

Virginia:

At the regular monthly meeting of the Board of Supervisors held at the Charles City County Government Administration Building thereof on **Tuesday, November 26, 2019, at 7:30 p.m.** in the 244th year of the Commonwealth and 385th year of the County.

PRESENT: Floyd H, Miles, Sr., Chairman
Gilbert A. Smith
William G. Coad

Meeting called to order by Chairman, Floyd Miles, Sr.

RE: ADOPTION OF AGENDA

Floyd Miles stated there are only two meetings left this year. He personally feels there needs to be a continuation representation to be at these meetings. He made a motion to resign as Chairman of the Board of Supervisor, making Mr. Bill Coad, Chairman and Gilbert Smith, Vice-Chairman, he will serve as a member. Motion passed unanimously.

Gilbert Smith motioned to adopt the agenda as presented. Motion passed unanimously.

RE: CONSENT AGENDA

Motion made by Gilbert Smith to approve the Consent Agenda as presented by staff. Motion passed unanimously.

- a. Approval of Minutes
 - October 22, 2019 - Recessed/Regular Meeting Minutes
 - October 28, 2019 - Townhall Meeting Minutes
- b. CH2M Hill Invoice for Services through October 18, 2019
- c. Appropriations for December 2019

Charles City County December Appropriations		<i>Amended FY20 Budget</i>	<i>December Request</i>	<i>County Administrator Recommends</i>
<i>General Fund Agencies</i>				
11010	Board of Supervisors	\$ 63,863	\$ 5,756	\$ 5,756
12100	County Administrator	200,521	25,771	25,771
12210	Legal Services	127,000	10,000	10,000
12220	Non Departmental	59,754	13,475	13,475
12221	Non Departmental-Telecom	175,900	-	-
12240	Audit	38,800	-	-
12310	Commissioner of Revenue	253,717	13,841	13,841

12410	Treasurer	189,276	15,922	15,922
12420	Finance	160,437	24,063	24,063
12422	Human Resources	145,438	12,188	12,188
12425	Information Technology	407,456	-	-
12520	Motor Pool	67,732	-	-
12530	Central Gas	14,626	-	-
12600	Memberships	2,452	-	-
13100	Electoral Board	34,538	-	-
13200	Registrar	118,474	9,486	9,486
21100	Circuit Court	32,135	2,600	2,600
21200	Combined GD/JD Court	12,050	-	-
21300	County Magistrate	600	-	-
21600	Clerk of Circuit Court	232,471	15,700	15,700
21700	Sheriff Judicial	142,728	14,138	14,138
21800	Courthouse Security Fund	73,057	8,400	8,400
21930	Crater Criminal Justice T.C.	10,932	-	-
22100	Commonwealth's Attorney	251,250	19,579	19,579
31200	Sheriff Law Enforcement	682,363	61,400	61,400
31900	Sheriff Support	267,149	23,300	23,300
32350	E 911	44,850	5,000	5,000
32400	Wireless E911	30,000	2,800	2,800
33150	Correction & Detention	293,653	20,000	20,000
33300	VJCCCA	9,400	-	-
33310	Col Com Correction jb	12,287	-	-
33320	9th District Court Services	21,370	-	-
34400	Codes Enforcement	158,081	13,563	13,563
35100	Animal Control	131,022	15,749	15,749
35300	Medical Examiner	50	-	-
42400	Landfill Monitoring	300,990	-	-
43200	General Properties	931,203	93,800	93,800
51100	Health Department	117,126	-	-
52200	MH/MR Services Board	123,340	-	-
53600	Contributions	80,500	-	-
68010	John Tyler Community College	1,229	-	-
71100	Parks and Recreation	438,972	29,668	29,668
71200	Lewis Park Boat Ramp	17,224	-	-
73200	Library/Cultural	126,825	-	-
73210	Center For Local History	31,536	-	-
81200	Department of Development	265,785	27,900	27,900
81600	Com Development Cont	37,236	-	-
82650	Environmental Mgt Cont	18,800	-	-
83300	Cooperative Extension	36,620	-	-
91400	General Fund Contingency	171,994	-	-
95000	Debt Service	448,171	20,200	20,200
	Total General Fund	\$ 7,612,983	\$ 504,299	\$ 504,299
Fund 131	Fire/EMS Fund	1,234,600	115,598	115,598

Fund 311	Capital Improvement Plan	342,578	-	-
Fund 511	Public Utility Fund	552,601	55,808	55,808
	Total Board of Supervisors	\$ 9,742,762	\$ 675,705	\$ 675,705

FY19- School Operating Categorical

Appropriations

61101	Instruction	5,626,052	487,019	487,019
62119	Admin, Attendance & Health Serv.	962,103	80,175	80,175
63109	Pupil Transportation	934,980	93,498	93,498
64209	Operations & Maintenance	1,109,153	110,915	110,915
67000	Transfer to Food Service	28,115	2,343	2,343
68109	Instructional Technology	489,906	74,847	74,847
213	Self-Sustaining Fund	513,836	51,384	51,384
214	Textbook Fund	60,615	-	-
215	Food Service Fund	397,736	52,084	52,084
216	Capital Fund	790,856	-	-
	School Fund Total	\$ 10,913,352	\$ 952,265	\$ 952,265

ALL FUNDS

<i>BOARD OF SUPERVISORS</i>	9,742,762	675,705	675,705
<i>SCHOOL OPERATING</i>	10,913,352	952,265	952,265
<i>SOCIAL SERVICES</i>	1,161,475	102,701	102,701
<i>SPECIAL WELFARE</i>	6,872	-	-
GRAND TOTAL ALL FUNDS	\$ 21,824,461	\$ 1,730,671	\$ 1,730,671

RE: PRESENTATIONS

COMBINED WATER PROTECTION ORDINANCE

Rhonda Russell, Assistant County Administrator, stated the Board of Supervisors and the Planning Commission held a public hearing in August 2019 in reference to the Combined Water Protection and the Septic System Ordinance. The proposed Combined Water Protection ordinance would integrate with the County's requirements for Stormwater Management, Erosion and Sediment Control, and the Chesapeake Bay program implementation. The Septic System Ordinance would include specific Bay Act requirements for septic systems located in the Chesapeake Bay Preservation Areas. These requirements are administered by the Virginia Department of Environment Quality, pursuant to the Chesapeake Bay Preservation Act Designation and Bay regulations. She also stated Mrs. Heather Mackey, with Virginia Department of Environmental Quality, conveyed at a joint meeting of the Board of Supervisors and Planning Commission that Charles City County is not required to implement Countywide Resource Management Area. The Board directed revisions to the proposed ordinance to require to retract implementation of an RMA countywide. The proposed ordinance revision reflects this change, which has also been reviewed and approved by the Virginia Department of Environmental Quality.

Mr. William Pollard, with Williams Mullen, presented a presentation with DEQ final comments in the ordinance.

Rhonda Russell stated the Planning & Community Development staff recommends approval of the proposed ordinance amendment and will begin immediate implementation of policy changes related to development plan review to comply with additional requirements of the Virginia Department of Environmental Quality.

Floyd Miles stated the previous rule was to have septic systems inspected or pumped out every five years. Are we getting rid of inspections? William Pollard stated the option to have septic systems inspected is still there. The only change is the pump out requirement applies countywide, and verify when the five years start, that is not changing.

Bill Coad asked Rhonda Russell if the requirements were from DEQ to have Septic Pump Out countywide? Rhonda stated yes, the requirement is from DEQ and the Code of Virginia, Chesapeake Bay Act, and there is the 1994 consent agreement.

Motion was made by Floyd Miles for approval. Motion carried unanimously.

VDOT MONTHLY REPORT



**ASHLAND RESIDENCY
MARSHALL WINN
RESIDENCY ADMINISTRATOR
VDOT Call Center – (800) 367-ROAD**

**CHARLES CITY COUNTY
November 2019**

MAINTENANCE:

JEFF ALLGOOD

POTHoles

- Rte 607 Wayside Rd
- Rte 613 Sandy Point Rd
- Rte 647 Indian Rd
- Rte 5 John Tyler Memorial Hwy at Rte 614 Sturgeon Point Rd
- Rte 609 Barnetts Rd at Saw Mill
- Rte 603 Old Union Rd
- Rte 615 The Glebe Ln

DITCHING / DRAINAGE REPAIR

- Rte 607 Church Ln; clean out drainage pipe
- Rte 155 Courthouse Rd; dig out ditch with Gradall

LIMB TREES

- Rte 615 The Glebe Ln
- Rte 623 Wilcox Neck Rd
- Rte 607 Wayside Rd
- Rte 602 Lott Cary Rd
- Rte 609 Barnetts Rd
- Rte 155 Courthouse Rd
- Rte 650 Cattail Rd; cut low hanging limbs

DRIVEWAY

- Rte 155 Courthouse Rd; cut sight problem coming out of driveway
- Rte 602 Lott Cary Rd; repair driveway with stone

RURAL RUSTIC

- Rte 654 Deerfield Rd; prepare road surface and lay surface treatment

WASHOUT REPAIR

- Rte 5 John Tyler Memorial Hwy

DEBRIS / TRASH PICKUP

- Rte 623 Wilcox Neck Rd
- Rte 613 Sandy Point Rd
- Rte 155 Courthouse Rd
- Rte 615 The Glebe Ln
- Rte 5 John Tyler Memorial Hwy; remove bumper from roadway

SHOULDER REPAIR

- Rte 5 John Tyler Memorial Hwy
- Rte 155 Courthouse Rd (Collin Run)

SIGN REPAIR

- Rte 615 The Glebe Ln
- Rte 623 Wilcox Neck Rd
- Rte 609 Barnetts Rd

DAYLIGHT SIGNS

- Rte 633 Herring Creek Rd
- Rte 612 Ruthville Rd
- Rte 623 Wilcox Neck Rd

GRASS TRIMMING

- Rte 621 Eagles Nest Rd
- Rte 627 Old Neck Rd
- Rte 623 Wilcox Neck Rd
- Rte 613 Sandy Point Rd
- Rte 155 Courthouse Rd
- Rte 5 John Tyler Memorial Hwy

BEAVERDAM REMOVAL

- Rte 623 Wilcox Neck Rd

- Rte 612 Ruthville Rd

BIKE TRAIL

- Cut grass, weed eat, and blow trail.
- Remove dead animal from trail.
- Cut back limbs on Trail and throw back brush.
- Repair cracks with cold mix.

MISCELLANEOUS

- Clean and prepare snow equipment for dry run.
- Classes; First Aid, CPR, and AED, Loader Training, and TIMS
- Prepare equipment for snow removal.
- Remove dead animals from Primary and Secondary routes.
- Stock stone at Area Headquarter.
- Haul tire debris to Elko.
- Pickup concrete pipe from Elko Area Headquarters.
- Rte 618 Adkins Rd; blade, reseed, and put down straw on property.

WORK REQUESTS

- 65 Received
- 64 Completed

EMERGENCY CALLOUT AFTER HOURS (4)

- Rte 156 Roxbury Rd; remove camper shell from roadway
- Rte 5 John Tyler Memorial Hwy; remove tree from Capital Trail
- Rte 5 John Tyler Memorial Hwy and Roxbury Rd; remove debris from roadway
- Rte 612 Ruthville Rd; remove tree from roadway

NEXT MONTH'S AGENDA

- Mow Primary routes
- Ditching with Gradall
- Shoulder repairs on Primary routes
- Pothole repairs
- Litter pickup County Wide
- Bike Trail cleanup
- Remove Beaver Dams

Marshall Winn reviewed the monthly report. He also stated VDOT has begun the final mow on primary roads for the year. The County has ordered street name signs to be placed at Roxbury and Charles City Road, Lott Cary, and Barnetts Road. The bridge closure on Route 155 will begin June 1, 2020, this will eliminate concerns citizens have on winter months. The bridge may be closed for three months.

Lloyd Carter, 3720 Wayside Road, Charles City, VA., asked Mr. Winn did he have any information the on the bridge on Wayside Road at West Run. MarShall Winn stated he has contacted bridge staff, they will be doing some work on the bridge. He does not have the schedule on this project.

Preston Adkins, 8041 Lott Cary Road, Providence Forge, VA., stated he appreciates VDOT cutting grass on Route 5, he wants to make a suggestion. There needs to be a flagman when tractors are trimming trees.

A citizen stated when you close Route 155 for the bridge repair, where are 8,000 lb. dump trucks going to run? What is the route? Marshall Winn stated they had established a detour, Route 602 to 618. That is the only route they could detour traffic.

A citizen that lives on Gilfield Road stated since VDOT paved Gilfield Road, it is like a gravel road; the more you drive on it, the worse it gets. Marshall Winn stated he would get with staff to make sure they sweep the road.

Elenora Robinson, 17511 John Tyler Memorial Highway, Charles City, Va., stated on Wilcox Neck Road there is a barrel in the road between Route 5 and Mt. Zion Church. The barrel is on the road because the ditch and road had washed out. If you do not know the road, there will be an accident.

Bill Walton, 18301 The Glebe Lane, Charles City, Va., stated half the road on the Glebe Lane has washed out. There is more traffic on the Glebe Lane and Wilcox Neck Road due to River's Rest expansion.

Martha Harris, 7902 Courthouse Road, Providence Forge, Va., thanked VDOT for taking into consideration the change in the closing of the bridge on Route 155 until June 2020.

Shirley Paige, stated Sturgeon Point Road is flooding.

Carl Yost, 8500 Gilfield Lane, Charles City, Va., stated there is a pipe drainage problem on the first house on the right on Church Lane.

Scotty Edwards, 3020 The Glebe Lane, Charles City, Va., asked can VDOT put work order forms on their website. Marshall Winn stated yes, there is a number you can call. Scotty Edwards also asked VDOT to monitor the Glebe Lane, the right-hand side of the road is deteriorating,

Jay Gurley, Old Neck Road, Charles City, Va., stated VDOT was fixing potholes on Route 5, there was no flagger, he had to come to an abrupt stop. He took a chance going around VDOT, no one directing traffic on a 55 mph road. He also stated Sandy Point Road is washing out.

Agency Spotlight: Charles City Committee on Aging (Marian Christian)

Marian Christian, Chairman of the Committee on Aging, stated the Charles City Committee on Aging is a nonprofit organization. They were established by Senior citizens of Charles City County. It serves to enhance the quality of life. They consist of citizens with moderate and fixed income. This committee holds monthly meetings to receive

information with the assistance of local agencies. They also receive information on home repairs, bills, and other topics to ensure Charles City Seniors receive information that is informative and helpful.

Introduction of Gary Mitchell, Community Development Department

Rhonda Russell stated Gary Mitchell joins Charles City City as a Planner in the Community Development Department. Mr. Mitchell is from Caroline County. He has 20 years of experience as a Planner. We are very pleased to have him; he has already been a tremendous asset to the department. Gary Mitchell stated he is happy to be here.

RE: PUBLIC COMMENT PERIOD

Wood Paige, 6922 Cattail Road, Charles City, Va., stated he wanted to impress the importance the citizens feel of the Board getting behind us in making Charles City a 2nd Amendment Sanctuary County, in lieu of the proposed law of the Governor. The laws are completely unconstitutional. These laws will not only affect people that own a particular kind of weapon; it will affect everyone that owns a weapon. The red flag law is completely preposterous of due process in the State of Virginia. If we declare the County a 2nd Amendment Sanctuary County, it carries no legal standing in the courts of Virginia, it will show strong disapproval through the citizen of the State of Virginia to the cabinet. Making it known to the Governor that we will not abide by these laws, because it is completely unconstitutional. This is going to affect every citizen.

Carl Yost, 8500 Gilfield Road, Charles City, Va., stated he just want to ask a question, is Charles City County located in the United States of America? Unconstitutional laws cannot stand.

Thomas Ladd, 9541 Kimages Road, Charles City, Va., stated our 2nd Amendment rights should not be infringed. Marbury vs. Madison, any laws that contradict the Constitution of the United States are null and void. He asked the Board to consider this when they make a decision.

Bill Walton, 18301 The Glebe Lane, Charles City, Va., stated he is an FLA Dealer at Farms Manufacture, this will put him out of business. We have a 2nd Amendment in the State of Virginia; he does not know how they will push this through and go above the 2nd Amendment of the Constitution of the State of Virginia.

Jay Templin, 9020 Ruthville Road, Charles City, Va., stated in 1995, the Commonwealth of Virginia handgun permit fee was \$50.00. \$25.00 of that was to pay for fingerprinting that has not been done since 2012. He asked the Board to review this process. He suggested the permit fee be \$15.00. \$5.00 to pay the Virginia State Police for the background check and \$10.00 to the Clerk of Circuit Court, which is required by law.

Bradley Moore, 4520 Cattail Road, Charles City, Va., stated, his house was broke in last night. He had several guns stolen. He asked for a hand vote of how many people in the room agree to make Charles City County a 2nd Amendment Sanctuary.

David Adams, 5001 Sturgeon Point Road, Charles City, Va., asked the Board to support the resolution. A Virginian helped write the Bill of Rights, James Madison. He hopes the Board will pass the resolution.

Josh Pugh, 6530 Sturgeon Point Road, Providence Forge, Va., asked for the Board support in making the County a 2nd Amendment Sanctuary.

Kevin Bowery, 6620 One Woods Run Road, Charles City, Va., stated if they take your 2nd Amendment right, how are you going to defend yourself? It is not just about guns; it will dwindle to other things. They will take away from us until they cannot take anymore.

Gary Mattheisen, 18500 Cottage Gate Drive, Charles City, Va., thanked Mr. Coad for putting information on Social Media. He wanted to say dido to all comments. Everyone is in it together.

Jacob Armstrong, 8920 Kimages Road, Charles City, Va., stated whether you agree with guns or not, it is written in the Constitution that we are free to pursue life, liberty, and happiness. If you are not free to defend yourself, whether it be from racketeering or someone kicking your door in, it leaves you with nothing. He agrees with what everyone is saying. He asked the Board to consider Charles City becoming a Sanctuary County.

Kathy Calbert, 10541 Deerfield Road, Charles City, Va., stated a famous man in history said I'm going to make you all safe; I am going to take away guns from everybody except the police and military. Those were the words of Hitler.

Chris Atkins, 2820 Adkins Road, Charles City, Va., stated he has just come back from Columbia. He has seen what gun violence is. When they want to take away your guns, remember Mexico. They have strong gun laws, one gunshot. He has seen the horror of what happens when you cannot defend yourself. People in Columbia are highly educated, with no jobs, no economy, no freedoms. Only the criminals have guns. He has been around the world, and he has seen what happens when you take the rights of the people away.

Jeff Ladd, Sandston, Va., stated as a veteran, his politics in nature is open; he took one oath to defend the Country. A Sanctuary County means what we symbolize. His wife was nervous when they moved to Virginia; she now likes it here. The fastest-growing demographics are women and minorities.

Billy Kingyan, New Kent County, stated the 2nd Amendment were written to keep us safe. No child under the age of 18 will be able to handle a firearm unless directly supervised by an adult. If they get away with changing the 2nd Amendment, what falls next.

Melissa Cook, Warriner Road, Henrico, Va., stated in 2002, her house was broken into by a ring of five. She was a single mother of a seven-year-old, along with a girlfriend who needed a place to stay. It was very difficult to sleep. She is now sleeping better knowing she can get to her gun, that is not in a safe, she can shoot a couple of times.

Her father was a police officer; she is partial to police and law enforcement. In rural Charles City County, things have changed.

Bill Coad asked all Charles City County residents to raise their hands if they were in support of the 2nd Amendment Resolution.

RE: PUBLIC HEARING

Amend Chapter 2 of the Charles City County Code by the addition of Article V, Abandoned Property. Section 2 – 169.

Randy Boyd, County Attorney, stated last month the Board approved an emergency ordinance to allow the Sheriff Department to dispose of abandoned property. Tonight's public hearing is to decide if the Board wants to amend Chapter 2 of the Charles City County Code Book.

Michelle Johnson read the legal notice.

Public Hearing opened by Bill Coad

No comments or questions.

Public Hearing closed.

Motion was made by Gilbert Smith to approve amending Chapter 2 of the Charles City County Code, Section 2 – 169. Motion carried unanimously.

Zoning Text Amendment 01-2019 Application by Rivers Rest HoldCo, LLC to amend Division I, General, Section 3, Definitions, of the Charles City County Zoning Ordinance.

Michelle Johnson read the legal notice. Rhonda Russell gave some historical context and procedures of the Charles City County Ordinance. The ordinance permits applicants to propose amendment(s) to the Ordinance. The applicant has requested a proposal to amend the Charles City County Code Ordinance to permit an ordinance that is not currently regulated in the ordinance. That is the RV Resort Community. The applicant presented this proposal in the summer of 2019; staff has collaborated with the applicant over a number of months to benchmark the proposed language. The collaboration and discussion have resulted in an agreement with the County. She deferred to the applicant to present their proposal. There are three proposed actions tonight that refer to this project; Zoning Text Amendment, Rezoning, and Special Use permit.

Yogi Singh, the applicant, stated they are a Richmond based company. RV Resort is a new business in this country. He showed a presentation of what River Rest Marina would look like once they have remodeled and included an RV Resort on the property. The property will have a restaurant, a hotel, and RV sites.

Jon Ondrak, the applicant stated they are proposing an amendment to the Charles City County Zoning Ordinance to allow a Recreational Seasonal Community that will allow periodically seasonal living for no more than six months of continuous occupancy. Individuals will be able to enjoy outdoor activities. A recreational vehicle is an RV designed to be occupied temporarily. There will also be a tiny home, not greater than 400 square feet. All RV's must be a road-ready operational vehicle.

Bill Coad asked how you would enforce six months of occupancy? By monitoring vehicles that come into their community, check-in, and check-out process.

Bill Coad asked will golf carts be covered by the company insurance or by the individual? All residents are requested to submit proof of insurance on their vehicles, RR HoldCo. insurance will protect them.

Public Hearing opened by Bill Coad.

Ed Baber, 5326 Adkins Road, Charles City, Va., stated he is not opposed to the use being proposed; he is opposed to poorly written difficult to enforce zoning document. Words such as structure, building, and dwelling are used to describe permanent things. The developer and staff have used these words to describe a mobile RV Unit, not a dwelling, building, or a structure. In the definition, it says no structure; structure in the Ordinance is a building, sidewalk, swimming pool. These things need to be fixed. They are not consistent throughout the ordinance. Buildings are what we use to define setbacks; there are no buildings here to define a setback.

Pamela Dabney, 5985 Adkins Road, Providence Forge, Va., stated it was mentioned there would be six months of residency, can you stay only for a weekend? When do the six months start over?

Scotty Edwards, 20201 The Glebe Lane, Charles City, Va., stated the County need jobs, we need businesses in Charles City County. Regarding zoning, he wants to make sure it is done right.

Barbara Stevenson, 3240 Little Buck Trail, Charles CityVa., questioned the waste management at an RV Park; she lives in the Chesapeake Bay Protective Area.

Bill Walton, 18301 The Glebe Lane, Charles City, Va., stated we really need to put it in perspective and do it right. One thing that bothers him is the extra traffic on The Glebe Lane. What is going to keep bicyclists from going down The Glebe Lane? There will be 73 slips and people using the boat ramp; there will not be many parking spaces available.

Steve Hart, 8920 Wilcox Neck Road, Charles City, Va., stated his family owns the 10 acres adjacent to the property. The County has a great asset, there is a developer willing to improve a deteriorating asset. We need to take this opportunity; he approves the plan to administer this development properly.

Lloyd Carter, 3720 Wayside Road, Charles City, Va., stated he has been asking about this project. He will use the RV Camp Site if it is done correctly. His one question is, will this be open all year round?

Public Hearing closed by Bill Coad.

The developer stated a traffic study had been done; there will be an 11% impact on traffic. They are on municipal sewer and private water service. There will be excess parking spaces. The six months is not to allow permanent occupancy, there is check-in and check out process.

Motion was made by Floyd Miles to approve Zoning Text Amendment 01-2019 as presented. Motion carried unanimously.

REZ-05-2019 Application by RR HoldCo, LLC, to rezone +16.46 acres from Multi-Family Residential District (R-2) and General Business District (B-1) to Tourist Business District (B-3) to permit a Recreational Resort Community.

Michelle Johnson read the public hearing notice.
Public Hearing opened by Bill Coad.

Ed Baber, 5326 Adkins Road, Charles City, Va., stated this rezoning request should be approved.

Public Hearing closed by Bill Coad.

Rhonda Russell stated she recommends the approval of the Rezoning application REZ-05-2019.

Bill Coad asked if it was correct that the 44 townhouses that were approved to be built on that property are now off the table because the land will now be used for the RV Park. The developer stated, yes, that is correct.

Motion was made by Floyd Miles to approve REZ-05-2019 as presented. Motion carried unanimously.

SUP-01-2019 Application by RR HoldCo, LLC, for a Special Use Permit to permit a Recreational Resort Community on a +16.46-acre site.

Michelle Johnson read the public hearing notice.

Public Hearing opened by Bill Coad.

The developer presented a presentation of the site.

Scotty Edwards, 20201 The Glebe Lane, Charles City, Va., asked, will the tiny homes be leased or owned by individuals?

Josh, 7380 Sturgeon Point Road, Providence Forge, Va., asked who will be the owner? Who will pay taxes?

Lloyd Carter, 3720 Wayside Road, Charles City, Va., questioned the Noise Ordinance. Trees are being cut at 3:00 a.m. for the Solar Farm, waking people up. Will these people be interrupting their neighbors.

Lisa Grave, 7743 Graves Landing Road, stated she has a concern about the stress that will be put on the Fire Department.

Public Hearing closed by Bill Coad.

Motion was made by Floyd Miles to approve SUP-01-2019 as presented. Motion carried unanimously.

Bill Coad asked to deviate from the agenda for a moment. He asked for a consensus from the Board to draw up a resolution for the 2nd Amendment Rights, to be placed on the December agenda. All agreed.

REZ-04-2019 Application by J. Hofmeyer, Jr. to rezone a portion of a +10.1 Acres that are part of a larger 516-acre parcel, from General Business (B-1-C) to Light Industrial (M-1-C) to reflect the development currently on site.

Michelle Johnson read the public hearing notice.

Public Hearing opened by Bill Coad.

No comment(s).

Public Hearing closed by Bill Coad

Motion was made by Floyd Miles to approve REZ-04-2019 as presented. Motion carried unanimously.

Zoning Text Amendment 02-2019. Application by Charles City County to amend Division 1, General, Section 3, Definitions, of the Charles City County Zoning Ordinance; Section 5, Section 8, and Section 9.

Michelle Johnson read the public hearing notice. She stated this is for the former J. Leroy Charity Funeral Home to be transitioned to an assisted living facility.

Rhonda Russell stated this is an inquiry from a developer to transition the funeral home into an assisted living facility; staff is recommending approval.

Public Hearing opened by Bill Coad.

Ed Baber, 5326 Adkins Road, Charles City, Va., stated he recommends to not include an assisted living facility in A-1 zoning; it is a business. A business is more appropriate in A-2. Putting an assisted living facility in A-1 is another example that we need to clean up our ordinances.

Scotty Edwards, 20201 The Glebe Lane, Charles City, Va., stated he is not familiar with the Zoning Ordinance. He is familiar with a small resident, in Hanover County, that his mom was living. She was in a home, and it was really a nice facility. It would be nice to see this in Charles City County.

Public Hearing closed by Bill Coad.

Gilbert Smith asked Rhonda Russell did she have a response to what Mr. Baber just mentioned. She stated no, the Planning Commission did not discuss what he just mentioned.

Bill Coad stated Mr. Baber said the assisted living facility is not included in A-1. Rhonda Russell state the ordinance as it is written is silent today. Bill Coad stated the Charity Funeral Home operated out of that building for how long, and how did that happen? Rhonda Russell stated the property is Zoned business right now (B-1). The proposed Zoning will remain the same.

Motion was made by Gilbert Smith to approve Zoning Text Amendment 02-2019 as presented. Motion carried unanimously.

RE: COUNTY ADMINISTRATOR'S REPORT

Thalia Bowen, HR Director, stated the County had received two health insurance reimbursement checks totaling \$73,606.81. This amount has been verified. McGriff Insurance company recommends reinvesting the funds into employees by either reducing premiums for the upcoming year or providing a cash rebate. Thalia recommended and requested the Board approve providing all employees (County, Constitutional, and Social Services) a cash rebate in the form of a one-time holiday bonus of \$500.00.

Motion was made by Floyd Miles to approve the request as presented by staff. Motion carried unanimously.

Thalia Bowen stated Governor Northam had granted state employes additional holiday time off for the Thanksgiving Holiday in the amount of 4 hours on Wednesday, November 27th and 8 hours on Tuesday, December 24, 2019, for the Christmas holiday. She requested the Board approve this additional time off for County employees.

Motion was made by Bill Coad to approve the request as presented by staff. Motion carried unanimously.

Abbey Pemberton, Finance Director, stated the Community Development Department was recently awarded a litter control grant from the Virginia DEQ Litter Prevention and Recycling Program in the amount of \$4,883 for FY2020. There is no County match for this grant. Abbey recommended the Board approve acceptance and appropriation of these funds.

Bill Coad asked how will these funds be spent? Michelle Johnson stated Community Development buy litter prevention items. Citizens come in to get trash pickers to pick up trash. The County will also be hosting a Litter Prevention Cleanup Day in the Spring of 2020. Staff will be purchasing cleanup supplies for this event.

Motion was made by Gilbert Smith to approve acceptance of DEQ Litter Prevention and Recycling Program grant funds as presented by staff. Motion carried unanimously.

Abbey Pemberton stated the School had requested approval for a budgetary transfer of \$19,734 from their Instructional budget category to their Transportation budget category. The purpose of the proposed re-allocation is to cover transportation costs incurred during summer school sessions, and additional after-school activity runs facilitated by the Instructional Team. Abbey recommended the Board approve this transfer as submitted.

Motion was made by Gilbert Smith to approve the School budgetary transfer request of \$19,734, as presented by staff. Motion carried unanimously.

Abbey Pemberton stated the School Finance Director had received final confirmation from both State and Federal funding sources of the open grant award amounts that are eligible to be carried over into the County's FY2020 budget, following the close of the fiscal year 2019. The school has requested to amend the adopted FY2020 School budget to reflect the additional \$174,590 identified in open, unclaimed/available, grant funding that was awarded. Abbey recommended the Board approve the carryover request.

Motion was made by Gilbert Smith to approve the carryover of the School budget to reflect the additional grant funding of \$174,590. Motion carried unanimously.

Michelle Johnson, the County Administrator, stated last month she presented the Comcast lease agreement for the tower located off of Munford Road. Mr. Coad asked if the tower had space for Emergency Services? The answer from Comcast was yes; they will designate space at the top of the tower for Emergency equipment. She recommended the Board approve the lease with a 3% escalation each year for the next ten years. Michelle also stated she would have the County Attorney, Randy Boyd, draft up an agreement to include the Emergency equipment language in the agreement.

Motion was made by Gilbert Smith to approve the Comcast lease, as presented by staff. Motion carried unanimously.

Michelle Johnson stated last month we discussed the restriction of truck traffic for Old Union Road. Several constituents have called and want truck traffic restrictions on Charles City Road. After a discussion with VDOT, they recommend we recall the motion made last month to restrict traffic on Old Union Road, and put in a restriction to include Old

Union Road, Charles City Road, and CC Road. Michelle made a recommendation to the Board to rescind the motion of last month and motion to include truck traffic restriction on Charles City Road, CC Road, and Old Union Road.

Gilbert Smith stated he rode all three roads. He wants to make sure what we do this time we do it right. Truckers will not like it, but it is a safety issue. He is in favor of this process. He has talked to individuals that drive trucks and live on Old Union Road; the restriction will not affect them. They will be traveling to their residence. This restriction is for thru truck traffic. He also talked to an individual that has a body shop that lives on Old Union Road. We will not restrict his business or anyone that is having a delivery on that road.

Bill Coad asked will the restriction include Old Union Road, beside Union Baptist Church, to Barnetts Road. Michelle stated no, this restriction would be from Henrico to Route 106.

Motion was made Gilbert Smith to rescind the motion made last month restricting thru truck traffic on Old Union Road. Motion carried unanimously.

Motion was made by Gilbert Smith to have a public hearing on the restriction of truck traffic on Charles City Road, CC Road, and Old Union Road. Motion carried unanimously.

Bill Coad stated he had received a tremendous amount of complaints from citizens on landfill hours and how the bins are overflowing, especially after a weekend. He saw on Social Media that the New Kent landfill had backed up, so he rode to the landfill on Barnetts Road. He saw New Kent residents going to the landfill on Barnetts Road to dump their trash. He has talked to Jay Wallace and Robert Martinez. They stated if the County request closure hours they will have the dumping area gated and have a guard on-site during open hours.

Gilbert Smith stated the landfill employees need to do better. The guards do not check to see who is from Charles City County. They need to verify that every vehicle has a sticker from Charles City County.

Motion was made by Bill Coad to request the Charles City main landfill, on Barnetts Road, be closed from 9:00 pm until 5:30 am, Mondays through Fridays, and closed 8:00 pm until 7:00 am on Saturdays and Sundays. With the expectation that the dumping area will be gated and a guard will be on duty checking to ensure only County residents are using the dumping station. Motion carried unanimously.

Michelle Johnson, the County Administrator, stated the Social Services Department and History Center vacated the Neighborhood Facility Building last year. There is a developer that rode the bike trail and saw the vacant building and approached the County. He has asked the County to enter into a lease agreement with his organization, SAAEDI, for the Neighborhood Facility Building. The County had decided it was going to be very expensive to demolish or make renovations to the building. Michelle requested the Board allow her to enter into a one-year lease agreement with Metropolitan Investment Trust,

LLC.; then two ten-year agreements. She presented a presentation of the proposal. She stated all cost will be to the tenant. There will be a coffee shop, a bicycle refuge center, and retail space. Two other areas of the building are being discussed to open up to the community. The look of the building will fit into our Courthouse Complex Plan.

Bill Coada asked if the building is leased, who would pay the taxes? Michelle stated the tenant would be responsible for all real estate taxes. The language for taxes and operating expenses is in the lease agreement.

Bill Coada stated he had toured the Neighborhood Facility Building eight years ago, and the mold issue was horrific. He thinks this is a Godsend.

Motion was made by Gilbert Smith to allow staff to enter into a lease agreement with Metropolitan Investment, LLC, as presented. Motion carried unanimously.

Michelle Johnson presented the following resolution recognizing the 50th Anniversary of PlanRVA.

RESOLUTION

Recognizing PlanRVA 50th Anniversary

WHEREAS, in 1966, the General Assembly created the Metropolitan Areas Study Commission (the Hahn Commission), which found that a holistic approach to solving local and regional problems needed to be taken and recommended a new concept, the creation of planning district commissions and service district commissions; and

WHEREAS, the Virginia Area Development Act (VADA) passed in 1968 created the planning district commission framework “to encourage and facilitate local government cooperation and state-local cooperation in addressing on a regional basis problems of greater than local significances; and

WHEREAS, following passage of the VADA, the Commonwealth undertook an aggressive effort to establish planning district commission boundaries, the last of which were announced in 1969, and within one year, planning district commissions were established in nineteen (19) of the original twenty-two (22) districts; and

WHEREAS, in 2019, Virginia’s planning district commissions, now twenty-one (21) in number, are celebrating fifty (50) years of promoting and supporting regional collaboration; and

WHEREAS, PlanRVA is the organization of nine localities of the greater Richmond region, including Charles City County, that collaborate to analyze, plan, consult and work together on issues and opportunities that impact every citizen in our communities; and

WHEREAS, over the years, planning district commissions have conducted studies and identified solutions in the areas of transportation, economic development, infrastructure, the environment and community development, among others; and

WHEREAS, planning district commissions implement services and provide technical assistance to their member local governments; and

WHEREAS, planning district commissions often serve as liaisons between local and state governments, partnering with the Commonwealth to carry out state initiatives at the local and regional level; most recently, these partnerships have included working cooperatively with state agencies on the GO Virginia initiative and Phase 3 Watershed Implementation Plan development; and

WHEREAS, planning district commissions are committed to promoting opportunities for regional collaboration and expanding the types of services they provide to their member governments; and

WHEREAS, planning district commissions take great pride in their history and accomplishments while recognizing the importance of looking ahead to the challenges of the future,

NOW, THEREFORE, BE IT RESOLVED that the Charles City County Board of Supervisors do hereby commend PlanRVA and all of Virginia's twenty-one planning district commissions on the occasion of the 50th anniversary.

Motion made by Bill Coada to accept the resolution as presented. Motion carried unanimously.

Michelle Johnson reviewed the following upcoming events: November 30th Small Business Saturday, 10:00 until 3:00 p.m, at the Ruthville Gymnasium; Deadline to receive a letter or email from Santa is December 2nd, contact Parks & Recreation for more details; Merry Fitmas, December 4, 11, and 18, contact Parks & Recreation; DMV will be at the Government Administration Building on December 4th, from 10:00 a.m. until 3:00 p.m.; DEQ Community Meeting, December 5th, 6:30 p.m. – 8:30 p.m., location: Charles City Social Center; December 6th, 11:00 a.m., Heritage Public Library, Darlene Black-Giles will be showing photographs and reflections from her recent trip of three slave castles in Ghana. 1619 Reflections, 400th Anniversary of the arrival of 1st African in Virginia; December 7th, noon until 5:00 p.m., come out and have your family portrait taken, at the Social Center; December 8th, Grand Illumination Program, 3:30 until 6:30 p.m., Government Administration Building; December 14th, 40th Annual Christmas Parade, 10:30 a.m. until 12:30 p.m, theme: Christmas magic; Youth Basketball and Cheer, payment and registration deadline is December 20th, Youth Basketball Camp and Coaches Clinic, Saturday, December 21st, program free; New Year Challenge, January 8th – February 26th, 6:30 p.m. until 7:30 p.m., location: Charles City Fitness Center, cost-free.

RE: PUBLIC COMMENT PERIOD

Ed Baber, 5326 Adkins Road, Providence Forge, Va., stated he needs some guidance, as the Planning Commission Chairman. He shared a copy of an email he had given to staff that referenced separate public hearings, which come first, second, etc. He asked the Board to ask the staff to give him some guidance on those issues. He also asked Michelle Johnson, County Administrator, to give an update on the internet in the County.

Wanda Roberts, 20000 Morris Creek Landing Road, Charles City, Va., asked the Board, why did you allow five non-Charles City residents to speak about an issue that was not on the agenda? The Board did not allow any non-residents to speak at any of the meetings regarding the Power Plants. She also asked, why did you ask for hands up if you agree with Charles City becoming a 2nd Amendment Sanctuary and did not ask for hands up on who wanted the Power Plants?

Shirley King, 10917 Sturgeon Point Road, Charles City, Va., stated she wanted to know if it was possible to get restrictions on Sturgeon Point Road. Lines are not on the road as VDOT had mentioned it was too narrow, yet chartered buses are traveling in the middle of the road. The buses are traveling between The Glebe and Route 5. It is a safety issue; this is a concern. She asked the Board if they would look into this situation.

Lloyd Carter, 3720 Wayside Road, Charles City Va., stated he does not understand what is being said about the 2nd Amendment Right, he has to do his homework. At any time he has a neighbor that may shoot off several hundred rounds, his wife is scared to be outside. My right ends, and your rights begin. He also stated the Board needs to consider getting a group together to work with DEQ.

Preston Adkins, 8041 Lott Cary Road, Providence Forge, Va., stated he is one of those truckers everyone wants off their roads. We are shutting down roads because of trucks. We have to remember everything has grown; the road has not. Years ago, we used to have ditches. Now the water has no way to go, the water stands in the road and rots the roads out. There is nothing we can do but talk to our State representatives.

Cyndi Robinson, 9400 Holly Tree Lane, Charles City, Va., stated when she got to the meeting tonight, she was not allowed to come in. She does not know why people were sitting in two seats. Not allowing citizens in need to stop, we are the ones paying taxes, this is our meeting, we should be allowed to come in.

Mike Watson, 6303 Cattail Road, Charles City, Va., stated he had heard a lot of good issues tonight some good, and some bad. The subject of his concern is the School System. At the School Board meeting only one Board member was present. He would like to thank that Board member. At the School Board meeting, he saw complete transparency, a direct outreach for help. We need the two Boards working together. Whether you have kids in the school system or not, it affects you. We can build power plants, instruct a magnificent industrial park, in the end, we will sit back and watch the counties of New Kent and Henrico residents drive into the county to work and drive out, they will not live here. We need to ask why no one wants to be here. Trevor's Bend only has four houses in the subdivision, why,

the school system sucks. What quality of people do you want to attract here, where do you want Charles City to go? The school is the center of it all. Where do we want to go?

RE: BOARD DIRECTIVES AND COMMENTS

Bill Coada stated to Mr. Mike Watson in the last four years, the Board increased the school funding by \$800,000 per year, without having to raise taxes. Some of the funds came out of fund balance. In addition to that, the Board gave the Schools \$600,000 odd dollars to fix the HVAC System. The County is in the top 10%, in this state, on how much we spend to educate a child. He also stated to Mrs. Cyndi Robinson that he tried to consolidate the chairs to get everyone in the room; if the overcrowdedness continues, we will look at other alternatives.

Bill Coada stated the School Superintendent reported at the School Board meeting last Tuesday night that the Board of Supervisors were in support of the School entering into a lease agreement spending 4.5 million dollars on an energy contract. He asked the Board if they knew about this. No one had heard about this project. He stated the County has a funded CIP Budget (Capital Improvement Plan) for projects. He does not know where the school got the information that the Board supported them, above and beyond the CIP for this project. Bill Coada also stated he is looking forward to working with the new School Board Members. He wants to bridge the gap between the two Boards. Whenever he gives statistics on the school using Weldon Cooper figures, the school denies his figures, but in their budget presentation, they used Weldon Cooper statistics. A lot of parents that are not sending their kids to Charles City Schools are Charles City graduates. If he were on the School Board, he would be asking the parents why don't you send your kids to Charles City School.

There being no further business, the Board **recessed until Thursday, December 5, 6:30 p.m., for the DEQ Meeting.**