

VIRGINIA:

At a special meeting of the Board of Supervisors held at the Charles City Government and School Board Administration Building thereof on Tuesday, July 22, 2008 at 7:00 p.m. in the 233<sup>rd</sup> year of the Commonwealth and in the 374<sup>th</sup> 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 legal matters under section 2.2-3711(A)(6) 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 Gilbert A. Smith to certify that the Board of Supervisors discussed only 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

Meeting adjourned.

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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, July 22, 2008 at 7:30 p.m. in the 233<sup>rd</sup> year of the Commonwealth and in the 374<sup>th</sup> 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:

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 as presented:

- a. Approval of the minutes of the June 24, 2008 special & regular meetings.

CONSENT AGENDA (CONTD.)

- b. Approval of payment to CH2MHill in the amount of \$21,753.47 for landfill professional services for the period of May 17, 2008 through June 20, 2008.

The motion was carried as follows:

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

RE: DEPARTMENT OF TRANSPORTATION (VDOT)

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

**Maintenance Activities**

Ditch Cleaning on Routes 623, 641 & 619  
Grass Cutting Secondary and Primary Roads  
Pavement Repair on Secondary Roads - 623, 631, 645 & 613,  
Tree Trimming on Routes 614, 615 & 618  
Clearing Guardrail Brush on Secondary Roads  
Replacing Wooden Sign Post with metal post on Secondary  
Pipe Cleaning Routes 623, 641 & 619  
Traffic Control Barretts Ferry – Weld Metal Deck Grate  
Installed Driveway Culvert on Route 615

**Planned Activities**

Ditch Cleaning on Routes 618, 639 & 631  
Pipe Cleaning on Secondary Roads  
Litter Control  
Sign Maintenance  
Pavement Repair –Secondary Roads  
Grass Mowing – Primary and Secondary Roads  
Tree Trimming – Secondary

**Meeting Notes**

1. Need to fix Route 106 at Route 5 – gouges in road – **This is currently in the Planning Stage. VDOT is in process of getting contract to address the issue.**
2. Check for bridge limit signs on Route 610 (24 tons) – **Sign has been ordered.**

3. Speed limit on Route 155 – When do you know when the speed limit is 55 or 45 if it is not posted? Do you go by the lines on the road? – **Two Speed limit signs added**
4. Speed limit sign on Barnetts Road needs to be checked in both directions. Citizen says that in one direction there is no resume or end of 45 mph zone. – **Added new 55 mph Sign**
5. VDOT is checking on weight limits for bridge on Route 155. Signs are posted as to what is permitted. Overweight vehicles can use bridge in emergency situations, but others are prohibited.

### Miscellaneous

VDOT sent letter (July 16) to Senator McEachin in regard to his request for additional information concerning the justification for placing the Capital Trail on the south side of Route 5.

## DEPARTMENT OF TRANSPORTATION (VDOT) (CONTD.)

### Comments

1. Ms. Sherri Bowman thanked VDOT for cutting the trees at Adkins Road & Route 5. Ms. Bowman also inquired as to why there is a Detour Sign at Green Oak Road on Route 155. She said it is confusing. Mr. Robinson said the Detour Sign is for the bridge.
2. Dr. Alton Washington – Still concerned about Sturgeon Point Road's beaver problem. The road still floods when there is heavy rain.  
  
Dr. Washington also expressed concern about the weight limits on the bridge on Sturgeon Point Road. He expects that the logging trucks exceed the weight limit  
  
Mr. Robinson responded that Sturgeon Point Road is another major project for VDOT. He said VDOT was told that the beaver problem had been taken care of.
3. Mr. Timothy W. Cotman, Sr., asked about the time line on the plan for Sturgeon Point Road.  
  
Mr. Robinson said the problem is currently being assessed, and it should be within the next 3-4 weeks.  
  
Mr. Cotman commented further that the road is lower than the wetlands on both sides and the problem will not be resolved until the road bed is raised.
4. Mr. Steve Fuhman – Said about one half dozen trees are leaning over Adkins Road in the 3600-3900 area. They need to be cut. He also expressed concern about New Kent's withdrawal from the Route 618 Adkins Road project.  
  
Mr. Robinson said that the withdrawal of New Kent did not adversely affect the Adkins Road project in Charles City and the project was still in the Transportation Plan.
5. Ms. Sherri Bowman – Concern about the proper operation of the light on the Benjamin Harrison Bridge. She said she received a complaint from a citizen who was crossing the bridge on Saturday night and another vehicle was coming from the opposite direction at the same time. She also wanted to know if the appropriate speed limit signs are up as you are coming off the bridge.

RE: LIBRARY PLANNING UPDATE

Mr. Bill Lafoon gave an update on the design for the new library building.

### **Comments**

1. **Mr. Jimmy Tyler** asked if the Board of Supervisors plans to support the new library, and will the Board provide operating funds once the building is complete?
2. **Mr. Gilbert Smith** stated that he has no problem supporting the library.
3. **Mr. Timothy W. Cotman, Sr.** stated that the Board of Supervisors has already pledged their support.

### RE: PUBLIC COMMENT PERIOD

1. Mr. Floyd Miles Sr. stated that the County Administrator has been very helpful in trying to answer questions presented to the Board.

He also said that abuse in the use of county vehicles must stop. Employees should not be using county vehicles to go to purchase lunch.

Mr. Miles stated that about 2 months ago he requested a copy of the ordinance that allowed the County to collect the first half of real estate taxes on June 5<sup>th</sup> for the Fiscal Year that starts on July 1. He received a copy of the minutes that reflect that the Board agreed to back in 1981 or 1982 to go to twice a year tax collection, but have not received an ordinance which is required by the state of Virginia. According to his friends in Richmond at the Attorney General's office, you have to have an ordinance in place to allow this because in his opinion, citizens are being asked to pay their taxes 25 days before they are actually due. They are being asked to pay the first half at the new tax rate on June 5<sup>th</sup> when the fiscal year doesn't start until July 1. He has waited patiently for a response to this; feels that a copy of the minutes is not sufficient. He could understand it if the ordinance states June is the 1<sup>st</sup> half and December the 2<sup>nd</sup> half. There are some people that could not afford to pay their taxes on time on June 5<sup>th</sup>, so they are being penalized because their taxes are not paid on June 5<sup>th</sup>. He has tried to be patient, but next step would be to go to a higher level if he can't get what he considers a reasonable response. He is not speaking for himself only. There are other citizens concerned about this. He further stated that he is also guilty of this because it was being collected while he was on the Board. However he did not become aware of it until this year because he was so interested in the tax rate increase.

2. Mr. Steve Fuhman questioned the construction permit fees. Example: covered porch \$15/sq ft. Is this correct?

Mr. Randy Boyd said that represents the value used to issue the permits.

Mr. Fuhman also said he supports Mr. Cotman's comments regarding solar energy for the new library.

3. Mrs. Elnora Robinson (17511 John Tyler Memorial Hwy.) – Said that June's minutes show that she asked for information of what employees drive county cars home, monies spent for equipment, fuel, etc. She has not received information. She also stated that non-essential personnel should not drive county vehicles home.

Mr. Miniclier replied that he had spoken with Mrs. Robinson and thought that was sufficient.

Mr. Smith asked Mr. Miniclier to respond to Mrs. Robinson's request in writing and to forward a copy to Mr. Smith.

RE: APPOINTMENT – PLANNING COMMISSION

Motion was made by Sherri M. Bowman to reappoint Mr. Edward L. Baber, Jr., 5326 Adkins Road, Providence Forge, VA 23140, to serve as a member on the Planning Commission, said term to expire on July 9, 2012; and Mr. Barry Charity, 6400 Barnett's Road, Charles City, VA 23030 to serve as a member on the Planning Commission, said term to expire on July 27, 2012. The motion was carried as follows:

APPOINTMENT – PLANNING COMMISSION (CONTD.)

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

RE: CARRYOVER FUNDS FROM FY2007-2008 TO FY2008-2009 BUDGET

<u>Description</u>	<u>Carryover Amount</u>
Capital Outlay-New Projects	\$30,000.00
2007 Planning Committee	877.00
Circuit Court Preservation Grant	2,510.00
Center for Local History	1,017.00
Unspent Funds (Center for Local History)	1,252.00
Sheriff – Law Enforcement	15,000.00
Smart, Safe, Sober Grant - Sheriff	2,804.00
Specialized Funds (Asset Forfeiture – Sheriff)	2,304.00
Specialized Funds (Asset Forfeiture – Commonwealth Attorney)	576.00
Byrne Justice Assistance Grant	1,059.00
Capital Outlay	6,175.00
Fire Station Design/Bid (District I)	48,200.00
Revolving Account (Parks & Recreation Advisory Commission)	61.00
Youth & Adult Softball	1,938.00
Concessions	280.00
Belly Dance Class	60.00
Swim Lesson Fees	65.00
Fitness Fees	4,049.00
History Center Donations	531.00
Emergency Services Projects	
(Handgun Permit Fees-Courthouse Security Fund)	30,000.00
Security Fund (Sheriff)	1,496.00
Sheriff Donations	400.00
Specialized Funds (Courthouse Security Fund)	7,143.00
 TOTAL FY08-09 Carryover Request	 \$157,797.00

Motion was made by Timothy W. Cotman, Sr., to allow carryover requests for FY 2008-2009 as presented. The motion was carried as follows:

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

Mr. Miniclier informed the Board that there was an amendment to the Carryover Request for the 2007 Planning Committee. It should be \$6,944.00 (obligations) + \$877.00 in unspent funds to equal \$7,851.00.

Motion was made by Timothy W. Cotman, Sr. to allow a carryover from the FY2007-2008 budget to the FY2008-2009 budget of \$6,974.00 in addition to \$877.00 already approved for a total of \$7,851.00. The motion was carried as follows:

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

RE: BOARD OF SUPERVISOR'S COMMENTS AND DIRECTIVES

Ms. Sherri M. Bowman stated that she wants an active role in the CDBG Grant planning.

Mr. Timothy W. Cotman, Sr. made the following comments:

1. Charles City County will be affected by the Crater Planning District Base restructuring at Fort Lee. People probably will come into our area looking for housing.
2. There are plans to install an outlying air field from Oceana. Surry County, at the Prince George County Line is being considered.
3. Would like to get Richmond Regional Planning District Commission more involved in proactive issues.

RE: PUBLIC COMMENT PERIOD (NON-AGENDA ITEMS)

1. Judy Ledbetter suggested that all Boards and Commissions members be included on website. If citizens know of vacancies, they might come forward and volunteer to serve. She also stated that we need to put emphasis on the website to get out more information to citizens. The website is currently being reorganized under the Charles City Community website.
2. Randolph Boyd made the following comments:
  - The current animal control fees were set by ordinance. This needs to be changed to resolution. Public hearing needed for this action.
  - Suggests a public hearing to amend ordinances to increase bad check fee to \$35.00.

Motion was made by Mr. Timothy W. Cotman, Sr. to authorize staff to advertise for public hearing on August 26, 2008 to amend animal control ordinance to delete fees and establish those fees by resolution. The motion was carried as follows:

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

Motion was made by Mr. Timothy W. Cotman, Sr. to authorize staff to advertise for public hearing on August 26, 2008 to change the bad check fee to \$35.00. The motion was carried as follows:

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

There being no further business before the Board it hereby adjourns to meet again on Tuesday, August 26, 2008 at 7:30 p.m.

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Gilbert A. Smith, Chairman