

VIRGINIA:

At a special meeting of the Board of Supervisors held at the Charles City Government and School Board Administration Building thereof on Tuesday, June 24, 2008 at 7:00 p.m. in the 232nd 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: 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:

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

Motion was made by Gilbert A. Smith to return to regular session. The motion was carried as follows:

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

Motion was made by Timothy W. Cotman, Sr., 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

Meeting adjourned.

Gilbert A. Smith, Chairman

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 24, 2008 at 7:30 p.m. in the 232nd 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:

ADOPTION OF AGENDA (CONTD.)

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

RE: CONSENT AGENDA

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

- a. Approval of the minutes of the May 27, 2008 special & regular meetings and the June 4, 2008 recessed meeting.
- b. Approval of payment to CH2MHill in the amount of \$32,133.40 for landfill professional services for the period of March 22, 2008 through May 16, 2008.
- c. Appropriations for month ending June 30, 2008

Board of Supervisors	16,305
County Administrator	59,865
Legal Services	23,038
Non-Departmental	15,000
Non-Departmental –Telecommunication	38,700
Audit	18,500
Commissioner of Revenue	42,721
Treasurer	46,205
Management Services	61,970
Information Technology	70,665
Motor Pool	48,494
Central Gas	2,081
Memberships	2,750
Electoral Board Officials	19,167
Registrar	35,800
Circuit Court	8,724
Combined GD/JD Court	4,850
County Magistrate	1,800
Clerk of Circuit Court	55,847
Sheriff (Judicial)	40,028
Courthouse Security Fund	2,875
Crater Criminal Justice T. C.	5,702
Commonwealth’s Attorney	48,916
Circuit Court Preservation	-0-
Sheriff (Law Enforcement)	178,167
Terrorism Grant	-0-
Bullet Proof Vest Grant	-0-
Smart, Safe, Sober Grant	-0-
Smart, Safe, Sober Grant II	-0-
I.D.A. Grant-Sheriff	10,647
Fire Protection	63,646
Emergency Medical Response	22,300
Correction & Detention	84,150
VJCCA	3,002
Colonial Community Correction Justice Board	5,386
9 th District Court Services (Probation)	6,875
Codes Enforcement	46,925
Animal Control	24,199
Medical Examiner	300

Emergency Services	9,105
Landfill Monitoring	80,394
General Properties	214,440
Health Department	22,823
MH/MR Services Board	27,540
Office on Youth	-0-
Contributions	41,457
John Tyler Community College	1,151
Recreation Operations	135,000
Library/Cultural	71,456
Center for Local History	15,200
2007 Planning Committee	-0-
Planning Commission	200
Department of Development	64,838
Community Development Contribution	38,947
Environmental Management Contribution	6,325
Litter Control	-0-
Cooperative Extension	14,716
General Fund Contingency	101,250
Revolving Accounts	-0-
Revenue Refunds	-0-
Reimbursable Accounts	-0-
Holding Accounts	-0-
Capital Outlay-Rep./Renov.	32,400
Capital Outlay-New Projects	28,606
Debt Service	<u>109,000</u>
	2,130,448
Public Utilities Fund	112,600
Misc. Trust Fund (E911 Only)	<u>22,875</u>
	135,475
TOTAL BOARD OF SUPERVISORS	2,265,923
<u>OPERATION OF SCHOOLS</u>	
Instruction	2,006,811
Administration, Attendance and Health Services	219,192
Pupil Transportation Services	237,681
Operation and Maintenance Services	420,521
School Food Services	117,671
Debt Service	607,000
Technology	<u>78,481</u>
	3,687,357
<u>VPA FUND</u>	
Personnel & Admin. Operating Expenses	208,540
Benefit Programs	<u>115,240</u>
	323,780
<u>COMPREHENSIVE SERVICES ACT</u>	
Personnel & Admin. Operating Expenses	12,500
Mandated Residential Services	<u>193,100</u>
	205,600

CONSENT AGENDA (CONTD.)

VA Child Care	20,000
Child Care & Development	15,000

The motion was carried as follows:

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

RE: DEPARTMENT OF TRANSPORTATION (VDOT)

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

Maintenance Activities

Grass Mowing on Secondary Roads - 609, 615, 637, 614, 624, 658, 607, 650, 658, 625, 620, 635, 630 & 631
Ditch Cleaning on Route 623
Pavement Repair on Secondary Roads - 623, 631, 645 & 613,
Litter Control on Secondary Roads - 602, 618, 641, 607, 609, 615, 623, 603, 614, 612, 620, 631 & 648
Tree Trimming on Routes 614 & 619
Day-Lighting Signs on Secondary Roads
Installed Driveway Culvert on Route 602
Clearing Guardrail Brush on Routes 609, 618 & 5
Traffic Control Barretts Ferry - Steel Grate Repair

Planned Activities

Grass Mowing – Primary and Secondary Roads
Pavement Repair – Primary and Secondary Roads
Ditch Cleaning on Secondary Roads
Day-lighting Signs
Litter Control
Tree Trimming
Pipe Cleaning on Secondary Roads

Last Month

Continuing to work on Route 623 (ditching operation)
Performed Pavement repairs on Route 623 using spray patching contractor (Ender)

Mr. Smith asked if VDOT has had an opportunity to look at the intersection of Route 106 & Route 5 concerning the deep ruts cut in the road and water also standing in road in the same area.

Mr. Cotman asked what progress has been made towards moving dead trees off of the state right-of-way along Route 5 and other roads throughout the County.

Mr. Miniclier informed the Board of the following:

- a. That the Route 5 bridge project has a scheduled completion date of February 2009, however, VDOT is asking permission to close the bridge six nights (11:00 p.m. until 5:00 a.m.) over the next three months. This will allow the contractor to complete the new bridge six weeks ahead of schedule.
- b. In reference to Mr. Richard M. Bowman's inquiry at the public hearing held on May 27, 2008 asking if Route 609 between Route 602 and the entrance through the microwave tower was included in the proposed six-year plan; this project is included in the Metropolitan Planning Organization (MPO) which are federal funds.

Citizen Comments

Mr. Preston Adkins – (1) When a motorist is turning off of Route 602 (Lott Cary Road) onto Route 155 (Courthouse Road) there is not a sign which denotes there is a bridge which has a 24 ton limit. Concerned that fire trucks exceed that weight limit and by not having proper notification the trucks will have to go out of their way causing extra time to arrive at a scene. (2) Concerned about the speed limit on Route 618 (Adkins Road), portion of road the speed limit is 45 MPH and the other portion is 55 MPH. (3) Has noticed that there are a number of traffic counters located throughout the County, is there any special reason?

RE: RESOLUTION OF SUPPORT TO HUNT WITH DOGS (RESOLUTION 2008-06)

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

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

Whereas, Charles City County has a tradition of hunting with dogs and specifically with hounds; and,

Whereas, the Charles City County tradition of hunting with dogs provides significant economic benefit to the County and its citizens; and,

Whereas, as the Charles City County tradition of hunting with dogs significantly contributes to the public safety by controlling excess wildlife populations that would otherwise increase automotive collisions, crop and other property damage, and disease control; and,

Whereas, the Charles City County tradition of hunting with dogs, especially hounds, is practiced on the vast majority of land in Charles City County and is a source of revenue and a major resource management tool; and,

Whereas, the Charles City County tradition of hunting with dogs is a wholesome family oriented heritage that teaches self-reliance, individual responsibility, and the values of community and stewardship of our natural resources,

CONSENT AGENDA (CONTD.)

Now, Therefore, Be It Resolved, that the Charles City County Board of Supervisors supports our heritage of hunting with dogs, especially hounds, and opposes any studies or actions on the part of Virginia Department of Game & Inland Fisheries and Virginia Tech as detrimental to that tradition,

Be It Further Resolved, that the Charles City County Board of Supervisors in support of our heritage of hunting with dogs, especially hounds, hereby calls on the Virginia Department of Game & Inland Fisheries to work to increase communication with hunters and their hunting organizations and to increase law enforcement of the existing laws.

RE: PUBLIC COMMENT PERIOD

1. Ms. Elnora Robinson stated that since the County is in such a financial crisis there are several ways the County can save money:
(1) All employees that are driving county vehicles home that are not on twenty-four hour call drive their personal vehicles back and forth to work; (2) Noticed that some new furniture has been purchased, the schools budget was cut and this hurts the children, if the County can expend money on the above we can go back to the school and give them more funds.

RE: PUBLIC HEARING – CHARLES CITY COUNTY CODE

The Board of Supervisors held a public hearing to receive citizen comments on adoption of an Ordinance amending and re-enacting the Charles City County Code.

Mr. Timothy W. Cotman, Sr. commented on §23-207 (bad checks) and stated that the fee of \$10.00 seemed to be very small and recommended that the Board consider amending that section.

The Board directed the County Administrator to find out from the Treasurer if this is a reoccurring issue for the office.

RE: CHARLES CITY COUNTY CODE

Motion was made by Timothy W. Cotman, Sr. that the County Code be amended and re-enacted as presented at the public hearing. The motion was carried as follows:

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

RE: APPOINTMENT – WETLANDS BOARD

Motion was made by Timothy W. Cotman, Sr. that Mr. A. N. Hofmeyer, 17100 Tomahund Drive, Williamsburg, VA 23185 be reappointed to serve as a member on the Wetlands Board, said term to expire on January 11, 2013. The motion was carried as follows:

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

RE: APPOINTMENT – SOCIAL SERVICES BOARD

Motion was made by Gilbert A. Smith that Ms. Evelyn Giebel, 2407 Harrison Point Drive, Charles City, VA 23030 be appointed to serve as a member on the Social Services Board, said term to expire on June 30, 2012. The motion was carried as follows:

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

RE: USE OF SOCIAL CENTER FOR FUNDRAISER FOR CHARLES CITY VOLUNTEER FIRE & EMS

Mr. John F. Miniplier, Jr., County Administrator informed the Board of Supervisors that the Charles City Volunteer Fire & EMS Auxiliary will be holding a fundraiser for the Fire Department Building Fund. The fundraiser will be held at the Charles City Social Center on Saturday, October 4, 2008. The Auxiliary requests that the Board waive all fees at the Social Center for this event.

Motion was made by Timothy W. Cotman, Sr. that the Board of Supervisors waive all fees at the Social Center for the above fundraiser for the Fire Department Building Fund. The motion was carried as follows:

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

RE: REHAB SPECIALIST AND MANAGEMENT HOUSING ASSISTANCE SERVICES

Mr. John F. Miniplier, Jr., County Administrator informed the Board of Supervisors that the Rehab Specialist and Management Housing Assistance Interview Board met to interview possible candidates for Rehab Specialist and Management Housing Assistance services to assist in administering the Community Development Block Grant that was recently awarded to the County.

Motion was made by Sherri M. Bowman that staff be authorized to enter into an agreement with Mr. Dennis LeBlanc, for the Rehab Specialist and Quin Rivers for the Management Housing Assistance. The motion was carried as follows:

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

RE: RESOLUTION TO PROVIDE LOCAL AID TO THE COMMONWEALTH (RESOLUTION 2008-07)

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

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

WHEREAS, the General Assembly chose to respond to shrinking revenue growth by shifting to local governments the responsibility for reducing \$100.0 million of core services; and

RESOLUTION TO PROVIDE LOCAL AID TO THE COMMONWEALTH

(RESOLUTION 2008-07) (CONTD.)

WHEREAS, the Governor signed into law this \$100.0 million appropriation reduction for local governments in the 2008-2010 biennium without identifying the programs to be reduced; and

WHEREAS, these reductions are in addition to those made by the General Assembly and approved by the Governor affecting law enforcement, elementary and secondary education, profits from the Alcoholic Beverage Control Enterprise Fund and distributions of wine liter tax collections, constitutional offices, the upgrade of wastewater treatment facilities in conformance with water quality standards and goals, and farmland preservation to name but a few; and

WHEREAS, the \$100.0 million reduction will likely be carried forward into future biennia forcing city and county governments to choose between raising taxes or reducing services;

NOW, THEREFORE, BE IT RESOLVED THAT, the Board of Supervisors of Charles City County does hereby support the recording of this intergovernmental revenue reduction from the Commonwealth as **Local Aid to the Commonwealth**; and

BE IT FURTHER RESOLVED THAT, this recording on all financial records shall be shared with the delegation, the Governor and local news media so that citizens understand the decisions made by this governing body in response to the Commonwealth's choice to delegate their constitutional obligation to local governments.

RE: FY2008-2009 CATEGORICAL BUDGET FOR SCHOOL SYSTEM

Mr. John F. Miniclier, Jr., County Administrator presented to the Board of Supervisors the following categorical breakdown of the School System's FY2008-2009 budget for the Board of Supervisors' approval. Mr. Miniclier informed the Board that due to a new requirement by the Virginia General Assembly each school board has to include technology as one of its major classifications for expenditures of school funds:

Instruction	\$7,958,442
Administration, Attendance and Health Services	876,769
Pupil Transportation Services	950,722
Operation and Maintenance Services	1,682,084
School Food Services	470,683
Debt Service	669,093
Technology	<u>382,722</u>
	\$12,990,515

Motion was made by Timothy W. Cotman, Sr. that the Board of Supervisors approve the above categorical budget for the school system for FY2008-2009 as presented. The motion was carried as follows:

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

RE: CONTRACT WITH ROBINSON, FARMER COX ASSOCIATES

Variance Fees:

Administrative Variance.....\$ 50 plus cost of certified mailing

Board of Zoning Appeals (BZA) Applications:

10 Acres or less.....\$ 800
More than 10 but less than 50.....\$ 1,000
More than 50 less than 100.....\$ 1,200
More than 100 but less than 400.....\$ 1,400
More than 400 acres.....\$ 2,000

ANIMAL CONTROL:

Kennel License (Up to 20) \$50.00
Animal Boarding Fee (per day dogs & cats) \$10.00
Animal Board Fee (per day livestock) \$20.00
Animal Boarding Fee (per day yard animals) \$15.00
Dog License (Unsexed) \$7.00
Dog License (Non-neutered) \$10.00
Euthanasia Fee (100 lbs or less) \$50.00
Euthanasia Fee (100 lbs or more) \$100.00
Animal Pick-Up Fee \$25.00

INFORMATION TECHNOLOGY:

Landbook Labor Fees (email copy) \$50.00
Landbook Labor Fees (cd, postage) \$55.00
Xerox Copy Fee (citizens) \$0.60 (color)
\$0.30 (black/white)
Fax fee (citizens) \$0.50 (color/black/white)
\$0.50 local
\$1.00 long distance

CONSTRUCTION PERMIT FEES:

Permit Fee (minimum fee \$50) \$8 per \$1,000
Contract Price (licensed contractor) \$8 per \$1,000
No Contract Dwelling (except commercial) \$80 per sq ft
Attached Garages to Dwelling \$25 per sq ft
Not attached Garages \$20 per sq ft
Covered Porch \$15 per sq ft
Enclosed Porch \$20 per sq ft
Unfinished Basements \$20 per sq ft
Finished Basements \$25 per sq ft
Pressure Treated Deck \$10 per sq ft
Storage Shed/Pole Shed (no electricity) \$10 per sq ft
Addition to a Dwelling \$50 per sq ft
Swimming Pools Greater Than 150 sq. ft., 5000 Gallons & 24" Deep \$8 per \$1,000
Single Wide Manufactured Home \$100/dwelling
Blocking, Anchoring, Plumbing, Mechanical, Electrical, Steps w/4x4 Landing & Vinyl Skirting
Demolition/Removal – If Not Part of a Replacement \$50 each

ADOPTION OF FEES (CONTD.)

(No Fee If Part of Replacement Dwelling Permit Application)	
Demolition/Removal Commercial/Non-Residential	\$8 per \$1,000
Temporary Certificate of Occupancy (60 days) Maximum 2 Times	\$50 each
Certificate of Occupancy	\$50 each
When Construction is Commenced Before a Building Permit is Obtained, the Permit Fee Shall be Doubled and There Shall be no Refund if the Permit is Denied	\$16 per \$1,000
Reinspection Fee for any Subsequent Inspection Visit Necessary due to a Second Failed Inspection	\$50 each
Inspection Fee - Reconnect Electrical Power if off More than 30 days no Work Which Requires a Permit is Involved	\$50 each
Amendments to Permit/Permit Application or Site Plan	\$25 each
Retention of Permit Fees Equal to Twice the Minimum Fee for any <u>Issued</u> Permit Voided or Withdrawn	\$100 each
Retention of Permit Fees Equal to the Minimum Permit Fee for any Non-Issue Permits	\$50

Check with Building Official for Fee on Unusual Items
State Surcharge on Permits - 1.75% of permit fee

Motion was made by Timothy W. Cotman, Sr. that the Board of Supervisors approve the above fees for FY2008-2009 as presented by staff. The motion was carried as follows:

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

RE: ESTABLISHMENT OF LINE ITEM WITHIN BUDGET FOR SHERIFF'S DEPARTMENT & COMMONWEALTH'S ATTORNEY (PROCEEDS FROM ASSET FORFEITURE SALE)

Mr. John F. Miniclier, Jr., County Administrator informed the Board of Supervisors that the County has received information from Sheriff Smith and the Commonwealth's Attorney concerning funds disbursed from the Department of Criminal Justice Services from forfeiture proceedings.

Mr. Miniclier also informed the Board that Sheriff Smith and Mr. Robert Tyler have requested that a new line item be set up in their budget to reflect these funds and also appropriation of same.

Motion was made by Gilbert A. Smith that the Board of Supervisors approve the above request from the Sheriff and Commonwealth's Attorney. The motion was carried as follows:

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

RE: AMENDMENT TO FY08-09 BUDGET - COMMONWEALTH'S ATTORNEY

Mr. John F. Miniclier, Jr. County Administrator informed the Board of Supervisors that beginning July 1, 2008 the Charles City Commonwealth's Attorney will become a full time position. Since this position will now be full time, the Compensation Board increased the amount budgeted for office expenses and equipment for that office. The Compensation Board increased the Commonwealth's Attorney office expense budget by \$4,275 and equipment budget by \$16,298. Since the County is obligated to budget the approved Compensation Board amounts, it is my recommendation to increase the Commonwealth's Attorney's Office expenditure budget by \$15,357 and to transfer \$5,216 from the contingency budget for a total increase to the Commonwealth's Attorney's budget of \$20,573 (\$4,275 for office expenses + \$16,298 for equipment). The transfer from the contingency line item will cover the County's 32% match of the total equipment budget.

Motion was made by Timothy W. Cotman, Sr. that the Board of Supervisors approve an increase in the Commonwealth's Attorney's budget office expenditure by \$15,357 and transfer \$5,216 from the contingency line item to cover the County's 32% match of the total equipment budget for the Commonwealth's Attorney's budget. The motion was carried as follows:

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

RE: CITIZEN COMMENTS

Ms. Elnora Robinson asked the following questions:

- a. What is being spent in fuel for county employees that drive county vehicles to and from work that are not on 24 hour call?
- b. How much was spent on outfitting office, what was done with old furniture and how much did the new furniture cost?

Mr. Timothy W. Cotman, Sr. informed Ms. Robinson that the County does not authorize persons to drive county vehicles back and forth to work other than a few employees that are on 24 hour call.

There being no further business before the Board it hereby adjourns to meet again on Tuesday, July 22, 2008 at 7:30 p.m.

Gilbert A. Smith, Chairman