

VIRGINIA:

At the regular meeting of the Board of Supervisors held at the Charles City Government and School Board Administration Building thereof on Monday, December 15, 2008 at 7:30 p.m. in the 233rd year of the Commonwealth and in the 374th 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., 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 Timothy W. Cotman, Sr. that the following consent agenda be approved as presented:

- a. Approval of the minutes of the November 25, 2008 regular meeting.
- b. Approval of payment to CH2MHill in the amount of \$42,991.92 for landfill professional services for the period of October 18, 2008 through November 14, 2008.
- c. Approval of appropriations for the 3rd quarter (January, February & March 2009)

Board of Supervisors	15,506
County Administrator	40,477
Legal Services	19,350
Non-Departmental	10,000
Non Depart-Telecomm	74,801
Audit	-0-
Comm. of Revenue	34,970
Treasurer	48,630
Management Services	62,771
Information Technology	77,852
Motor Pool	28,140
Central Gas	1,935
Memberships	-0-

Elect. Board Officials	-0-
Registrar	-0-
Circuit Court	8,634
Combined GD/JD Court	-0-
County Magistrate	-0-
Clerk of Circuit Court	65,969
Sheriff (Judicial)	39,953
Asset Forfeiture-Sheriff	-0-
Courthouse Security Fund	2,875
Crater Criminal Justice T.C.	-0-
Commonwealth's Attorney	49,466
Asset Forfeiture-Commonwealth's Attorney	-0-
Sheriff (Law Enforcement)	167,130
I.D.A. Grant-Sheriff	10,647
Fire Protection	29,431
Emer. Medical Response	27,500
Correction & Detention	84,150
VJCCCA	-0-
Col. Com. Correction J.B.	-0-
9 th Dist. Ct. Services (Probation)	6,875
Codes Enforcement	22,567
Animal Control	19,073
Medical Examiner	-0-
Emergency Services	6,103
Landfill Monitoring	92,027
General Properties	168,730
Health Department	22,823
MH/MR Services Board	27,540
Contributions	-0-
John Tyler Comm. College	-0-
Recreation Operations	101,614
Library/Cultural	-0-
Center for Local History	-0-
2007 Planning Committee	-0-
Planning Commission	300
Dept. of Development	40,610
Community Development Contribution	-0-
Environmental Management Contribution	-0-
Cooperative Extension	3,950
General Fund Contingency	-0-
Revolving Accounts	-0-
Revenue Refunds	-0-
Reimbursable Accounts	-0-
Holding Accounts	-0-
Cap. Outlay-Rep/Renov.	-0-
Cap. Outlay-New Projects	6,175

Debt Service	<u>108,563</u>
	1,527,137

Public Utilities Fund	67,507
Misc. Trust Fund (E911 Only)	<u>7,125</u>
	74,632

TOTAL BOARD OF SUPERVISORS	1,601,769
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OPERATION OF SCHOOLS

Instruction	2,305,000
Admin, Attendance & Health Services	225,600
Pupil Transportation	242,000
Operations & Maintenance	440,000
School Food	120,200
Debt Service	62,093
Technology	<u>80,100</u>
	3,474,993

VPA FUND

Personnel & Admin. Operating Expenses	208,540.00
Benefit Program	<u>115,240.00</u>
	323,780.00

COMPREHENSIVE SERVICES ACT

Mandated Residential Services	193,100
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The motion was carried as follows:

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

RE: DEPARTMENT OF TRANSPORTATION (VDOT)

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

Maintenance Activities for November/December

Cleaned Ditch on Route 639

Pavement Repairs to Secondary Roads (Spray Patching)

Broke Beaver Dam Secondary Routes 614, 615, 626, 5, 620, 616

Dead Tree Removal on Routes 603, 653, 620

Litter Control on Secondary and Primary Roads
Remove leaves from ditches in problem areas
Litter removal
Dead Animal removal
Tree Trimming on Route 603 and CC Road
Cleaned Ditches & Pipes before Rain
Keeping Check on Beaver Dam on Route 5 East prior to Route 607
Removed trees from Ditch on Route 607

DEPARTMENT OF TRANSPORTATION (VDOT) (CONTD.)

Plans for January

Pavement Repairs to Secondary Roads
Dead Tree Removal on Secondary Roads
Litter Control on Primary and Secondary Roads
Sign Maintenance
Blade Dirt Roads
Debris Removal on Primary Roads
Low Shoulder Repair on Primary Roads
Continue Removing leaves from ditches in problem areas

Response to Citizen Input at the November Meeting

In response to Mr. Bradley Moore's concern regarding the speed limit and speed limit signs on Cattail Road, this is ongoing and will be forwarded to district Traffic Engineering.

Regarding the issue of "No speed limit signs" on Wayside Road (Route 607) between Route 5 and Route 106: Speed limit signs should be in place by COB today - 45 mph signs.

Miscellaneous

Benjamin Harrison Bridge currently is operating normally. Additional testing may take place over the next several weeks in order to pinpoint the cause of previous problems.

Barrett's Ferry Bridge – No date set on opening bridge to traffic due to numerous inspection "punch list" items needed to be resolved. Board will be notified prior to any formal opening or event.

Comments

1. Mr. Timothy W. Cotman, Sr., stated -

- With the new incoming administration in Washington stressing the need for improvement of infrastructure all over the country; we need to have projects established so that when the time comes we will be ready.
- Also, there is still flooding on Routes 614, 613, and 607 from Route 106 to Route 5.

Mr. Robinson stated that some work has started on the preliminary engineering on Route 607 from Route 106 to Route 5.

2. Mr. Byron Adkins stated that he had given a letter to the Board of Supervisors from St. John Baptist Church regarding their concern about the safety of vehicles entering and exiting the church property and vehicles traveling on Roxbury Road requesting that consideration be given to the following:

- Reduce the speed limit from 55 to 45 mph; ¼ mile South of the intersection of Roxbury Road and Wayside Road to ½ mile North of the church site.
- Post signs indicating vehicles turning ahead along with a warning stripe on the road surface.
- Implement a mechanism that assures maximum safety for ongoing traffic traveling Roxbury Road, and vehicles turning onto the church property.

Mr. Robinson stated that VDOT will look into this matter.

RE: APPOINTMENT – CHICKAHOMINY HEALTH ADVISORY BOARD

Motion was made by Sherri M. Bowman to reappoint Mr. Steve Furhman, 3900 Adkins Road, Providence Forge, VA 23140, to serve as a member of the Chickahominy Health Advisory Board, said term to expire on December 6, 2010. The motion was carried as follows:

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

RE: CHICKAHOMINY HEALTH DISTRICT – REQUEST TO RETAIN LOCAL UNMATCHED FUNDS

Motion was made by Timothy W. Cotman, Sr., that the Chickahominy Health District not be allowed to retain the unmatched portion of the original FY2009 allocation (\$3,491.00) and a letter be sent reflecting that. The motion was carried as follows:

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

RE: DECEMBER 23, 2008 EMPLOYEE PAY DATE

Motion was made by Sherri M. Bowman to approve issuing the December 31st pay checks to employees the last working day prior to Christmas. The motion was carried as follows:

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

RE: SECTION 504 GRIEVANCE PROCEDURE & ENVIRONMENTAL CERTIFYING OFFICIAL

Motion was made by Timothy W. Cotman, Sr., that John Bragg be designated Certifying Official concerning the Community Improvement Grant awarded to the County by the Department of Housing and Community Development for the Gilfield Community Project. The motion was carried as follows:

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

RE: VIRGINIA RETIREMENT SYSTEM – PRE-TAX CONTRIBUTION FOR PRIOR YEAR SERVICE CREDIT

Motion was made by Timothy W. Cotman, Sr. to approve resolution to pick up the employee's contributions to VRS for past service credit under 414(h) of the Internal Revenue Code. The motion was carried as follows:

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

WHEREAS, Charles City County, Virginia desires to provide its employees with tax deferral pursuant to § 414(h) Internal Revenue Code with respect to their member contributions to the Virginia Retirement System, the State Police Officers Retirement System and the Judicial Retirement System (collectively referred to as VRS)

VIRGINIA RETIREMENT SYSTEM – PRE-TAX CONTRIBUTION FOR PRIOR YEAR SERVICE CREDIT (CON'T)

for the permissible purchase of past service credit by picking up member contributions to the VRS; and

WHEREAS, the pick up is authorized under Virginia Code Sections 51.1-142.2; as such Code has been or may be amended from time to time

WHEREAS, the VRS keeps track of such picked up member contributions, and is prepared to treat such contributions as employee contributions for all purposes of VRS;

NOW, THEREFORE, IT IS HEREBY RESOLVED that effective the first pay day on or after the later of January 1, 2009 or the date the member executes a binding and irrevocable salary reduction election relating to the past service permitted to be purchased, the County of Charles City, Virginia shall pick up all or a portion of the member contributions of its employees to VRS based on the terms of the salary reduction election, and such contributions shall be treated as employer contributions in determining tax treatment under the Internal Revenue Code of the United States; and it is further

RESOLVED, the binding salary reduction election to be executed by the member shall include the following: (1) the beginning and ending date of the election, (2) the amount of the salary reduction on a pay period by pay period basis, (3) the total amount of contribution expected to be involved, (4) a statement that the member may not receive the contributed amounts instead of having them paid by the County of Charles City, Virginia to the VRS, and (5) an agreement that the member will not purchase the service credit through a lump sum payment during the period in which the salary reduction election is in effect, and it is further

RESOLVED, the member may revoke the salary reduction election only in the event of an unforeseeable emergency as that phrase is used and defined in IRC Section 457 and Treasury Regulation Section 1.457-2(h)(4) and if such a revocation is made, the member may not make a new salary reduction election during his period of employment, and it is further

RESOLVED that such contributions, although designated as member contributions, are to be made by the County of Charles City, Virginia in lieu of member contributions; and it is further

RESOLVED that pick up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees; and it is further

RESOLVED that member contributions made by the County of Charles City, Virginia under the pick up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as member contributions made prior to the pick up arrangement; and it is further

RESOLVED that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the pick up contributions made by the County of Charles City, Virginia directly instead of having them paid to VRS; and it is further

RESOLVED that notwithstanding any contractual or other provisions, the wages of each member of VRS who is an employee of the County of Charles City, Virginia shall be reduced by the amount of member contributions picked up by the County of Charles City, Virginia on behalf of such employee pursuant to the foregoing resolutions.

RE: E911 CONTRACT

Motion was made by Timothy W. Cotman, Sr. to authorize staff to proceed with E911 Contract negotiations with Worldview, Inc., in an amount not to exceed \$300,000 as allowed in the grant contract between Charles City and the Wireless Board; and that the County Administrator be allowed to execute the contract with Worldview, Inc. after approval by the County Attorney. The motion was carried as follows:

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

RE: LIBRARY CAMPAIGN COMMITTEE

Mr. John F. Miniclier, Jr., County Administrator informed the Board of Supervisors that he has received the following recommendation from the Library Working Group concerning appointments to the Library Campaign Committee:

Mr. Dick Nance and Ms. Dee Strotmeyer
Mr. Alan Bernstein and Ms. Kathy Willis as ex-officio members
Mr. John T. Bragg to work with members

Mr. Timothy Cotman stated that he was not prepared to vote on the library issue at this time.

RE: BOARD OF SUPERVISORS COMMENTS & DIRECTIVES

Mr. Timothy W. Cotman, Sr., requested that the County Administrator initiate or maintain some contact with Crater Planning District regarding BRAC and changes that are occurring in the Fort Lee area and how those changes will affect Charles City County.

RE: CLOSED SESSION

Motion was made by Gilbert A. Smith that the Board of Supervisors go into closed session to discuss personnel matters under Section 2.2-3711(A)(1) of the 1950 Code of Virginia as amended. The motion was carried as follows:

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

Motion was made by Timothy W. Cotman, Sr. to return to regular session. The motion was carried as follows:

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

Motion was made by Gilbert A. Smith to certify that the Board of Supervisors discussed only personnel matters lawfully exempt from statutory open meeting requirements identified in the motion to convene the closed session. The motion was carried as follows:

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

There being no further business before the Board, it hereby recesses to meet again on January 21, 2009, 9:00 a.m.

RE: RECESSED MEETING, WEDNESDAY, JANUARY 21, 2009, 9:00 A.M.

The meeting was called to order by the Chairman.

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

RE: ADOPTION OF AGENDA

Motion was made by Timothy W. Cotman, Sr. that the agenda be amended to add the following:

Appointments under 2(c)

The motion was carried as follows:

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

RE: REORGANIZATION OF BOARD

The County Administrator, Mr. John F. Miniclier, Jr. assumed the chair for election of Chairman of the Board of Supervisors for 2009.

- a. Election of Chairman – Motion was made by Gilbert A. Smith that Sherri M. Bowman be elected Chairman of the Board of Supervisors for 2009. The motion was carried as follows:

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

- b. Election of Vice Chairman - Motion was made by Gilbert A. Smith that Timothy W. Cotman, Sr. be elected as Vice Chairman of the Board of Supervisors for 2009. The motion was carried as follows:

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

RE: APPOINTMENT - CHICKAHOMINY HEALTH ADVISORY BOARD

Motion was made by Timothy W. Cotman, Sr. to reappoint Ms. Linda Jones-Woods, P. O. Box 32, Ruthville, VA 23147 to serve as a member of the Chickahominy Health Advisory Board, said term to expire on November 28, 2010. The motion was carried as follows:

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

RE: 2009-2010 BUDGET REQUESTS – CONSTITUTIONAL OFFICERS

The following Constitutional Officers were present to discuss their FY2009-2010 budget requests with the Board of Supervisors:

Ms. Cecelia W. Bradby - Treasurer
Ms. Denise B. Smith – Commissioner of the Revenue
Ms. Edith K. Holmes – Clerk of the Circuit Court
Mr. Javier Smith – Sheriff

RE: FY2009-2010 BUDGET REQUESTS – GENERAL GOVERNMENT

The following departments were present to discuss their FY2009-2010 budget request with the Board of Supervisors:

Mr. Franklin Bates – Animal Control Supervisor
Mr. Jay A. Brown – Director of Management Services
Ms. Catrinia Barneycastle – Registrar
Mr. Alfred Crump – Director of Parks & Recreation
Ms. Rebecca Stewart – Department of Planning
Mr. Paul Davis – Virginia Cooperative Extension
Ms. Judith Ledbetter – Center for Local History
Mr. Harry French – Information Technology
Ms. S. Joanne Johnson – Interim Director of Public Works
Mr. Dallas Johnson – Building Official

There being no further business before the Board it hereby recesses to meet again on Wednesday, January 21, 2009 at 1:00 p.m.

RE: RECESSED MEETING, WEDNESDAY, JANUARY 21, 2009, 1:00 P.M.

The meeting was called to order by the Chairman.

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

RE: FY2009-2010 BUDGET REQUESTS – AGENCIES

The following agencies presented their FY2009-2010 budget requests to the Board of Supervisors:

(1) Bay Transit; (2) Meals on Wheels; (3) Heritage Public Library
(4) Colonial Community Criminal Justice Board; (5) Central Virginia
Waste Management Authority; (6) Senior Connections; (7) Crater Planning
District Commission; (8) Central Virginia Health Planning Agency; (9) Quin
Rivers; (10) Foodbank; (11) Health Department;
(12) VCU Rice Center; (13) Henrico Area Community Services Board

RE: CLOSED SESSION

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

Motion was made by Timothy W. Cotman, Sr. to return to regular session. The motion was carried as follows:

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

Motion was made by Gilbert A. Smith to certify that the Board of Supervisors discussed only personnel matters lawfully exempt from statutory open meeting requirements identified in the motion to convene the closed session. The motion was carried as follows:

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

RE: SOCIAL SERVICES PROPOSED BUDGET FOR FY2009-2010

Mr. Byron M. Adkins, Director of Social Services presented the department's request for FY2009-2010.

Mr. Adkins also presented to the Board the Comprehensive Services Act for At Risk Youth & Families.

There being no further business before the Board it hereby adjourns to meet again on Tuesday, January 27, 2009 at 7:30 p.m.

Sherri M. Bowman, Chairman