

A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEW KENT WAS HELD ON THE EIGHTH DAY OF APRIL IN THE YEAR OF OUR LORD NINETEEN HUNDRED NINETY-ONE IN THE BOARD ROOM OF THE COUNTY OFFICE BUILDING. THE CHAIRMAN CALLED THE MEETING TO ORDER WITH ALL MEMBERS PRESENT.

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IN RE: MINUTES

Mr. Ringley made a motion to approve minutes of a Special Meeting on March 18th, the Regular Meeting on March 25th, and a Work Session on April 2nd as amended.

Paul C. Robinson	Aye
Richard S. Ellyson	Aye
E. David Ringley	Aye
Robert A. Boroughs	Aye

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IN RE: STAFF REPORTS

Mr. Morgan reminded the Board that the property at the Airport would be sold at auction on Saturday, April 13th.

Mr. Emerson reported that a computer problem had produced incorrect information on Redistricting Plan C. He displayed a new Redistricting Plan N for which the resulting percentages were accurate, and the minority percentage in District 5 was 37.63 percent.

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FOR MAP AND STATISTICS CONCERNING PLAN N, SEE BOARD OF SUPERVISORS ORDER BOOK, APPENDIX FOUR AT PAGE 392-392( ).

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IN RE: RESIDENT ENGINEER'S REPORT

Mr. Hawthorne reminded the Board that a Public Hearing will be held during the May 13th Board Meeting concerning the Secondary Highway Budget and Priority Construction List for the Six Year Plan.

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IN RE: ORDINANCE O-01-91, AMEND COUNTY CODE, SECTION 9-243

Mr. Emerson said that the Planning Commission had recommended to the Board approval of Ordinance O-01-91 which amends the New Kent County Code, Section 9-243, requiring that all adjacent property owners be notified when a conditional use permit has been made. Mr. Robinson moved that Ordinance O-01-91 be adopted as presented.

Paul C. Robinson	Aye
Richard S. Ellyson	Nay
E. David Ringley	Aye
Robert A. Boroughs	Aye

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FOR ORDINANCE O-01-91 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FOUR AT PAGES 393-394.

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IN RE:           ORDINANCE O-02-91, TO ALLOW ANTIQUE SHOPS IN A-1 DISTRICTS

Ordinance O-02-91 is an ordinance to amend Section 9-32 and Section 9-245 of the County Code to allow antique shops in A-1 zoning with conditional use permit. Mr. Emerson said that the Planning Commission recommended approval of the ordinance. Mr. Robinson moved approval of Ordinance O-02-91.

Paul C. Robinson	Aye
Richard S. Ellyson	Nay
E. David Ringley	Aye
Robert A. Boroughs	Aye

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FOR ORDINANCE O-02-91 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FOUR AT PAGES 395-396.

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IN RE:           PUBLIC HEARING, RESOLUTION R-16-91, ABANDONMENT OF RIGHT-OF-WAY

Mr. Morgan said that the area to be abandoned is off Cary Road, beside Well Lot #3. Well Lot #3 is too small to allow for the kind of improvements needed. By abandoning the right-of-way, the County gains the property in fee and together with the well lot provides enough property to construct needed repairs to the well system. There were no speakers, pro or con, to comment on the abandonment of the right-of-way. Mr. Ringley made a motion to adopt Resolution R-16-91 as presented.

Paul C. Robinson	Aye
Richard S. Ellyson	Aye
E. David Ringley	Aye
Robert A. Boroughs	Aye

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FOR RESOLUTION R-16-91 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FOUR AT PAGE 397.

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IN RE:           COURTHOUSE PROJECT

Architects from MMM Design Group were in attendance. Mr. Louis Austin displayed the latest drawings of the proposed courts building. He explained in detail the floor plan, future courtroom space, the new building site, the ingress/egress to and from the site, etc. When the Chairman opened the meeting to public comment on the courthouse project, Mrs. Thelma Wilson said it makes a good impression. The Reverend Hathaway said that the architects had done a good job in keeping the nature of the County and that it would add something to the County--very functional.

Mr. Robinson made inquiry about furnishings for the building. Mr. Hart answered that desks, chairs and other furnishings now being used would be transferred to the new building, that budget would be minimal for any items that have to be updated when the move is made. Mr. Austin further clarified, saying that the cost of furnishings is excluded from the project, except for courtroom benches. Landscaping is also excluded. There was some discussion on financing the project. Mr. Robinson moved that the Board of Supervisors authorize MMM Design Group to proceed with preparation of the final construction drawings and plans for the New Kent County Courthouse based upon the concept presented at this meeting.

Paul C. Robinson      Aye  
Richard S. Ellyson      Aye  
E. David Ringley      Aye  
Robert A. Boroughs      Aye

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IN RE:                    APPROPRIATION, RESOLUTION R-15-91

A request was received from the Superintendent of Schools for an allocation of \$10,386 of insurance proceeds to replace the items stolen and vandalized during a break-in at the High School. Mr. Ellyson moved to adopt Resolution R-15-91 as presented.

Paul C. Robinson      Aye  
Richard S. Ellyson      Aye  
E. David Ringley      Aye  
Robert A. Boroughs      Aye

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FOR RESOLUTION R-15-91 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FOUR AT PAGE 398.

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IN RE:                    REFUNDS, RESOLUTION R-14-91

Requests for refunds were received from the Commissioner of Revenue and from the Building Official. Motion was made by Mr. Ringley to adopt Resolution R-14-91 as presented, which authorizes refund of \$68.63 to John R. Curle; \$474.34 to UCP Limited Partnership; \$38.26 to C. Wayne Taylor; \$262.70 to Percy and Rachel Randolph; and \$37.00 to Janet S. Zeigler.

Paul C. Robinson      Aye  
Richard S. Ellyson      Aye  
E. David Ringley      Aye  
Robert A. Boroughs      Aye

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FOR RESOLUTION R-14-91 AS ADOPTED, SEE BOARD OF SUPERVISORS ORDER BOOK APPENDIX FOUR AT PAGE 399.

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IN RE:                    FY 1991-92 BUDGET

Mr. Hart presented the Board with their official copies of the School Board Budget as it had been adopted the previous week. He said that the School Board had requested an additional \$125,000 Local Funding to replace \$167,000 shortfall from the State. Further discussion followed regarding the School Budget. It was the consensus that the Board of Supervisors need not meet with the School Board. The subject of healthcare costs was discussed. Mr. Hart had prepared a comparative chart for the Board's perusal and inquiry. Mr. Hart commented on the cooperation he had received from everyone in preparing their budget requests. Mr. Robinson moved to schedule the public hearing on the FY 1991-92 Budget for Monday, April 22, 1991 at 8 p.m.

Paul C. Robinson      Aye  
Richard S. Ellyson      Aye  
E. David Ringley      Aye

Robert A. Boroughs     Aye

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IN RE:             MEETING SCHEDULE

The next Board Meeting was scheduled for April 22, 1991; Public Hearing on Redistricting on April 15th at New Kent High School; Sale of the property at the Airport on Saturday, April 13th; and Planning Commission on April 17th.

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IN RE:             EXECUTIVE SESSION

Mr. Ellyson moved to go into executive session to discuss matters pursuant to § 2.1-344(a)(5), § 2.1-344(a)(7), and § 2.1-344(a)(1) of the Code of Virginia. Motion carried.

Paul C. Robinson     Aye  
Richard S. Ellyson     Aye  
E. David Ringley     Aye  
Robert A. Boroughs     Aye

Motion was made by Mr. Boroughs to resume the meeting and motion carried.

Paul C. Robinson     Aye  
Richard S. Ellyson     Aye  
E. David Ringley     Aye  
Robert A. Boroughs     Aye

Mr. Ellyson certified that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirement by Virginia law were discussed in executive meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board.

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IN RE:             HARRISON VS. NEW KENT COUNTY

Mr. Robinson made a motion that the Board of Supervisors authorize the Chairman to execute the settlement agreement settling Harrison v. New Kent County. Motion passed.

Paul C. Robinson     Aye  
Richard S. Ellyson     Aye  
E. David Ringley     Aye  
Robert A. Boroughs     Nay

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IN RE:             ADJOURNMENT

There being no further business or discussion, Mr. Ringley moved to adjourn the meeting. Motion carried as follows:

Paul C. Robinson     Aye  
Richard S. Ellyson     Aye  
E. David Ringley     Aye  
Robert A. Boroughs     Aye

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H. Garrett Hart, III  
County Administrator

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Robert A. Boroughs  
Chairman