

VIRGINIA:

At the regular meeting of the Board of Supervisors held at the Charles City Government and School Board Administration Building thereof on Tuesday, August 25, 2009 at 7:30 p.m. in the 234th year of the Commonwealth and in the 375th 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., to adopt the agenda 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 Gilbert A. Smith that the following consent agenda be approved as presented:

CONSENT AGENDA (CONTD.)

- a. Approval of the minutes of the July 28, 2009 regular meeting as written.
- b. Approval of payment to CH2MHill in the amount of \$24,975.16 for landfill professional services for the period of May 16, 2009 through July 17, 2009.
- c. Refund of Real Estate Taxes:
 - (1) William P. Michael S. & Wendy Eavey (\$239.85)
 - (2) Albert Adkins (\$181.60)

WHEREAS, Virginia Code § 37.2-508 was amended effective July 1, 1998 to require that a performance contract negotiated between the Virginia Department of Behavioral Health and Developmental Services (the Department) and Henrico Area Mental Health & Retardation Services Board (HAMHRS) and approved by HAMHRS be submitted by HAMHRS for approval by formal vote of the governing body of each political subdivision that established HAMHRS; and,

WHEREAS, the County of Henrico, Charles City County and New Kent County, established HAMHRS in 1973; and,

WHEREAS, on May 1, 2009, the Department provided to HAMHRS a Letter of Notification setting out the amount of state and federal funding that would be available to HAMHRS during FY 2010; and,

WHEREAS, HAMHRS and the Department have negotiated a FY 2010 Community Services Board Performance Contract; and,

WHEREAS, HAMHRS approved the FY 2010 Community Services Board Performance Contract on July 23, 2009, and recommended it to the Boards of Supervisors of Henrico, Charles City, and New Kent Counties; and,

WHEREAS, the HAMHRS recommended FY 2010 Community Services Board Performance Contract is based on the requirements of § 37.2-508 of the Virginia Code, on the budget adopted by the Henrico County Board of Supervisors on April 28, 2009, on the Letter of Notification to HAMHRS for FY 2010, and on local contributions approved by the Charles City County Board of Supervisors, and the New Kent County Board of Supervisors.

NOW, THEREFORE BE IT RESOLVED, by the Board of Supervisors of Charles City County that the Board approves the FY 2010 Community Services Board Performance Contract between the Virginia Department of Behavioral Health and Developmental Services, and Henrico Area Mental Health & Retardation Services Board.

The motion was carried as follows:

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

RE: DEPARTMENT OF TRANSPORTATION

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

This Month

Litter Control
Sign Maintenance
Pavement Repair – Routes 619, 638
Broke Beaver Dam - Routes 650, 620, 615
Dead Tree Removal – Route 5 (94 trees removed)
Dead Tree Removal - Routes 621, 627
Tree Trimming - Routes 670, 635, 666
Cleaned Ditch - Route 155
Repaired Washed out Shoulder - Route 106
Removed Debris from Bike Trail

Next Month

Sign Maintenance
Tree Trimming
Litter Control
Dead Tree Removal
Pavement Repair – Secondary Roads
Low Shoulder Repair - Primary Roads
Break Beaver Dams
Debris Removal (Bike Trail)

Last Month

Vandalized Signs – Route 650 Repaired
Dead Tree Limbs - Route 613 @ 623 scheduled for next month

Mr. Gilbert A. Smith - No comments

Ms. Sherri M. Bowman - No comments

Mr. Timothy W. Cotman, Sr. - Pointed out that there is a large dead tree near the intersection of Route 613 (Sandy Point Road) and Route 623 (Wilcox Neck Road). The Area Headquarters has checked this location and confirmed that a very large pine tree needs to be taken down by contractor. VDOT will update the Board at the next meeting.

Citizen Comments/Requests:

1. Citizen advised that a speed limit sign on Barnett's Road near Cattail Road had been vandalized with spray paint. Paint cleaned off the sign.
2. Citizen inquired as to the progress of the Route 607 project. Advised citizen that the District is moving forward on the project.
3. Citizen wanted to point out that the Roxbury Railroad crossing has a very bad bump as you are heading south on Route 106. Residency has checked into this matter and signs are in place, also the CSX cannot smooth the transition out any more than it already is due to other issues related to maintenance. Drivers should use caution when traveling in this area and adhere to the existing signs warning them of an impending bump.
4. Citizen noted that there is a dip in the road on Old Union Road (Route 603). VDOT has taken care of dip.

RE: APPOINTMENT – BOARD OF REAL ESTATE ASSESSORS

Motion was made by Gilbert A. Smith that Mr. George Black, 6641 Westover Road, Charles City, VA 23030 be appointed to serve as a member on the Board of Real Estate Assessors. The motion was carried as follows:

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

RE: APPOINTMENT – SOIL & WATER CONSERVATION BOARD

Motion was made by Gilbert A. Smith that Mr. Charles H. Carter, III , 501 Shirley Plantation Road, Charles City, VA 23030 be recommended for appointment to serve as the County’s Representative on the Soil & Water Conservation Board. The motion was carried as follows:

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

RE: APPOINTMENT – CHARLES CITY COUNTY LIBRARY CAMPAIGN COMMITTEE

Motion was made by Gilbert A. Smith that Ms. Barbara Winters, Director of Charles City-New Kent Heritage Library be appointed to serve as a member on the Charles City County Library Campaign Committee. The motion was carried as follows:

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

RE: E911 WIRELESS GRANTS

Mr. John F. Miniclier, Jr., County Administrator informed the Board of Supervisors that the County has been awarded two E911 Wireless Grants (\$96,000.00 & \$54,000.00). Funds for the \$96,000.00 grant will be used to upgrade the existing mapping software and funds from the \$54,000.00 will be used to upgrade the existing radio consoles.

Motion was made by Timothy W. Cotman, Sr. that the Board of Supervisors accept the grants in the total amount of \$150,000.00 and appropriation of same. The motion was carried as follows:

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

RE: RESOLUTION OPPOSING STORMWATER MANAGEMENT REGULATIONS (RESOLUTION 2009-05)

Motion was made by Timothy W. Cotman, Sr., the motion was carried as follows:

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

RESOLUTION OPPOSING STORMWATER MANAGEMENT
REGULATIONS (RESOLUTION 2009-05) (CONTD.)

WHEREAS, the Charles City County Board of Supervisors recognizes its responsibility to the state's watersheds and desires to protect its lands and waterways from degradation; and

WHEREAS, the new stormwater standards constitute an unfunded mandate, which places a financial burden on already fiscally stressed localities. The costs of developing a stormwater program, employing additional staff for program implementation and the long term inspection and maintenance are not offset by the proposed fee schedule. The County estimates approximately 960 hours or four months per year of staff time will be allocated to the implementation of a local stormwater management program. The County anticipates its portion of the collected fees for stormwater permits to be approximately \$14,000 per year. The amount of collected fees will not support a new position and will place a strain on the County's already limited resources; and

WHEREAS, the proposed standard of .28 pounds per acre per year for new development is unduly restrictive and will greatly affect design and development of new sites, thereby significantly increasing the cost of commercial and industrial floor space as well as the cost of housing; and

WHEREAS, the regulations would double the stormwater treatment requirements for redevelopment projects. This will be a disincentive to these types of projects, which are vital to meeting market demand for commercial and industrial floor space and affordable housing choices; and

WHEREAS, during the Soil and Water Conservation Board's September, 2008 public hearing, six of the nine TAC members who spoke asked the Board to delay implementation of the new proposed technical regulations. In addition, the cost of mitigation versus the benefits realized has been determined to be "significant" according to the Department of Planning and Budget. Therefore, the County recognizes the need for additional evaluation of the full impact of this standard prior to implementation; and

WHEREAS, the proposed regulations are in opposition to the smart growth principles envisioned by the General Assembly in the land use changes enacted under HB 3202 in 2007. By requiring more land to be used to meet the same demand for commercial and industrial floor space and residential units, the changes work against smart growth design principles. By making it more costly to develop closer to urban centers than in rural areas, where land tends to be cheaper and more easily acquired, sprawl will increase. Increased sprawl will further strain Virginia's transportation system and the Chesapeake Bay Watershed.

NOW, THEREFORE, BE IT RESOLVED, that Charles City County strongly recommends that the regulations, as proposed, not be adopted, rather the standards be more thoroughly studied; and

BE IT FURTHER RESOLVED, that the County requests that the Commonwealth of Virginia provide funding assistance to all localities for the development of comprehensive stormwater programs; and

BE IT FURTHER RESOLVED, that a copy of this resolution opposing this unfunded mandate be sent to State Senator McEachin, Delegate Morrissey, the Virginia Association of Counties, Governor Kaine, the Director of the Virginia Department of Conservation and Recreation, and the Secretary of the United States Environmental Protection Agency.

RE: CHARLES CITY COMMUNITY POLICY & MANAGEMENT TEAM

Mr. John F. Miniclier, Jr., County Administrator presented the following information to the Board of Supervisors concerning the Charles City Community Policy & Management Team:

Listed below are members that were appointed by the Board of Supervisors at the time the team was initially established:

Ms. Regina Harris - Board of Supervisors Representative
Mr. Byron M. Adkins – Social Services
Mr. Steve Fuhrman – Health Department
Ms. Tina Smith – Schools
Mr. Michael Johnson – Mental Health
Mr. Tom Gooding – Court Services

Mr. Byron M. Adkins, Sr., Director of Social Services has requested the appointment of the following individuals to serve as members on the Charles City Community Policy & Management Team:

Mr. Jay A. Brown – Assistant County Administrator
Ms. Alisa L. Foley – Social Services Worker Supervisor
Ms. Sandy Brudvig (Private) – Cumberland Hospital

The three members listed above and the Board of Supervisors' representative would be appointed for a one-year term by the Board of Supervisors (January 1-December 31). The remaining members who were initially appointed by the Board of Supervisors, once a slot becomes vacant the Department that they represent would be responsible for replacing that member.

Motion was made by Gilbert A. Smith that the Board of Supervisors approve the appointment of the following individuals as recommended by Mr. Byron M. Adkins, Sr., Director of Social Services:

Mr. Jay A. Brown – Assistant County Administrator
Ms. Alisa L. Foley – Social Services Worker Supervisor
Ms. Sandy Brudvig (Private) – Cumberland Hospital

The motion was carried as follows:

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

RE: AWARD OF BID FOR ARCHITECTURE & ENGINEERING SERVICES –
NEW LIBRARY

Mr. John F. Miniclier, Jr., County Administrator requested the Board of Supervisors enter into an agreement with Enteros Design and the County Administrator be authorized to execute said agreement subject to approval as to form by the County Attorney.

Motion was made by Timothy W. Cotman, Sr. that staff be authorized to enter into an agreement with Enteros Design and the County Administrator be authorized to execute said agreement subject to approval as to form by the County Attorney. The motion was carried as follows:

AWARD OF BID FOR ARCHITECTURE & ENGINEERING SERVICES –
NEW LIBRARY (CONTD.)

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

RE: AMENDMENT TO SCHOOL SYSTEM’S FY2009-2010 BUDGET

Mr. John F. Miniclier, Jr., County Administrator presented information from the School System which request an amendment to the School System’s FY2009-2010 budget for the following:

Title I – 1003 G School Improvement Carryover Funds	\$ 73,695.06
Title I- School Improvement Grant Carryover Funds	\$100,000.00
Title I – Improving Basic Programs Carryover Funds	\$ 76,261.70
Title IID – Enhancing Educ. Through Technology Carryover	\$ 3,413.90
Title IV – Safe and Drug Free Schools & Communities	\$ 4,889.14
21 st Century Community Grant Funds Carryover Funds	\$ 260,873.61
Williamsburg Health Foundation Grant Carryover Funds	<u>\$ 63,130.80</u>
Subtotal	\$582,264.21
Title I – School Improvement Grant Funds 1003a (New)	\$250,000.00
ARRA Title I Grants to LEAs (New [Stimulus])	\$ 47,963.48
ARRA IDEA Part B State Grant (New [Stimulus])	\$104,517.50
ARRA IDEA Part B Preschool Grant (New [Stimulus])	\$ 3,519.00
USDA Fresh Fruit and Vegetable Program	\$ 24,692.05
Subtotal	\$430,692.03
Total	\$1,012,956.24

Motion was made by Gilbert A. Smith that the Board approve the above request from the School System to amend the FY2009-2010 budget in the amount of \$1,012,956.24 and appropriation of same. The motion was carried as follows:

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

RE: COUNTY COMMITTEES, COMMISSIONS & BOARDS – COUNTY WEBSITE

Mr. John F. Miniclier, Jr. presented to the Board of Supervisors information concerning the placement of information on the County’s website in reference to committees, commissions and boards.

Mr. Miniclier informed the Board that any suggestions from the Board concerning the placement of the information on the County’s website would be appreciated.

RE: BOARD OF SUPERVISORS COMMENTS

- a. Gilbert A. Smith – High Speed Internet Service
Mr. Smith stated he has been appointed to the VACo Technology Board and he hopes this Board can help obtain high speed internet for a larger percentage of citizens in Charles City County. Mr. Smith asked if the County can partner with Verizon and/or Comcast. The Board directed the County Administrator to invite a representative from Verizon and Comcast to the December 2, 2009 work session to discuss the possibility of having a different provider for high speed internet.
- b. Sherri M. Bowman – School System & County
Ms. Bowman stated she had received letters of support from citizens concerning the County and the School System working together to come up with ways to save money and for the betterment of the County.

There being no further business before the Board it hereby adjourns to meet again on Tuesday, September 22, 2009 at 7:30 p.m.

Sherri M. Bowman, Chairperson