

Work Session

A WORK SESSION OF THE BOARD OF SUPERVISORS OF NEW KENT COUNTY WAS HELD AT 5:30 P.M. ON THE THIRTEENTH DAY OF JUNE IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-FOUR IN THE BOARD ROOM OF THE COUNTY OFFICE BUILDING WITH ALL MEMBERS PRESENT.

IN RE: SUBDIVISION ORDINANCE

Mr. R. J. Emerson, Jr., Director of Planning, briefly explained changes to Sec. 9-427 of the Draft Subdivision Ordinance as recommended by the Planning Commission. The Board joined in discussion concerning the changes.

IN RE: EXECUTIVE SESSION

Mr. Bradby 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 § 2.1-344(a)(7) of the Code of Virginia. (Contractual Matters)

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

Mr. Bradby moved to go back into regular session.

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

Mr. Salmon 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.

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

Regular Meeting

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE THIRTEENTH DAY OF JUNE IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-FOUR IN THE BOARD ROOM OF THE COUNTY OFFICE BUILDING. MR.

SALMON GAVE THE INVOCATION FOLLOWED BY THE PLEDGE OF ALLEGIANCE. THE CHAIRMAN CALLED THE MEETING TO ORDER WITH ALL MEMBERS PRESENT.

IN RE: MINUTES

Minutes of the meetings held on May 2, May 9, May 18, and May 31, 1994 were approved on motion of Mr. Bradby.

Mr. Bradby	Aye
Mr. Boroughs	Aye
Mr. Salmon	Aye
Mr. Ringley	Aye
Mr. Burrell	Aye

IN RE: FINANCE REPORTS

Ms. Alease Christian, Finance Coordinator, gave her report. Mr. Ringley moved to approve the expenditures for the month of April totaling \$395,567.98 as presented in the monthly expenditures report.

Mr. Bradby	Aye
Mr. Boroughs	Aye
Mr. Salmon	Aye
Mr. Ringley	Aye
Mr. Burrell	Aye

IN RE: TREASURER'S REPORT

Ms. Betty Burrell, Treasurer, gave her reports for the previous two months. Mr. Bradby moved to approve the Treasurer's reports for the months of April and May 1994 and to authorize the Treasurer to continue to invest County funds in the highest yielding legal investment, subject to audit.

IN RE: ELECTED OFFICIALS REPORTS

Sheriff Howard introduced Mr. Mark Thatcher and Mr. Charles Gardner, two new deputies.

Mr. Ringley read a memo that had been addressed to Board members by Ms. Sylvia Hathaway concerning the Summer Day Camp Program which she had requested to be held at the Club 911; the County Attorney said it could not be permitted without amending the County ordinance.

Mr. Burrell read a letter from Mothers Against Drunk Driving requesting that the Board issue a Proclamation showing support for National Sobriety Checkpoint Week. He then read the proposed resolution. Mr. Bradby moved to adopt Resolution R-17-94 proclaiming June 28-July 5 to be New Kent County Sobriety Checkpoint Week.

SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 281.

Mr. Bradby	Aye
Mr. Boroughs	Aye
Mr. Salmon	Aye
Mr. Ringley	Aye
Mr. Burrell	Aye

Mr. Burrell rearranged the seating of Board members at the podium.

Mr. Bradby inquired about the status of the Minitree Glen Subdivision water system. Mr. Morgan said the situation would be cleared up by the middle of July.

Mr. Burrell asked Board members for input about placing Citizens Comment Period near the beginning of the meeting. Mr. Boroughs suggested that the subject be considered at a work session because it requires a Bylaws change. Mr. Burrell asked all the Board members to give the matter some thought in order that they can act on it at the next meeting.

IN RE: RESIDENT ENGINEER'S REPORT

Mr. R. H. Riley, in a brief report, said that they have made progress on trees on I-64 and hope to complete the work soon. Mr. Salmon thanked Mr. Riley for the work done at the Day Care Center, Rt. 249 Quinton.

Mr. Boroughs reminded him of a school bus stop sign on Rt. 106. Mr. Riley said money for the Rt. 60-249 safety project will be allocated in July and he hopes the project will be done in September. Mr. Ringley also requested signs that would slow down truck traffic at the time of work on that project. Board members brought additional concerns to Mr. Riley's attention.

IN RE: QUESTIONNAIRE FROM DELEGATE GRAYSON

A representative from Delegate George Grayson's office was present to conduct a survey of citizens' opinion of General Assembly matters.

IN RE: RESOLUTION OF APPRECIATION R-13-94, RANDY ADAMS

Mr. Bradby moved to adopt Resolution R-13-94 in appreciation of the late David Randolph Adams, Sheriff's Deputy. Sheriff Howard presented a copy of the resolution to Mrs. Adams. Board members and deputies paid tribute.

Mr. Bradby	Aye
Mr. Boroughs	Aye
Mr. Salmon	Aye
Mr. Ringley	Aye
Mr. Burrell	Aye

FOR RESOLUTION R-13-94 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 274.

IN RE: RESOLUTION OF APPRECIATION R-14-94, MS. MARGARET YANCEY

Mr. Ringley recognized Ms. Margaret Yancey and expressed appreciation for her many years of service on the Social Services Board. He moved to adopt Resolution R-14-94 and presented her with a copy.

Mr. Bradby	Aye
Mr. Boroughs	Aye
Mr. Salmon	Aye
Mr. Ringley	Aye
Mr. Burrell	Aye

FOR RESOLUTION R-14-94 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 275.

IN RE: SOLID WASTE COLLECTION

Mr. Joe Rodgers, General Manager of Chambers Waste Systems of Virginia, Inc., reported to the Board on the status of the solid waste collection. Mr. Kevin Byrnes of CVWMA was also present. Mr. Rodgers outlined the system that will be followed during the interim period prior to manned transfer sites. Mr. Ringley chastised Chambers for poor service, as did other Supervisors. Mr. Boroughs requested Mr. Burrell to review every statement received from Chambers before the Board approves for payment. The County Administrator was instructed to gather estimates on costs of solid waste collection during the interim. Mr. Byrnes reinforced Mr. Rodgers' promises and pledged commitment of CVWMA to make a smooth transition to the new system.

IN RE: PUBLIC HEARING, REZONING APPLICATION C-1-94, CHRISTIAN CORNERS II CORPORATION

Mr. Emerson, Director of Planning, presented the request for rezoning of an 18.25 acre parcel from Agricultural, A-1 to Business, B-2 Conditional. He also read proffers and suggested motions. Mr. Ringley declared that a conflict of interest would prevent him from voting on the matter but he would be able to discuss it.

FOR MR. RINGLEY'S DISCLOSURE STATEMENT, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 276.

The Chairman opened the public hearing.

Mr. Rick Varnier, as chairman and on behalf of the Board of Elders of Kentwood Heights Baptist Church adjacent to the property, did not oppose commercial development but was concerned about what a transfer of title might bring in the future.

Mr. Charles Yeatts spoke in support of rezoning for business.

Mr. Howard Jackson also supported the rezoning request.

Mr. Mike Balatto, attorney representing the applicants, assured the Board that the family is desirous of developing the property in accordance with the ordinances in order that the property will be marketable to its highest advantage.

The public hearing was closed. It was stated by the County Attorney that the proffers would be a permanent part of the zoning. After further discussion by Board members, Mr. Bradby moved to approve Conditional Rezoning Case C-1-94 as submitted, with the requirement that the site plan approval be obtained from the Planning Commission before development of the property is to occur; this motion is made based upon the County's adopted Comprehensive Plan that specifies the Bottoms Bridge area as Village and the development strategies embodied in the Plan for the Western End of New Kent County.

Mr. Karl Peter spoke on behalf of New Kent Equities and said that the owners seek the best type of rezoning of the property to maximize the amount of profit within existing regulations of the County. Mr.

Ringley called upon the chairman of the Planning Commission, Mr. Stran Trout, who said their discussion had been mostly between B-1 and B-2 rezoning and that B-2 was the majority decision.

Mr. Bradby	Aye
Mr. Boroughs	Aye
Mr. Salmon	Aye
Mr. Ringley	Abstain
Mr. Burrell	Aye

IN RE: SUBDIVISION ORDINANCE

Mr. Boroughs moved to adopt the Proposed Subdivision Ordinance as presented. Mr. Salmon moved to table the motion until a later time. The Board engaged in a lengthy discussion, expounding their views on Mr. Salmon's motion. Mr. Salmon accepted a friendly amendment by Mr. Burrell to table the matter until the July meeting and motion passed.

Mr. Bradby	No
Mr. Boroughs	No
Mr. Salmon	Aye
Mr. Ringley	Aye
Mr. Burrell	Aye

IN RE: CONDITIONAL USE PERMIT CUP-2-94, B & B TOWING

Mr. Boroughs moved to approve CUP-2-94 as submitted.

Mr. Bradby	Aye
Mr. Boroughs	Aye
Mr. Salmon	Aye
Mr. Ringley	Aye
Mr. Burrell	Aye

IN RE: RESOLUTION R-15-94, MIDDLE PENINSULA JUVENILE DETENTION
 COMMISSION

Mr. Hart presented the request to pass a resolution declaring the Board's intention to become a member of the Middle Peninsula Juvenile Detention Commission and to appoint New Kent's member to the Commission. Mr. Ringley moved to adopt Resolution R-15-94. Mr. Boroughs made a friendly amendment to the motion to appoint Mr. H. Garrett Hart, III, to represent New Kent on the Commission.

Mr. Bradby	Aye
Mr. Boroughs	Aye
Mr. Salmon	Aye
Mr. Ringley	Aye
Mr. Burrell	Aye

FOR RESOLUTION R-15-94 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 277.

Mr. Boroughs requested and was granted permission to be excused from the meeting due to illness.

IN RE: AIRPORT ADVISORY COMMISSION

Mr. Robert Sulcer, chairman of the Airport Advisory Commission, spoke to the Board and requested their consideration and discussion on three items: (1) Specific directives, especially #5, for which they proposed a modification. Mr. Salmon moved to accept the modification to Item #5 presented by Mr. Sulcer as follows: "All official inquiries and questions to the State Department of Aviation, Federal Aviation Administration or the Airport Manager concerning New Kent Airport shall be from the County or the Commission, if so authorized."

Mr. Bradby	Aye
Mr. Boroughs	Absent
Mr. Salmon	Aye
Mr. Ringley	Aye
Mr. Burrell	Aye

(2) Mr. Sulcer read suggested additions to Article 10, Organization Relationships; and (3) He asked the Board to appoint members to fill existing vacancies on the Airport Advisory Commission.

IN RE: APPROPRIATIONS, RESOLUTION R-16-94

The Board had received a request from the Electoral Board to cover the costs associated with the Democratic Primary. In addition, routine end-of-the-year appropriations were requested. Also included in the resolution is an appropriation for litter grant funds to be used for recycling. Mr. Salmon moved to adopt Resolution R-16-94 as presented.

Mr. Bradby	Aye
Mr. Boroughs	Absent
Mr. Salmon	Aye
Mr. Ringley	Aye
Mr. Burrell	Aye

FOR RESOLUTION R-16-94 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 279.

IN RE: APPOINTMENTS

Mr. Ringley nominated Mr. Kent Vandevort as District Two's representative to the Board of Social Services for a four-year term ending June 30, 1998.

Mr. Bradby	Aye
Mr. Boroughs	Absent
Mr. Salmon	Aye
Mr. Ringley	Aye
Mr. Burrell	Aye

Mr. Ringley moved to reappoint Dr. Norman E. West, Jr., as New Kent's representative to the Board of Rappahannock Community College for a four-year term ending June 30, 1998.

Mr. Bradby	Aye
Mr. Boroughs	Absent

Mr. Salmon Aye
Mr. Ringley Aye
Mr. Burrell Aye

IN RE: MEETING SCHEDULE

The next regular meeting of the Board of Supervisors will be held on Monday, July 11 at 7 p.m. A Public Hearing is scheduled for Thursday, July 16 at 7:30 p.m. The Planning Commission will meet on June 20 at 7:30 p.m.

IN RE: CITIZENS COMMENT PERIOD

Mr. Robert Broughman asked the Board to look into the delays he has experienced in getting permits to open a country store.

Ms. Sylvia Hathaway asked if there are any other options to holding the Day Care Center at Club 911;

Mr. Hart offered to contact the School Board to work out the problem immediately.

Ms. Denise Bartlett spoke to the issue of trash collection; she suggested that people must be reeducated to methods and responsibility for keeping the sites clean.

Ms. Thelma Wilson announced that she had won awards in archery and riflery when she participated in the Golden Olympics recently.

IN RE: ADJOURNMENT

Prior to motion for adjournment, Mr. Bradby inquired as to the status of the proposed move of the School Board to the Old Courthouse Building. Mr. Hart answered that final renovation plans for the building will be received within the week. Mr. Hart will present the plans at the July meeting. Mr. Bradby moved to adjourn the meeting.

Mr. Bradby Aye
Mr. Boroughs Absent
Mr. Salmon Aye
Mr. Ringley Aye
Mr. Burrell Aye

H. Garrett Hart, III
County Administrator

James H. Burrell
Chairman