

**VIRGINIA:**

At the regular meeting of the Board of Supervisors held at the Charles City County Government and School Board Administration Building thereof on Thursday, **December 19, 2013** at 7:30 p.m. in the 238<sup>th</sup> year of the Commonwealth and in the 379<sup>th</sup> year of the County.

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

RE: ADOPTION OF AGENDA

Motion was made by Floyd Miles to adopt the agenda with the addition of the following items under the County Administrator's Report: *b.* Skiffe Creek Resolution; *c.* Storm Water Ordinance. The motion passed unanimously.

RE: CONSENT AGENDA

Zach Trogdon, County Administrator, stated a couple of corrections needs to be made to the November minutes, on Page 9 in reference to Appointments the minutes should state "Fair Committee" not Board of Real Estate Assessors; Page 10 third paragraph in reference to moving the December meeting the minutes should state "being that the 4<sup>th</sup> Tuesday" not Wednesday in December falls on December 24; Page 11 minutes says we adjourned to Thursday, December 19, 2013 should state "we adjourned to Wednesday December 4, 2013". Gilbert Smith asked that the spelling of Mr. Clark's first name on Page 2 be checked.

Motion was made by Gilbert Smith to approve the Consent Agenda with necessary changes and corrections noted. The motion passed unanimously.

- a. Approval of Minutes:
- b. CH2M Hill Invoice for Services through November 15, 2013
- c. Appropriations for the month of January 2014

*General Fund Agencies*

Board of Supervisors	\$ 9,944
County Administrator	20,737
Legal Services	5,500
Non Departmental	2,500
Non Departmental-Telecom	-
Audit	9,000
Commissioner of Revenue	13,934
Reassessment	-

*General Fund Agencies (continued)*

Treasurer	14,206
Management Services	41,879
Information Technology	32,839
Motor Pool	260
Central Gas	120
Memberships	-
Electoral Board	-
Registrar	-
Circuit Court	1,900
Combined GD/JD Court	-
County Magistrate	-
Clerk of Circuit Court	19,570
Sheriff Judicial	25,813
Courthouse Security Fund	1,620
Crater Criminal Justice T.C.	-
Commonwealth's Attorney	17,332
Sheriff Law Enforcement	83,206
Sheriff Support	4,104
Fire Protection	54,332
Emergency Medical Response	99,864
E 911	-
Wireless E911	4,890
Correction & Detention	31,500
VJCCCA	-
Col Com Correction jb	-
9th District Court Services	-
Codes Enforcement	9,105
Animal Control	10,697
Medical Examiner	-
Emergency Services	2,594
Landfill Monitoring	8,001
General Properties	80,468
Health Department	24,441
MH/MR Services Board	27,665
Contributions	21,980
John Tyler Community College	-
Parks and Recreation	40,133
Lewis Park Boat Ramp	-

<i>General Fund Agencies (continued)</i>	
Library/Cultural	18,429
Center For Local History	-
Planning Commission	-
Planning Department	25,055
Com Development Cont	-
Environmental Mgt Cont	-
Cooperative Extension	400
	-
General Fund Contingency	-
Cap Outlay-Repair/Renovation	48,235
Cap Outlay-New Projects	-
Debt Service	-
<b>Total General Fund</b>	<b>\$ 812,253</b>
Public Utility Fund	55,525
<b>Total Board of Supervisors</b>	<b>\$ 867,778</b>

***FY14- School Operating Categorical Appropriations***

Instruction	500,000
Admin, Attendance & Health Serv.	60,000
Pupil Transportation	-
Operations & Maintenance	-
Instructional Technology Self-Sustaining Fund	-
Textbook Fund	-
Food Service Fund	75,698
Capital Fund	-
<b>School Fund Total</b>	<b>\$ 635,698</b>

**ALL FUNDS**

BOARD OF SUPERVISORS	867,778
SCHOOL OPERATING	635,698
SOCIAL SERVICES	130,837
SPECIAL WELFARE	-
<b>GRAND TOTAL ALL FUNDS</b>	<b>\$ 1,634,313</b>

d. Refund of Real Estate and Personal Property Taxes

RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

VDOT Residency Administrator, Mike Cade gave the following monthly report:

**December 2013 – Monthly Report**

**MAINTENANCE**

**Maintenance Activities the Past 30 Days:**

Tree Trimming

- Rt. 685, Chamber Rd.

Ditching W/ Gradall

- Rt. 667, Roxbury Industrial Center
- Rt. 618, Adkins Rd.

Daylight Intersections

- Rt. 618, Adkins Rd. at Rt. 649, Woodbourne Rd.
- Rt. 650, Cattail Rd. at Rt. 655, Salem Run Rd.
- Rt. 609, Barnett Rd. at Rt. 620, Lewis Tyler Ln.
- Rt. 156, Roxbury Rd. at Rt. 5, John Tyler Mem. Hwy.
- Rt. 618, Adkins Rd. at Rt. 647, Indian Rd.
- Rt. 609, Barnett Rd. at Rt. 625, West Run Rd.

Litter Pickup & Trash Bags

- Rt. 618, Adkins Rd.
- Rt. 614, Sturgeon Point Rd.
- Rt. 609, Barnett Rd.
- Rt. 603, Old Union Rd.
- Rt. 653, Mt. Pleasant Rd.
- Rt. 656, Bradley Rd.
- Rt. 155, Courthouse Rd.
- Rt. 612, Ruthville Rd.
- Rt. 602, Lott Cary Rd.
- Rt. 5, John Tyler Mem. Hwy.

Replace Pipe, 24" Across Roadway

- Rt. 617, Munguy Rd.

Place Rip Rap Around Pipe

- Rt. 617, Munguy Rd.

Seed & Straw

- Rt. 617, Munguy Rd.
- Rt. 618, Adkins Rd.

Debris Cleanup/Spill/Beans In Roadway

- Rt. 609, Barnett Rd. at Rt. 603, Old Union Rd.

Clean Beaver Dams

- Rt. 620, Lewis Tyler Ln.
- Rt. 650, Cattail Rd.
- Rt. 623, Wilcox Neck Rd.  
Rt. 106, Roxbury Rd.

Straighten & Repair Signs

- Rt. 625, West Run Rd.
- Rt. 615, The Glebe Ln.
- Rt. 658, Kimages Rd.
- Rt. 607, Church Lane
- Rt. 609, Barnett Rd.
- Rt. 5, John Tyler Mem. Hwy.

Blade Dirt Roads

- Rt. 613, Sandy Point Rd.
- Rt. 623, Willcox Neck Rd.
- Rt. 626, Old Elam Cemetery Rd.

Cleanup Tree Debris

- Rt. 625, West Run Rd.

Add Joints Of Pipe To Driveways

- Rt. 612, Ruthville Rd.

Miscellaneous

- Drainage Issues
- Clean clogged drains as needed, Problem Area County Wide
- Bike Trail/Blowing Leaves/Trimming Bushes
- Dead Animal Removal, Primary & Secondary Roads
- Snow And Ice Alert

Next Month Plans

- Winter/Snow prep
- Pavement Repair
- Drainage Problems

**LAND DEVELOPMENT & PERMITS:** No Report this Session

**CONSTRUCTION**

Route 618 Bridge at Charles City / New Kent Line:

Demolition is substantially complete; Reconstruction of Substructure is about ½ complete.

Beams should be on site by 1-16-14; The project should be substantially completed by 2-16-14

**TRAFFIC STUDIES/SPECIAL REQUESTS**

Completed speed study Route 631 (Cool Hill Road). No change to the existing statutory (55/45 mph) limit is recommended.

<b>BIKE TRAIL UPDATES</b>	
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<b>David Steele, P.E.</b>	
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Sherwood Forest Phase of the Virginia Capital Trail the Design Builder is continuing to construct the trail and bridges. This week they used detours to transport large (50' long) timber beams to five bridges and installed them the same day. We do not anticipate any additional detours or significant traffic impacts from the project work in the future. The scheduled completion date of the project is September 18, 2014.	
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William Coada stated that about a quarter to a half mile east of Wayside and the intersection of Route 5 a constituent reported to him that a limb was hanging low and was about to fall into Route 5.

Alton Washington, 10605 Sturgeon Point Road – Mr. Washington stated that he still has a concern about the water standing on Sturgeon Point Road, water still covers the highway when it rains. Mr. Cade stated they had put bids out to fix this problem when the bids came in they had bided the wrong size pipes, they had to rebid for that project that usually takes about thirty to sixty days. Due to the weather (temperature) they cannot put down asphalt right now, it will be the spring of the year before they start that project.

**RE: COUNTY ADMINISTRATOR'S REPORT**

Zach Trogdon received an email from VACO asking all localities to support a Resolution to the General Assembly, First Day Introduction Requirements for Bills with Local Fiscal Impacts, asking them to make all localities aware of any bills with fiscal impacts no later than the first day of session. Mr. Miles stated that unless something has changed the General Assembly have up to 5 days after they are in session. The board agreed to accept the resolution requesting the General Assembly support measures that require its members to file bills with local fiscal impacts as early as possible. Motion was made by Bill Coada to approve resolution with correction. The motion passed unanimously.

Randy Boyd stated he has drafted a resolution on Skiffs Creek concerning Dominion Power application for a crossing of either the James or Chickahominy River to get electricity to the Hampton Roads area. The Board is on record as opposing the Chickahominy crossing. The Corporation Commission following the recommendation of the Hearing Examiner and found that there are only two ways to the necessary electricity to Hampton one being the Chickahominy Alternate or the James River Crossing. They have evaluated both and determined the James River Crossing was much the preferable. They have also found that Chickahominy Crossing would meet the requirements. If James River is not accepted that leaves Chickahominy Crossing. The James City County, Williamsburg, and other opponents of the James River Crossing are taking their position or plea to the Core Engineers and they are soliciting support from Senator Mark Warner, Senator Tim Kaine, and Congressman Bobby Scott to hire a lobbyist to try to influence the Core of Engineers to accept the James River Crossing. Randy Boyd stated we are past the point of opposing the Chickahominy

Crossing and support the James River Crossing this is what the resolution does. Motion was made by Gilbert Smith to accept the resolution. The motion passed unanimously. Randy Boyd asked that once the final copy of the resolution is prepared it be signed by all three Board members and a copy be sent to the Core of Engineers and all officials listed in the memorandum.

RE: JOINT PUBLIC HEARING:

Zach Trogdon read the joint public hearing notice; Ordinance to change the operation of a Lounge from a Permitted Use to require a Special Use Permit. Matthew Rowe reviewed the requirements of what would be required to get a Special Use Permit. The Planning Commission motioned to adopt the Ordinance as presented and forwarded the motion to the Board of Supervisors. Floyd Miles voiced his concern on going back and asking everyone who operates a Lounge to come back and file for a Special Use Permit, the current law is as long as you get an ABC permit you are allowed to operate; he would like this ordinance to be a no grand-father ordinance, everyone should conform under the same ordinance. Randy Boyd, County Attorney, stated the current Zoning Ordinance in line with state law specifies that if there is an existing use, the existing use can continue operate as a non-conforming use. You cannot force a non-conforming to apply for a Special Use Permit, as long as they do not expand their current operation. William Coad asked if an existing non-conforming use loses their ABC License will they have to file for a Special Use Permit. Randy Boyd stated “no, unless they lose their ABC license for two years”. William Coad motioned to approve the Special Use Permit as presented. Motion passed two to one in favor of approving the Special Use Permit as presented.

RE: COUNTY ADMINISTRATOR’S REPORT (continued)

Zack Trogdon, County Administrator, stated we need to send the program application on Submission of County Local Water Program which is due to the State by January 15, 2014. This is being generated from the EPA down to the State (DEQ) to localities. There will be a direct fee for anyone who has one to five acres in the range of \$6,000.00 to get a Storm Water Permit. This is something we need to submit to the State. Bill Coad stated he does not like this ordinance but we do not have a choice, it is being jammed down our throat by the State, it does not fit Charles City County, it does not fit a rural county, we do not have a choice, but it is something we have to submit. Zach Trogdon stated this is work in progress not a final document. Bill Coad motioned with reluctance to submit the proper paper work required by DEQ for the Storm Water Management program as presented. Motion passed with two in favor of submitting the program application and one sustained.

RE: DIRECTIVES/COMMENTS

Bill Coad commended Lesa Jones on the job she is doing, she is doing a great job.

Floyd Miles wished everyone in attendance and their family a very Merry Happy Holidays!

Zach Trogon stated the next meeting on the agenda should state the next meeting date will be **Wednesday, January 8, 2014**, for a Budget Meeting that will be held at 9:00 a.m.

Motion was made by Gilbert Smith to go into Executive Session to discuss personnel matters under Section 2.2-3711(A)(1) of the 1950 Code of Virginia, location of perspective and business, and investment of county funds. The motion passed unanimously.