

VIRGINIA:

At the regular meeting of the Board of Supervisors held at the Charles City Government and School Board Administration Building thereof on Tuesday, April 28, 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 Timothy W. Cotman, Sr., that the agenda be amended as recommended by the County Administrator:

Add under item 3:

d. Building Safety Week

Add under item 6:

h. Swine Flu Update

i. Sheriff's Department Auxiliary Update

ADOPTION OF AGENDA (CONTD.)

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:

- a. Approval of the minutes of the March 24, 2009 regular meeting and April 15, 2009 recessed meeting.
- b. Refund of Taxes (Real Estate & Personal Property Taxes)

Michael Boito	\$ 100.10
Chase Automotive Financial Corp.	264.60
Davis & Green, Inc.	2,135.00
Kenisha M. Jefferson	95.20
Penske Truck Leasing Co. LP	490.00
Richard E. Slusser	14.00
Vault-GMAC	183.41
Riveroak Timberland Investments, LP	4,190.42
Crossgap Ministries, Inc.	214.02
Robert A. & Corene W. Charity	87.26

c. Appropriations for the Month of May 2009

Board of Supervisors	4,272
County Administrator	32,487
Legal Services	-0-
Non-Departmental	20,000
Non Departmental-Telecomm	-0-
Audit	-0-
Commissioner of the Revenue	11,281
Treasurer	7,676
Management Services	40,711
Information Technology	-0-
Motor Pool	6,552
Central Gas	757
Memberships	-0-
Electoral Board Officials	-0-
Registrar	-0-
Circuit Court	-0-
Combined GD/JD Court	-0-
County Magistrate	-0-
Clerk of Circuit Court	31,667
Sheriff (Judicial)	18,290
Asset Forfeiture-Sheriff	-0-
Courthouse Security Fund	-0-
Crater Criminal Justice T.C.	-0-
Commonwealth's Attorney	16,972

CONSENT AGENDA (CONTD.)

c. Appropriations for the Month of May 2009 (Contd.)

Asset Forfeiture-Commonwealth's Attorney	-0-
Sheriff (Law Enforcement)	13,069
I.D.A. Grant-Sheriff	-0-
Fire Protection	32,550
Emer. Medical Response	-0-
Correction & Detention	-0-
VJCCCA	-0-
Col. Com. Correction J.B.	-0-
9 <sup>th</sup> Dist. Court Services (Probation)	3,000
Codes Enforcement	6,881
Animal Control	5,811
Medical Examiner	-0-
Emergency Services	3,232
Landfill Monitoring	6,654
General Properties	60,595
Health Department	-0-
MH/MR Services Board	-0-
Contributions	-0-
John Tyler Comm. College	-0-
Recreation Operations	23,945
Library/Cultural	-0-
Center for Local History	-0-
2007 Planning Committee	-0-
Planning Commission	-0-
Department of Development	34,007
Community Development Contribution	-0-
Environmental Management Contribution	-0-
Cooperative Extension	200
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	-0-
Debt Service	<u>108,127</u>
	488,736
Public Utilities Fund	30,701
Misc. Trust Fund (E911 Only)	<u>2,750</u>
	33,451
TOTAL BOARD OF SUPERVISORS	522,187
<u>OPERATION OF SCHOOLS</u>	
Instruction	769,988
Admin, Attendance & Health Services	71,930
Pupil Transportation	74,087
Operations & Maintenance	121,933
School Food	37,960
Debt Service	-0-
Technology	<u>21,890</u>
	1,097,788

CONSENT AGENDA (CONTD.)

c. Appropriations for the Month of May 2009 (Contd.)

VPA FUND

Personnel & Admin. Operating Expenses	69,513.33
Benefit Program	38,413.33
Mandated Residential	<u>64,366.67</u>
	172,293.33

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:

April

Litter Control - Primary & Secondary Roads  
Sign Maintenance  
Dead Animal Patrol  
Bladed Dirt Roads  
Broke Beaver Dam - Routes 5, 620, 614, 615, 626  
Installed Driveway Pipe - Routes 620 & 607  
Drainage Repair - Routes 614, 155, 602, 630  
Repaired Pot Holes - Routes 650, 623, 612, 618, 632, 614

Next Month

Litter Control  
Beaver Dam Control  
Sign Maintenance  
Blade Dirt Roads  
Asphalt Patching  
Grass Cutting  
Drainage Repair

**Citizens Concerns**

The ditch on Route 602 that concerned Mr. Elvis Adkins has been cleaned.

- Rutting at Routes 106 & 5 is included in the budget. VDOT will inform the Board of the start date.
- There were concerns about bumps at the end of the Judith Dresser Bridge. The final surface will be laid in late August.
- No funding is currently available for pavement markers/reflectors in Charles City County on Route 5 as presently installed in James City County.
- Herring Creek Bridge was inspected and was found to be structurally sufficient. There are no plans at this time for extended maintenance.

DEPARTMENT OF TRANSPORTATION (CONTD.)

Citizens Comments

1. Almeda Tyler - Stated that her daughter lives at the corner of Lewis Tyler Lane and Adkins Road, and water constantly stands in her yard coming from run off from the road.
2. Elnora Robinson - Questioned the lack of funds for the pavement markers/reflectors on the Judith Dresser Bridge. She wanted to know if the markers will be installed when funds are available. She said markers are on the James City County side but not the Charles City side.
3. Edward Baber - Stated that there has been a problem with the railroad crossing at Adkins Road and Route 60. The lights flashed for two days. Mr. Baber asked who is responsible for the railroad crossings.

Mr. Robinson responded that it is CSX's responsibility, he will contact them.

RE: HOUSING NEEDS ASSESSMENT REPORT – CROSSGAP MINISTRIES

Mr. Edward Baber presented the Board of Supervisors *The Charles City County Housing Needs Assessment* that was funded by a 2008 VCDBG Planning Grant, 08-PG-20 awarded by the Department of Housing and Community Development.

Mr. Miniclier stated that the report would be placed on the county website within 30 days.

Mr. Cotman stated that Richmond Regional Planning District Commission should receive a copy of the report.

RE: VIRGINIA ASSOCIATION OF COUNTIES

Mr. Donald Hart, President of the Virginia Association of Counties introduced himself to the Board of Supervisors. He encouraged the county to stay abreast on VACo's mandates and to participate on VACo committees. He especially encouraged participation in the Rural Caucus because this committee keeps rural counties working together.

RE: BUILDING SAFETY WEEK

Motion was made by Timothy W. Cotman, Sr., to adopt the following proclamation which recognizes May 3-9, 2009 Building Safety Week as read by Dallas Johnson.

The motion was carried as follows:

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

WHEREAS, Charles City County's continuing efforts to address the critical issues of safety, energy efficiency and sustainability in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound, and;

WHEREAS, our confidence is achieved through the devotion of vigilant guardians – building safety and fire prevention officials, architects, engineers, builders, laborers and others in the construction industry – who work year-round to ensure the safe construction of buildings, and;

BUILDING SAFETY WEEK (CONTD.)

WHEREAS, these guardians—dedicated members of the International Code Council—develop and implement the highest-quality codes to protect Americans in the buildings where we live, learn, work and play, and;

WHEREAS, the International Codes, the most widely adopted building safety, energy and fire prevention codes in the nation, are used by most U.S. cities, counties and states; these modern building codes also include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wild land fires and earthquakes, and;

WHEREAS, Building Safety Week is sponsored by the International Code Council and International Code Council Foundation, to remind the public about the critical role of our communities' largely unknown guardians of public safety – our local code officials – who assure us of safe, efficient and livable buildings, and;

WHEREAS, “Building Safety: Where You Live, Work and Play,” the theme for Building Safety Week 2009, encourages all Americans to raise awareness of the importance of building safety; green and sustainable building; pool, spa and hot tub safety; and new technologies in the construction industry. Building Safety Week 2009 encourages appropriate steps everyone can take to ensure that the places where we live, learn, work and play are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies.

WHEREAS, each year, in observance of Building Safety Week, citizens are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided to all of us by our local building departments in protecting lives and property.

NOW, THEREFORE, BE IT RESOLVED, that the Charles City County Board of Supervisors, do hereby proclaim May 3 through May 9, 2009, as Building Safety Week and accordingly encourages our citizens to join with our community in participation in Building Safety Week activities.

RE: CITIZEN COMMENTS

Mr. Byron Cox, representing New Vine Baptist Church, wanted to know if there will be designated parking areas for people using the bike trail. He also wanted to know how the trail will be maintained. Following were comments made by Board members and staff:

1. Mr. Gilbert Smith - Who will be responsible for keeping the grass cut along the trail. Mr. Smith stated he would like to see different organizations work in partnership to maintain the trail, and that if county employees are involved VDOT should compensate the county.
2. Mr. John Miniclier - Stated there has been an ongoing discussion as to who will maintain the trail. Mr. Miniclier also stated that possible parking locations are the Herring Creek area and that the parking area at the old courthouse has been designated a trail head and will be used for parking vehicles. This will be discussed with VDOT officials.
3. B. Randolph Boyd - Stated that he has seen people parking in private driveways to use the trail.
4. Mr. Timothy W. Cotman, Sr. - Stated that VDOT is ultimately responsible for the trail maintenance.

RE: APPOINTMENTS

Motion was made by Gilbert A. Smith to appoint Mrs. Jennifer Richardson, 5525 N. Warriner Road, Richmond, VA 23231, (804/ 829-6709) to serve as a member on the Charles City/New Kent Heritage Foundation.

The motion was carried as follows:

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

Motion was made by Timothy W. Cotman, Sr. to appoint Ms. Christina Greene as the county's representative on the Metropolitan Planning Organization Technical Advisory Committee and the alternate for the Metropolitan Planning Organization, with Mr. John F. Miniclier, Jr, the alternate for the Richmond Regional Planning District Commission.

The motion was carried as follows:

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

RE: HOUSING TASKS FORCE MEMBERSHIP

Staff presented to the Board a recommendation concerning individuals to be considered for reinstatement to or removal from the Housing Task Force. Below is a listing of the current members of the Housing Task Force along with their term periods and representation status. Individuals whose term periods have expired need to be reinstated. Those individuals are Carol Dorsey, Doris Holliman, Elnora Robinson, and Vanessa Taylor. Also, the District Representatives need to be formally appointed by the Board of Supervisors to serve on the Housing Task Force as well.

<u>Name</u>	<u>Type of Representation</u>	<u>Term</u>
Katrina Bradby	Gilfield Representative	Expire April 2012
Julene Branch	Gilfield Representative	Expire April 2012
Barbara Crawley	Declined reinstatement	
Carol Dorsey	Kimages Representative Regular Member Reinstate	Expired September 2008
Doris Holliman	Regular Member Reinstate	
Elnora Robinson	Regular Member Reinstate	
Vanessa Taylor	Regular Member Reinstate	

The District representatives serve a four year term. All others are to serve at the pleasure of the Board of Supervisors or for the duration of the project.

Motion was made by Timothy W. Cotman, Sr. to appoint Russell LaBelle, 7014 S. Lott Cary Road, Providence Forge, VA 23140 to the Housing Task Force, to replace Ms. Barbara Crawley, said term to expire March 31, 2013.

HOUSING TAKS FORCE MEMBERSHIP (CONTD.)

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 above recommendation concerning the Housing Task Force Membership be approved as presented.

RE: AMENDMENT & APPROPRIATION TO SCHOOL SYSTEM'S  
FY2008-2009 BUDGET

Motion was made by Gilbert A Smith to approve amendment to the School System's FY2008-2009 budget to include Central Virginia Consortium for Technology Grant in the amount of \$1,750.00 and appropriation of same.

The motion was carried as follows:

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

RE: TRANSFER OF FUNDS FROM CONTINGENCY

Motion was made by Timothy W. Cotman, Sr., to approve the transfer of \$3,312.00 from the contingency line item to the Crossroads Youth Home expenditure account.

DISCUSSION: Mr. Cotman directed staff to investigate the development of a policy that will allow county to send youth to another facility if Crossroads Youth Home does not have available space.

The motion was carried as follows:

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

RE: FY2008-2009 BUDGET AMENDMENT

Motion was made by Gilbert A. Smith to amend the FY2008-2009 budget to include two grant awards from the Department of Housing and Community Development in the amount of \$500,000.00 for the Gilfield Comprehensive Community Development Project, and \$321,368.00 for the Indoor Plumbing & Rehabilitation Program; said funds are reimbursable, to be repaid as work is completed.

The motion was carried as follows:

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

RE: FY2009-2010 BUDGET

Mr. John F. Miniclier, Jr., County Administrator presented to the Board the proposed budget for FY2009-2010 for approval.

Mr. Timothy W. Cotman, Sr. stated that he could not approve the budget with the \$.01 tax increase. He feels that in the future monies will become available for emergency services. He further stated that there are grants available for which the county can apply.

Mr. Gilbert Smith stated that he could not approve the budget if it means deducting \$5,000 from the sheriff's salary at one time.

Mr. Miniclier responded that when the Board allowed the \$5,000 supplement for all uniformed members of the sheriff's department it was intended to aid the sheriff department in recruitment and retention of deputies. Based on shortfall of revenue and the fact that no other constitutional officer was receiving a supplement Mr. Miniclier had recommended the supplement no longer be paid for the Sheriff's position. In the past the County had supplemented constitutional officer's salaries and had decreased the supplement by any cost of living increase or pay raise authorized by the Compensation Board until the supplement was gone. Directive given by the Board of Supervisors was to reduce the sheriff's supplement as had been done previously with other constitutional officers.

Motion was made by Timothy W. Cotman, Sr. that the budget and tax levies set forth in the following budget for the Fiscal Year 2009-2010 be approved, such taxes to be levied for the calendar year 2009 and to be collected as provided by ordinance.

### **TAX SCHEDULE**

#### **Tax Rates**

Real Property Tax (per \$100 of assessed value)	\$0.82
Personal Property Tax (per \$100 of assessed value)	\$3.50
Tangible Personal Property (per \$100 of assessed value)	\$3.50
Machinery & Tools	\$2.50
Merchant's Capital	\$2.80
Mobile Home Tax (per \$100 of assessed value)	\$0.82
Common Carriers (per \$100 of assessed value)	\$2.50
E911 Tax	\$2.00
Electric Utility Tax	\$2.50
Gas Utility Tax	\$2.50
Additional Landfill Decal	\$3.00
General Operating	6,832,228
Social Services	2,185,841
Utility System	352,419
Special Welfare	19,000
Trust Fund	3,000
Transfers to Commonwealth	5,000
Special Funds	6,337
*School System	
Local & Other Revenues	353,040
State Revenues	5,194,633
Federal Funds	832,592
General Fund Appropriation	5,702,202

FY2009-2010 BUDGET (CONTD.)

Carryover (School Construction)	75,000	
Federal Stimulus Funds	341,346	
Total School System		12,498,813
Total FY2009-2010 Budget		21,902,638

\*Contingent upon providing categorical breakdown for approval at the May 26, 2009 meeting.

The motion was carried as follows:

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

RE: CHARLES CITY COUNTY/NEW KENT COUNTY JOINT COMMUNITY POLICY & MANAGEMENT TEAM DISSOLUTION

Mr. John F. Miniclier, Jr. informed the Board that New Kent County wants to dissolve the Charles City County/New Kent County Joint Community Policy & Management Team. They will operate their own separate Team. A letter from the Charles City County Director of Social Services, Mr. Byron Adkins, concurred with the New Kent request.

RE: ANGEL FOOD MINISTRIES

Mr. John F. Miniclier, Jr. informed the Board that Little Elam Baptist Church is a host site for Angel Food Ministries, a food program that offers fresh, high quality food items at substantial savings to help cut grocery bill costs. This program is available to all citizens at a minimal cost.

RE: BOARD OF SUPERVISORS' COMMENTS AND DIRECTIVES

Mr. Timothy W. Cotman, Sr., directed staff to replace bulbs in outdoor lights at the Recreation Center.

Ms. Sherri M. Bowman suggested that the Housing Task Force and other vacancies be made available on the web site.

RE: PUBLIC COMMENT PERIOD (NON-AGENDA ITEMS)

Ms. Almeda Tyler (Adkins Road) stated that she is tired of seeing the baggy pants on the boys, wants to know who can address that situation.

RE: CLOSED SESSION

Motion was made by Timothy W. Cotman, Sr., that the Board of Supervisors go into closed session to discuss sale of property under section 2.2-3711(A)(2) and legal matters section 2.2-3711(A)(6) of the 1950 Code of Virginia as amended. The motion was carried as follows:

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

CLOSED SESSION (CONTD.)

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

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

Motion was made by Gilbert A. Smith, to certify that the Board of Supervisors discussed only sale of property and legal 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 the Board it hereby adjourns to meet again on May 26, 2009 at 7:30 p.m.

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Sherri M. Bowman, Chairperson