

VIRGINIA:

At the regular meeting of the Board of Supervisors held at the Charles City Government and School Board Administration Building thereof on Tuesday, June 23, 2009 at 7:30 p.m. in the 233<sup>rd</sup> year of the Commonwealth and in the 375<sup>th</sup> year of the County.

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

RE: ADOPTION OF AGENDA

Motion was made by Timothy W. Cotman, Sr., that the agenda be adopted as presented. The motion was carried as follows:

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

RE: CONSENT AGENDA

Motion was made by Gilbert A. Smith that the following consent agenda be approved:

- a. Approval of the minutes of the May 26, 2009 regular meeting and the June 3, 2009 recessed meeting.
- b. Approval of payment to CH2MHill in the amount of \$9,134.89 for landfill professional services for the period of March 21, 2009 through April 17, 2009.
- c. Appropriations for the 1st Quarter (July, August & September 2009)

Board of Supervisors	15,433
County Administrator	64,314
Legal Services	52,333
Non-Departmental	6,800
Non Departmental-Telecomm	58,000
Audit	38,500
Commissioner of the Revenue	60,354
Reassessment	100,000
Treasurer	48,878
Management Services	62,727
Information Technology	92,448
Motor Pool	40,774
Central Gas	1,789
Memberships	2,700
Electoral Board Officials	18,688
Registrar	12,164

CONSENT AGENDA (CONTD.)

c. Appropriations for the 1st Quarter (July, August & September 2009)  
(Contd.)

Circuit Court	7,183
Combined GD/JD Court	4,529
County Magistrate	1, 800
Clerk of Circuit Court	53,834
Sheriff (Judicial)	33,546
Asset Forfeiture-Sheriff	1,750
Courthouse Security Fund	5,710
Crater Criminal Justice T.C.	5,702
Commonwealth's Attorney	46,871
Asset Forfeiture-Commonwealth's Attorney	-0-
Sheriff (Law Enforcement)	208,492
I.D.A. Grant-Sheriff	48,994
Fire Protection	92,414
Emer. Medical Response	22,550
E 911	59,500
Wireless E911	9,274
Correction & Detention	84,968
VJCCA	3,002
Col. Com. Correction J.B.	5,386
9 <sup>th</sup> Dist. Court Services (Probation)	12,606
Codes Enforcement	45,678
Animal Control	32,559
Medical Examiner	300
Emergency Services	6,025
Landfill Monitoring	76,439
General Properties	210,551
Health Department	21,950
MH/MR Services Board	27,665
Contributions	98,178
John Tyler Comm. College	1,062
Parks & Recreation	132,145
USDA Summer Food	-0-
Library/Cultural	21,614
Center for Local History	18,000
2007 Planning Committee	-0-
Planning Commission	1,300
IDA Economic Development Support	7,178
Planning Department	65,684
Community Development Contribution	23,655
Environmental Management Contribution	6,641
Cooperative Extension	13,746
General Fund Contingency	50,000
Revolving Accounts	500
Revenue Refunds	-0-
Reimbursable Accounts	-0-
Holding Accounts	-0-
Cap. Outlay-Rep/Renov.	7,562
Cap. Outlay-New Projects	-0-
Debt Service	<u>108,562</u>
Sub Total	2,361,007

CONSENT AGENDA (CONTD.)

c. Appropriations for the 1st Quarter (July, August & September 2009)  
(Contd.)

Public Utilities Fund	115,516
Misc. Trust Fund (E911 Only)	<u>-0-</u>
Sub Total	115,516

TOTAL BOARD OF SUPERVISORS 2,476,523

OPERATION OF SCHOOLS

Instruction	1,925,322
Admin, Attendance & Health Services	218,692
Pupil Transportation	228,118
Operations & Maintenance	367,316
School Food	117,671
Debt Service	600,000
Technology	<u>106,254</u>
	3,563,373

VPA FUND

Personnel & Admin. Operating Expenses	208,084.50
Benefit Program	116,365.00
Mandated Residential	218,885.75
Personnel & Admin. Operating Expenses	12,500.00
Special Welfare Fund	<u>19,000.00</u>
	574,835.25

The motion was carried as follows:

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

RE: DEPARTMENT OF TRANSPORTATION

Mr. Torrence Robinson, VDOT Residency Administrator gave the following monthly report:

Month of June

Grass Mowing – Secondary Roads  
Pot Hole Repair – Secondary Roads  
Litter Control – Primary & Secondary Roads  
Sign Maintenance  
Surface Treatment – Route 649  
Clean Leaves Out of Ditch – Route 650, 610,620  
Installed Driveway Culvert – Route 623  
Repaired Washout Shoulder – Route 667, 5  
Broke Beaver Dam – Route 620, 5

Next Month

Grass Mowing – Secondary Roads  
Litter Control  
Sign Maintenance  
Site Distance at Intersections

DEPARTMENT OF TRANSPORTATION (CONTD.)

Pavement Repair  
Shoulder Repair – Primary Roads

Board /Citizen Comments/Requests

Mr. Smith inquired about low shoulders in the area of the Wayside Hunt Club (9060 Kimages Road) *Staff has addressed this issue*

Miscellaneous

- Staff completed Route 649; this is now a hard surface roadway.
- Sturgeon Point Route 614 no visible roadway flooding since recent maintenance activities, staff will continue to monitor.
- Route 5 and Route 106 estimated start date is now late July due to weather delays on current projects that the contractor is working on.

Board of Supervisors Comments

- a. Gilbert A. Smith – (a) Route 5 & Wayside Road limbs hanging over in roadway that hit vehicle when driving by; (b) Due to budget cuts with the closing of a number of rest stops, wonders if there will be more auto accidents because of fewer places for motorists to stop and rest.
- b. Sherri Bowman – (a) Excessive pot holes on Barnetts Road and at the intersection of Adkins & Lott Cary Road; (b) Judith Dresser Memorial Bridge – When entering and exiting bridge motorist could lose control of vehicle due to the uneven pavement, wants to know if a sign can be placed in area which indicates there is a bump so that motorist will reduce speed; (c) Is there an anticipated date for completion of construction on Benjamin Harrison Bridge?; (d) Thanked VDOT employees for cleaning out culvert in front of her house.

RE: PUBLIC COMMENT PERIOD

Ms. Geraldine Bowery of 2200 Roxbury Road presented a petition to the Board of Supervisors requesting that Charles City Forest Products cease night operation and reduce noise levels during the day.

RE: SECONDARY SIX-YEAR PLAN FOR FISCAL YEARS 2009 THROUGH 2014 AND THE SECONDARY SYSTEM CONSTRUCTION BUDGET FOR FISCAL YEAR 2009

The Virginia Department of Transportation and the Board of Supervisors held a joint public hearing to receive public comment on the proposed Secondary Six-Year Plan for Fiscal Years 2009 through 2014 in Charles City County, and on the Secondary System Construction Budget for Fiscal Year 2009.

Mr. Torrence Robinson, Residency Administrator gave an overview of the proposed budget.

The public was given an opportunity to ask questions and make comments.

The following citizens spoke at the public hearing:

SECONDARY SIX-YEAR PLAN FOR FISCAL YEARS 2009 THROUGH 2014  
AND THE SECONDARY SYSTEM CONSTRUCTION BUDGET FOR FISCAL  
YEAR 2009 (CONTD.)

- a. Mr. Richard M. Bowman – (1) Is the road located between Barnett's Road and Old Union Road (Microwave Tower) included in the proposed budget? (2) The stream that comes under Route 5 (beaver dams) - what is status on that area? (3) Does VDOT expect any stimulus funds?
- b. Mr. Steve Furrman – Request that VDOT consider any future plans for roads widened at least one side of road be made available for bike trail and/or walking trail and maybe one day those using the bike trail in Charles City can ride through trail as opposed to driving to site to begin ride.

RE: SIX-YEAR PLAN FOR SECONDARY ROADS (2009 THROUGH 2014) AND  
THE CONSTRUCTION PRIORITY LIST (2009)

Motion was made by Timothy W. Cotman, Sr., the motion was carried as follows:

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

WHEREAS, Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan,

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2009 through 2014) as well as the Construction Priority List (2009) on June 23, 2009 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List,

WHEREAS, Torrence Robinson, Residency Administrator, Virginia Department of Transportation, appeared before the Board of Supervisors and recommended approval of the Six-Year Plan for Secondary Roads (2009 through 2014) and the Construction Priority List (2009) for Charles City County,

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interests of the Secondary Road System in Charles City County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2009 through 2014) and Construction Priority List (2009) are hereby approved as presented at the public hearing.

RE: PUBLIC HEARING – SALE OF PROPERTY TO DEAN & SONS, LLC

The Board of Supervisors held a public hearing to receive citizen comments on the proposed sale of lot #6 (approximately 2.26 acres) located at the Roxbury Industrial Center to Dean & Son Properties, LLC.

The public was given an opportunity to ask questions and make comments.

No citizens spoke at the public hearing.

RE: SALE OF PROPERTY TO DEAN & SONS, LLC

Motion was made by Gilbert A. Smith that the Board of Supervisors hereby approves the sale of lot #6 (approximately 2.26 acres) located at the Roxbury Industrial Center to Dean & Son Properties, LLC. The motion was carried as follows:

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

RE: APPOINTMENT – BOARD OF BUILDING CODE APPEALS

Motion was made by Timothy W. Cotman, Sr. that Mr. Theodore Richard, 16001 Willcox Neck Road, Charles City, VA 23030 be reappointed to serve as a member on the Board of Building Code Appeals, said term to expire on June 30, 2013. The motion was carried as follows:

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

RE: RESOLUTION OF SUPPORT FROM CHARLES CITY COUNTY-EXTENSION OF HIGH SPEED RAIL SERVICE TO THE RICHMOND REGION (RESOLUTION 2009-03)

Motion was made by Timothy W. Cotman, Sr., the motion was carried as follows:

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

WHEREAS, the connection of high speed rail service to the Richmond Region will offer significant economic opportunities, reduce traffic congestion along the I-95 corridor, save valuable commuting time, and improve air quality; and

WHEREAS, the Washington, DC to Richmond Region high speed rail connection is a critical section of the Southeast High Speed Rail Corridor; and

WHEREAS, the Capital Region Collaborative Organizing Team has identified the extension of high speed rail service from the Washington Metropolitan Area to the Richmond Region as an important regional priority;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Charles City hereby endorses the extension of high speed rail service from the Washington Metropolitan Area to the Richmond Region and encourages the preparation and submission of an application by the Commonwealth of Virginia for funding of this important infrastructure; and

BE IT FURTHER RESOLVED, that the Board of Supervisors of the County of Charles City strongly encourages the Federal Rail Administration to approve the Commonwealth of Virginia's funding application for monies to construct high speed rail from the Washington Metropolitan Area to the Richmond Region.

RE: STATE AID TO LOCALITIES

Mr. Jay A. Brown, Assistant County Administrator/Director of Finance provided recommendations on how the County should respond to the reductions in state aid, as approved by the Governor of Virginia and the General Assembly.

STATE AID TO LOCALITIES (CONTD.)

Mr. Brown informed the Board of Supervisors of the following

- a. The County has already responded to the reductions in FY2009. However, the State Department of Planning and Budget (DPB) urged Counties to respond for the FY2010 year in June of 2009.
- b. Staff met with all Constitutional Officers and Department Directors who were identified to be reduced to discuss their opinions on the reductions in State aid to their offices. Most indicated that they would not be able to operate effectively if the listed cuts to their offices were realized. A few indicated that they would absorb the reductions in their FY2010 budgets.

Staff is recommending that the County take a combination approach to identifying such savings. The recommendation included:

- a. Reducing every entity identified on the form, with the exception of the Library. However, this included only reducing Comprehensive Services Act by \$10,000 and to increase the reductions in the rolling stock and recordation taxes. Administration recommended to restore funding back to Constitutional Offices by transferring funds (in the amount of \$32,677) from the FY2010 Contingency budget. This was primarily due to the fact that many Constitutional Officers have had their operating budgets reduced between FY07 and FY10.
- b. Send a check (on the Library's behalf) to the state for that entity's share of the reduction (the library will forward the payment to the County and the County will forward to the state).
- c. Administration did not recommend restoring funding to Comprehensive Services Act, Virginia Juvenile Community Crime Control Act, and Department of Social Services (general relief) at this time, although it was recommended that the \$10,000.00 for Comprehensive Services Act be earmarked within the contingency budget in the event that Department of Social Services over expends its budget.

The Board of Supervisors unanimously agreed to approve the above recommendations as presented by staff.

RE: REASSESSMENT UPDATE

Mr. John F. Miniclier, Jr., County Administrator informed the Board of Supervisors that Pearson Appraisal Service Inc. Reassessment will begin work in early July. Information will also be included in the July 2009 County Newsletter, be placed on the county web site and in the New Kent-Charles City Chronicle, sent to the churches and placed in businesses and government offices no later than June 25, 2009.

RE: GILFIELD NEIGHBORHOOD COMMUNITY WASTEWATER PLANT

Mr. John F. Miniclier, Jr., County Administrator informed the Board of Supervisors that on June 12, 2009 the County received 3 bids for the Gilfield Neighborhood Community Wastewater Plant project. A part of the Gilfield Community Development Block Grant is to provide a Neighborhood/Community Wastewater Plant and sewage connection to the plant for 25 homes in the Church Lane area of the County.

Another bid was delivered beyond the 2 p.m. deadline and was not opened. The 3 responsive bidders were:

GILFIELD NEIGHBORHOOD COMMUNITY WASTEWATER PLANT (CONTD.)

North West Cascade	\$357,048
B&L	\$374,750
Resources International	\$914,800

The low bid is under the amount approved by Department of Housing & Community Development (DHCD) in the grant. DHCD has to approve the bid results and agreement before it can be executed.

Staff would like to request that the Board of Supervisors authorize the County Administrator to execute the Agreement with North West Cascade in the amount of \$357,048 once DHCD approval has been received and County Attorney has reviewed.

Motion was made by Gilbert A. Smith that the County Administrator be authorized to execute the Agreement with North West Cascade in the amount of \$357,048 once DHCD approval has been received and County Attorney has reviewed. The motion was carried as follows:

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

RE: LIBRARY PROPOSAL UPDATE

Mr. John F. Miniclier, Jr., County Administrator informed the Board of Supervisors of the following concerning the library for Charles City County:

- a. 13 firms responded to the County request for proposal for design services.
- b. The design review team was scheduled to meet on Monday June 22, 2009 to select 3-4 firms for interviews. Interviews will be conducted during the first couple of weeks of July 2009.
- c. The design review team consists of:  
Mr. Richard Nance  
Ms. Julie Boyd  
Mr. John Bragg  
Ms. Kathy Wills
- d. Request Board of Supervisors appoint an A/E Library interview team to make a recommendation for award to the Board at their July 28, 2009 regular meeting; (2) That the interview team consist of the four members from the review team, the County Administrator and one Board member.

Motion was made by Timothy W. Cotman, Sr. that the Board of Supervisors approve the recommendation of staff concerning the appointment of the interview team which will consist of the four members from the review team, County Administrator and Ms. Sherri M. Bowman be appointed to serve as the Board's representative on the interview team. The motion was carried as follows:

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

RE: TRANSFER OF FUNDS – SCHOOL SYSTEM’S FY2008-09 BUDGET

Mr. John F. Miniclier, Jr., County Administrator presented to the Board of Supervisors a request from the School System to transfer \$84,913.00 from the Instructional Category to the School Food Services Category and appropriation of same.

Motion was made by Timothy W. Cotman, Sr. that the Board of Supervisors approve the transfer \$84,913.00 from the Instructional Category to the School Food Services Category and appropriation of same. The motion was carried as follows:

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

RE: AMENDMENT & APPROPRIATION TO SCHOOL SYSTEM’S FY09 BUDGET

Mr. John F. Miniclier, Jr., County Administrator presented to the Board of Supervisors a request from the School System for an amendment to the FY2008-2009 budget and appropriation of same due to receiving the following grant: Central Virginia Consortium for Technology Grant - \$3,500.00

Motion was made by Timothy W. Cotman, Sr. that the Board of Supervisors approve the request from the School System for an amendment to the FY2008-2009 budget and appropriation of same due to receiving the following grant: Central Virginia Consortium for Technology Grant - \$3,500.00

The motion was carried as follows:

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

RE: JOINT MEETING WITH THE SCHOOL BOARD

Mr. John F. Miniclier, Jr., County Administrator informed the Board of Supervisors that he had received a letter from Dr. Janet Crawley, Superintendent of Schools stating June 23, 2009 is not feasible for the joint meeting between the Board of Supervisors and the School Board, however, the School Board would be amenable to a joint meeting at the regular July 2009 Board of Supervisors meeting.

The Board of Supervisors unanimously agreed to hold a joint meeting with the School Board on July 28, 2009 at 7:30 p.m. for a presentation from Dr. William C. Boshier, Jr. of Decision Research, LLC regarding a joint organizational efficiency study of the government and school operations of Charles City County.

RE: SCHOOL WATER & WASTEWATER

Mr. John F. Miniclier, Jr., County Administrator informed the Board of Supervisors that he has received correspondence from Dr. Janet Crawley, Superintendent of Schools concerning the school water & wastewater treatment services. Effective July 1, 2009 the School System will begin handling its own water and wastewater treatment services.

SCHOOL WATER & WASTEWATER (CONTD.)

The Board of Supervisors unanimously agreed to direct staff to work with the School System for the next 30 days to insure that reporting requirements are handled properly and forward a letter to the Department of Environmental Quality stating that the School System will be handling reporting requirements after August 1, 2009.

RE: REVERSE E911 INFORMATION SYSTEM EXPENDITURE

Mr. John F. Miniclier, Jr., County Administrator informed the Board of Supervisors that over the last several years staff has been investigating several "Reverse" E-911 Systems and the funding thereof. The County has been working with Mr. Art Warren, Virginia Department of Emergency Management, Radiological Director, and has been given permission to use Radiological Readiness Funds that are designated by Dominion Virginia Power for all Counties that are impacted by the Surry Power Plant.

Charles City County is a host community and therefore eligible for the funds. Each year the funds that exceed a limit are returned to Dominion. In 2009 for Charles City County that amount is \$20,500 that must be committed by June 30, 2009.

Motion was made by Gilbert A. Smith that staff be authorized to work with the Sheriff Department and the Charles City County Volunteer Fire & Emergency Medical Services Department and negotiate a contract for a "Reverse" E-911 system for the County before June 30, 2009. The motion was carried as follows:

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

RE: REQUEST FROM DOMINION VIRGINIA POWER

Mr. John F. Miniclier, County Administrator informed the Board of Supervisors the request from Dominion Virginia Power that the County support Dominion Virginia Power's concern about cap and trade legislation has been withdrawn.

RE: CHARLES CITY FOREST PRODUCTS OPERATION

Gilbert A. Smith thanked Mr. & Mrs. Bowery for addressing the Board of Supervisors concerning a petition which was presented to the Board of Supervisors requesting that Charles City Forest Products cease night operation and reduce noise levels during the day.

Mr. Smith informed the Bowery's that the Planning Department will review the permit concerning any restrictions and make sure all zoning requirements are met.

RE: CITIZEN COMMENTS

- a. Mr. Richard M. Bowman – (1) With what Planning Districts is the County affiliated and what are the benefits of those to the County?; (2) Will the County seek financial assistance from VDOT concerning the entrance to the old Courthouse which leads to the Visitor's Center?; (3) Dead shrubbery at the new Courthouse needs to be replaced.

CITIZEN COMMENTS (CONTD.)

- b. Mr. Lloyd Carter – (a) Inquired about an Emergency Services Call last week which there was a three hour response time and the individual was about one mile away; (b) He has not received a letter that was sent out to the water customers in the Wayside area concerning the water system violation.

There being no further business before the Board it hereby adjourns to meet again on Tuesday, July 28, 2009 at 7:30 p.m.

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Sherri M. Bowman, Chairperson