

**VIRGINIA:**

At the regular meeting of the Board of Supervisors held at the Charles City County Government and School Board Administration Building thereof on Tuesday, **March 22, 2011** at 7:30 p.m. in the 235<sup>th</sup> year of the Commonwealth and in the 377<sup>th</sup> year of the County.

PRESENT: Gilbert A. Smith, Chairman  
Sherri M. Bowman  
Timothy W. Cotman, Sr.

RE: ADOPTION OF AGENDA

Motion was made by Timothy W. Cotman, Sr. to adopt the agenda as presented.

The motion carried as follows:

Timothy W. Cotman, Sr.      Aye  
Sherri M. Bowman              Aye  
Gilbert A. Smith                Aye

RE: CONSENT AGENDA

Motion was made by Sherri M. Bowman that the following consent agenda be approved:

- a. Approval of the minutes of the February 22, 2011 regular meeting.
- b. Appropriations for the Month of April, 2011

<b>General Fund Agencies</b>	
Board of Supervisors	\$ 3,500
County Administrator	7,117
Legal Services	-
Non Departmental	-
Non Departmental-Telecom	11,000
Commissioner of Revenue	12,861
Treasurer	13,200
Management Services	10,953
Information Technology	-
Motor Pool	2,000
Central Gas	692
Memberships	-
Electoral Board	-
Registrar	3,021
Circuit Court	2,850
Combined GD/JD Court	-
County Magistrate	-
Clerk of Circuit Court	10,000
Sheriff Judicial	10,291
Asset Forfeiture - Sheriff	-
Courthouse Security Fund	1,000
Crater Criminal Justice T.C.	-
Commonwealth's Attorney	15,454
Asset Forfeiture - Comm Attorney	-
Sheriff Law Enforcement	30,000
IDA Sheriff Support	4,010

*April, 2011 Appropriations (Contd)*

Fire Protection	-
Emergency Medical Response	10,000
E 911	10,000
Wireless E911	1,000
Correction & Detention	-
VJCCCA	-
Col Com Correction jb	-
9th District Court Services	-
Codes Enforcement	10,243
Animal Control	7,932
Medical Examiner	-
Emergency Services	495
Landfill Monitoring	-
General Properties	-
Health Department	-
MH/MR Services Board	-
Contributions	-
John Tyler Community Coll	-
Parks and Recreation	-
Library/Cultural	-
Center For Local History	-
Planning Commission	-
IDA Eco Devel Support	-
Planning Department	42,296
Com Development Cont	-
Environmental Mgt Cont	-
Cooperative Extension	6,631
General Fund Contingency	-
Cap Outlay-Repair/Renovation	-
Debt Service	104,127
<b>Total General Fund</b>	<b>\$ 330,673</b>
Public Utility Fund	32,919
<b>Total Board of Supervisors</b>	<b>\$ 363,592</b>
<b>FYI- School Operating Categorical</b>	
Instruction	380,525
Admin, Attendance & Health Serv.	65,843
Pupil Transportation	103,675
Operations & Maintenance	109,903
School Food	47,777
Debt Service	-
Technology	34,200
<b>School Fund Total</b>	<b>\$ 741,923</b>
<b>ALL FUNDS</b>	
<i>BOARD OF SUPERVISORS</i>	363,592
<i>SCHOOL OPERATING</i>	741,923
<i>SOCIAL SERVICES</i>	50,000
<i>COMP. SERVICES ACT</i>	51,799
<i>SPECIAL WELFARE</i>	-
<i>TRANS. TO COMMONWEALTH</i>	-
<i>SPECIAL FUNDS</i>	1,550
<b>GRAND TOTAL ALL FUNDS</b>	<b>\$ 1,208,864</b>

RE: CONSENT AGENDA (CONTD)

The motion carried as follows:

Sherri M. Bowman	Aye
Timothy W. Cotman, Sr.	Aye
Gilbert A. Smith	Aye

RE: THE HONORABLE JOSEPH MORRISSEY, DELEGATE – LEGISLATIVE UPDATES

Delegate Joseph Morrissey was present at the meeting to update the Board on current legislative issues. Delegate Morrissey informed the Board there were almost 2000 bills that came up in the General Assembly this year, those he detailed are as follows:

1. Redistricting of Virginia – A competition between 13 colleges and universities throughout the Commonwealth to draw redistricting map plans. The lines are going to be drawn in such a way to preserve the seats in the House and Senate.  
In April a plan will be submitted to the Governor. For the first time a bi-cameral legislature with two different parties that will have their plans reviewed and that has hinted they won't hesitating in getting involved with the redrawing of the lines. Because Virginia is one of the state subject to the Voting Rights Act, the Department of Justice may interfere.
2. \$30 million was allocated for M.R. waiver slots.
3. A law requiring insurance companies to provide training and assistance for autistic children up to the age of 21, being specific for businesses that employ 50 or more people.
4. \$150 million was put back into the General Fund – which means there is less of an onus on localities.
5. We still do not have a Transportation Plan but we have this year there was a ratcheting up of the debt capacity of the Commonwealth to the tune of almost 4 billion dollars. We will put 4 billion dollar into transportation over the next three years mostly in gravy bonds. We will max out the debt capacity of the state and leave very little money in years 4-11 for the next two governors because we have not come up with a funding mechanism for our road, bridges and our rail. The only way to have a sustainable and a continuous form of revenue is to have a gas tax to inflation.
6. Corrected a “crack” in the Protective Order Law. The law now is available to someone if the parties are dating and live apart.
7. E-Verify bill passed allowing state agencies and contractors doing business with the state to verify the immigration status of individuals desirous to work on state contracts.
8. Those bills that Delegate Morrissey authored but did not pass and he will pursue further next year:
  - a. Elimination of plastic grocery bags by posing a tax on them
  - b. Prohibition of openly carrying a gun in bars and drinking

RE: CSX RAILROAD UPDATE

David Farley, CSX Representative, updated the Board on the railroad crossing at Roxbury Road (Rt. 106). He explained that the line between Richmond and Newport News is one of CSX's busiest and to do maintenance on a crossing requires the idling of all that traffic, in addition to closing the road involved. It will take a day to fix the issue once a date can be figured out and the work scheduled.

RE: CSX RAILROAD UPDATE (CONTD)

Gilbert Smith asked why it has taken so long to address this problem.

Mr. Farley stated that it takes a fair amount of planning on the part of CSX and VDOT but things are close and hopefully it will be done next week and there will not be any problem with that crossing for at least a decade.

Scott Gagnon, VDOT representative stated that VDOT has been coordinating with CSX and is poised and ready to adjust the approaches and make them smooth once the rail issue is corrected.

RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Scott Gagnon, VDOT Richmond District Representative gave the following monthly report:

Routine Maintenance

- Cleaned ditches along various primary routes
- Pothole repair on various secondary routes
- Debris removal on both primary and secondary routes

Upcoming Maintenance Plans

- Continuing cutting dead trees from Primaries
- Pothole patching on Route 106 & Route 155
- Pick up litter as needed
- Monitor Bike Trail for debris and downed trees
- Machine non-hard surface roads as needed
- Continue making shoulder repairs to Route 5

**Citizens' Comments**

1. Richard Bowman, P.O. Box 1, Charles City – Mr. Bowman requested that the VDOT right-of-way across the entrance to his property be more adequately maintained for debris.
2. Vince Bracket, 7789 Kips Creek Drive – Mr. Bracket expressed his appreciation for the newly improved railroad crossing on Rt. 155.
3. Elnora Robinson, 17511 John Tyler Memorial Highway – Ms. Robinson stated that Rt. 614 does not have a deep enough ditch to keep the road from flooding during rains and asked if the road could be raised there.

Mr. Gagnon responded that several culverts in the area are prone to be stopped up by beaver dams and will check into their removal. He stated that raising a road involved getting right-of-ways and the expense of paving. He suggested the county consider adding Rt. 614 to the Six Year Secondary Road Plan.

**Board Requests:**

**Ms. Sherri Bowman** advised the VDOT representative that Rt. 5 is in need of litter pick-up.

Ms. Bowman further advised that the *Scenic By-Way* sign located on the eastbound side of Rt. 5 across from Vulcan was down and is now missing.

**Mr. Gilbert Smith** brought to the VDOT representative attention the trees on Rt. 5, in and near Beaver Pond are bare of bark and need to be removed before they fall and cause a hazard.

**Mr. Smith** also advised that there is standing water on Kimages Road in front of the Hunt Club and all around the mailboxes there.

County Administrator, **John F. Miniclier, Jr.** advised that the culvert at Rt. 5 and Wilcox Neck Road is stopped up completely.

RE: VDOT – PROPOSED FY2012-2017 SIX YEAR SECONDARY ROAD PLAN, CONSTRUCTION PRIORITY LIST AND BUDGET

Robert Crandol, VDOT Program Director, together with Sherry Eagle, VDOT Program Manager, presented the proposed FY2012-2017 Six Year Secondary Road Plan and Construction Priority List and Budget to the Board of Supervisors.

Motion was made by Timothy W. Cotman, Sr. to hold a joint public hearing with the Virginia Department of Transportation on April 26, 2011 to receive citizen comments on the proposed FY2012-2017 Six Year Secondary Road Plan and the Construction priorities to be (1) Rt. 618, (2) Rt. 600, and (3) Rt. 614. The motion carried as follows:

Timothy W. Cotman, Sr.	Aye
Sherri M. Bowman	Aye
Gilbert A. Smith	Aye

RE: APPOINTMENTS - ECONOMIC DEVELOPMENT AUTHORITY

Motion was made by Gilbert A Smith to reappoint Russell Crawley, 4301 Old Union Road, Charles City, to serve as a District I member on the Economic Development Authority, said term to expire March 31, 2015. The motion carried as follows:

Timothy W. Cotman, Sr.	Aye
Sherri M. Bowman	Aye
Gilbert A. Smith	Aye

RE: APPOINTMENT – ROAD VIEWERS COMMITTEE

Motion was made by Timothy W. Cotman, Sr. to reappoint John Tabb, 14031 The Glebe Lane, Charles City, to serve as a District III member on the Road Viewers Committee, said term to expire March 31, 2012. The motion carried as follows:

Timothy W. Cotman, Sr.	Aye
Sherri M. Bowman	Aye
Gilbert A. Smith	Aye

RE: REDISTRICTING OPTIONS PRESENTED

Planning Director, Allyson Finchum, presented the Board three options for redistricting the county and requested a public meeting or meetings be held to better inform the citizens of the options and a public hearing be set to gain citizen comments.

An open question and answer session was agreed upon by consensus of the Board to be held in the Charles City County Government and School Board Administration Building on April 5, 2011 from 4:00 p.m. to 7:00 p.m. to give citizens an opportunity to ask questions and get a better understanding of the redistricting options presented by the Planning Department.

Motion was made by Timothy W. Cotman, Sr. to hold a public hearing on April 26, 2011 to receive citizen comments on the redistricting option under the consideration of the Board. The motion carried as follows:

Timothy W. Cotman, Sr.	Aye
Sherri M. Bowman	Aye
Gilbert A. Smith	Aye

RE: NAMING OF PRIVATE DRIVES – SCHEDULE PUBLIC MEETINGS

Building Official, Dallas Johnson, requested that public meetings be scheduled throughout the county to provide an open forum to discuss with citizens the various options possible when naming the private driveways/roads in the county.

The Board of Supervisors directed staff to pursue availability of the following locations to hold at least one public meeting per district over the next several months.

- District 1 – Union Baptist Church or St. John’s Baptist
- District 2 – Samaria Church
- District 3 – Fire Department

RE: HOFMEYER REZONING APPLICATION FORWARDED TO PLANNING COMMISSION

The Planning Department presented an application from John E. Hofmeyer, Jr. requesting the rezoning of five acres of his property from Agriculture (A-1) to Business General Conditional (B-1-C) with the purpose being to establish a marine repair shop with associated storage area to rear of property.

Motion was made by Timothy W. Cotman, Sr. to approve forwarding the Hofmeyer rezoning application to the Planning Commission for their in depth review and recommendation. The motion carried as follows:

- |                        |     |
|------------------------|-----|
| Timothy W. Cotman, Sr. | Aye |
| Sherri M. Bowman       | Aye |
| Gilbert A. Smith       | Aye |

RE: PURCHASE OF SHERIFF VEHICLES W/ FY2011 SAVINGS

Motion was made by Sherri M. Bowman to authorized the Sheriff to purchase two (2) vehicles from FY2011 savings (i.e., Unused services purchased for Riverside Regional Jail). The motion carried as follows:

- |                        |     |
|------------------------|-----|
| Sherri M. Bowman       | Aye |
| Timothy W. Cotman, Sr. | Aye |
| Gilbert A. Smith       | Aye |

RE: PROPOSED FY2012 BUDGET PRESENTATION

John F. Miniclier, Jr, County Administrator presented the proposed FY2012 County Budget to the Board of Supervisors and recommended that the Board raise the real estate tax by .01¢ with the resulting revenue dedicated to EMS.

Motion was made by Timothy W. Cotman, Sr. to approve the proposed budget, with the .01¢ tax increase as presented, for advertising the public notice of public hearing and hold a public hearing to receive citizen comments on the same on April 14, 2011 at 7:00 p.m. The motion carried as follows:

- |                        |     |
|------------------------|-----|
| Timothy W. Cotman, Sr. | Aye |
| Sherri M. Bowman       | Aye |
| Gilbert A. Smith       | Aye |

RE: PUBLIC COMMENT

1. Richard M. Bowman, P.O. Box 1, Charles City – Mr. Bowman stated he believes that our structure of public servants and our various governmental services can be reviewed and unnecessary expenses (“fat”) should be trimmed. He suggested the Social Service Board consider bringing that Administrator within the framework of the county government.  
Mr. Bowman stated it is essential to make an honest attempt for all of the county to have zip codes that reflect Charles City.  
Mr. Bowman stated he has concerns regarding the on the VDOT construction priority listing of roads. He requested that Rt. 609 from Holmes’ Service Station to the microwave tower be improved. The area between Rt. 609 to Rt. 106 is all under state right-of-way so no acquisition would be necessary. At some point over the last 20 years Rt. 609 was on the priority list but over the years it never was improved and was removed from the priority list.
2. Vince Bracket, 7789 Kips Creek Drive – Mr. Bracket agreed with Mr. Bowman, stating the zip code issue needs to be straightened out, especially with taxes being paid on internet purchases to make sure those tax dollars come to Charles City.  
Mr. Bracket also shared Mr. Cotman’s concerns that every Sheriff’s Deputy doesn’t need to have a car. Public safety is important but this is ridiculous.  
Mr. Bracket concluded saying that he is a big supporter of getting more hours on EMS. If we get more hours the stations are going to need bunk rooms but looking from a public safety point of view we need to work towards 24 hour service, he said.
3. Barbara Crawley, 6520 Barnetts Road, Charles City and a member of the School Board – Mrs. Crawley stated that the School Board was asked to cut \$100,000 and they complied. The Board asked for \$86,592 more in order to not have to cut other areas. She expressed being disturbed that the County’s proposed budget does not give the \$86,592 to the school but they will work with what they can get.

RE: BOARD OF SUPERVISORS’ COMMENTS AND DIRECTIVES

**Mr. Timothy W. Cotman, Sr.** stated that there is a request for a business that is probably going to be in the area where the zip code address will be Williamsburg, that the business be required to have a Charles City post office box to insure the address is Charles City.

RE: RICHMOND AREA METROPOLITAN PLANNING ORGANIZATION (MPO) ROAD PRIORITIES

Mr. Miniclier advised the Board that the Richmond Area Metropolitan Planning Organization (MPO) current priority list includes the following roadways:

- (1) Rt. 607 - From Rt. 106 to Rt. 5
- (2) Adkins Road – The approaches to the bridge between Charles City and New Kent
- (3) Rt. 609 – From Holmes Service Station to the microwave tower

There being no further business before the Board, it hereby recessed to meet again on Thursday, **April 14, 2011** at 7:00 p.m. for a Special meeting of the Board of Supervisors.