

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 22, 2010** at 7:30 p.m. in the 234th year of the Commonwealth and in the 376th year of the County.

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

RE: ADOPTION OF AGENDA

Motion was made by Gilbert A. Smith to adopt the agenda as presented.

The motion carried as follows:

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

RE: CONSENT AGENDA

Motion was made by Sherri M. Bowman to approve the consent agenda with the following corrections: to the May 25, 2010 regular meeting minutes, (1) under Consent Agenda, correct the date on page one, paragraph one, at the end of the first sentence to read April 27, 2010; (2) under Public Comments, speaker number five, change the last name to Pate; (3) under *c. Appropriations*, page two, 1st Quarter Appropriations Request (July-Sept), change the amount listed for Public Utilities Fund to \$129,490, thereby changing the Total Utilities/Trust Fund to \$129,490 and the Board of Supervisors total will then be \$2,276,570.

- a. Approval of the minutes of the May 25, 2010 regular meeting.
- b. Approval of payment to CH2MHill in the amount of \$17,169.12 for landfill professional services for the period of April 17, 2010 through May 21, 2010.
- c. Appropriations for the 1st Quarter (July, August & September, 2010)

General Fund Agencies

Board of Supervisors	15,030
County Administrator	43,141
Legal Services	12,952
Non Departmental	4,925
Non Departmental-Telecom	72,892
Audit	33,000
Commissioner of Revenue	42,216
Reassessment	0
Treasurer	44,550
Management Services	60,595
Information Technology	132,456
Motor Pool	20,500
Central Gas	1,700
Memberships	2,700
Electoral Board	4,384
Registrar	11,818
Circuit Court	5,393
Combined GD/JD Court	4,634

RE: CONSENT AGENDA (CONTD)

County Magistrate	466
Clerk of Circuit Court	53,179
Sheriff Judicial	33,860
Asset Forfeiture - Sheriff	3,500
Courthouse Security Fund	5,710
Crater Criminal Justice T.C.	4,561
Commonwealth's Attorney	46,859
Asset Forfeiture - Com Att	0
Sheriff Law Enforcement	188,880
IDA Sheriff Support	11,106
Fire Protection	64,063
Emergency Med Response	70,300
E 911	26,875
Wireless E911	15,000
Correction & Detention	101,382
VJCCCA	3,002
Col Com Correction jb	5,386
9th District Court Services	7,250
Codes Enforcement	44,551
Animal Control	31,497
Medical Examiner	300
Emergency Services	3,201
Landfill Monitoring	77,000
General Properties	195,000
Health Department	21,475
MH/MR Services Board	27,665
Contributions	41,758
John Tyler Community Col	949
Parks and Recreation	118,181
Library/Cultural	17,614
Center For Local History	17,100
2007 Planning Committee	0
Planning Commission	1,000
IDA Econ Dev Support	6,459
Planning Department	64,314
Com Development Cont	22,176
Environmental Mgt Cont	5,977
Cooperative Extension	12,679
General Fund Contingency	25,000
Revolving Accounts	0
Revenue Refunds	0
Insurance Recoveries	0
Reimbursable Accounts	0
Holding Accounts	0
Cap Outlay-Repair/Renov	150,356
Cap Outlay-New Projects	0
Debt Service	108,563
	2,147,080
Public Utility Fund	129,490
Misc Trust Fund	0
Total Utilities/Trust Funds	129,490
Total Board of Supervisors	2,276,570

RE: CONSENT AGENDA (CONTD)

School Operating Categorical

Instruction	1,542,528
Admin, Attendance & Health Services	203,387
Pupil Transportation	161,021
Operations & Maintenance	330,746
School Food	100,329
Debt Service	626,900
Technology	103,110
School Fund Total	3,068,021

All Funds

BOARD OF SUPERVISORS	2,276,570
SCHOOL OPERATING	3,068,021
SOCIAL SERVICES	344,479
COMP. SERVICES ACT	174,397
SPECIAL WELFARE	19,000
TRANSFERS TO THE COMMONWEALTH	5,000
SPECIAL FUNDS	29,485
GRAND TOTAL:	5,916,952

The motion carried as follows:

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

RE: CAPITAL REGION COLLABORATIVE

Mr. Robert Crum, Jr., Executive Director of Richmond Regional Planning District Commission (RRPDC) explained that the Capital Region Collaborative is a partnership between the Richmond Regional Planning District Commission and Greater Richmond Chamber of Commerce.

Mr. Crum presented to the Board of Supervisors the Capital Region Collaborative's draft of regional priorities. He explained that the Collaborative had met with ten diverse focus groups over the past six months that were comprised of leaders in business and local governmental leaders, Timothy Cotman, Sr. being one of them. The draft, Mr. Crum expounded, is a compilation of the most frequently suggested issues identified by the ten focus groups. He described the draft as a starting point that is meant to generate community conversation and the goal being to come up with the best strategic plan for the entire region.

Mr. Crum elaborated on the regional plan stating that the financial resources are limited and it is crucial that we be focused and strategically plan what will be the issues of most importance. He explained that the focus groups concluded that the foundational priorities for a strong region include social stability and community awareness together with optimized educational excellence. They further established the strongly preferred regional priorities include a focus on business and economic development, the coordination of regional transportation, and for the region to become an appealing entertainment destination. In addition, promoting the region as a healthy community and including the asset of the James River in the marketing of the region were decidedly strong regional priorities. Mr. Crum stressed that the aspiration for the region to cultivate a clear and strong regional brand was decidedly the focus groups' utmost broad regional goal.

Mr. Crum concluded asking if there were any priorities he had raised that appeal to Charles City County and the county would like to see happen; if there are any priorities raised that cause concern, and what was missed and should be added. He explained that during the next six months the Collaborative will maintain an open

RE: CAPITAL REGION COLLABORATIVE (CONTD)

conversation with the community about these draft priorities and would be glad to come back and address any ideas or concerns the board or residents may have regarding the developing plan for the region. He also offered to come and talk with the board about the various services RRPDC has to offer the individual locality.

Mr. Kim Scheller, Commerce President and CEO of Greater Richmond Chamber of Commerce spoke saying he was excited about all the possibilities for the region and looked forward to working together to become the region we want to be.

Mr. Gilbert Smith thanked Mr. Crum for his presentation and the attendance and support of Kim Scheller in this exciting effort to shape the future of our region. He said having one stop for resources would be great to have and better access to the James River would definitely benefit Charles City County as getting a boat ramp has been a desire of the county for many years.

Mr. Timothy Cotman, Sr. stated that improving early childhood education was definitely one thing that is an important issue in Charles City and information of any grants that we may pursue would be appreciated.

The Board concluded they will review and consider the information presented and come back to it at a later meeting of the board.

RE: EMERGENCY TRAINING SYSTEMS INC. (ETS) UPDATE

Chief Archer Jones, Jr. provided the Board of Supervisors an update on the services provided by Emergency Training Systems Inc. (ETS) since signing a contract with them in February 2010. As of March 2010, ETS has provided emergency medical services to the county. We are pleased with ETS and everything has been going well, Chief Jones stated. He explained that ETS provides services five days of every week, covering the weekends and three days during the week. He informed the Board that as of July 5, ETS will be capable of providing Advanced Life Support (ALS) services. He explained ALS is an improvement from the basic EMS service they were providing previously.

Chief Jones advised that the county still needs EMS volunteers and it would be great if residents from District I and II would volunteer as most of the active volunteers are from District III.

RE: PUBLIC HEARING – NOISE ORDINANCE

The Board of Supervisors held a public hearing to hear the comments of citizens on the proposed permanent Noise Ordinance. The County Attorney, B. Randolph Boyd, referred to the 2009 ruling of the Virginia Supreme Court wherein the Virginia Beach, Virginia Noise Ordinance was deemed unconstitutional for vagueness. He explained that Charles City County's Noise Ordinance had some similarities to that of Virginia Beach, therefore, he and the Commonwealth Attorney felt it necessary to rewrite it.

Mr. Boyd informed the public that he, the Commonwealth Attorney, the Planning Director, the County Administrator, and the Sheriff had conferred and taken into consideration research of noise ordinances of other counties to draft the proposed noise ordinance. Adjoining counties are as restrictive or more restrictive than the proposed ordinance, he said. He stressed that the *Exceptions* read exactly as the former ordinance in that the ordinance applies to areas zoned residential and does not apply to noise from normal agricultural, forestall, business or industrial sources.

Chairman Timothy Cotman opened the hearing to public comments. The following individuals spoke at the public hearing:

1. Bill Coad, 9040 W. Cool Hill Road – Mr. Coad informed the Board of Supervisors that he disc jockeys (DJs) a lot in the county, as a side business run out of his home. He expressed concern that he would be in violation of the ordinance whenever he DJs local gatherings as he fears the ordinance exercises a clear broad stroke that covers the whole county.

RE: PUBLIC HEARING – NOISE ORDINANCE (CONTD)

In addition, he said he is worried the proposed ordinance does not address the definition of a *justifiable complaint*. He stated he would like to see that definition defined and added so that credence is not given to arbitrary complaints

2. Vince Brackett, 7789 Kips Creek Drive – Mr. Brackett asserted that the noise levels in the proposed ordinance are too low. He believed more reasonable levels would be 90-95dBA during the day and 80dBA for night, stating that the problem with 70dBA at night and 85dBA during the day may be too restrictive.

Mr. Brackett also suggested defining night as 10:00 p.m. to 7:00 a.m. and day as 7:00 a.m. to 10:00 p.m.

He questioned if the ordinance is enforceable as written because an offender may turn the noise down before the Sheriff arrives. Does this mean if the Sheriff did not have time to measure the subject sound level of the noise complaint before the noise was turned down, that he cannot issue a ticket?

Mr. Brackett suggested the first visit by the Sheriff on a sound level complaint should carry a warning, with the second complaint and visit being another matter.

Mr. Brackett questioned if it would be possible to enforce the noise ordinance over county lines?

He concluded saying, he feels the ordinance needs to be more subjective in describing the certain noises such as lawn mowing, auto mechanical work, construction, vehicles without mufflers, boom boxes in trunks of autos, dogs barking for more than 20-30 minutes continuously, etc. These types of general sounds should be restricted from 9:00 p.m. until 7:00 a.m. in all residential zones, Mr. Brackett suggested.

3. Lee Stanford, 7720 S. Lott Cary Road – Ms. Stanford expressed frustration with being constantly annoyed by a neighbor that insists on playing loud music at all hours of the day and night. She stated that the unnecessary and illegal noise from her neighbor spoils every aspect of her family's privacy and home life, where every individual has the right to rest and relax. I have had to leave my home many times to get away from the unnecessary noise, she complained.

Ms. Stanford stressed that the ordinance does not help when someone is determined to disturb the peace with unnecessary noise. It's not a question of decibels she said, or measuring sound with a gadget, it's about being constantly disturbed by unnecessary noise that should be banned completely from residential earshot.

Ms. Stanford shared that she, her family, and her other neighbors have called the Sheriff's Department over a dozen times since February complaining about the noisy neighbor and nothing has changed. She described how deputies responding to their calls came and haphazardly tested areas from their cars for noise. We hear the noise inside our homes and on our property, she explained. There has been nothing aggressively done to resolve this anxious and frustrating situation. We need our Sheriff to make this unnecessary noise stop, she implored. This problem isn't just in my neighborhood, but it exists throughout Charles City County.

Ms. Stanford went on to say Charles City needs to catch up with other communities who are cracking down on these unnecessary disturbances. Hanover County, Richmond, and some northern states are working to make stiff penalties and even jail time fit this crime of deliberately disturbing the peace. We need to get rid of the stigma of being a backward town she declared.

Ms. Stanford stated, Charles City is known as a community of churchgoers and where our leaders are active in their churches. We should ask ourselves if we are properly abiding by God's laws

RE: PUBLIC HEARING – NOISE ORDINANCE (CONTD)

alongside the local laws in the area of keeping peace within our citizenship and requiring neighborly consideration of others.

4. Lloyd Carter, Sr., 3720 Wayside Road – Mr. Carter expressed concern that the penalty for being out of compliance with the noise ordinance was too stiff. He questioned if it would cause a person to have a criminal record since the penalty is either a Class 3 or Class 2 misdemeanor. He impressed upon the Board to lessen the penalties saying he knows Hanover’s penalties were recently changed to a civil offense, which he thinks is more reasonable. Mr. Carter concluded saying, the laws we make should be fair for everybody.
5. Bert Brown, 8930 Ruthville Road – Mr. Brown explained that he races cars and leaves home early, comes back after 11:00 p.m. on race days and his truck is fairly loud. He asked if he would be in violation of the noise ordinance just by coming home after 11:00 p.m. in his loud truck.
Mr. Brown stated that teenagers that drive with their stereos loud don’t know about the ordinance and if they get a ticket they’ll have a misdemeanor on their record. They could lose their job and this could keep a young person from getting into college, he asserted.

County Attorney **B. Randolph Boyd** responded that a misdemeanor is no more than a traffic ticket. I don’t think it will keep anyone from getting into college or a job. The penalties on the proposed ordinance are fairly modest, Mr. Boyd continued, they are nowhere near as restrictive as neighboring counties.

6. Robert L. Marston, 12741 The Glebe Lane – Mr. Marston informed the Board that he has neighbors that play loud music at all hours of the day and night, making it difficult for him to sleep. It’s terrible, he said, that the Sheriff has not done anything about the nuisance. To his knowledge, the Sheriff has not visited anyone in the neighborhood to try to discern who the perpetrators are. Mr. Marston expressed how frustrated he is with the Sheriff’s department and the whole situation, stating that he is looking forward to a new sheriff administration in Charles City.
7. Phillip Banks, Jr., 8810 Old Elam Cemetery Road – Mr. Banks asked what would constitute a warning and how many do you get. He questioned if you have a permit for a special event could you still be given a ticket if the event got loud.

County Attorney **B. Randolph Boyd** responded that permitted events are exempt.

8. Leon Bowery, 2200 Roxbury Road, Providence Forge - Mr. Bowery explained that his property is adjacent to a sawmill that it is very loud and operates into the nighttime. He asked the Board to amend the proposed noise ordinance to restrict the operation of sawmills at night and to operate at a lower noise level during the day.
9. Cullen Jenkins, 10801 Courthouse Road – Mr. Jenkins, owner of Cul’s Courthouse Grill, addressed the Board of Supervisors and made it known he was also speaking on behalf of his mother, Bonnie Whitaker. Mr. Jenkins explained that he loves Charles City and the community has been supportive of his growing business. He voiced his concern that whatever law was made it should apply to everyone, that if enforced for one it should be enforced for all.
10. Dewey Clemons, 16500 Chickahominy Bluff Road – Mr. Clemons questioned if dog barking would be addressed as he did not see it in the proposed ordinance. He asked if an Animal Control Officer had the authority to arrest someone or give a ticket if dealing with the noise of barking dogs.

RE: PUBLIC HEARING – NOISE ORDINANCE (CONTD)

County Attorney **B. Randolph Boyd** responded that the authority of the Animal Control Officer is addressed in another statute.

11. William Lewis, 8231 Courthouse Road – Mr. Lewis stated that some of the noise ordinance he is totally for, especially the automobile noise restriction. He explained that vehicles go up and down the road with speakers in the grill of the automobile and the music is so loud you not only hear the thump of the bass but feel it too.
Mr. Lewis maintained that the Sheriff’s office needs to be diligent and people need to think about their neighbors, but some noise we are just going to make.
12. Tina Gammon – Ms. Gammon stated that the noise ordinance is too restrictive. She suggested that young people are going to make noise, they are young and having fun, which is not a bad thing. She continued saying if we keep our dogs from barking, God forbid we need them to bark to protect us and scare off intruders. Ms. Gammon stressed that noise that is a constant problem should be what is ticketed.
13. Sheriff Javier Smith – Sheriff Smith said that he had listened to everyone that spoke and had heard some saying the Sheriff would be the worst guy in town giving tickets and others saying the Sheriff doesn’t do anything. The noise ordinance is necessary, he said. There is discretion in the job we do but we have to have something to work with, explained Sheriff Smith. He impressed upon the Board and the citizens in attendance that he believes in educating the public so that they are aware of the laws and potential penalties.

There being no further comments, the public hearing was closed to further public comment.

RE: NOISE ORDINANCE

Gilbert Smith thanked everyone for coming out to give input and share their concerns regarding the noise ordinance. He surmised that he wanted to consider everything that had been said and would like to postpone voting on the ordinance this evening.

Motion was made by Gilbert Smith to postpone taking any action on the proposed noise ordinance until the Board’s next meeting. The motion carried as follows:

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

Mr. Timothy Cotman reminded citizens that the Emergency Noise Ordinance is still in place (effect) at this time and that we all need to respect our neighbors.

RE: APPOINTMENT - JOHN TYLER COMMUNITY COLLEGE LOCAL BOARD

Motion was made by Gilbert A. Smith to reappoint Sammie Cotman, P.O Box 56, Ruthville, VA 23147, to serve on the John Tyler Community College Local Board, said term to expire June 30, 2014. The motion carried as follows:

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

RE: APPOINTMENT - RECREATION ADVISORY COMMISSION

Motion was made by Gilbert A. Smith to appoint Kermit White, 10955 Shady Lane, Charles City, 23030, to serve as a District I member on the Recreation Advisory Commission, replacing William Womack and completing his term, said term to expire September 8, 2013. The motion carried as follows:

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

RE: APPOINTMENT – WETLANDS BOARD

Motion was made by Gilbert A. Smith to reappoint Charles H. Carter, III, 501 Shirley Plantation Road, Charles City, Va., to serve as District I member on the Wetlands Board, said term to expire June 30, 2015. The motion carried as follows:

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

RE: VIRGINIA DEPARTMENT OF TRANSPORTATION MONTHLY REPORT

County Administrator, John Miniclier, Jr., read the following monthly report provided by Scott Gagnon, P.E., VDOT Director of Transportation & Land Use.

Maintenance Activities In the Previous 30 Days:

State forces performed litter removal on the following primary and secondary roads:

Route 5 – John Tyler Memorial Hwy	Route 609 – Barnett’s Road
Route 106 – Roxbury Road	Route 620 – Lewis Tyler Lane.
Route 155 – Courthouse Road	

State forces, with contract assistance, performed dead tree removal along Route 5, John Tyler Memorial Highway, removing 34 dead trees.

The bike trail was inspected, grass mowed, and any debris found removed.

State forces have mowed all primary routes and are working on the secondary roads. All mowing should be completed by the end of next week.

State forces dismantled beaver dams on the following routes, Route 623 – Wilcox Neck Road, Route 616 – Adams Bridge Road and Route 650 – Cattail Road.

State forces machined the following non-hard surface roads throughout the county:

Route 613 – Sandy Point Road	Route 646 – Oakwood Road
Route 616 – Adams Bridge Road	Route 648 – New Quarter Road
Route 623 – Wilcox Neck Road	Route 651 – Legion Road
Route 626 – Old Elam Cemetery Rd	

The following routes were overlaid with asphalt as a part of this year’s plant mix schedule:

Route 156 –	Roxbury Road from the Benjamin Harrison Bridge to Route 5 for a total of 1.31 miles
Route 106 –	Roxbury Road from 0.21 mi north of Route 607 to 1.77 mi north of Route 607, for a total of 1.56 miles of asphalt.

RE: VDOT MONTHLY REPORT (CONTD)

Maintenance Activities Scheduled for the Next 30 Days:

State forces will continue litter control activities, grading non-hard surface roads as needed, performing sign maintenance, pavement repairs, and monitoring the bike trail for debris.

State forces will continue making shoulder repairs along Route 5 and Route 155, in addition to monitoring beaver activity at known locations.

Intersection sight distance issues will be addressed, as needed.

At the request of Mr. Gilbert Smith, VDOT investigated truck volumes and speed on Route 600, in order to determine whether a through-truck restriction; or other traffic control measure should be considered. At this time, neither additional signing nor a reduction in the speed limit is recommended. Additional study on a through-truck restriction is on-going.

At the request of the County Administrator, the stop bar on Route 607 is under review for visibility and the possible need for repainting.

RE: BOARD COMMENTS

Mr. Gilbert Smith directed the County Administrator to request a date of completion from VDOT for the various areas in the county that need stop bars repainted. He commented that this has been a topic of concern for quite awhile and its poor service on VDOT's part.

Mr. Smith also directed Mr. Miniclier to request VDOT consider a flashing caution light at the intersection of Rt. 607 and others hazardous intersections in the county to warn drivers of the intersection and impending stop.

Mr. Timothy Cotman, Sr. directed the County Administrator to advise the VDOT representative that overgrown grass at many intersections is impeding visibility and is a hazard.

Ms. Sherri Bowman directed the County Administrator to advise the VDOT representative and request repair of the large pothole in front of the home at 7710 Lewis Tyler Lane.

RE: PUBLIC COMMENTS

Preston Adkins requested that VDOT also consider the hazard that low hanging limbs create for larger trucks, stating low limbs on Cattail Road are blocking visibility.

RE: EXTENDING PROTECTION AGAINST PREDATORY LENDING

The Board reviewed a letter from City of Staunton Councilman, Bruce Elder, dated June 8, 2010, requesting the Board of Supervisor of Charles City County join the effort to ban payday lending in the Commonwealth of Virginia.

Mr. Timothy Cotman stated he did not want to go along with this endeavor as he believes it is in the General Assembly.

The Board members agreed to review all of the information provided to them regarding the request to ban payday lending and revisit the topic at another date.

RE: APPOINTMENT - RIVERSIDE REGIONAL JAIL AUTHORITY
(Resolution 2010-07)

Motion made by Gilbert A. Smith to approve the following resolution appointing John F. Miniclier, Jr. as a member of the Board of the Riverside Regional Jail Authority carried as follows:

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

WHEREAS, Chapter 726 of the 1990 Acts of Assembly created Riverside Regional Jail Authority (the "Authority), which legislation was amended by Chapter 228 of the 1993 Acts of Assembly and Chapter 642 of the 1999 Acts of Assembly; and

WHEREAS, the Board of the Authority consists of the Sheriff from each member jurisdiction and one additional member (plus an alternate, if desired) from the jurisdiction appointed by the governing body for a four year term; and

WHEREAS, the current term of the member and alternate expire June 30, 2010

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Charles City County that John F. Miniclier, Jr. is appointed as a member of the Board of the Riverside Regional Jail Authority for a term beginning July 1, 2010 and ending June 30, 2014.

RE: BROADBAND RESOLUTION OF SUPPORT (Resolution 2010-08)

Motion made by Gilbert A. Smith to approve the following resolution of support for pursuing high speed broadband service for industrial, school, medical and government center areas in the county, carried as follows:

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

WHEREAS, broadband is critical to overcome geographical and financial barriers to provide access to a wide range of educational, cultural, and recreational opportunities and resources; and

WHEREAS, broadband can facilitate provision of medical care to the underserved populations through: remote diagnosis, treatment, monitoring, and consultations with specialists; and

WHEREAS, broadband is critical to promote economic development and revitalization through electronic commerce (e-commerce) by: creating new jobs; attracting new industries and supporting existing industries and businesses by providing access to regional, national, and worldwide markets for produce or products; and

WHEREAS, broadband can help protect the public by facilitating and promoting public safety information and procedures, including, but not limited to, early warning/public alert systems and disaster preparation programs, remote security monitoring and real time security background checks, and backup systems for public safety communications networks; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Charles City County does hereby support the development of the County's broadband vision and private/public partnerships; and

RE: BROADBAND RESOLUTION OF SUPPORT (CONTD)

BE IT FURTHER RESOLVED, that the County of Charles City does hereby support the submission of grant applications to Federal, State, and/or private corporations to develop and implement the broadband vision.

RE: TRANSFER OF FUNDS – SCHOOL SYSTEM’S FY2010-2011 BUDGET

The School System requested a transfer of \$130,800 from the Instructional Category to the Technology Category (\$100,800) and to Operations and Maintenance Category (\$30,000). The \$100,800 transfer of funds will accommodate the replacement costs for updating the technology infrastructure and the \$30,000 will accommodate partial renovation of Phase II of the Elementary School in the Operations and Maintenance Category.

Mr. Gilbert Smith questioned Dr. Crawley if the service needed in technology was something that could be combined with the county’s IT services and forego the funds transfer. Dr. Crawley explained that the issue was computer viruses that had been brought into the school computer system via student in instructional programs and would require an outside consultant to correct. Dr. Crawley further explained, due to the state cutting the instructional technology programs our schools are able to offer, the funds in the Instructional category of the budget were available. In addition, a year ago the state added the line item category of Technology. A transfer of the necessary funds will allow the school system to correct the technology problem.

Motion made by Gilbert A. Smith to approve the transfer of \$130,800 as requested. The motion carried as follows:

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

RE: SIGNAGE FOR 100-MILE BICYCLE ROUTE

The County Administrator, John Miniclier, Jr., informed the Board of Supervisors that staff prepared and implemented a public survey on the County website and in various county buildings to gather citizen input on the proposed signage for the 100-mile bike route that is to go thru Charles City County.

Mr. Miniclier presented the results of the survey with the top contenders for county symbols chosen by county residents being; water, corn, plantation house, turkey and tree.

The Board approved by consensus the signage for the Charles City County portion of the 100-mile bike route to consist of a turkey, corn, plantation house and water.

RE: COUNTY WEB SITE REVITALIZED

Mr. Miniclier presented to the Board a mock-up of the revised and updated county web site that Harry French, Director of Informational Technology has been working on. The Board responded favorably to the proposed web site changes and look forward to its launch.

Mr. Miniclier also offered that the GIS program will launch at the same time as the new county website and both will be vital improvements to the county and the services we have to offer.

RE: VIRGINIA DEPARTMENT OF HEALTH FEES INCREASE UPDATE

Mr. Miniclier informed the Board of Supervisors that effective July 1, 2010, the Virginia Department of Health (VDH) environmental health fees will increase. VDH has explained the need for the fee increases is to offset the \$3.7 million

RE: VIRGINIA DEPARTMENT OF HEALTH FEES INCREASE UPDATE (CONTD)

decrease in state general fund support of local health department operations and wanting its fees to be more in line with the actual cost(s) of providing the specific service(s).

RE: SUMMER HOURS – COUNTY EMPLOYEES

At the June 9, 2010 Board of Supervisors' work session, County Administrator, John Miniclier, Jr., raised the topic to the Board of the possibility of allowing county staff to work four (4) days a week, nine (9) hours a day and have every other Friday off during the summer. Staff for each department would rotate their Fridays off to insure citizens do not experience any break in service. The Board had directed Mr. Miniclier to discuss the suggestion with staff and update them on the interest.

Mr. Miniclier explained that in discussing the idea with the various departments he received mixed responses. The Recreation Department felt it would be difficult for them to have less staff on any given Friday due to the summer programs they provide. The Public Works Department felt it would not be feasible for them due to the maintenance schedules they must follow and the various part-time employees. However, the prospect excited other departments.

Motion was made by Gilbert A. Smith to allow the County Administrator to work out the details with those staff that would like to take advantage of the 4 days/9 hours a day, summer schedule. The following stipulations being required: 1) staff are available in each department to serve citizens Monday through Friday, 8:00 a.m. to 4:30 p.m.; 2) participating employees sign a coverage agreement to that effect. The motion carried as follows:

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

RE: BOARD COMMENTS

Ms. Sherri Bowman requested Mr. Miniclier provide details regarding his letter dated June 15, 2010, to Greg Enterline, Senior District Manager of Waste Management Inc. (WM) on which he had copied the Board.

Mr. Miniclier explained the letter expressed his concern that the tonnage of waste deposited in the Charles City landfill is continuing to be significantly less than the 2000 tons-per-day (tpd) called for by the contract the county has with WM. He requested WM provide him with the information on each of WM's landfills in Virginia showing the tonnage per week and means of transport for the last 17 months, ending with May 2010.

Mr. Miniclier explained to the Board that historically during the summer months tonnage has been between 1,700 and 1,800 and in May 2010 the tonnage dropped to 1,300. If tonnage continues at reduced levels, the worst-case scenario is 1,500 tpd or less monthly. He stressed that the budget implications of 1,500 tpd through the end of the year would be a shortfall of approximately \$800,000, something that will cripple the county's current budget. Mr. Miniclier declared that if the county cannot get the revenue there would have to be draconian cuts to the budget. He further stated, that based on his experience, tonnage of 1,800 tpd is what he would expect for a shortfall, approximately \$250,000 below minimum, but until information is received and analyzed a realistic number is hard to predict. The goal is to provide a recommended course of action no later than the August 24, 2010 regular Board of Supervisors meeting.

County Attorney, B. Randolph Boyd, provided that the WM contract states they have an obligation to make their best efforts to make 2,000 tpd, it is not the rule.

The Board directed Mr. Miniclier to stay on top of this matter and continue working towards a solution to the current and potential shortfall problem.

RE: PUBLIC COMMENTS

Muriel Adkins, 7941 Lott Cary Road – Mrs. Adkins updated the Board her Comcast service has improved somewhat from last month although she is still unable to receive Channel 7. She shared she did notify Comcast and the representative she spoke with told her a ticket for service would be turned in for the out of service channel. She was told it was not a certainty it would be corrected and if not, the channel would remain listed as *out of service*. Mrs. Adkins inquired as to how many people would have to complain to get Comcast to pursue a solution and the representative responded, “a large stand of citizens would have to complain.”.

RE: EXECUTIVE SESSION

Motion was made by Gilbert A. Smith that the Board of Supervisors go into closed session to discuss personnel matters under Section 2.2-3 711(A)(1) of the 1950 Code of Virginia as amended. The motion carried as follows:

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

Motion was made by Sherri M. Bowman to return to regular session. The motion carried as follows:

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

Motion was made by Sherri M. Bowman that the Board of Supervisors discussed only public business matters lawfully exempted from statutory open meeting requirements and public business identified in the motion to convene the executive session. The motion carried as follows:

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

There being no further business before the Board it hereby adjourned to meet again on Tuesday, **July 27, 2010** at 7:30 p.m. for the Board of Supervisors' regular Meeting.