

VIRGINIA:

At the regular meeting of the Board of Supervisors held at the Charles City Government and School Board Administration Building thereof on Tuesday, January 27, 2009 at 7:30 p.m. in the 233<sup>rd</sup> year of the Commonwealth and in the 375<sup>th</sup> year of the County.

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

RE: ADOPTION OF AGENDA

Motion was made by Gilbert A. Smith that the agenda be amended as recommended by the County Administrator:

Add under item 3:

- d. Personnel
- e. Sheriff Department Auxiliary

The motion was carried as follows:

ADOPTION OF AGENDA (CONTD.)

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

RE: CONSENT AGENDA

Motion was made by Timothy W. Cotman, Sr. that the following consent agenda be approved:

- a. Approval of the minutes of the December 15, 2008 recessed & regular meeting and January 21, 2009 recessed meeting as corrected.
- b. Approval of payment to CH2MHill in the amount of \$29,075.50 for landfill professional services for the period of November 15, 2008 through December 19, 2008.
- c. Board of Supervisors Attendance to School Board Meetings  
Tuesday, January 20, 2009 – Mr. Gilbert A. Smith  
Tuesday, February 17, 2009 – Ms. Sherri M. Bowman  
Tuesday, March 17, 2009 - Mr. Timothy W. Cotman, Sr  
Tuesday, April 21, 2009 – Mr. Gilbert A. Smith  
Tuesday, May 19, 2009 – Ms. Sherri M. Bowman  
Tuesday, June 16, 2009 – Mr. Timothy W. Cotman, Sr.  
Tuesday, July 21, 2009 – Mr. Gilbert A. Smith  
Tuesday, August 18, 2009 – Ms. Sherri M. Bowman  
Tuesday, September 15, 2009 – Mr. Timothy W. Cotman, Sr.  
Tuesday, October 20, 2009 – Mr. Gilbert A. Smith  
Tuesday, November 17, 2009 – Ms. Sherri M. Bowman  
Tuesday, December 15, 2009 – Mr. Timothy W. Cotman, Sr.

The motion was carried as follows:

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

RE: DEPARTMENT OF TRANSPORTATION

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

January

Sign Maintenance  
Broke Beaver Dam - Routes 620, 614, 615, 106, 155  
Bladed Dirt Roads  
Traffic Control Barretts Ferry Bridge - Electrical Problems  
Dead Tree Removal on Secondary Roads - Routes 613, 623, 627, 621, 610, 614  
Low Shoulder Repairs - Route 602  
Litter Control – Primary & Secondary Roads  
Pavement Repair – Secondary Roads  
Fixed road on Monguy at County line

Next Month

Low Shoulder Repair – Primary Roads  
Litter Control  
Sign Maintenance

DEPARTMENT OF TRANSPORTATION (CONTD.)

Pavement Repair  
Dead Tree Removal

Previous Meeting

Mr. Cotman inquired as to what the name of the new bridge was going to be, Mr. Robinson informed him that it is going to be the Judith Stewart Dresser Memorial Bridge.

Citizen Input

Citizen requested a speed reduction at 8131 Roxbury Road; this is Saint John's Baptist Church where the citizen was inquiring about constructing a turning lane and possibly having a reduction in the current posted speed limit. Forwarded request to Traffic Engineering for their review – typically 45 days to review.

Board Comments

Mr. Timothy W. Cotman, Sr. asked the status of the speed study on Route 614. Mr. Robinson informed Mr. Cotman that the results have not been received by his office at this time.

Mr. Cotman also stated that it brings him consolation that other people have problems with name of the Judith Stewart Dresser Memorial Bridge.

RE: FY2007-2008 AUDIT

Mr. Paul Lee of Robinson, Farmer, Cox Associates made a presentation to the Board concerning the FY2007-2008 audit.

Mr. Lee informed the Board that tax collections have remained high and the County has addressed the weaknesses that were noted.

Mr. Lee also informed the Board that the final audit should be available in about 3 weeks.

RE: THE HONORABLE DONALD MCEACHIN, SENATOR- LEGISLATIVE UPDATE

Senator McEachin was present at the meeting to update the Board on current legislative issues. Senator McEachin informed the Board of the following:

1. Has to make up a 3 billion dollar deficit.
2. Hope they can come up with some additional revenue to cover some of cuts made to Medicare and Medicaid.
3. Needs to get a dollar figure concerning revenue that should be coming into the County as a result of the various zip codes in the County (i.e. Richmond, Williamsburg, Ruthville & Providence Forge).
4. Try to convince his colleagues that this is a one time situation and they have to take it year by year.

RE: THE HONORABLE JOSEPH MORRISSEY, DELEGATE - LEGISLATIVE UPDATE

Delegate Morrissey was present at the meeting to update the Board on current legislative issues. Delegate Morrissey informed the Board of the following:

THE HONORABLE JOSEPH MORRISSEY, DELEGATE - LEGISLATIVE UPDATE (CONTD.)

1. We are faced with massive spending cuts.
2. Eliminated 2% raise for state employees.
3. Sees a lot of positive things even with the severe cuts we are facing.
4. Governor is putting millions of dollars into alternative energy.
5. Restoration of Rights – Currently the Governor restores rights, however, proposing automatic restoration of rights for convicted non-violent felons.

RE: CITIZEN COMMENTS

1. Ms. Judith Ledbetter - Informed Senator McEachin and Delegate Morrissey that a group of individuals will be going to Washington, D.C. in the next couple of weeks to apply for appropriations concerning the proposed library to be built in Charles City County and request a letter of support from the Senator & Delegate.
2. Mr. Barry Charity – Asked about the availability of high speed internet for all County residents, and asked if it is a problem with having available funds to provide the service to all residents that are interested in getting the service.
3. Ms. Barbara Crawley –Is there something that the residents can do to assist in getting high speed internet?

RE: HIGH SPEED INTERNET

Mr. Timothy W. Cotman, Sr. stated that this has been one of his priorities and he has been working with this issue the past 2 ½ years.

Delegate Morrissey stated that he could contact the representative from Verizon, Mr. Randolph Dillard to come with him to a Board of Supervisors' meeting or come with him to the capitol.

RE: COUNTY PERSONNEL

Mr. John F. Miniclier, Jr., County Administrator introduced to the Board and the public Ms. Christina Greene, the Director of Planning, and stated Ms. Greene will begin work on March 1, 2009.

Mr. Miniclier also informed the public that there has been a reorganization of the Department of Public Works and Ms. S. Joanne Johnson has been promoted to the position of Director of Public Works, effective February 1, 2009. Mr. Miniclier also stated that there are several other positions in the department that have received promotions.

RE: SHERIFF'S DEPARTMENT AUXILIARY

Javier Smith, Sheriff was present at the meeting and informed the Board that the Sheriff's Department is in the process of creating an auxiliary for the Department. This auxiliary will consist of all volunteers and asked the Board for their support.

The Board of Supervisors directed staff to inquire with the County's workman's compensation carrier to ascertain if the volunteers can be covered under the County's policy.

RE: JOINT PUBLIC HEARING WITH THE PLANNING COMMISSION

The Board of Supervisors and the Planning Commission held a joint public hearing to receive citizen comments on a request from Linda Howard & Stephen Cameron to renew special use permit #2005-07, to continue operating a commercial kennel located at 5226 North Warriner Road. This kennel boards, breeds, trains and sells large dogs as a business.

The following individuals spoke at the public hearing:

1. Mr. Kevin Pittman – He is the co-owner of a commercial kennel. He and his wife went through the same process in 2006 for a special use permit. Everyone should be held to the same standard, they could not open until they installed a septic system. Asked the Board to maintain high level of standards for all applicants.
2. Mr. Fred Chenault – Friend of the owners. They have put their heart and soul in this business. They do good job caring for dogs, he helps out when he can. The dogs are their family.
3. Ms. Mia Olsen – Secretary for Big Dog Kennel, complaint had been made about phones not being answered, they try to answer all phone calls. Dogs are very sweet; they hope to soon start therapy for the dogs.
4. Mr. Franklin Bates – Thanked the Board of Supervisors for giving Ms. Howard permit to only have one hundred dogs rather than two hundred dogs. He has a picture that someone had taken with a camera phone of a dog they went to purchase from the kennel.
5. Ms. Barbara Hayes – She has never visited the kennel, however, her neighbor purchased a dog from the kennel and it is a very nice puppy, playful, plump and they are very happy with their puppy.
6. Ms. Linda Howard – The picture of the dog that the Animal Control Supervisor (Frank Bates) showed the Planning Commission and the Board of Supervisors was their house pet

They have never neglected dogs; they currently have a \$3,000.00 bill from a veterinarian. Someone came on their property and took a picture of that dog and Mr. Bates was aware of this.

7. Mr. Eric Halperin- Ship dogs all over the country, follow proper procedures as dictated by law. Dogs are given a health certificate before they are shipped. A microchip is placed in each dog and that number is also placed on the certificate.

RE: SPECIAL USE PERMIT – BIG DOG KENNEL

The following comments were made by the Planning Commission members:

1. Mr. William Bailey - Asked if they never installed the septic system, why were they granted the permit?
2. Dr. Alton Washington – His greatest concern is the septic system. Everyone should be held to the highest standard. If the system has not been installed in all of this time, he does not feel confident that it will be installed.

The Planning Commission voted 6:0:1 (Mr. Kevin Pittman abstained from voting) to recommend that the Board of Supervisors deny the request from Linda Howard & Stephen Cameron (Big Dog Kennel) to renew special use permit #2005-07, to continue operating a commercial kennel located at 5226 North Warriner Road. Following are the reasons for denial:

SPECIAL USE PERMIT – BIG DOG KENNEL (CONTD.)

- 1) Not complying with the original conditions.
- 2) Septic system for kennel not installed.
- 3) Telephone answering service not adequate.
- 4) Dumpster for solid waste not in place.

Motion was made by Timothy W. Cotman, Sr. that the Board of Supervisors deny the request from Linda Howard & Stephen Cameron (Big Dog Kennel) to renew special use permit #2005-07, to continue operating a commercial kennel located at 5226 North Warriner Road as recommended by the Planning Commission. The motion was carried as follows:

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

RE: APPOINTMENTS – DISTRICT III

Motion was made by Timothy W. Cotman, Sr. that the following individuals be appointed to the committees/commissions listed below:

1. Recreation Advisory Commission – (a) Ms. Lee Ann Stanford, 12900 The Glebe Lane, Charles City, VA 23030 – Said term to expire on January 23, 2010; (b) Ms. Elnora Robinson, 17511 John Tyler Memorial Highway, Charles City, VA 23030 – Said term to expire on February 4, 2013.
2. Charles City County Center for Local History – Ms. Judith Ledbetter, 16530 The Glebe Lane, Charles City, VA 23030 – Said term to expire on January 30, 2012.

The motion was carried as follows:

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

RE: APPOINTMENTS – DISTRICT I

Motion was made by Gilbert A. Smith that the following individuals be appointed to the committees/commissions listed below:

1. Planning Commission - Mr. Barney Lomax, 10811 Shady Lane, Charles City, VA 23030 to fill the unexpired term of Mr. Byron Cox – Said term to expire on January 28, 2012.
2. Road Viewers Committee - Mr. Byron Cox, 10501 Shady Lane, Charles City, VA 23030 – Said term to expire on December 31, 2009.
3. Board of Building Code Appeals – Mr. Shirley Carter, 2000 John Tyler Memorial Highway, Charles City, VA 23030 – Said term to expire on June 30, 2012.

The motion was carried as follows:

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

RE: BOARD OF SUPERVISORS BY-LAWS FOR 2009

Mr. John F. Miniclier, Jr., County Administrator presented proposed by-laws for 2009. Mr. Miniclier informed the Board that the County Attorney has reviewed proposed by-laws and recommended changes to Section 8, 16 and 21.

Motion was made by Timothy W. Cotman, Sr. that the By-Laws for 2009 be approved to include amendments to Section 8, 16 and 21 as recommended by the County Attorney. The motion was carried as follows:

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

The Board further agreed that the word “Chairman” be replaced with “Chairperson” and the word “he” be replaced with “he/she” throughout the document.

RE: STAFF APPOINTMENTS - 2009

Mr. John F. Miniclier Jr., County Administrator presented the following appointments for staff for 2009 and requested that the Board approve appointments:

1. Emergency Planning Committee (SARA Title III) – Mr. John F. Miniclier, Jr.
2. James River Certified Development Corporation – Vacant
3. Board of Directors Central Virginia Waste Management Authority – Mr. John F. Miniclier, Jr. (Member); Mr. John Bragg (Alternate)
4. Charles City County Representative on the Technical Committee Central Virginia Waste Management Authority – Mr. John Bragg

5. Board of Directors Riverside Regional Jail – Mr. John F. Miniclier, Jr.; Mr. Jay Brown (Alternate)
6. Middle Peninsula Juvenile Detention Commission - Mr. Jay Brown
7. Comprehensive Youth Services Act Policy Board – Ms. Regina Harris
8. Housing Task Force – Ms. Rachael Greenhow & Mr. Jay Brown
9. Charles City County Representative on the Technical Committee of Metropolitan Planning Organization – Mr. John F. Miniclier, Jr.
10. Senior Connections (Capital Area Agency on Aging) – Mr. John F. Miniclier, Jr. (Member); Mr. Jay Brown (Alternate)
11. Capital Area Workforce Investment Board – Mr. John F. Miniclier, Jr.
12. James River Advisory Council – Vacant; Mr. Alfred Crump (Alternate)
13. Virginia Economic Development Association – Vacant
14. Landfill Advisory Board – Mr. John F. Miniclier, Jr.
15. Central Virginia Health Planning Agency – Mr. Jay Brown
16. Southside Virginia Training Center – Mr. Jay Brown
17. Youth Services Citizen Advisory Commission – Mr. Stephen Paige

Motion was made by Gilbert A. Smith that staff appointments for 2009 be approved as presented by the County Administrator. The motion was carried as follows:

STAFF APPOINTMENTS – 2009 (CONTD.)

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

RE: BOARD OF SUPERVISORS APPOINTMENTS FOR 2009

Motion was made by Gilbert A. Smith that the following Board of Supervisors appointments be approved for 2009:

1. Capital Area Training Consortium – Mr. Gilbert A. Smith
2. Planning Commission – Mr. Gilbert A. Smith
3. Recreation Advisory Commission – Mr. Timothy W. Cotman, Sr.
4. Community Criminal Justice Board – Ms. Sherri M. Bowman
5. Emergency Planning Committee (SARA Title III) – Mr. Timothy W. Cotman, Sr.
6. Highway Safety Commission – Ms. Sherri M. Bowman
7. Chickahominy Disability Services Board – Mr. Timothy W. Cotman, Sr.
8. Metropolitan Planning Organization – Mr. Timothy W. Cotman, Sr.
9. Metropolitan Air Quality Control Board (Lead Planning Organization) – Mr. Timothy W. Cotman, Sr. & Ms. Sherri M. Bowman
10. Fire Department Board of Directors – Mr. Gilbert A. Smith
11. Richmond Regional Planning District Commission – Mr. Timothy W. Cotman, Sr.
12. Crater Planning District Commission – Mr. Timothy W. Cotman, Sr.

The motion was carried as follows:

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

RE: 2009 BOARD OF SUPERVISORS QUARTERLY WORK SESSIONS

Motion was made by Gilbert A. Smith that the following quarterly work sessions for 2009 be approved:

March 4, 2009	6:00 PM
June 3, 2009	6:00 PM
September 9, 2009	6:00 PM
December 2, 2009	6:00 PM

The motion was carried as follows:

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

RE: REQUEST FOR PROPOSALS FOR REASSESSMENT

Mr. John F. Miniclier, Jr., County Administrator informed the Board that the County is due to have their reassessment performed this year and requested that staff be authorized to advertise Request for Proposals pending approval of RFP by the County Attorney.

REQUEST FOR PROPOSALS FOR REASSESSMENT (CONTD.)

Motion was made by Gilbert A. Smith that staff be authorized to advertise Request for Proposals pending approval of RFP by the County Attorney. The motion was carried as follows:

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

RE: LIBRARY UPDATE

Mr. John F. Miniclier, Jr., County Administrator informed the Board of Supervisors that Ms. Judith Ledbetter has been invited to make a presentation to the County's Federal Legislators at their office in Washington, D.C. concerning the proposed library and inquired if any of the Board members would be interested in attending.

Mr. Timothy W. Cotman, Sr. and Ms. Sherri M. Bowman stated that they would attend with Ms. Ledbetter.

RE: APPOINTMENTS – CHARLES CITY COUNTY LIBRARY CAMPAIGN COMMITTEE

Motion was made by Timothy W. Cotman, Sr. that the following individuals be appointed to serve as members on the Charles City County Library Campaign Committee:

Ms. Sondra Copeland; Mr. Fletcher L. “Dick” Nance;  
Ms. Mary C. “Dee” Strotmeyer; Mr. Alan Bernstein and Ms. Kathy Wills as ex-officio members; and Mr. John T. Bragg to work with members

The motion was carried as follows:

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

RE: SEPTIC PUMPOUT GRANT

Mr. John F. Miniclier, Jr., County Administrator informed the Board that the County has been notified that Charles City is receiving a \$5,000.00 reimbursable grant to pay for tank pump out for approximately 20 tanks belonging to Low Moderate Income residents. \$250.00 of the grant may be used for grant administration (posters, advertisements etc.) There is no match required.

Motion was made by Gilbert A. Smith that staff be authorized to accept the grant and proceed with the project. The motion was carried as follows:

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

RE: E911 CONTRACT UPDATE

The Virginia Wireless Board awarded a grant for up to \$300,000 in a regional project to the counties of Charles City and New Kent for GIS Location Based Situs Address Collection and Database Development. Final negotiations with the most responsive contractor (WorldView Incorporated) are near completion.

Mr. John F. Miniclier, Jr., County Administrator requests that staff be authorized to execute the contract with the selected vendor after contract approval by the County Attorney.

Motion was made by Timothy W. Cotman, Sr. that the County Administrator be authorized to execute the contract with the selected vendor after contract approval by the County Attorney. The motion was carried as follows:

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

RE: ADOPTION OF THE COUNTY'S ENVIRONMENTAL REVIEW RECORD

Mr. John F. Miniclier, Jr., County Administrator presented to the Board of Supervisors The Environmental Review Record (ERR). This completes the process necessary to determine the Gilfield Church Lane project's compliance with the environmental requirements of both state and federal agents. The formal adoption of the ERR by the Board of Supervisors is one of last steps necessary before the contract with Department of Housing & Community Development can be completed.

Motion was made by Gilbert A. Smith that the Board of Supervisors adopt the County's Environmental Review Record as presented by staff. The motion was carried as follows:

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

RE: BOARDS, COMMITTEES & COMMISSIONS

Mr. John F. Miniclier, Jr., County Administrator informed the Board of Supervisors that after some research concerning a number of committees, commissions and boards, it was noted that the following are no longer active:

Meals on Wheels Advisory Board  
Water Resources Task Force (RRPDC)  
Regional Competitiveness Committee (RRPDC)  
Historic Lower James River Advisory Commission  
Central Virginia Waste Management Advisory Board

Motion was made by Timothy W. Cotman, Sr. that the above committees, commissions and boards be discontinued. The motion was carried as follows:

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

RE: AMENDMENT TO SCHOOL SYSTEM'S FY 2008-2009 BUDGET

Mr. John F. Miniclier, Jr. County Administrator informed the Board that the School System has requested an amendment to the School System's FY2008-2009 budget and appropriation of same to cover the following state and federal grant awards:

Title – NCLB School Improvement Grant Funds	\$100,000.00
Mentor Teacher Program Grant Funds	\$ 5,631.00
Project Graduation	<u>\$11,680.00</u>
	\$117,311.00

Motion was made by Gilbert A. Smith that the Board approve an amendment to the School System's FY2008-2009 budget and appropriation of same to cover state and federal grants in the amount of \$117,311.00 The motion was carried as follows:

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

RE: BUDGET WORK SESSION SCHEDULE FOR FY2009-2010

Motion was made by Gilbert A. Smith that the following budget work session schedule for FY2009-2010 be approved as presented:

January 26-February 6, 2009	Department meetings with County Administrator in reference to budget adjustments
January 27, 2009	Regular Board of Supervisors Meeting
February 9-20, 2009	Budget Review for Board of Supervisors
February 23, 2009	Board of Supervisors changes due to County Administrator
February 24, 2009	Regular Board of Supervisors Meeting
February 25-March 6, 2009	Additional Departmental meetings with County Administrator in reference to budget adjustments
March 4, 2009 Work Session	Board of Supervisors Work Session & School Board Budget Presentation (tentative)
March 9-20, 2009	Additional Board Budget Work Session (if necessary) Additional meetings with Departments (if necessary)
March 24, 2009	Regular Board of Supervisors Meeting & County Administrator's Presentation of the FY2010 Budget
March 25-30, 2009	Board of Supervisors adjustments to FY10 budget due to County Administrator
March 31, 2009	Forward Budget Ad to Newspapers

BUDGET WORK SESSION SCHEDULE FOR FY2009-2010 (CONTD.)

April 5, 2009	Advertise Budget
April 15, 2009	Public Hearing on Proposed Budget at 7:00 p.m.
April 28, 2009	Regular Board of Supervisors Meeting & Adoption of FY10 Budget

The motion was carried as follows:

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

There being no further business before the Board it hereby adjourns to meet again on Tuesday, February 24, 2009 at 7:30 p.m.

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Sherri M. Bowman, Chairman

