

**VIRGINIA:**

At the regular meeting of the Board of Supervisors held at the Charles City County Government and School Board Administration Building thereof on Tuesday, **December 28, 2010** at 7:30 p.m. in the 235<sup>th</sup> year of the Commonwealth and in the 376<sup>th</sup> 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 Gilbert A. Smith that the following consent agenda be approved:

- a. Approval of the minutes of the November 23, 2010 regular meeting.
- b. Approval of payment to CH2MHill in the amount of \$23,997.29 for landfill professional services for the period of October 16, 2010 through November 19, 2010.
- c. Appropriations for the month of January, 2011 as presented

The motion carried as follows:

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

<i>General Fund Agencies</i>	
Board of Supervisors	\$ 12,249
County Administrator	37,316
Legal Services	4,000
Non Departmental	0
Non Departmental-Telecom	27,397
Audit	0
Commissioner of Revenue	18,796
Treasurer	13,648
Management Services	27,600
Information Technology	46,600
Motor Pool	10,000
Central Gas	1,400
Memberships	0
Electoral Board	0
Registrar	0
Circuit Court	1,500
Combined GD/JD Court	3,494
County Magistrate	0
Clerk of Circuit Court	20,748

**January, 2011 Appropriations (Contd)**

Sheriff Judicial	11,675
Asset Forfeiture - Sheriff	0
Courthouse Security Fund	3,000
Crater Criminal Justice T.C.	0
Commonwealth's Attorney	15,754
Asset Forfeiture - Comm Atty	0
Sheriff Law Enforcement	53,530
IDA Sheriff Support	0
Fire Protection	25,098
Emergency Medical Response	0
E 911	0
Wireless E911	0
Correction & Detention	15,000
VJCCCA	0
Col Com Correction jb	0
9th District Court Services	12,750
Codes Enforcement	0
Animal Control	0
Medical Examiner	0
Emergency Services	1,453
Landfill Monitoring	47,729
General Properties	73,500
Health Department	10,000
MH/MR Services Board	0
Contributions	20,000
John Tyler Community College	0
Parks and Recreation	39,384
Library/Cultural	0
Center For Local History	0
Planning Commission	0
IDA Eco Devel Support	0
Planning Department	19,880
Com Development Cont	0
Environmental Mgt Cont	0
Cooperative Extension	1,650
General Fund Contingency	0
Cap Outlay-Repair/Renovation	0
Debt Service	0
<b>Total General Fund</b>	<b>575,178</b>
Public Utility Fund	52,000
Misc Trust Fund	0
<b>Total Utilities/Trust Funds</b>	<b>52,000</b>
<b>Total Board of Supervisors</b>	<b>575,178</b>
<b>School Operating Categorical</b>	
Instruction	573,212
Admin, Attendance & Health Serv.	66,700
Pupil Transportation	69,000
Operations & Maintenance	110,500
School Food	30,858
Debt Service	0
Technology	31,395
<b>School Fund Total</b>	<b>881,665</b>

**January, 2011 Appropriations (Contd)**

<i>ALL FUNDS</i>	
<i>BOARD OF SUPERVISORS</i>	575,178
<i>SCHOOL OPERATING</i>	881,665
<i>SOCIAL SERVICES</i>	166,626
<i>COMP. SERVICES ACT</i>	0
<i>SPECIAL WELFARE</i>	0
<i>TRANS. TO COMMONWEALTH</i>	0
<i>SPECIAL FUNDS</i>	6,063
<b><i>GRAND TOTAL OF ALL FUNDS</i></b>	<b>\$ 1,629,532</b>

RE: FY2010 AUDIT PRESENTATION

Paul Lee with Robinson, Farmer & Cox, Associates, (RFC) presented the draft FY2009-2010 Financial Audit report. He reported a \$1.9 million fund balance in the general fund. That is a drop of about \$630,000 and in this economic climate this is to be expected.

A lot of state money having been cut on the school side is being replaced by stimulus money. Also local collections are not quite where we would expect them to be for 2010 but it is where you are this year.

From a management standpoint it would be beneficial for Charles City, he said, to prepare an Accounting Policy & Procedures Manual as it would allow the Board to understand the accounting procedures and approve them as they go through and when bidding items and paying routine bills. It isn't to say the County is not practicing that already but it would be good to have it all in one manual or bible for staff to use day to day, month to month.

He stated they are looking for a better reconciliation of local taxes. It's not a material difference but it would be easier to compare the actual collections made versus the abatements and delinquent taxes.

Over expenditures were noted in three (3) areas. One being transportation due to the School issued a Capital Lease at the end of the year. In the future when issuing a Capital Lease when the amount to be financed is known, a supplemental appropriation should be done to eliminate the appearance of an over expenditure. If this had not been added to the books, the School would not have gone over the appropriation.

Also the School had a Commodities Issuance Disbursement and Commodities Issuance Receipt for the surplus commodities that are used in the school lunch program. There again it is a non cash transaction and there is no budget for it. If a supplemental appropriation had been done it would show that no local money was used and clean up that area of the budget so it doesn't look like an over expenditure of the budget.

An actual over expenditure was in the School's Operation and Maintenance area, involving a power bill noting a \$4,500 overage.

Mr. Gilbert A. Smith suggested a letter be written to the County Administrator listing things mentioned in the report.

Mr. Lee agreed to put these suggestions and noted points in his letter to the County Administrator.

RE: PUBLIC COMMENT PERIOD

1. William Lewis, 8231 Courthouse Road – Mr. Lewis asked why the Christmas parade was cancelled as everyone was prepared and much preparation goes into the event.

Mr. Lewis commended VDOT for the job they did clearing the roads after the recent snow storm.

Mr. Lewis suggested that instead of closing the County offices during snow storms the County consider offering “Liberal Leave” to employees instead of paying all employees for a day off.

Mr. Lewis suggested that the contract with Chambers be renegotiated to raise the tonnage requirement which would raise revenue.

RE: APPOINTMENTS – ROAD VIEWERS COMMITTEE

Motion was made by Sherri M. Bowman to reappoint S. Garland Christian, 8730 Samaria Lane, Providence Forge, to serve as a District II member on the *Road Viewers Committee*, said term to expire 12/31/2011. The motion carried as follows:

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

Motion was made by Gilbert A. Smith to reappoint Byron Cox, 10501 Shady Lane, Charles City, to serve as a District I member on the *Road Viewers Committee*, said term to expire 12/31/2011. The motion carried as follows:

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

RE: APPOINTMENTS – CHARLES CITY HEALTH COUNCIL

Motion was made by Sherri M. Bowman to appoint Steve Fuhrman, 3400 Adkins Road, Providence Forge, to serve as a District II member on the *Charles City Health Council*, which term is for two (2) years, to expire 12/31/2012. The motion carried as follows:

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

Motion was made by Sherri M. Bowman to appoint Pamela Derby, 5985 Adkins Road, Providence Forge, to serve as a District II member on the *Charles City Health Council*, which term is for one (1) year, to expire 12/31/2011. The motion carried as follows:

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

RE: APPT – CENTER FOR LOCAL HISTORY ADVISORY COMMISSION

Motion was made by Gilbert A. Smith to reappoint Ingeborg Fisher, 7000 Westover Road, Charles City, to serve as a District I member on the *Local History Advisory Committee*, said term to expire 12/31/2013.

The motion carried as follows:

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

RE: APPOINTMENT – PLANNING COMMISSION

Motion was made by Timothy W. Cotman, Sr. to reappoint Dr. Yvonne Smith-Jones, 15500 John Tyler Memorial Highway, Charles City, to serve as a District III member on the *Planning Commission*, said term to expire 12/31/2014.

The motion carried as follows:

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

RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

County Administrator, John F. Miniclier, Jr. read aloud the following Virginia Department of Transportation monthly report:

Maintenance Activities for the Previous 30 Days:

- Sign Maintenance Primary and Secondary
- Litter Control Primary and Secondary
- Debris Removal Primary and Secondary
- Tree Trimming Rt. 611
- Clean Ditch – Rt. 609
- Pot Hole Repair – Routes: 106, 614, 630, 650, 666, 626, 631

Maintenance Activities Planned for the next 30 Days:

- Litter Control
- Sign Maintenance
- Blade Dirt Roads
- Tree Trimming Routes: 5, 618, 602
- Beaver Dam – Routes: 5, 614, 616, 615, 650
- Pot Hole Repair Secondary and Primary
- Clean Ditch – Rt. 666

Updates on Specific Requests:

1. Route 155 CSX railroad crossing: A work order has been placed with CSX to make the repairs to the track crossing. VDOT cannot work within 3 feet of the tracks.
2. VDOT will "feather" the Route 106 railroad track crossing once the weather permits.
3. VDOT will replace the missing "Sharp Right Turn - 35 mph" sign on The Glebe Lane (Rt. 615).

RE: VIRGINIA DEPARTMENT OF TRANSPORTATION (CONTD)

4. Stop bars are not required at Stop signs. Stop bars are placed in locations in addition to Stop signs, when there are safety concerns such as inadequate sight distance or poor visibility of the Stop signs. If there are specific intersections where safety is a concern, VDOT would be glad to evaluate the need for a Stop bar.

Mr. Miniclier advised the Board that he will be meeting with the VDOT representative the week before each monthly Board of Supervisors' meeting to discuss the concerns of the Board and citizens. He also advised that the VDOT representative will attend the Board's regular January meeting to update them on the status of Rt. 106. In addition, the representative will attend the Board's March work session to present the VDOT 6 Year Plan for their review.

Mr. Miniclier explained that the upgrade of Adkins Road near the New Kent border is being reevaluated as to what impact raising that road will have as far as impounding areas upstream of that area. The Board will be updated on that re-evaluation at a later date.

Citizens' Comments

1. William Lewis, 8231 Courthouse Road – Mr. Lewis reported that someone is parking their vehicles at night on the bike trail in the Herring Creek area.
2. Ingeborg Fisher, 7000 Westover Road – Mrs. Fisher reported that 2 historic markers for Berkeley and Westover Plantations in the Herring Creek Market area were removed when the bike path was being built. They have not been replaced.

RE: LIBRARY CAMPAIGN COMMITTEE FUNDING REQUEST

Mr. James A. Tyler, Jr., Chairman of the Charles City County Library Campaign and Treasurer of the Heritage Library Foundation reported the progress of the library campaign has gone through 2 of 3 phases of the plans and only one more phase is needed to be shovel-ready. In addition, the economic climate for construction is favorable now to proceed.

Mr. Tyler stated that tonight The Library Campaign Committee requests the Board of Supervisors approve the Resolution pledging Charles City County's financial support for construction of a library facility to pay for approximately one-half of the construction of the library, estimated to be \$2.5 million of the 5 million total cost.

He stated that it is essential we have a private/public partnership in this effort. It is the Campaign's goal to have both private and public sectors contribute equal shares. A challenge donor would be helpful, whether that be the County or a private donor.

Once the library is complete, Mr. Tyler stated, there are grants and sponsorships available, the Friends of the Library will be raising money with an annual fund drive and other funds will come in from other sources. Together these hopefully will provide \$25,000 - \$50,000 per year for operating the library. Total annual cost for operation and maintenance is estimated to be \$243,000. The current cost to operate the library in its current space is \$82,000. That would be \$177,000 of new cost. There is no way to know exactly how much can be counted on by non-County funds but the entire burden of \$177,000 should not come out of County funds.

Mr. Timothy Cotman, Sr. agreed Charles City County needs a fully functioning library and the County should look toward contributing funding. He stated the language needs to be changed so that it is still useful to the Library Campaign but doesn't put a time table on the county until it is financially feasible to support this project.

RE: LIBRARY CAMPAIGN COMMITTEE FUNDING REQUEST (CONTD)

Mr. Gilbert Smith would like the language added to the Resolution that states; “depending on the financial status of Charles City County at that time as to what amount the County will contribute.

Mr. Timothy Cotman, Sr. stated that the County cannot do much towards this with regards to County funds until the debt service of the schools are paid off which will be at the end of the FY2012-2013. At that point, there will be \$600,000 that we had been paying on debt service becoming unencumbered and of which some will be able to be allocated to other projects. But until that debt is paid off the County cannot handle taking on another debt service.

The Board agreed to table the matter until their January 25, 2011 meeting so that language revisions may be made to the Resolution.

RE: COMMONWEALTH ATTORNEY FY2011 BUDGET AMENDMENT

Motion was made by Sherri M. Bowman to authorize the amendment of the Commonwealth Attorney’s Office FY2011 Budget to increase the asset forfeiture account in the amount of \$104.00.

The motion carried as follows:

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

RE: EMERGENCY SERVICES AND RECOMMENDED FEE CHANGES

Motion was made by Gilbert A. Smith to approve the proposed fee raises, as recommended by the County’s billing agency Fidelis (formerly Diversified Ambulance Billing), for Public Notice to be advertised in the Richmond Times Dispatch. The Public Hearing will be held on January 25, 2011 at 7:45 p.m. during the Board’s regular meeting to hear citizen’s comments on this matter.

The motion carried as follows:

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

RE: ABANDONMENT OF 355’ OF OLD FERRY ROAD

The County Administrator, John F. Miniclier, Jr., provided the Board of Supervisors the details of a request made by a Charles City resident for the abandonment of the portion of Old Ferry Road, between Eastbury Lane and the James River, a distance of 355 feet.

Mr. Miniclier advised the Board that he has corresponded with VDOT and VDOT has determined they would not have any use for that section of road. If the Board chooses to support abandonment they must first show their intention to pursue abandonment, and that may be done by posting and advertising a resolution of intent and holding a public hearing if requested, per state code 33.1-151. Ultimately, the decision is that of the Board of Transportation.

RE: ABANDONMENT OF 355' OF OLD FERRY ROAD (CONTD)

The Board directed the County Administrator to research what will happen to the abandoned property (i.e. to whom will it then belong) and be prepared to provide that information together with a resolution of intent for their consideration at the Board's next regular meeting.

RE: BOARD COMMENTS

**Ms. Sherri M. Bowman** commended the County staff for their prompt snow removal during the recent snow storm.

Ms. Bowman reported on the CWA Press Conference held in DC which she attended representing Charles City County and rural America on December 15, 2010. The initiative was to bring high speed internet to Charles City County and rural America in general. It is hoped that Charles City County may become a pilot test area to show how cost effectively you can increase the internet speed in rural areas.

Mr. Miniclier stated that the Administration is working to get the press conference on or linked from the County Website.

**Mr. Timothy W. Cotman, Sr.** directed an effort be made toward revitalizing some of the traffic signs around the Government building that were severely faded.

RE: PUBLIC COMMENTS

Vince Brackett, 7789 Kips Creek Drive – Mr. Brackett stated that good schools, EMS, and libraries are all critical for economic development. It's essential for Charles City County to have a library, citing that the Williamsburg Regional Library, as of March 1, 2011, will no longer offer library access to anyone other than residents of the City of Williamsburg, York County and James City County. Our need for a library is required now.

There being no further business before the Board, it hereby adjourned until next year. The Board will meet again on Thursday, **January 13, 2011** at 9:00 a.m. for the Departmental Budget Presentations to the Board of Supervisors.