

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, **November 22, 2011** at 7:30 p.m. in the 236th 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. 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 October 25, regular meeting.
- b. Approval of payment to CH2MHill in the amount of \$12,297.50 for landfill professional services for the period of September 17, 2011 through October 21, 2011.
- c. Appropriations for the month of December, 2011.

| General Fund Agencies | |
|------------------------------|----------|
| Board of Supervisors | \$ 4,142 |
| County Administrator | 15,621 |
| Legal Services | 7,000 |
| Non Departmental | 14,000 |
| Non Departmental-Telecom | - |
| Audit | - |
| Commissioner of Revenue | 16,609 |
| Treasurer | 14,050 |
| Management Services | 19,375 |
| Information Technology | - |
| Motor Pool | 4,790 |
| Central Gas | 390 |
| Memberships | 1,500 |
| Electoral Board | - |
| Registrar | 4,535 |
| Circuit Court | 2,300 |
| Combined GD/JD Court | - |
| County Magistrate | - |
| Clerk of Circuit Court | 18,050 |
| Sheriff Judicial | 25,017 |
| Asset Forfeiture - Sheriff | - |
| Courthouse Security Fund | 2,400 |
| Crater Criminal Justice T.C. | 4,561 |
| Commonwealth's Attorney | 16,175 |
| Asset Forfeiture - Comm Atty | - |

RE: CONSENT AGENDA

Appropriations (contd)

| | |
|-------------------------------------|-------------------|
| Sheriff Law Enforcement | 112,403 |
| EDA Sheriff Support | 5,062 |
| Fire Protection | 20,450 |
| Emergency Medical Response | 25,300 |
| E 911 | - |
| Wireless E911 | - |
| Correction & Detention | 36,479 |
| VJCCCA | - |
| Col Com Correction jb | - |
| 9th District Court Services | - |
| Codes Enforcement | 16,820 |
| Animal Control | 15,226 |
| Medical Examiner | - |
| Emergency Services | 1,382 |
| Landfill Monitoring | 22,485 |
| General Properties | 68,750 |
| Health Department | 6,420 |
| MH/MR Services Board | 9,223 |
| Contributions | 15,000 |
| John Tyler Community College | - |
| Parks and Recreation | 52,226 |
| Library/Cultural | 21,000 |
| Center For Local History | - |
| Planning Commission | - |
| Planning Department | 28,444 |
| Com Development Cont | 8,000 |
| Environmental Mgt Cont | - |
| Cooperative Extension | 4,200 |
| General Fund Contingency | - |
| Revolving Accounts | - |
| Cap Outlay-Repair/Renovation | - |
| Debt Service | 100,000 |
| Total General Fund | \$ 739,385 |
| | |
| Public Utility Fund | 31,710 |
| Misc Trust Fund | - |
| Total Utilities/Trust Funds | 31,710 |
| Total Board of Supervisors | \$ 771,095 |
| | |
| School Operating Categorical | |
| Instruction | 585,788 |
| Admin, Attendance & Health Serv. | 74,330 |
| Pupil Transportation | 78,473 |
| Operations & Maintenance | 117,491 |
| School Food | 29,931 |
| Debt Service | - |
| Technology | 49,259 |
| School Fund Total | \$ 935,272 |

RE: CONSENT AGENDA

Appropriations (contd)

| | |
|------------------------------|---------------------|
| ALL FUNDS | |
| Board of Supervisors | 771,095 |
| School Operating | 935,272 |
| Social Services | 108,475 |
| Comp. Services Act | 54,867 |
| Special Welfare | - |
| Transfer to Commonwealth | 5,000 |
| Special Funds | 16,000 |
| GRAND TOTAL ALL FUNDS | \$ 1,890,708 |

The motion carried as follows:

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

RE: DEPARTMENT OF TRANSPORTATION

County Administrator, John F. Miniclier, Jr. read the following monthly VDOT report:

Maintenance Activities for the Previous 30 Days:

- * State Forces have placed maintenance stone and machined many non-hard surface roads.
- * State Forces have broken several beaver dams along Routes 5, 106, 612, 613, 623, and 650.
- * State Forces performed litter pickup along all Primary Routes, 5, 106, 155, and 156.
- * State Forces performed limited pickups of litter along some Secondary Routes.
- * State Force crew also performed some sign maintenance along some Secondary Routes.
- * State Force crew performed some tree trimming along Route 613.
- * State Forces made asphalt pothole repairs throughout the county.
- * State Force crew took time this period to prepare our snow removal equipment (Dry Run) for this year's snow season.
- * Contract Hurricane Debris crews completed work on 10/31/2011. Anything else storm related will be handled by the State Force crews.
- * Contract paving crews this year paved 4.51 miles of Primary Routes with Latex, 1.84 miles with Plant Mix, and 17.94 miles with Surface Treatment.

Maintenance Activities Planned for the next 30 Days:

- * State Forces will be picking up any debris left over from contractor debris crews.
- * State Forces will continue performing litter pickup, sign maintenance, and pothole repairs.
- * Contract crew will be cutting and removing hazardous trees.

Construction

- * The scope validation period for the Sherwood Forest Phase of the Capital Trail along Rt. 5 (John Tyler Highway) ends December 9, 2011. Construction will begin on Section II first, then III and so forth. It has a projected completion date of October 31, 2013.
- * The Herring Creek Trail Head Phase of the trail was awarded September 28th and VDOT is waiting for the contract to be executed. It has a projected completion date of May 1, 2012.

The Fall Transportation Meeting: Six Year Plan Development

The Fall Transportation Meeting for the Richmond Area District will be held November 30, 2011 at the VDOT Central Office on Broad Street in downtown Richmond. The meeting is open to the public and is intended to be an opportunity for the public and localities to share their priorities and desires for the development of the next Six Year Plan. Each locality is encouraged to attend.

RE: DEPARTMENT OF TRANSPORTATION (CONTD)

Traffic Study Special Request - Rt 614 (Sturgeon Point Road)

Mr. Miniclier advised that VDOT completed a speed study at Mr. Cotman's request on Rt. 614 (Sturgeon Point Road) between Rt. 155 (Courthouse Road) and Rt. 615 (The Glebe Lane). The result of the speed study is as follows:

- * 85% speed was found to be 55.8 MPH
- * Crash History review showed 6 crashes over the most recent 3 year period of record (4/1/07 - 3/31/10).
- * Crash rate of 159 collisions per 100 million vehicle miles traveled (MVMT) vs. a District-wide rate of 246 collisions per 100 MVMT
- * Injury rate of 106 per 100 million vehicle miles traveled (MVMT) vs. a District-wide rate of 115 per 100 MVMT

Based on the above results there is not enough justification to support a reduction at this time.

Mr. Miniclier advised that he has requested a clarification on the meaning of 85% speed, the relevance of speed in their evaluation, the number of vehicle miles, and the crash rate. The response he received was that 85% was the speed limit that people felt comfortable driving the road in question and therefore that was what they based at what speed limit the road should be set. He advised VDOT that it might be found that in rural areas where speed limits were posted at less than 55 mph, that if authorities weren't in sight people, might feel comfortable driving a lot faster than the posted speed and that 85% of the cars might in many cases exceed the speed limit and be closer to 55 mph.

He explained he did specifically ask VDOT if they had looked at the section of road closer to Rt. 106 near Crump Town, where several houses are close to the road and there are reasonable curves in the road. They said they had checked that area also. In the end the speed will not be changed on that road.

Board Requests:

Mr. Timothy Cotman directed staff to draft a letter to the constituents with this information in response to their concern about this issue.

RE: APPOINTMENTS – CHARLES CITY HEALTH COUNCIL

Motion was made by Sherri M. Bowman to reappoint Pamela Derby, 5985 Adkins Road, Providence Forge, to serve as a District II member on the Charles City Health Council, said term to expire December 31, 2013. The motion carried as follows:

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

RE: APPOINTMENTS – PLANNING COMMISSION

Motion was made by Gilbert A. Smith to reappoint Barney Lomax 10811 Shady Lane, Charles City, VA 23030, to serve as a District I member on the Planning Commission, said term to expire January 31, 2016. The motion carried as follows:

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

RE: ANIMAL CONTROL OFFICER (Craig McLean/Walter Loving)

The Board of Supervisors welcomed Craig McLean, the recently hired part time Animal Control Officer, upon his introduction by Franklin Bates, Animal Control Supervisor. Mr. Smith noted Mr. McLean's background in law enforcement and EMS are a credit to the department.

Mr. Bates also introduced Walter Loving to the Board as the county resident with years of dog handling experience that stepped up in April, 2011 to assist in fulfilling the demands of the department when assistance was crucial. Mr. Loving will continue to assist the Animal Control Department on an as needed basis. The Board expressed their gratitude to Mr. Loving for his willingness to fill the gaps in that department.

RE: GOVERNMENT MANDATES

County Administrator John F. Miniclier, Jr. advised the Board he received the Government Mandate report and also a report from the Governor. Mr. Miniclier explained the list is fairly inclusive but appears they are looking for items for which they don't have to make up the dollars. The timeframe to turn things over to the Commission is December 12th in order to make the mandate but they will continue to accept things until the end of the month. The final Government report is to be finalized the beginning of the year.

RE: 2012 LEGISLATIVE AGENDA

Mr. John F. Miniclier, Jr. reviewed with the Board of Supervisors the many items from the Virginia Association of Counties (VACo) and Richmond Regional Planning District Commission (RRPDC) 2012 Legislative Agendas, endorsed by Charles City County, that the Board might consider as primary matters of importance to Charles City. The Board directed staff to draft a letter to legislators for the Board citing the following items of highest concern:

1. Opposes Unfunded Mandates by the Commonwealth
2. Oppose the Transfer of VDOT responsibilities to Local Governments for maintenance of public roads
3. Line of Duty Act (LODA),

RE: NARROW BAND UPGRADE CONTRACT

Motion was made by Timothy W. Cotman, Sr. to authorize the County Administrator to execute an Agreement with *Commtronics of VA* in the amount of \$46,464.15, upon the review and approval of the County Attorney, for the upgrade of the Sheriff Department radios to digital and the Sheriff Department turn over their repeater to CCVF&EMSD for their use. Noting the Sheriff's Department has identified \$6,000 in their budget and CCVF&EMSD, \$5,000 in theirs to go towards this project. The motion carried as follows:

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

RE: REFINANCING OF THE COURTHOUSE

Mr. Miniclier explained that based on current low interest rates the County believes refinancing of the County's 2003 Courthouse bond would be an opportunity to save on its future debt service costs. The Board agreed and directed staff to pursue a potential refinancing of the Courthouse bond and, upon a sufficient savings confirmed, bring back to them for approval.

RE: ANIMAL ADOPTION PROGRAM

Mr. Miniclier advised the Board of Supervisors that the new Animal Adoption program designed to actively promote animal adoptions from the county shelter and minimize the number of animals put down is underway. Short term goals are: update the Adoption Application to provide a more detailed screening of adopters; add signage to better direct the public to the shelter, noting hours of operation and contact information for appointments; take pictures of the dogs and cats brought to the shelter to post as adoptable on the Charles City County Petfinder.com and Facebook pages and post the link to the Petfinder.com page throughout the county to inform our citizens. Both pages are up and the first posting was done today.

The Board directed staff to provide a link to the county's Petfinder.com page on the county website.

RE: CODE RED UPDATE

Assistant County Administrator Michelle Johnson advised the Board that county staff manned registration tables at the various voting stations during the recent election to register residents with the county's CodeRed Emergency Notification system. The campaign is considered a success, taking in 866 new registrations and bringing the total number of residents registered to an estimated 50% of the county population.

RE: DECEMBER 31ST PAYROLL

The Board of Supervisors unanimously agreed to authorize the processing of the 2011 final payroll on December 22, 2011.

RE: CHRISTMAS HOLIDAY SCHEDULE

Per past directives of the Board, County office closures are to coincide with the State Employee Calendar. Mr. Miniclier advised the Board of Supervisors the state offices will be closed December 23 and 26, 2011 for the holidays this year.

The Board directed staff to post this information on the county and other public buildings, the website, and in the New Kent-Charles City Chronicle.

RE: CONSERVATION ASSESSMENT GRANT

Motion was made by Sherri M. Bowman to accept the Conservation Assessment Grant in the Amount of \$18,800. The motion carried as follows:

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

RE: VA DOMINION POWER - HIGH VOLTAGE TRANSFORMER LINE

Mr. Miniclier advised that on December 1st he will be meeting with Virginia Dominion Power staff regarding the proposed high voltage transformer line through the county. Per Mr. Miniclier's request, Mr. Gilbert Smith stated he will attend this meeting also.

RE: BOARD OF SUPERVISORS' COMMENTS AND DIRECTIVES

Ms. Sherri Bowman announced that Dominion Resources has awarded the Library Campaign \$15,000.

RE: EXECUTIVE SESSION

Motion was made by Sherri M. Bowman to go into executive session to discuss the disposition of public property under Section 2.2-3711(A)(3); personnel matters under Section 2.2-3711(A)(1); and legal matters under Section 2.2-3711(A)(7), each of the 1950 Code of Virginia, as amended. The motion carried as follows:

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

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

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|------------------------|-----|
| 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. The motion carried as follows:

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|------------------------|-----|
| 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 Tuesday, December 7, 2011 at 6:00 p.m. for the Board of Supervisors' quarterly work session.