

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, **February 22, 2011** at 7:30 p.m. in the 235th year of the Commonwealth and in the 377th 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. to adopt the agenda as presented.

The motion carried as follows:

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

RE: CONSENT AGENDA

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

- a. Approval of the minutes of the January 13, 2011 Special Meetings and January 25, 2011 Regular Meeting
- b. Approval of payment to CH2MHill in the amount of \$22,923.96 for landfill professional services for the period of December 18, 2010 through January 21, 2011
- c. Approval of refund of Personal Property Taxes (\$790.05)
- d. Approval of refund of Public Service Tax (\$1,249.80)
- e. Approved Amendment & Appropriation of the FY2011 School Budget in the amount of \$1,118.23 for the FY2010-2011 Hard-to-Staff Schools Mentor Teacher Program
- f. Appropriations for the month of March, 2011

| General Fund Agencies | |
|------------------------------|--------|
| Board of Supervisors | 3,430 |
| County Administrator | 14,663 |
| Legal Services | 12,643 |
| Non Departmental | 0 |
| Non Departmental-Telecom | 10,084 |
| Audit | 0 |
| Commissioner of Revenue | 13,836 |
| Treasurer | 14,000 |
| Management Services | 12,204 |
| Information Technology | 7,303 |
| Motor Pool | 0 |
| Central Gas | 0 |
| Memberships | 0 |
| Electoral Board | 1,413 |
| Registrar | 3,211 |
| Circuit Court | 2,330 |
| Combined GD/JD Court | 0 |
| County Magistrate | 0 |
| Clerk of Circuit Court | 16,740 |

March Appropriations (contd)

| | |
|-------------------------------------|----------------|
| Sheriff Judicial | 10,775 |
| Asset Forfeiture - Sheriff | 0 |
| Courthouse Security Fund | 1,200 |
| Crater Criminal Justice T.C. | 0 |
| Commonwealth's Attorney | 15,354 |
| Asset Forfeiture - Comm Atty | 0 |
| Sheriff Law Enforcement | 56,525 |
| IDA Sheriff Support | 8,010 |
| Fire Protection | 0 |
| Emergency Medical Response | 30,000 |
| E 911 | 20,000 |
| Wireless E911 | 1,000 |
| Correction & Detention | 0 |
| VJCCCA | 0 |
| Col Com Correction jb | 0 |
| 9th District Court Services | 0 |
| Codes Enforcement | 13,523 |
| Animal Control | 8,853 |
| Medical Examiner | 0 |
| Emergency Services | 525 |
| Landfill Monitoring | 50,000 |
| General Properties | 159,775 |
| Health Department | 0 |
| MH/MR Services Board | 0 |
| Contributions | 0 |
| John Tyler Community College | 0 |
| Parks and Recreation | 73,701 |
| Library/Cultural | 0 |
| Center For Local History | 0 |
| Planning Commission | 0 |
| IDA Economic Develop. Support | 0 |
| Planning Department | 9,870 |
| Com Development Cont | 0 |
| Environmental Mgt Cont | 0 |
| Cooperative Extension | 4,300 |
| General Fund Contingency | 0 |
| Cap Outlay-Repair/Renovation | (2,102) |
| Debt Service | 104,127 |
| Total General Fund | 677,293 |
| | |
| Public Utility Fund | 24,262 |
| Misc Trust Fund | 0 |
| Total Utilities/Trust Funds | 677,293 |
| Total Board of Supervisors | 677,293 |
| | |
| School Operating Categorical | |
| Instruction | 670,500 |
| Admin, Attendance & Health Serv. | 40,400 |
| Pupil Transportation | 88,000 |
| Operations & Maintenance | 72,000 |
| School Food | 34,000 |
| Debt Service | 0 |
| Technology | 0 |
| School Fund Total | 904,900 |

March Appropriations (contd)

| | |
|------------------------------|------------------|
| ALL FUNDS | |
| Board of Supervisors | 677,293 |
| School Operating | 904,900 |
| Social Services | 114,826 |
| Comp. Services Act | 51,799 |
| Special Welfare | 0 |
| Transfer to Commonwealth | 0 |
| Special Funds | 150 |
| GRAND TOTAL ALL FUNDS | 1,748,968 |

The motion carried as follows:

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

RE: APPOINTMENTS – CHARLES CITY HEALTH COUNCIL

Motion was made by Gilbert A Smith to appoint Sharon Brown, 10961 Shady Lane, Charles City, to serve as a District I member on the *Charles City Health Council*, said term to expire February 28, 2013. The motion carried as follows:

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

Motion was made by Gilbert A Smith to appoint Victoria Washington, 10480 Shady Lane, Charles City, to serve as a District I member on the *Charles City Health Council*, said term to expire February 28, 2012.

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

Motion was made by Sherri M. Bowman to appoint Michelle Whitehurst-Cook, Associate Professor of Family Medicine at VCU School of Medicine as the primary Medical Academic Center representative on the *Charles City Health Council*, said term to expire February 28, 2013.

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

Motion was made by Sherri M. Bowman to appoint Sheena MacKenzie to serve as the Central VA Health Services/Charles City Regional Health Services primary representative on the *Charles City Health Council*, said term to expire February 28, 2013.

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

Motion was made by Sherri M. Bowman to appoint Grace Jones to serve as the Virginia Department of Health primary representative on the *Charles City Health Council*, said term to expire February 28, 2013.

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

Motion was made by Gilbert A Smith to appoint Sherri M. Bowman to serve as the Board of Supervisors' representative on the *Charles City Health Council*, said term to expire January 31, 2012.

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

RE: APPOINTMENT – LIBRARY CAMPAIGN COMMITTEE

Motion was made by Sherri M. Bowman to appoint Linda Ault, 12831 Sturgeon Point Road, Charles City, to serve on the *Library Campaign Committee*. The motion carried as follows:

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

Motion was made by Sherri M. Bowman to appoint Jacqueline Wallace, 20001 John Tyler Memorial Highway, Charles City, to serve on the *Library Campaign Committee*. The motion carried as follows:

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

RE: FY2011-2012 CAPITAL IMPROVEMENT PLAN PRIORITY SCHEDULE

Motion was made by Sherri M. Bowman to approve the following FY2011-2012 Capital Improvement Plan (CIP) priority schedule for the county as recommended by the Planning Commission.

| Capital Projects | | 2011-12 | 2012-13 | 2013-14 | Estimated Cost | |
|-------------------------|---|--------------------|--------------------|--------------------|----------------|-----------------|
| 1 | Fire Station 1 Upgrades | \$1,047,375 | | | \$1,047,375 | GF, Grants |
| 2 | Roxbury Fire Station | \$1,120,350 | | | \$1,120,350 | GF, Grants |
| 3 | Library | \$200,000 | | \$5,212,502 | \$5,412,502 | GF; Heritage |
| 4 | Replacement WWTP Mt. Zion Rustic | \$420,000 | | | \$420,000 | GF, Grants |
| 5 | CCES Multipurpose Room | | \$89,056 | | \$89,056 | GF, Grants |
| 6 | CCES Classroom/ Laboratories | | \$1,753,845 | | \$1,753,845 | GF, Grants |
| 7 | Commercial Internet (T3) in Roxbury Development Center | \$262,500 | | | \$262,500 | GF, Grants |
| 8 | High Speed Internet (T3) in Courthouse Development Center | \$262,500 | | | \$262,500 | GF, Grants |
| 9 | CCES Gymnasium | | \$4,228,903 | | \$4,228,903 | GF, Grants |
| 10 | New School Board Office | \$1,567,913 | | | \$1,567,913 | GF, Grants |
| 11 | Boat Ramp | | \$309,232 | | \$309,232 | GF, Grants |
| | SUBTOTAL | \$4,880,638 | \$6,381,036 | \$5,212,502 | | |

TOTAL = **\$16,474,176**

RE: FY2011-2012 CAPITAL IMPROVEMENT PRIORITY SCHEDULE (CONTD)

The motion carried as follows:

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

RE: SPECIAL USE PERMIT (Eric Halprin)

Director of Planning, Allyson Finchum, informed the Board of Supervisors a Special Use Permit application has been submitted by Eric Halprin to operate a dog kennel but the real property is not currently in the applicant's name. Mr. Halprin plans to purchase the property but at this time his application is not complete due to this aspect.

The Board of Supervisors directed the Director of Planning to refund the application fee to Mr. Halprin until he is able to purchase the property and move forward with a complete application.

RE: CENSUS 2010 AND REDISTRICTING

Director of Planning, Allyson Finchum, reviewed the Charles City County 2010 Census results explaining that the county has grown by 330 people and now has an official population total of 7,256. To maintain the average of 2419 people per district, Districts 1 and 2 will require the adjustment of their common districting line.

By law the Board's decision regarding the district division must be provided to the Census Bureau by May 22, 2011. The Planning Department will present four districting recommendations for the Board's review at their meeting, March 22, 2011.

The Board directed staff to bring back to them at their March work session the date the Census Bureau will ratify the new division of the districts.

RE: TREASURER'S REQUEST FOR BUDGET TRANSFER

Motion was made by Timothy W. Cotman, Sr. to approve the transfer of \$2,002 from the Treasurer's Salary line item to the line items as follows: Travel & Convention, \$702; Part-time, \$1,300.

The motion carried as follows:

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

RE: UNITED WAY GRANT AWARDED

Motion was made by Sherri M. Bowman to accept and appropriate the grant funds awarded by United Way of Greater Richmond and Petersburg to the Office of the Commissioner of the Revenue in the amount of \$450. These funds will allow the Commissioner to continue to offer tax assistance to the citizens at no cost to the County. The motion carried as follows:

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

RE: FY2012 FEDERAL APPROPRIATION REQUESTS UPDATE

County Administrator, John F. Miniclier, Jr. informed the Board of Supervisors that the Senate Appropriations Committee has implemented a moratorium on earmarks for FY2012 and as such there is no need to submit applications requests FY2012 appropriation for funding.

Senator Mrak Warner's office is working on the possibility of a form to be completed by localities to assist the Senator in staying informed on the projects throughout the state but not a funding request.

RE: GREATER RICHMOND CHAMBER OF COMMERCE VISIT

John F. Miniclier, Jr. advised the Board that the Greater Richmond Chamber of Commerce would like to visit the rural areas in the region to better understand the concerns and life in rural communities. They have asked to visit Charles City August 10 (12-5 p.m.) or August 24 (8:30 a.m. – 12 p.m.).

Mr. Gilbert Smith directed staff to request the Chamber to come in the late afternoon or early evening, possibly 5-8 p.m., to accommodate those who would like to be a part of this event but work during the day.

Mr. Miniclier will provide an update at the next Board of Supervisors' regular meeting on March 22, 2011.

RE: SESQUICENTENNIAL COMMEMORATION UPDATE

Mr. Miniclier reported that the Charles City and New Kent Sesquicentennial Committee met on February 15, 2011 and held a very productive meeting determining the aspects on which to readily focus and is moving forward with planning for several significant events over the next four years.

Currently the two noteworthy events being planned are the 150th anniversary of Taps to be presented at Berkeley Plantation in August, 2012 and 150th anniversary of the action at Fort Pocahontas in May 2014 which annually includes a civil war encampment and battle reenactment. Shirley Plantation is still in the planning stages of what events to hold highlighting the civil war in relation to the plantation.

The committee is considering other events to focus on such as Stuart's Ride. The committee is also looking at redoing the Charles City/New Kent dual sided map to highlight the civil war significant landmarks.

The Virginia Sesquicentennial of the American Civil War Commission has a traveling exhibit entitled *An American Turning Point: The Civil War in Virginia* which consists of two 1,500 square-foot gallery traveling exhibitions—Waging War and Surviving War—that together feature over 200 objects and 17 state-of-the-art audiovisual programs. This exhibit will be made available to each locality in Virginia at least one time during the next four years. We hope to have the exhibit in Charles City and then New Kent at a time that coincides with one or more of our signature events.

RE: PUBLIC LIBRARY RESOLUTION (Resolution 2011-05)

Motion was made by Timothy W. Cotman, Sr. to approve the following resolution stating the county's support and need for a public library in Charles City County:

WHEREAS, Charles City County does not have a public library facility to serve its 7,500 residents; and

RE: PUBLIC LIBRARY RESOLUTION (CONTD)

WHEREAS, a public library is crucial to strengthening a community's capacity for resiliency by promoting literacy, and free access to information, educational resources, community and family enrichment programs; and

WHEREAS, governmental statistics illustrate Charles City County has a high level of poverty, and economic development is an important factor in reducing poverty and in generating the resources necessary for human and community development; and

WHEREAS, economic impact studies show a public library aids in promoting economic development by providing free access to technology, business information resources, employment and career resources, and public educational programs; and

WHEREAS, a public library would be instrumental in attracting development to Charles City County, acting as a catalyst for development and a cornerstone project around which other businesses will develop, thereby creating the much needed asset of a town center in the county; and

WHEREAS, the Board of Supervisors of Charles City County has deemed the construction of a public library in the county to be necessary to the overall improvement of the quality of life of Charles City residents; and

WHEREAS, the architectural design has been developed, the project goals have been refined, and a vision for the library facility has been established, with the construction estimated to cost a total of \$5 million; and

WHEREAS, Charles City County has dedicated a parcel of county owned land for the site to construct the LEED certified library (approximately 16,580 sq. ft.); and

WHEREAS, the Board of Supervisors has committed to provide the daily operational and maintenance funding of the completed library facility; and

WHEREAS, the County will own the building that will house over 20,000 volumes of print and non-print materials and serve as a cultural center and gathering place for the community; and

WHEREAS, the Board of Supervisors of Charles City County has determined the library facility will also house the Charles City County Center for Local History, the county's archives and historical reference library, as it has outgrown its present location.

THEREFORE, BE IT RESOLVED, the Board of Supervisors of the County of Charles City deems a public library is a necessity for wide-ranging progress of the county and that funds received will be duly spent building a public library facility that will be a fundamental component to the promotion of economic development in the county, enhancement of the lives and broaden the opportunities for citizens of Charles City County, Virginia.

The motion carried as follows:

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

RE: HIDEAWAY WASTEWATER PLANT RESOLUTION (Resolution 2011-06)

Motion was made by Sherri M. Bowman to approve the following resolution stating the county's need and support for upgrading the Hideaway Waste Water Plant:

RE: HIDEAWAY WASTEWATER PLANT RESOLUTION (CONTD)

WHEREAS, Charles City County maintains a 20,000 gpd wastewater plant, circa 1980, that provides service to 70+ low/moderate income (LMI) families, a 57 seat restaurant, and the county's only commercial marina and motel; and

WHEREAS, the capability of the existing 20,000 gpd wastewater plant has become inadequate and must be replaced with a 39,000 gpd plant; and

WHEREAS, a 39,000 gpd wastewater plant would adequately provide wastewater services to the current residents and businesses, and serve future economic development in this area of the county; and

WHEREAS, the wastewater plant upgrade is necessary to continue supporting the needs of the area's LMI families, restaurant, motel, and marina; and

WHEREAS, a 39,000 gpd wastewater plant will support the progress of local tourism oriented businesses and a new multi-family housing development in the Hideaway Development Center.

THEREFORE, BE IT RESOLVED, the Board of Supervisors of Charles City County deems replacing the existing 29,000 gpd wastewater plant with a 39,000 gpd plant imperative and the funds received will be appropriately spent to construct the wastewater plant to provide the necessary wastewater services to the residents and businesses in the subject area of Charles City County, Virginia.

The motion carried as follows:

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

RE: DISTRICT 1 FIRE STATION RESOLUTION (Resolution 2011-07)

Motion was made by Timothy W. Cotman, Sr. to approve the following resolution stating the county's need for construction of fire station building in District 1 of Charles City County:

WHEREAS, Charles City County must construct a fire station building to more adequately serve the western half of the County in fire and medical emergencies; and

WHEREAS, the new fire station will house the Fire Department Administration in addition to providing sleeping quarters and space for storing supplies and equipment; and

WHEREAS, the new fire station will be an important infrastructure addition to the county's Roxbury Development Area, and thereby promote the overall economic development of Charles City County; and

WHEREAS, Charles City County has a dedicated parcel of county owned land on which to construct the 5,117 sq. ft. building, pre-engineered to LEEDS standards in District One; and

WHEREAS, the proposed facility will be within 10 miles of Interstate 64, a key east-west transportation route, and thus in a position to provide direct support to homeland security efforts within the I-64 corridor as needed.

THEREFORE, BE IT RESOLVED, the Board of Supervisors of the County of Charles City fully supports the request of no more than \$1,121,496 of federal funds, and that funds received will be accordingly spent to construct the 5,117 sq. ft. building to serve as District One Fire Station to Charles City County.

RE: DISTRICT 1 FIRE STATION RESOLUTION (CONTD)

The motion carried as follows:

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

RE: BOARD DIRECTIVES

The Board of Supervisors made the following directives to staff:

1. Pursue if the Williamsburg Regional Library will allow surrounding communities to pay a fee to afford county residents access to the library's resources and if so, under what conditions.
2. Seek out grant funds to apply towards our list of needed capital improvements.
3. To look into the reports of funds being set aside for waste water matters by Congressman Robert C. Scott.
4. Continue pursuing the various options that may be possible regarding multiple Charles City County zip codes.

RE: PUBLIC COMMENTS (NON AGENDA)

1. Lloyd Carter, 3720 Wayside Road, Charles City – Mr. Carter stated that in regards to a new library, books in print are becoming a thing of the past. He feels the county should focus on getting WiFi more available throughout the county.
2. William Lewis, 8231 Courthouse Road, Providence Forge – Mr. Lewis stressed that people are getting rid of their land lines, using cell phones exclusively and this may cause a problem with 911 assistance. He suggested that the County speak with cell phone providers to see if towers may be able to be located in Charles City to allow for better service for the residents.

RE: EXECUTIVE SESSION – LEGAL MATTERS

Motion was made by Timothy W. Cotman, Sr. to go into executive session to discuss legal matters under Section 2.2-3711(A)(7) of the 1950 Code of Virginia as amended.

The motion carried as follows:

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

Motion was made by Sherri M. Bowman to return to regular session. The motion carried as follows:

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

Motion was made by Sherri M. Bowman that the Board of Supervisors discussed only public business matters lawfully exempted from statutory open meeting requirements and public business identified in the motion to convene the executive session.

RE: EXECUTIVE SESSION (CONTD)

The motion carried as follows:

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

There being no further business before the Board, it hereby recessed to meet again on Thursday, **March 10, 2011** at 6:00 p.m. for the Board of Supervisors' quarterly work session.