

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE SEVENTH DAY OF JUNE IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-THREE IN THE BOARD ROOM OF THE COUNTY OFFICE BUILDING. THE CHAIRMAN CALLED THE MEETING TO ORDER WITH FOUR SUPERVISORS PRESENT; MR. BURRELL WAS ABSENT DUE TO HIS REPRESENTING THE COUNTY AT ANOTHER MEETING. THE INVOCATION WAS GIVEN BY MR. BOROUGHS AND FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

IN RE: MINUTES

Mr. Bradby moved to approve the minutes of the meetings held on May 10 and May 26, 1993.

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

IN RE: FINANCE REPORT

Ms. Alease Christian, Finance Coordinator, gave her report. Mr. Bradby moved to approve the expenditures for the month of May totaling \$302,415.76 as presented in the monthly expenditures report.

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

IN RE: ELECTED OFFICIALS REPORTS

In response to a question from Mr. Bradby concerning new voting places, Mr. Morgan, County Attorney, requested that the Board set a public hearing for the July Board meeting to receive comments on proposed changes. Mr. Boroughs moved to set the public hearing for the July 12 meeting.

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

IN RE: RESOLUTION R-16-93, SUPPORT APPOINTMENT OF LATANE TRICE TO VIRGINIA DEPARTMENT OF GAME AND INLAND FISHERIES BOARD

Mr. Ringley read Resolution R-16-93 in support of the appointment of Mr. Latane Trice who is seeking nomination to serve as a Director on the Board of the Virginia Department of Game and Inland Fisheries representing the 3rd District, composed of Richmond, Essex, King William, King and Queen, and New Kent Counties. Mr. Ringley moved for the adoption of the resolution.

E. David Ringley	Aye
Marvin D. Bradby	Aye
Robert A. Boroughs	Aye

Michael D. Salmon Aye

FOR RESOLUTION R-16-93 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 179.

IN RE: STAFF REPORTS

Mr. Morgan gave Board members a draft amendment to the motor vehicle ordinance of the County Code which proposes to amend the section that adopts the State Motor Vehicles Code. He asked the Board to set the matter for public hearing at the July 12 meeting. Mr. Boroughs so moved.

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

IN RE: TREASURER'S REPORT

In the absence of the Treasurer, Mr. Hart gave the report. Mr. Boroughs moved to approve the Treasurer's report for the month of April 1993 and to authorize the Treasurer to continue to invest County funds in the highest yielding legal investment, subject to audit.

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

IN RE: RESIDENT ENGINEER'S REPORT

Mr. Bob Riley of the Virginia Department of Transportation reported that they are in the process of doing a speed study on the Rt. 627 project and have left the 25mph speed signs up until a determination of proper speed is made. He said that he had received a tentative commitment from Traffic Engineering Section about running the right-turn lane at Rt. 60 and 1201 in next coming fiscal year budget; he will work up a cost estimate in the very near future. The project to bring Interstate 64 shoulders up to grade is almost complete. Mr. Riley also gave Board members a draft copy of the amended 1993-94 Secondary Budget for the County.

Mr. Ringley asked Mr. Riley, on behalf of a couple of business owners, what process must be followed to get Route 60 designated as an alternate route to Colonial Williamsburg. Mr. Riley said he would check into it.

IN RE: NEW KENT COUNTY FAIR

Mr. Hart, County Administrator, presented the request for conditional use permit to operate the 1993 New Kent County Fair on August 28, 1993 from 10:00 a.m. to 5:00 p.m. Mr. Boroughs moved to approve the outdoor gathering permit with the following conditions:

1. All activities cease prior to 11:00 p.m.

2. All cleanup and trash removal be performed in accordance with the established plan of trash removal for the Fair.
3. All rules and regulations of Chapter 11, Music Festivals and Outdoor Gatherings, be followed.
4. All fees for required permits shall be waived.

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

IN RE: BINGO PERMIT

Mr. Hart also presented the request for Bingo Permit. Mr. Boroughs moved to approve the application for Bingo Permit as requested by the New Kent Volunteer Fire Department Co. #2 Auxiliary for August 28, 1993.

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

IN RE: CAPITAL IMPROVEMENTS PLAN

The Board rescheduled the date for a work session with Mr. Steve Jacobs, consultant on the Capital Improvements Plan, for Monday, July 12 at 6 p.m. prior to the regular Board meeting.

IN RE: RESOLUTION R-13-93, QUINTON ESTATES DRIVE

Mr. Boroughs moved to adopt Resolution R-13-93 requesting the Virginia Department of Transportation to take the remaining portion of Quinton Estates Drive into the State Secondary System.

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

FOR RESOLUTION R-13-93 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 180.

IN RE: RESOLUTION R-14-93, REFUNDS

The Board had received several requests for refunds from the Commissioner of Revenue. Mr. Ringley announced that he would abstain from the vote on refunds to Cardinal Pharmacies but would participate in the remaining votes on refunds.

FOR MR. RINGLEY'S DISCLOSURE STATEMENT, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 181.

Mr. Salmon moved to adopt Resolution R-14-93 as amended to exclude the refunds to New Kent Cardinal Pharmacy and the Providence Forge Cardinal Pharmacy.

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

FOR RESOLUTION R-14-93 AS AMENDED AND ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 182.

Mr. Salmon then moved to approve the tax refund as presented by the Commissioner of Revenue concerning New Kent Pharmacy and Providence Forge Pharmacy.

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

Mr. Ringley stated for the record that the request for refunds was made because he uses leased equipment in his drugstores for which taxes were paid both by himself and by the company that owns the equipment. He advocates the itemization of the personal property tax bills. Mr. Hart said that the 1993-94 budget includes the software program that will make it possible to itemize the personal property tax bills.

IN RE: PUBLIC HEARING, ORDINANCE O-02-93, WAIVER OF FEE

Mr. Morgan explained that the amendment to the ordinance dealing with outdoor gathering permits, Sec. 11-5, was proposed in order to make it clear that the Board could, if it desired, waive the permit fee for nonprofit organizations. Mr. Salmon opened the public hearing. No comments were heard; therefore he closed the public hearing.

Mr. Boroughs moved to adopt Ordinance O-02-93 as presented.

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

FOR ORDINANCE O-02-93 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 183.

IN RE: APPOINTMENTS

*Mr. Ringley moved to reappoint Mrs. Thelma Wilson to the Heritage Library Board, and Mr. Boroughs moved to appoint Mrs. Rachel H. Dean as District 5's representative to the Social Services Board for a four-year term ending June 30, 1997.

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

*It was later determined that Mrs. Wilson is ineligible to serve another term. Ref. § 42.1-39 of the Code of Virginia, as amended.

IN RE: RESOLUTION R-15-93, APPROPRIATIONS

Mr. Hart presented the various requests for appropriations, including requests from the Sheriff for EMS software for costs associated with the Races at Marengo, a request from Mrs. Hathaway for a reappropriation to the CADRE program due to a difference of dates in its fiscal year, and a request from Mrs. Christian for an appropriation to the Water Fund for water meter deposit refunds. Mr. Bradby moved to adopt Resolution R-15-93 as presented.

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

FOR RESOLUTION R-15-93 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FIVE AT PAGE 184.

IN RE: MEETING SCHEDULE

Mr. Salmon reminded the Board and the public that the next Board of Supervisors meeting will be held on July 12 at 7:30 p.m. and will be preceded by a work session on the Capital Improvements Plan at 6:30 p.m. The Planning Commission will meet on June 21 and the Airport Advisory Commission will meet July 6 at 7:30 p.m. at the Airport.

Mr. Hart requested that the Board consider holding a work session at 6:30 p.m. on June 10, which the Board did agree to do.

IN RE: CITIZENS COMMENT PERIOD

Mr. Ed Hayes spoke on the Airport situation, including comments on possible conflict of interest in dealing with repairs and definition of mission of the commission. He then offered suggestions as to what the goals should be. Mr. Salmon responded in an attempt to clear up any misconceptions Mr. Hayes may have had.

Mrs. Thelma Wilson announced that she had won three medals in the Golden Olympics held at the College of William and Mary recently.

Ms. Betty J. Burrell, Treasurer, said itemized tax statements are generated from the office of the Commissioner of Revenue. She announced that delinquent tax notices had been sent out, another court date has been set, and that she hopes to collect the amount anticipated.

IN RE: EXECUTIVE SESSION

Mr. Salmon moved to go into executive session to discuss a personnel matter pursuant to § 2.1-344(a)(1) and for consultation and briefings by legal counsel, consultants, or staff members pertaining to actual or probable litigation or other legal matters requiring the provision of legal advice by counsel pursuant to § 2.1-344(a)(7) of the Code of Virginia.

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

Mr. Ringley moved to go back into regular session.

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

Mr. Boroughs 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.

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

IN RE: ADJOURNMENT

Mr. Salmon moved to adjourn the meeting.

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

H. Garrett Hart, III
County Administrator

Michael D. Salmon
Chairman