next meeting he will be able to bring this information to the Board.

IN RE: RESIDENT ENGINEER'S REPORT

Mr. Bob Riley, Resident Engineer, said he had only a few things to report on. The first was the construction project at Rt. 60 and Rt. 249 has been completed and the signals will be operational by Tuesday morning, May 9th. They started the primary mowing on Rt. 60 at the western end of the County. The last item was the installation of the new airport signs. He congratulated Mr. Gillett for the fine sketches he furnished VDOT and locating where the signs needed to be placed. Mr. Emerson asked Mr. Riley to tell the Board a little about the revenue sharing funds. Mr. Riley said VDOT had received a letter on the revenue sharing funds giving a breakdown of all the requests from around the State. The State Transportation Board awarded New Kent County \$426,000 and he feels very confident we will receive another \$300,000 from the Six Year Construction Program based on the presentation the Board and Mr. Emerson did at the Pre-Allocation Hearing. This will make a total of \$726,000 from The Department of Transportation towards the road improvements on Route 155. Mr. Boroughs asked Mr. Riley about the closing of the York Bridge and the upcoming meeting on this. Mr. Riley said he wasn't aware of any meeting but would look into it. Mr. Boroughs also asked about when the Coleman Bridge closes, will they have proper lights set up to handle the influx of traffic? Mr. Riley replied he would certainly look into the situation. Mr. Burrell said he had received a call about the road at the end of Rt. 628 past Mt. Pleasant Church. Mr. Riley said he would also look into this piece of road Mr. Burrell was asking about.

IN RE: RESOLUTION OF APPRECIATION R-18-95

Mr. Boroughs asked Mr. Clifford Wallace to come forward. Mr. Boroughs said New Kent had a friend at the Highway Department in Mr. Wallace. He has always made himself available when any Board member made a request. Mr. Boroughs then read the Resolution of Appreciation of Mr. Wallace upon his retirement from the Department of Transportation. Mr. Boroughs moved to approve Resolution R-18-95 as submitted.

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

Motion passed.

FOR RESOLUTION R-18-95 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE PAGE 354.

IN RE: PUBLIC HEARING - ROUTE 155 BLOCK GRANT

Mr. David P. Maloney, Director of Planning/Assistant County Administrator made a presentation as it applied to the application of the block grant. This block grant is to secure financing for the necessary improvements to Route 155 required by the construction of Colonial Downs and surrounding development. One opportunity is the Economic Development Open Submission Grant (EDOS). New Kent County is eligible to receive a maximum of \$700,000 through the EDOS program. If the County's EDOS application is successful, along with VDOT's funding, the County will receive a total of \$1,425,000 which will be sufficient funds to finance all construction on the Route 155 road improvements. Mr. Maloney then read a letter sent by Frank McCreery, who owns land fronting Rt 155, stating he was in favor of the block grant. Mr. Salmon opened the meeting for public comment. Mrs. Wilson wanted to know what this involved. Mr. Maloney explained that the grant application is to apply for funds which are provided by the Virginia Department of Housing and Community Development Block Grant Program. This is money that flows from the federal government through HUD through the State to the localities. These grants are awarded on a competitive basis and you must meet certain criteria which we have done. There is no pay back required from the County. These funds will be used to widen Route 155 from I-64 south to the entrance of the track site. Ms. Sam Snyder asked if they had a construction estimate. Mr. Maloney replied it was approximately \$1.4 million dollars. She then asked how long it would take to receive an answer on the block grant. Mr. Maloney said it would be approximately 30 to 90 days before we would have a decision. Mr. Fred Baur said he was confused on the money. Mr. Maloney explained the \$726,000 was from State funds and the block grant would be federal funds. Ms. Snyder wanted to ask another question, Mr. Salmon replied he would let her ask the question, but the rules of the public hearing are, once you have asked a question or made a statement you don't have the opportunity to speak again because it could delay the whole public hearing process. Ms. Snyder said she would refrain from asking her question. Mr. Salmon then closed the public portion of this hearing. Mr. Burrell moved to authorize the County Administrator to submit this grant application to the Department of Housing & Community Development and execute necessary grant contracts and documents. Mr. Boroughs added this is something that will be a necessity in order to bring in tax dollars.

FOR RESOLUTION R-21-95 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 360.

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

Motion passed.

IN RE: REZONING C-11-95

Mr. Ringley submitted a Disclosure Statement of Conflict of Interest and would withhold his vote. Mr. Salmon then recognized Mr. David Maloney to explain the rezoning. This request has been filed by Mr. Bogese to permit the development of a travel and tourist center. It is planned that the center will consist of a convenience food store with fueling facilities, a full service restaurant, a fast food restaurant and a hotel/motel. The proposed uses for this site all are identified as acceptable under the Route 33 Area Plan. Mr. Maloney said he was handed a Proffer of Condition, just prior to speaking, from Mr. Paul Robinson. This proffer would provide an evergreen buffer within 300 feet of the western property boundary to be used as a visual screening. Mr. Maloney stated the Planning Commission had approved this for rezoning. There was a question if we could accept this proffer at this time. Mr. Cornwell, County Attorney, replied we could accept this because it was presented before the public hearing. Mr. Paul Robinson, the real estate agent handling this transaction, was then asked to speak. Mr. Robinson said he was sorry for supplying this proffer at such a late date. They felt they had submitted a complete application and hoped they had answered any questions raised at the Planning Commission Meeting. Mr. Robinson said a question had come up about lighting and he had reviewed the ordinances to see what restrictions there were. There is a standard for lighting and they would meet this criteria. Mr. Boroughs said he had been asked about a 4 story building and he replied this building met the standards required by the County and would not affect this application. Mr. Burrell mentioned he had heard from an adjacent neighbor in reference to buses running all night. Mr. Robinson responded that this was not a proposed truck stop but it may happen from time to time. Mrs. Hockaday was asked if she wanted to add anything. She asked for the Board's consideration for the proposed plan of the property. The buyer would bring an increase of revenue to the County and provide the area with diverse services that would benefit area residents and also be easily accessible to travelers.

FOR MR. RINGLEY'S DISCLOSURE STATEMENT, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 355.

Mr. Salmon then opened the meeting for the public hearing. Mr. George Philbates said he thought it was a good use of the property. Mrs. Becky Philbates also responded she felt it was a very good idea because they really needed a gas station in the area. Mr. Fred Bahr wanted to know if the water supply would hook into the Rt. 33 wells. Mr. Emerson replied they would have to drill their own wells. Mr. Salmon closed the public hearing. Mr. Burrell moved to approve rezoning application C-1-95 with the proffer condition.

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

Motion passed.

IN RE: STAFF REPORTS (cont'd)

Mr. James E. Cornwell, Jr., County Attorney reported on the Circuit Court appeal on the race track. The Judge heard approximately 2 1/2 to 3 hours of oral argument. Mr. Cornwell stated he thought from the County's point of view, it was a good hearing. The Judge indicated it would be approximately 3 weeks before he renders a decision. Mr. Salmon asked, if the Judge rules in the County's favor, what would the next action be. Mr. Cornwell replied they could then appeal to the Supreme Court of Virginia and it would be up to the Supreme Court if they wanted to hear the case. The second thing Mr. Cornwell wanted to address was in reference to a bid board. Mr. Gallaher (in Public Safety) has placed a bid board in his office for any requests for proposals the County or School Board may have will be placed there. He encouraged all local contractors to check this bid board from time to time. Mr. Cornwell said the last item he had was the land acquisition for the water project at the regional jail. The Board has already approved three or four deeds for this particular project. They have come upon a small glitch where the surveyor may be required to have some deceleration lanes at the project, which has caused them to go back to the drawing board. We are still in need of a deed for the water tank and the easements and hopefully we will have these deeds by the next Board Meeting. Mr. Ringley asked about the status on the property from the School Board. Mr. Cornwell replied the School Board has executed a deed to the property but he was awaiting direction from the Board as to what they wanted to do with the property. Mr. Ringley replied he had been approached by several people who were interested in purchasing the property. Mr. Cornwell said they need to hold a public hearing to consider whether or not to sell the property. The Board asked to have this item placed on the June agenda.

IN RE: COLONIAL DOWNS

Mr. Emerson told the Board that neither Mr. Peter Johns Nor Mr. Mike Johnson were able to attend the meeting, but progress is still continuing at the race track and the golf course. They are still clearing land and have done a significant amount of earth work. Once the appeal is resolved, they hope to be breaking ground shortly.

IN RE: CABLEVISION

Cablevision's Vice President of Engineering, Mr. Brinton Belyea, addressed the Board. Mr. Belyea fielded questions from the Board members. Mr. Ringley commented on the good presentation supplied to the Board earlier which gives a very good overview of the operation. He did mention there are still unhappy citizens who cannot get the service because of where they live. Mr. Ringley also mentioned he has received a number of calls in reference to having dark streaks on specific channels. Mr. Belyea responded that they try very hard to answer all the complaints, but it is an electronic system and they will from time to time be problems with such things as streaks and outages. Mr. Bradby wanted to thank them for working the system into the Chickahominy area. Mr. Salmon said he had a received a number of calls on billing problems. Mr. Belyea explained they were changing over to another billing system and now were using computers, therefore there were some glitches that needed to be work out. Currently they feel they have been able to correct all of the problems with the billing. Mr. Salmon then asked about the citizens receiving the book that lists the movie that will be available on Pay-Per-View, HBO, etc. He had spoken with Mr. Michael Gilberti, System Manager, who said the customers could send a self-addressed envelope when they paid their bill and then Cablevision would send this to them. Mr. Salmon wanted to know if they were planning on putting this booklet in some retail locations for citizens to pick up. Mr. Belyea replied yes, but he wasn't sure of the exact locations. Mr. Salmon also has been asked by his constituents, when the cable is down for a half day or day is there any credit they will receive. Mr. Belyea responded, unless it goes over two days there is no credit. Mr. Salmon also inquired if they had a master plan of what areas they were going to do next.

Mr. Belyea replied he could send a copy of their plans to the Board members, Mr. Salmon replied that would be fine. Mr. Salmon then asked if Mr. Belyea could tell the Board and the citizens how they determine where cable will be placed. Mr. Belyea explained if they find an area that has 20 homes per mile or more, the per mile is taken from the point where they currently have cable, then they can connect the cable. If cable doesn't exist in and around the area it is just too expensive for them to do it. Mr. Burrell then asked if there was a provision in the contract for putting the Board Meetings on cable. Mr. Belyea answered, he did not know if it was in the franchise contract or not, but they have cable existing right now in the high school. Mr. Salmon asked the County Administrator to look into this area and see what it would cost and report back to the Board. The Board members suggested Cablevision come about every six months to address any further questions. Mr. Belyea replied he had no problem with that, but would appreciate a reminder letter.

IN RE: RESOLUTION R-19-95

Mr. Burrell was asked to introduce this resolution. This resolution requests any developer working in the County to advertise and interview local contractors prior to advertising regionally wherever possible. This is not a binding contract but a desired request of the Board. Mr. Salmon moved to approve Resolution R-19-95 as submitted.

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

FOR RESOLUTION R-19-95 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 361.

IN RE: FOOD & BEVERAGE TAX

Mr. Emerson addressed this issue with letters from the Commissioner of Revenue and the County Attorney on the possibility of new taxes. In the letters from the Commissioner of Revenue, he strongly recommended having in place a lodging and meals tax ordinance. Mr. Ringley said he was opposed to this tax. We are now just beginning to grow with some new business coming into the County and he felt now was not the time to add this tax. It may, in fact, deter new business from coming into the County. Mr. Ringley moved to table this tax indefinitely. Mr. Bradby felt it was something to discuss in a work session and not to be tabled indefinitely. Mr. Burrell agreed with Mr. Bradby. Mr. Boroughs felt it should be put off until a later date. Mr. Salmon said he felt the same as Mr. Ringley. After some discussion between the Board members the motion was reworded to postpone any action and not to be put on the ballot in November. Mr. Bradby replied he could not support the motion until the Board had a chance to really look into this issue. Mr. Salmon responded, the general consensus was to have a work session on this. Mr. Cornwell, County Attorney, explained that nothing can be added to the ballot within sixty days of the election date, therefore this would have to be done before September 7th. Mr. Ringley moved to table his motion at this time.

IN RE: RADIOLOGICAL EMERGENCY PREPAREDNESS MUTUAL ASSISTANCE
 AGREEMENT

Mr. J. Lawrence Gallaher, Director of Public Safety explained this agreement is between participating jurisdictions, in a mutual assistance program, in the event of any emergency or disaster arising from radiation. He said this agreement does not create any obligations or establish rights not otherwise provided by law, it specifically creates no third party beneficiaries. This agreement evolved out of a meeting between several Counties and the need for help between Counties in any real emergency. Mr. Boroughs moved to approve this agreement as submitted.

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

Motion passed.

IN RE: MAINTENANCE CONTRACT BIDS

Mr. Gallaher presented the bids received for the maintenance of the County and School heating and air conditioning systems. There were four bidders and his recommendation is to award it to Village Mechanical in the amount of \$9,840, who is our current contractor and who we are happy with. This bid is just for the County's system, not the Schools. Mr. Ringley moved to approve the bid submitted by Village Mechanical and authorize the County Administrator to execute a contract in conformance with said proposal.

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

Motion passed.

IN RE: BINGO PERMIT

Mr. David Maloney, Director of Planning/Assistant County Administrator, explained that Saint Elizabeth Ann Seton Catholic Church has applied for a bingo permit to be used on July 9, 1995 and their application was in order. Mr. Ringley moved to approve the bingo and raffle permit as submitted.

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

Motion passed.

Mr. Maloney then went on to say, he had also received an application this past Friday, from the New Kent High School Parent Teacher Student Association. They have applied for a permit to hold a raffle at the Brookwood Golf Course on Friday, May 12, 1995 and their application was in order. Mr. Ringley moved to approve the application to hold bingo games and raffles submitted by the New Kent High School Parent Teacher Student Association.

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

Motion passed.

IN RE: RESOLUTION R-20-95

Mr. Emerson explained this was a grant application from the Comprehensive Youth Services. He then asked Ms. Denise Bartlett to make a brief presentation to the Board on this application. Ms. Bartlett explained the money comes down from the Federal government, funneled through the States and through Social Services. It is a four year grant funding program and is for preventative services to families at risk or in crisis. This grant is for \$10,000 the first year and there is a 10% County match. The second year the grant will be \$15,045, the third year \$16,127 and the fourth year is \$17,209. Each year you must resubmit your application and the 10% match. Mr. Boroughs moved to approve R-20-95 as submitted.

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

Motion passed.

FOR RESOLUTION R-20-95 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE PAGE 356.

IN RE: APPOINTMENTS

Mr. Burrell moved to appoint Ms. Barbara Wright as District Three's representative to the Agricultural & Forestal Advisory for the term ending December 31, 1997; he also moved to appoint Reverend Raymond Otey as District Three's representative to the Agricultural & Forestal Advisory for the term ending December 31, 1998 and he moved to appoint Jean Street as District Three's representative to the Wetlands Board for the term ending December 31, 1995. Mr. Salmon moved to appoint Mr. William Wallace as District One's representative to the Zoning Appeals Board for the term expiring December 31, 1999; he also moved to appoint Mr. Larry Haislip to the Industrial Development Authority for the term expiring December 31, 1997; he moved to appoint Mr. William Mountcastle to the Industrial Development Authority for the term expiring December 31, 1998 and also moved to appoint John Crump to the Industrial Development Authority for the term expiring December 31, 1998. Mr. Ringley said District Two didn't have anyone serving on the IDA and he would like the opportunity to appoint someone from his District to the IDA. Mr. Burrell said he also would like the opportunity to appoint someone from his District. Mr. Salmon withdrew the names of William Mountcastle and John Crump to give these other Districts a chance to appoint someone from their areas.

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

Michael D. Salmon Aye

Motion passed.

IN RE: MEETING SCHEDULE

The regular meeting of the Board of Supervisors will be held on Monday, June 12, 1995 at 7:00 p.m. The Planning Commission will meet on Monday, May 15, 1995 at 7:30 p.m. There will be a Public Hearing on the Proposed Budget on June 1, 1995 at 7:00 p.m. Also, Mr. Salmon mentioned the Focus Forward Meeting being held on May 24, 1995 at 7:00 p.m. in the New Kent Board Room.

IN RE: CITIZENS COMMENT

Mr. Alan Files addressed the Board as the representative of the Ruritan Club as well as being the Chairman of the New Kent County Fair. He read a letter asking for permission to hold the 24th Annual New Kent County Fair on August 26, 1995. He said they have not set a firm site selection as of yet and would appreciate any help with this matter. The next fair planning session is May 22nd in the Lower Level Conference Room at the Administrative Building is anyone cares to attend. Mr. Salmon asked Mr. Files to see John Crump, as there is one form that needs to be filed with the County and Mr. Crump would be able to help him with this or Mr. David Maloney, Director of Planning. Mr. Salmon spoke for the Board members saying they recognize the County Fair is a great asset to the County and they appreciate all the hard work, time and effort that goes into making it a success each year. Mr. Salmon also mentioned the application fee for the gathering permit would be waived.

IN RE: EXECUTIVE SESSION

Mr. Salmon asked to go into executive session and said there would be no decisions made at this time. He then moved to go into executive session for discussions relating to the acquisition (or sale) of real property for public use pursuant to §2.1-344(a)(3) of the Code of Virginia.

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

Mr. Bradby moved to go back into regular session.

James H. Burrell	Aye
E. David Ringley	Aye
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	Aye

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

Mr. Salmon explained there was no action taken during the executive session. They were discussing the acquisition or sale of real property for public use. Mr. Salmon addressed Mr. Philbates as he had a question on a borrow pit. Mr. Emerson explained to the Board what the application involved. Mr. Cornwell felt they should not do anything on this tonight because they went into executive session saying they were not going to take any action and secondly, you have an application that is not before you on the agenda, so there is no public notice that this was going to be considered. Mr. Ringley said because it wasn't on the agenda he would not approve. Mr. Salmon said there was no way they could address this issue tonight because it was not on the agenda and the Board did not have anything in front of them to review. Mr. Salmon told Mr. Philbates the earliest date to approve this application would be June 1st.

IN RE: ADJOURNMENT

Mr. Bradby moved to adjourn until June 1, 1995 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