

VIRGINIA:

At the regular meeting of the Board of Supervisors held at the Charles City County Government and School Board Administration Building thereof on **Friday, November 13, 2015 at 10:00 a.m.** in the 240th year of the Commonwealth and the 381st year of the County.

PRESENT: Gilbert A. Smith, Chairman
Floyd H. Miles, Sr.
William G. Coad

RE: ADOPTION OF AGENDA

Motion was made by Bill Coad to adopt agenda as presented. Motion passed unanimously.

RE: EXECUTIVE SESSION

Motion was made by Bill Coad to enter into Executive Session to discuss personnel under Section 2.2-3711(A)(1), respectively, of the 1950 Code of Virginia. Motion passed unanimously.

Motion was made by Bill Coad to return to open session. Motion passed unanimously. Motion was made by Bill Coad to certify the Board of Supervisors only discussed personnel matters exempted from statutory open meeting requirements identified in the motion to convene to Executive Session. Motion passed unanimously.

RE: VA. DEPARTMENT OF TRANSPORTATION (VDOT)

Zach Trogdon stated he recommend the County approve a resolution for Land Use Permit for the installation of fiber for the Broadband project.

**RESOLUTION
VDOT LAND USE PERMIT**

WHEREAS, it becomes necessary from time to time for the County of Charles City to obtain land use permits from the Virginia Department of Transportation (VDOT) to install, construct, maintain and operate certain public works and public utilities projects along, across over and upon highway systems of the Commonwealth of Virginia; and,

WHEREAS, expense, damage or injury may be sustained by the Commonwealth of Virginia growing out of granting to the County of Charles City by VDOT of said permits for the work aforesaid;

NOW, THEREFORE, BE IT RESOLVED by the County of Charles City that it agrees to the following:

Section 1: That in accordance with the provisions of Section 24VAC30-151-720 of the Land Use Permit Regulations of VDOT, the County of Charles City does hereby grant assurances to the

VDOT that it shall in all respects comply with all of the conditions of the permit or permits that have been, or will be, granted to the County of Charles City and that said jurisdiction does hereby certify that it will carry liability insurance for personal injury and property damage that may arise from the work performed under permit and/or from the operation of the permitted activity as follows: up to one-million dollars (\$1,000,000) each occurrence to protect the Commonwealth Transportation Board members and the VDOT's agents or employees; seventy-five thousand dollars (\$75,000) each occurrence to protect the Commonwealth Transportation Board, the Virginia Department of Transportation or the Commonwealth of Virginia in the event of suit.

Section 2: That the County Administrator, or their designee, be, and hereby is authorized to execute on behalf of the County of Charles City all land use permits and related documents of VDOT.

Section 3: That this resolution shall be a continuing resolution and shall not be revoked unless and until sixty (60) days written notice of any proposed revocation be submitted to VDOT.

Section 4: That the County of Charles City shall, if requested by VDOT, provide a letter that commits to using the surety provided by its contractor or to have the contractor execute a dual obligation rider that adds VDOT as an additional obligee to the surety bond provided to the locality, with either of these options guaranteeing the work performed within state maintained right-of-way under the terms of the land use permit for that purpose.

BE IT STILL FURTHER RESOLVED that the County Administrator, or their designee, be, and hereby is authorized and directed to procure insurance required by Section 1 herein.

Motion carried as follows:

Floyd H. Miles	Aye
Bill Coad	Aye
Gilbert A. Smith	Aye

RE: CLOSED SESSION:

Floyd Miles motioned to enter into closed session for award of public contract under Section 2.2-3711(A)(29), investment of County funds under Section 2.2-3711(A)(6), and personnel under Section 2.2-3711(A)(1), respectively, of the 1950 Code of Virginia. Motion passed unanimously.

Motion was made by Bill Coad to return to open session. Motion passed unanimously. Motion was made by Bill Coad to certify the Board of Supervisors only discussed matters exempted from statutory open meeting requirements identified in the motion to convene to Executive Session. Motion passed unanimously.

There being no further business the Board **adjourned until Tuesday, November 24, 2015, at 7:30 p.m.**