

**VIRGINIA:**

At the regular meeting of the Board of Supervisors held at the Charles City Government and School Board Administration Building thereof on Tuesday, **May 25, 2010** at 7:30 p.m. in the 234<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 was carried as follows:

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

RE: CONSENT AGENDA

County Attorney Randy Boyd, explained the language set out in the April 27, 2010 draft minutes of the regular meeting regarding Mr. Gilbert Smith's motion to accept the FY2010-2011 Budget is not exactly the verbiage that Mr. Smith used at the April 27, 2010 meeting. He stated it is his understanding the language in the draft minutes to be what Mr. Smith intended based upon the language the Board discussed last year that would be used concerning the approval of the budget and tax rate. Mr. Smith confirmed that the language set out in the April 27, 2010 minutes is what he intended.

The Motion was made by Sherri M. Bowman to approve the following consent agenda:

- a. Approval of the minutes of the April 19, 2010 recessed meeting and the minutes of the April 27, 2010 regular meeting.
- b. Approval of payment of \$13,540.24 to CH2MHill for landfill professional services for the period of March 20, 2010 through April 16, 2010.
- c. Appropriations for the month of June 2010

General Fund Agencies	
Board of Supervisors	-
County Administrator	-
Legal Services	-
Non Departmental	-
Non Departmental-Telecom	-
Audit	-
Commissioner of Revenue	-
Reassessment	-
Treasurer	5,689
Management Services	-
Information Technology	-
Motor Pool	9,583
Central Gas	525
Memberships	-
Electoral Board	-
Registrar	-
Circuit Court	-

RE: CONSENT AGENDA (CONTD)

Combined GD/JD Court	-
County Magistrate	-
Clerk of Circuit Court	-
Sheriff Judicial	-
Asset Forfeiture - Sheriff	-
Courthouse Security Fund	-
Crater Criminal Justice T.C.	-
Commonwealth's Attorney	14,878
Asset Forfeiture – Com. Attorney	-
Sheriff Law Enforcement	-
IDA Sheriff Support	-
Fire Protection	-
Emergency Medical Response	-
E 911	-
Wireless E911	-
Correction & Detention	-
VJCCCA	-
Col Com Correction jb	-
9th District Court Services	-
Codes Enforcement	9,785
Animal Control	4,172
Medical Examiner	-
Emergency Services	6,010
Landfill Monitoring	6,319
General Properties	25,759
Health Department	-
MH/MR Services Board	-
Contributions	-
John Tyler Community College	-
Parks and Recreation	-
Library/Cultural	-
Center For Local History	-
Planning Commission	-
IDA Eco Development Support	-
Planning Department	16,352
Com Development Cont	-
Environmental Mgt Cont	-
Cooperative Extension	9,019
General Fund Contingency	-
Revolving Accounts	-
Revenue Refunds	-
Insurance Recoveries	-
Reimbursable Accounts	-
Holding Accounts	-
Cap Outlay-Repair/Renovation	-
Cap Outlay-New Projects	-
Debt Service	-
<b>Total General Fund</b>	<b>108,091</b>
Public Utility Fund	9,582
Misc Trust Fund	-
<b>Total Utilities/ Trust Funds</b>	<b>9,582</b>
<b>Total Board of Supervisors</b>	<b>117,673</b>

RE: CONSENT AGENDA (CONTD)

**All Funds**

BOARD OF SUPERVISORS	117,673	
SCHOOL OPERATING	149,762	
HOUSING FUND		-
CENTRAL SERVICES		-
SOCIAL SERVICES	60,824	
COMP. SERVICES ACT		-
SPECIAL WELFARE		-
TRANSFERS TO THE COMMONWEALTH		-
SPECIAL FUNDS		-
<b>GRAND TOTAL ALL FUNDS</b>	<b>328,259</b>	

**School Operating Categorical Appropriations:**

Instruction	-156,143
Admin, Attendance & Health Services	66,833
Pupil Transportation	71,419
Operations & Maintenance	119,081
School Food	13,826
Debt Service	0
Technology	34,746
School Fund Total	<b>149,762</b>

The motion carried as follows:

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

RE: DEPARTMENT OF TRANSPORTATION

Ms. Jorg Huckabee Mayfield, the Ashland Residency Administrator, gave the following monthly report:

**Maintenance Activities In the Previous 30 Days:**

State forces performed litter removal on a number of primary and secondary routes, countywide. These routes included:

Route 5	John Tyler Memorial Highway
Route 106	Roxbury Road
Route 155	Courthouse Road
Route 602	Lott Cary Road
Route 618	Adkins Road
Route 656	Bradley Road

State forces monitored the bike trail for litter and debris and began mowing operations on May 10, 2010. Mowing was performed on the following routes: Route 155 (Courthouse Road), Route 5 (John Tyler Memorial Highway) and Route 106 (Roxbury Road). Mowing should be complete the week ending May 27.

State forces dismantled beaver dams on the following secondary routes:

Route 623	Wilcox Neck Road
Route 616	Adams Bridge Road
Route 650	Cattail Road

RE: DEPARTMENT OF TRANSPORTATION (CONTD)

Pavement repairs were performed on the following secondary routes:

Route 602	Lott Cary Road
Route 623	Wilcox Neck Road
Route 614	Sturgeon Point Road
Route 632	Tyler's Mill Road
Route 625	West Run Road

State forces conducted routine maintenance of signs on primary and secondary roads.

State forces performed routine maintenance on non-hard surface roads throughout the county. Some of the roads are listed below:

Route 613	Sandy Point Road
Route 616	Adams Bridge Road
Route 623	Wilcox Neck Road
Route 626	Old Elam Cemetery Road
Route 646	Oakwood Road
Route 648	New Quarter Road
Route 654	Deerfield Road
Route 651	Legion Road

State forces answered a number of complaints regarding dead animals throughout the county.

State forces performed approximately 1000 feet of tree trimming along Route 617 (Monguy Road).

This past month, the annual resurfacing contractor placed new asphalt on the following routes:

Route 106, Roxbury Road was paved from 0.21 miles north of Route 607 (Wayside Road) to 1.77 miles north of Route 607 (Wayside Road) for a total of 1.56 miles.

Route 159, Roxbury Road was paved from the Benjamin Harrison Bridge to just prior to Route 5 (John Tyler Memorial Highway) for a total of 1.31 miles.

**Maintenance Activities Planned for the Next 30 Days:**

State forces will continue to machine non-hard surface roads, as needed, throughout the county.

State forces will continue to monitor problem areas for litter on both the primary and secondary system.

Routine sign maintenance will continue throughout the county on primary and secondary roads.

Approximately 40 dead trees are planned to be removed along Route 5 (John Tyler Memorial Highway).

State forces will complete all mowing on primary routes and will begin mowing secondary roads throughout the county.

The bike trail will continue to be monitored for litter and debris.

Asphalt pavement repairs will continue to be an ongoing operation throughout the county.

RE: DEPARTMENT OF TRANSPORTATION (CONTD)

**Traffic Engineering Requests:**

VDOT was requested to evaluate Charles City Road for a possible through-truck restriction. Our Traffic Engineering Section is examining whether the roadway meets our criteria for such a restriction.

VDOT attended a meeting regarding the crossing of the CSX track on Route 106 in order to identify appropriate signing and propose measures to improve the alignment at the crossing. This is still under review.

RE: BOARD COMMENTS

**Gilbert Smith** stated that he appreciates VDOT continuing to check into the four issues that the Board has been discussing with them, hopefully, at some point in time they can be resolved.

Mr. Smith then explained he had received a call from a citizen concerned about the grass being so tall at the intersection of Rt. 607 and Rt. 609, (Barnetts Road and Wayside Road), that a driver has to come out into the road to see around it to pull out. He asked that VDOT look into mowing that area.

**Sherri Bowman** requested that VDOT check the stop sign at the intersection of Lott Cary Road and Adkins Road there seems to be spray paint on the sign.

**Timothy Cotman** agreed with Mr. Smith and stated that there are several areas in the county, at intersections, where the grass is so tall a driver has to pull out into the road to see if traffic is coming. He surmised, it is a very dangerous situation.

**Gilbert Smith** brought attention to the road markings at Rt. 106 and Rt. 607 that had been there coming up to the stop sign for stopping guidance are actually gone and asked that they be replaced as soon as possible.

RE: PUBLIC COMMENT PERIOD

1. Michelle Johnson thanked the Board for allowing the Mock Board of Supervisors to share in the Board's meeting. She shared that it was a great experience for the three seniors and three juniors that participated and although the students were nervous, they have already said they would like to do it again next year.
2. Lloyd Carter asked why VDOT cannot fix the problems on Rt. 607 between Rt. 5 and Rt. 106. The road is so narrow that when two large trucks meet on that road one of the trucks has to go over into the ditch area. Mr. Carter expressed his concern that the road is dangerous and needs widened.  
Mr. John Miniclier, County Administrator, informed the Board that Rt. 607 is the number one priority with the MPO and, although it is not a simple project, the project manager is focused to get it moving as quickly as they can. It appears there are funds for this project based on preliminary estimates and it is a number one priority of the county.
3. Ed Baber requested VDOT to adjust the stop light at Rt. 106 and Rt. 60 so that it does not cause drivers to pull out on a red light having lost patience for the light to change.
4. William Lewis informed VDOT that a stop sign is needed at the intersection of Barnetts and Lott Cary Road. Mr. Lewis also expressed concern that VDOT has mowed the Rt. 5 bike trail area before mowing the more necessary roadways in the county. He requested that VDOT consider creating parking along the Rt. 5 bike trail in more locations. He noted that he has seen cars parked along Rt. 5 by those obviously biking the trail. Mr. Lewis asked the county officials to think hard about having another bike trail come through the county. He fears that if a bike trail goes by his property he will lose his front yard.

RE: PUBLIC COMMENT PERIOD (CONTD)

5. Lloyd Pate, of 6922 Cattail Road, said he believes that Rt. 607, Warner Road, Old Union Road and Charles City Road are being used by truckers to either bypass having to go on the truck scales on I-64 or to shorten their route. The trucks are a tremendous strain on the surface of these roads, they are tearing them up because they were not constructed or designed to handle that kind of weight. Mr. Taylor suggested that “No Through Trucks” signs be erected and the County prohibits big truck traffic on these roads until they can be reconstructed to better handle big truck traffic.
6. Preston Adkins, of 8041 Lott Cary Road, stated he is a truck driver and that he remembers that a few years ago it was suggested that “No Through Truck” signs be put up on Rt. 607 and at that time we were told within the timeframe to put that in effect the road would be rebuilt. So that issue needs to be readdressed. The trucks aren’t trying to sidestep scales but a lot of trucks are coming out of the plant with material from the 106 plant and truckers are given directions of which route to take by the contractors.

RE: VDOT SIX YEAR PLAN BUDGET APPROVAL (RESOLUTION 2010-06)

Motion was made by Gilbert A. Smith and the motion carried as follows:

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

WHEREAS, Section 33.1-23.1 and 33.1-23.4 of the Code of Virginia, 1950, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Systems Construction Six-Year Road Plan; and

WHEREAS, Jorg Huckabee Mayfield, the Ashland Residency Administrator, Virginia Department of Transportation, appeared before the Board and recommended approval of the Six-Year Plan Budget (FY2011-FY2016); and

NOW, THEREFORE, BE IT RESOLVED that the said Plan appears to be in the best interest of the Secondary Road System in Charles City County and of the citizens of Charles City County, said Secondary Six-Year Plan (FY2011-FY2016) is hereby approved as presented to the Board of Supervisor on May 25, 2010.

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 proposed amendments to the **Zoning & Subdivision Ordinance**. Specifically, the definition of Subdivide, Family Division, and Boarding House; as well as, the Agricultural Zoning District, §5-2 Permitted Uses, and §5-3, Uses with Special Use Permits.

Chairman Edward Baber called the Planning Commission to order at 8:15 P.M. Mr. John F. Miniclier, Jr., County Administrator, read the advertisement for the public hearing.

Mr. John Bragg presented the staff report for amendments to “Boarding House” definition and Agricultural Zoning District uses. The proposed amendments would allow a “Boarding House” to operate out of one building occupied by the owner and shall be the secondary use of the property as residence. Amend the Agricultural Zoning District, by removing “Campground” and “Inn” from §5-2, Permitted Uses, and adding these uses to §5-3, Uses with Special Use Permit.

RE: JOINT PUBLIC HEARING WITH THE PLANNING COMMISSION (CONTD)

Mrs. Rebecca Stewart presented the staff report for amendments to “Subdivide” and “Family Division” definitions within the Zoning and Subdivision Ordinances. Mrs. Stewart indicated the language proposed for deletion within the definition of “Subdivide” will be included within the new definition “Family Division”. Family Division will include three new items; 1) immediate family to include a stepchild; 2) extend the time frame in which a family member shall hold the property prior to any transfer from two years to five years; and, 3) add to the required plat an Owner’s Certificate. The proposed amendments are intended to define clearly who and how family divisions are to be permitted.

Chairman Baber opened the floor to any questions citizens may have regarding the proposed amendments presented tonight. There being no questions, the hearing was opened to public comments.

No speakers addressed the Boards and there being no further comments, the hearing was closed.

RE: AMENDMENT OF THE ZONING ORDINANCE DEFINITIONS & AGRICULTURAL DISTRICT (A-1)

The Planning Commission voted 6-0 to recommend the Board of Supervisors approve the zoning and subdivision amendments as presented below.

**BOARDING HOUSE:** One building offering lodging accommodations to the general public, with or without meals. There shall be no more than a total of five (5) guest rooms. A boarding house shall be occupied by the owner or manager of the facility and shall be secondary to the use of the property as a residence. The external appearance and arrangement of such facility shall be of a form and character which is compatible with the appearance and arrangement of other residential uses in the general area. All off street parking is to be screened from the view of adjacent homes.

**SUBDIVIDE:** To divide any tract, parcel, or lot of land into two or more lots.

The term "subdivide" shall not include the division of land among the members of the family owning any such lands as provided by the Code of Virginia §15.2-2244, as amended. Refer to the definition of “Family Division”.

"Subdivide" shall not include the adjustment or relocation of a boundary line, including the transfer of land from one parcel to an adjoining parcel, so long as no new parcel is created and such adjustment is not to any interior boundary of any subdivision approved under this ordinance (and its predecessors) and no lot of any subdivision is reduced in size, except large lots may be reduced to 15 acres. The consolidation of two or more lots, whether within a subdivision or not, shall not be included in "to subdivide".

The term "subdivide" shall include the term "re-subdivision"; also, the partition of property by joint owners, whether acquired by devise, inheritance, joint purchase or otherwise, shall be included within the meaning of "subdivide". In the event of any re-subdivision of a parcel within any subdivision (including any residue) approved under this ordinance (and its predecessors), all of the parcels within that subdivision and their size will be considered to determine whether the re-subdivision is a major, minor or large lot subdivision.

**New definition for “Family Division”:**

**FAMILY DIVISION:** A single division of a lot or parcel is permitted for the purpose of sale or gift to a member of the immediate family of the current property owner as prescribed in the Code of Virginia §15.2-2244, as amended.

RE: AMENDMENT OF THE ZONING ORDINANCE DEFINITIONS & AGRICULTURAL DISTRICT (A-1) (CONTD)

For purpose of this section, a member of the immediate family is defined as any person who is a natural or legally defined offspring, stepchild, spouse, grandchild, grandparent, parent, sibling, aunt, uncle, niece or nephew of the owner. Such division shall be subject to the following provisions:

- 1) Only one such division shall be allowed per immediate family member. The division shall not be made for the purpose of circumventing this subdivision ordinance.
- 2) Lots created under this section shall be titled in the name of the immediate family member for whom the division is made, and shall remain titled in said name for a period of no less than five (5) years, unless an exception is granted by the Zoning Administrator because such lots become subject to an involuntary transfer such as foreclosure, death, divorce, judicial sale, bankruptcy, condemnation, or job relocation. A subsequent transfer to another member of the original grantor's immediate family would not be prohibited by this section, in which case only the remainder of the required holding period shall apply to the subsequent grantee.
- 3) If property is jointly owned, the proposed grantee must qualify as the immediate family member of all owners. An immediate family member of one spouse shall be deemed to be an immediate family member of the other spouse for the purposes of this section.
- 4) Each "Family Division" shall comply with the minimum lot area for residential use requirements as set forth within the zoning district in which the property is located.
- 5) All lots shall have "reasonable" right-of-way of 20 feet in width providing ingress and egress to a dedicated recorded public street or thoroughfare. "Reasonable" right-of-way shall not require a right-of-way that is more than that available to the parent tract.
- 6) Any such division shall be shown on a plat prepared by a certified professional engineer or land surveyor, and recorded with a deed. The plat shall be entitled "Family Division", and include language indicating who is involved and what the family relationship is; as well as the following owner's certificate with owner(s) and notary signatures:

Owner's Certificate:

This Family Division and plat are with the free consent and in accordance with the wishes of the undersigned owner(s). The undersigned owner(s) certifies that this is a bona fide Family Division under the provisions of the Charles City County Subdivision Ordinance and is not submitted for the purpose of circumventing the said ordinance.

This Family Division is being made for the purpose of transferring a lot, by sale or gift to the Grantee, an immediate family member, and specifically the Grantor's \_\_\_\_\_.

All lots created by this Family Division shall be held by the Grantee for whom the division is made for a period of no less than five (5) years from date of plat recordation.

- 7) All Family Divisions are to be approved by the Zoning Administrator prior to recordation. Submission requirements are to include an application, plat, and a deed.

RE: AMENDMENT OF THE ZONING ORDINANCE DEFINITIONS & AGRICULTURAL DISTRICT (A-1) (CONTD)

**Amend Zoning Ordinance, Section 5 - Agricultural District (A-1), as follows:**

**§5-2 Permitted Uses**

Remove as permitted uses **#9) Campground** and **#24) Inn**.

**§5-3 Uses with Special Use Permit**

Add as **#.01) Campground** and **#1.1) Inn** as permitted uses with Special Use Permit.

Motion was made by Gilbert A. Smith to approve the amendments to the Zoning Ordinance Definitions and Agricultural District (A-1) as recommended. The motion carried as follows:

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

RE: CITIZEN RECOGNITION

The County Administrator John F. Miniclier, Jr., reviewed with the Board the proposal made by Timothy Cotman, Sr. at the April 27, 2010 meeting to add a Citizen Recognition Award period to the regular meeting agenda. The Citizen Recognition Award would be a means to recognize Charles City County groups and/or individual citizens that perform exceptionally in and out of the county. Mr. Miniclier advised it would be necessary to amend the By-Laws to include this as a regular agenda item. He recommended that staff come back to the Board at their next meeting with specific recommendations on the criteria and regularity for awarding the Citizen Recognition and allow the Board to provide guidance on how they would like to continue on at that point.

The Board of Supervisors directed staff to bring recommendations to the Board at their next meeting.

RE: FAIR HOUSING CERTIFICATION

In Compliance with Title VIII of the Civil Rights Act of 1968, the County of Charles City institutes the following Fair Housing Certification:

WHEREAS, the County of Charles City has been offered and intends to accept federal funds authorized under the Housing and Community Development Act of 1974, as amended, and

WHEREAS, recipients of funding under the Act are required to take action to affirmatively further fair housing;

THEREFORE, the County of Charles City agrees to take at least one action to affirmatively further fair housing each grant year, during the life of its project funded with Community Development Block Grant funds. The action taken will be selected from a list provided by the Virginia Department of Housing and Community Development.

Motion was made by Sherri M. Bowman to approve the Fair Housing Certification as presented.

The motion carried as follows:

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

RE: NON-DISCRIMINATION POLICY

The Charles City County or any employee thereof will not discriminate against an employee or applicant for employment because of race, age, handicap, creed, religion, color, sex, or national origin. Administrative and Personnel officials will take affirmative action to insure that this policy shall include, but not be limited, to the following: employment, upgrading, demotion or transfer; rates of pay or other forms of compensation; and selection for training.

Duly adopted at the May 25, 2010 regular meeting of the Board of Supervisors.

Motion was made by Sherri M. Bowman to approve the Non-Discrimination Policy as presented.

The motion carried as follows:

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

RE: SIGNAGE IN CHARLES CITY FOR 100-MILE BICYCLE ROUTE

The County Administrator informed the Board of New Kent County's proposed 100-mile bike route that includes parts of Charles City and New Kent Counties. New Kent County has a signage design for usage throughout the route with the notable changes being the name and representative symbols of that locality. New Kent County is paying for the signage and their placement. Their only request is it not get too fancy or expensive, and to keep the color coding they have established.

Charles City County must first decide if the signage is wanted in the county at all, and if so, what symbols are to go on the signs. Mr. Miniclier recommended a survey be done to garner input and ideas from citizens.

Ms. Sherri Bowman directed that the symbols used must not be offensive to anyone and suggested possibly taking some elements from our county seal, such as the turkey and corn. Mr. Gilbert Smith stated that he thinks it is always good to get input from the citizens.

The Board of Supervisors directed staff to get citizen input and bring recommendations to the Board at their next meeting.

RE: USACE JAMES RIVER WATER LEVEL DATUMS UPDATE PROJECT

The County Administrator reviewed with the Board the information regarding the installation by the US Army Corps of Engineers of a temporary tide gauge on the pier at Lawrence Lewis Park in the James River. The USACE will be putting a series of tide gauges throughout the lower James River region. The water level gauges will be installed for approximately three to four months to gather tide data. The information will be used to more accurately predict tide levels.

Motion was made by Gilbert A. Smith to approve the US Army Corps of Engineers James River Water Level Datums Update Project as presented. The motion carried as follows:

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

RE: NOISE ORDINANCE REVIEW

Motion was made by Gilbert A. Smith to approve the Noise Ordinance as presented for advertisement of a public hearing to be held on June 22, 2010 at 7:45 p.m. during the Board's regular meeting, advertising in the Richmond Times Dispatch and the New Kent-Charles City Chronicle to hear citizen's comments on this matter. The motion carried as follows:

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

RE: SPECIAL USE PERMIT - LINDA HOWARD/BIG DOG KENNEL

After the public hearing held on April 27, 2010 regarding the application for a Special Use Permit the Planning Commission voted 3:1:4 to recommend the Board of Supervisors not approve the Special Use Permit applied for by Linda Howard (Big Dog Kennel).

Motion was made by Gilbert A. Smith to deny the Special Use Permit application #SUP-1-2010, Linda Howard (Big Dog Kennel), due to extraordinarily poor prior performance in compliance with conditions. The motion carried as follows:

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

RE: UPDATE ON COUNTY AND SCHOOL SYSTEM STAFF COLLABORATION

The County Administrator, John Miniclier, Jr., informed the Board of Supervisors that he and the Superintendent of Schools met on April 26, 2010 and discussed schedule and items they could look at and agreed that the first item they would look at would be ground maintenance. The Assistant County Administrator, Mr. Jay Brown, county Public Works Director, grounds crew supervisor, and the Superintendent's staff/team from the school system will be meeting. Mr. Miniclier has requested of the Superintendent a copy of the school system's Grounds Maintenance Contract so that there is no confusion on the standards that need to be met or the amount of times that certain tasks are done, as the regularity with which they are accomplished by the county and the school system may differ.

The goal is that group, the county's initiative being led by Jay Brown, will come back to the County Administrator and the School Superintendent to report at the end of June so they then may take to each of their Boards their recommendation to see if a consolidation will be feasible with the pros and cons. A meeting is planned for the week of June 10 to discuss the other items; such topics have been suggested to be information technology, finance, other maintenance items, fleet vehicles, and to set up a schedule so they may go forward. Hopefully within the next three or four months we will be able to review those and to bring to each board their recommendations regarding making any possible consolidations.

RE: IPR 10/09 BUDGET AMENDMENT AND APPROPRIATION

Motion was made by Sherri M. Bowman to approve the amendment and appropriation of \$180,000 to the current year, FY2010 budget to ensure the appropriate expenditures have been put in place for the homes currently under contract and being served under the IPR 10/09 grant. The motion carried as follows:

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

RE: PUBLIC WORKS BUDGET TRANSFERS

Motion was made by Gilbert A. Smith to approve the transfer of the available unspent funds totaling \$9,000 from the Motor Pool Department to the General Properties Department line items as follows:

Motor Pool - Gasoline (\$7,000)  
\$3,500 Repair & Maintenance  
\$3,000 Electrical  
\$500 Heating

Motor Pool - Repair and Maintenance (\$2,000)  
\$1,000 Repair & Maintenance  
\$500 Electrical  
\$500 Heating

The motion carried as follows:

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

RE: BYRNE JUSTICE ASSISTANCE GRANT AWARD

Motion was made by Sherri M. Bowman to acceptance the \$2,098 in grant funds from the Byrne Justice Assistance Grant. The motion carried as follows:

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

RE: PUBLIC COMMENT PERIOD (NON AGENDA ITEMS)

1. Muriel Adkins, 7941 Lott Cary Road, raised the issue of bad or better “non-service” of Comcast. She explained she had been under the impression a representative of Comcast would be at this meeting to address the issue of poor cable service to the county and wanted to know the status of what the county is doing.

Mr. John Miniclier responded saying he has been trying to reach Pete Dye, our Comcast representative, and it was his intention to have Mr. Dye attend the meeting to address the cable issues to the Board of Supervisors. He explained that the county has received 40+ calls of citizen complaints and he will continue to work on this matter. He explained that when the original arrangement was done in approximately 1991 with Adelphia, there were phases to upgrade the cable throughout the county and there is upgrading still needing to be done.

Mr. Miniclier wants to carry the message to Comcast that most of the Comcast county customers have said Comcast has a couple of weeks to get this worked out or they will look at other things to do. County Attorney Mr. Boyd will be reviewing our Agreement to see if there is any action the County can take against Comcast for not providing the service per the agreement.

**Timothy W. Cotman, SR.** stated, if necessary, he will sign a letter to Comcast to address this issue. Mr. Miniclier said that he cannot something set up in the next week he will draft a letter for the Chairman’s signature.

2. Lloyd Carter, 3720 Wayside Road, stated he owns property on Lott Cary Road and that he can hear the high school band practicing from that property. He explained that at work he learned the regular conversation level is 65 decibels. He impressed upon the Board to know what 100 decibels really amounts to before deciding the decibel level for the Noise Ordinance.

There being no further business before the Board it hereby recessed to meet again on Tuesday, **June 9, 2010** at 6:00 p.m. for the Board of Supervisors' work session.