

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 20, 2012** at 7:30 p.m. in the 237th year of the Commonwealth and in the 378th year of the County.

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

RE: ADOPTION OF AGENDA

Motion was made by William G. Coada to adopt the agenda with the addition of Item 2. c. Presentation to the Charles City Volunteer Fire Department; and Item 6. f. School Board FY2012 Carryover of \$15,180 for the DecideSmart Program. The motion carried as follows:

William G. Coada	Aye
Floyd H. Miles, Sr.	Aye
Gilbert A. Smith	Aye

RE: CONSENT AGENDA

Motion was made by Floyd H. Miles, Sr. that the following consent agenda be approved:

- a. Approval of the minutes of the November 27, 2012 special and regular meetings as presented.
- b. Approval of payment to CH2MHill in the amount of \$12,098.04 for landfill professional services for the period of October 20, 2012 through November 16, 2012.
- c. Appropriations for the month of January, 2013 as requested.

General Fund Agencies	
Board of Supervisors	\$ -
County Administrator	17,446
Legal Services	-
Non Departmental	-
Non Departmental-Telecom	-
Audit	-
Commissioner of Revenue	-
Treasurer	15,346
Management Services	-
Information Technology	-
Motor Pool	3,860
Central Gas	264
Memberships	-
Electoral Board	-
Registrar	-
Circuit Court	-
Combined GD/JD Court	-
County Magistrate	-
Clerk of Circuit Court	16,388
Sheriff Judicial	-
Asset Forfeiture - Sheriff	2,884

RE: CONSENT AGENDA

January, 2013 Appropriations (Contd)

Courthouse Security Fund	2,000
Crater Criminal Justice T.C.	-
Commonwealth's Attorney	17,244
Asset Forfeiture - Comm Attorney	301
Sheriff Law Enforcement	60,184
Sheriff Support	-
Fire Protection	-
Emergency Medical Response	-
E 911	-
Wireless E911	-
Correction & Detention	33,600
VJCCA	-
Col Com Correction jb	-
9th District Court Services	-
Codes Enforcement	-
Animal Control	-
Medical Examiner	-
Emergency Services	417
Landfill Monitoring	25,601
General Properties	58,370
Health Department	-
MH/MR Services Board	-
Contributions	-
John Tyler Community College	-
Parks and Recreation	-
Lewis Park Boat Ramp	-
Library/Cultural	-
Center For Local History	-
Planning Commission	-
Planning Department	23,035
Com Development Cont	-
Environmental Mgt Cont	-
Cooperative Extension	-
General Fund Contingency	-
Cap Outlay-Repair/Renovation	182,294
Debt Service	-
Total General Fund	\$ 459,234
Public Utility Fund	24,014
Total Board of Supervisors	\$ 483,248
SCHOOL OPERATING CATEGORICAL	
Instruction	513,116
Admin, Attendance & Health Serv.	65,000
Pupil Transportation	65,000
Operations & Maintenance	85,000
Instructional Technology	20,000
Self-Sustaining Fund	75,000
Textbook Fund	-
Food Service Fund	45,000
SCHOOL FUND TOTAL	\$ 868,116

RE: CONSENT AGENDA

January, 2013 Appropriations (Contd)

ALL FUNDS	
Board Of Supervisors	483,248
School Operating	868,116
Social Services	-
Special Welfare	-
Trans. To Commonwealth	-
Special Funds	-
GRAND TOTAL ALL FUNDS	\$ 1,351,364

The motion carried as follows:

Floyd H. Miles, Sr.	Aye
William G. Coad	Aye
Gilbert A. Smith	Aye

RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Residency Maintenance Manager, Mike Cade gave the following monthly report:

Maintenance Activities for the Previous 30 Days:

- **Shoulder Repair** - 5 John Tyler ; 615 The Glebe Lane
- **Tree Trimming** - 623 Wilcox Neck Road ; 615 The Glebe Lane
- **Tree Removal** - 621 Eagles Nest Road.
- **Shoulder Repair** - 5 John Tyler; 615 The Glebe Lane
- **Litter Control** - 602 Lott Cary Rd; 600 Charles City Rd; 612 Ruthville Rd; 603 Old Union Road; 615 The Glebe Lane; 609 Barnetts Rd; 631 Cool Hill Rd; 618 Adkins Rd.
- **Pot Hole Repair** - 617 Monguy Rd; 680 Old Holly Hills Rd; 803 Perks Lane; 658 Kimages Rd; 614 Sturgeon Point Rd; 615 The Glebe Lane; 607 Wayside Rd; 612 Ruthville Rd; 613 Sandy Point Rd.
- **Removed Beaver Dams for drainage** - 612 Ruthville Road; 623 Wilcox Neck Rd; 106 Roxbury Road. Working with U.S. Department of Agriculture to have beavers removed where possible.
- **Gravel Roads Bladed and Added Stone to** – 613 Sandy Point Rd; 616 Adams Bridge Rd; 654 Deerfield Rd; 623 Wilcox Neck Rd; 648 New Quarter Rd; 626 Old Elam Cemetery Rd; 651 Legion Rd; 646 Oakwood Rd.
- **Pavement Repair (Surface Treatment)** – 615 The Glebe Lane
- **Capital Trail** - Tree, Brush Trimming , Debris Removal

Maintenance Activities Planned for the next 30 Days:

- Shoulder Repair Primary
- Litter Control
- Tree Trimming
- Sign Maintenance
- Ditch Cleaning
- Pot Hole Repair

Traffic Study

- Route 650 (Cattail Road) Conducting speed study to determine if reduction of speed limit below statutory can be supported. Anticipate completion by end of January 2013 and giving report at the Board's February 26, 2013 meeting.

RE: VIRGINIA DEPARTMENT OF TRANSPORTATION (CONTD)

Recent Board Requests:

1. **Mr. William Coad** noted that the stop sign has been removed from the median located at the junction of Rt. 609 (Barnett's Road) and Rt. 5 (John Tyler Memorial Highway). He requested VDOT look into the removal of the unmarked median.
2. **Mr. Gilbert Smith** requested an update on the matter of the pursued restriction of commercial truck traffic on Rt. 607 (Wayside Road). *Mr. Cade advised that the restriction has been approved by the Transportation Commission*

Citizens' Comments

1. Sandra Jones, 6403 Cattail Road – Ms. Jones requested review of Cattail Road near her home as pulling across the lane of oncoming traffic into her driveway was hazardous due to overgrown.
2. Unnamed Citizen – Noted that the yellow caution flashing light at the junction of Rt. 106 (Roxbury Road) and Rt. 5 (John Tyler Memorial Highway) was a hazard as only some drivers slowed and others paid it no heed. She suggested the caution light be made a red stop flashing light or removed entirely.
3. Unnamed Citizen – Noted a tree on Rt. 5 (John Tyler Memorial Highway) near Rt. 623 (Willcox Neck Road) was leaning and would soon fall into the roadway.
4. Lloyd Carter, Sr., 3720 Wayside Road – Mr. Carter Suggested that caution signage should be placed before the “S” turn on Rt. 5 at the Rt. 607 junction.
5. E. Preston Adkins, 8041 Lott Cary Road - Mr. Adkins noted that prior to the bridge closing Rt. 618 (Adkins road) had a posted speed limit of 55 mph. During the bridge closure the speed was lowered to 45 mph and although the bridge had reopened the posted speed had remained 45 mph. *Mr. Cade explained a traffic study had been done and determined that 45 mph was necessary to maintain adequate safety.*

RE: LIBRARY CAMPAIGN ADDRESS

Mr. James A. Tyler, Jr., Chairman of the Capital Campaign (Charles City County Library Campaign) addressed the Board reviewed the status of the Capital Campaign's fund raising efforts for a public library in Charles City.

He advised the Board the Committee has raised \$1.4 million dollars through private donations and the committee is still very active and eager to make a public library a reality for Charles City residents. He noted the Committee is encouraged that all the Board members and the County Administrator have expressed their support of a public library in Charles City. In light of the county financial issues cited by the Board, Mr. Tyler requested the Board advise the Committee which direction they should take the campaign at this time.

Mr. Tyler stated \$350,000 of privately raised funds was expended for the architectural design of the proposed 16,000 sq. foot facility. It would require redesigning the proposed library if the decision was to pursue a building of smaller square footage. There are other options such as using a building the county already owns such as the Neighborhood Facility. It would require renovation but the cost would be less than a new building.

Mr. Gilbert Smith stated the Board is in support of a library but that at this point in time the County is not financially stable enough to support building a library and the operation costs once it's completed.

RE: LIBRARY CAMPAIGN ADDRESS (CONTD)

Mr. Tyler stated, speaking as an individual not for the Committee, he explained that if given the “green flag” to go towards the Neighborhood Facility there is the possibility the Committee could raise all of the money needed to renovate the building. He elaborated saying the county is already maintaining this building so there would be no added expense of maintaining a building. He summarized stating that there are options and even with limited resources there are options we could move toward.

The Board agreed to review the Library Campaign Committee’s newly proposed options and get back to Mr. Tyler as soon as possible.

RE: CHARLES CITY VOLUNTEER FIRE DEPARTMENT

Mr. Gilbert Smith presented to the Charles City Volunteer Fire Department the ownership paperwork for a fire truck donated to the County by Henrico County to the CCVFD, and commended the Volunteer Fire Department for their service and dedication to Charles City County.

RE: PUBLIC COMMENT (AGENDA ITEMS)

1. Bonnie Whitaker, 12801 Dalmatian Drive – Ms. Whitaker made known her objection to the temporary No Parking signs placed across the road from her business.
2. Suzanne Bohon, 13120 Howard’s Grove Lane – Ms. Bohon asked Mr. Tyler, Chairman of the Capital Campaign (Charles City County Library Campaign), the total amount of monies raised to-date by the Committee. *Mr. Tyler responded that \$1.4 million had been raised to-date by private donations.*
3. Owen Clark, 5621 Country Woods Drive, Mr. Clark stated he was disturbed to find that the county does not have an ordinance on the books to prohibit people for shooting guns near homes.
4. John Miniclier, Jr., 11620 Eagles Nest Road – Mr. Miniclier raised the issue that between May and September use of the Lawrence Lewis, Jr. Park boat ramp will not be allowed until 11:00 a.m. p week days and 7:00 a.m. on weekends due to the regulations relating to the eagle in the area nesting during those months.
5. Muschi Fisher, 7000 Westover Road/Library Campaign Committee/ Chair of Local History Center – Mrs. Fisher requested the Board look for alternatives as the Center for Local History desperately needs space and has an extensive library of historic documents that need protecting.

RE: APPOINTMENT – CHARLES CITY HEALTH COUNCIL

Motion was made by William Coda to reappoint Steve Fuhrmann, 3400 Adkins Road, to serve as a District II member on the Charles City Health Council, said term to expire December 31, 2014. The motion carried as follows:

William G. Coda	Aye
Floyd H. Miles, Sr.	Aye
Gilbert A. Smith	Aye

RE: APPOINTMENT – ROAD VIEWERS

Motion was made by Gilbert A. Smith to reappoint Byron Cox, 10501 Shady Lane, Charles City, VA 23030, to serve as a District I member on the Road Viewer Committee, said term to expire December 31, 2014. The motion carried as follows:

William G. Coad	Aye
Floyd H. Miles, Sr.	Aye
Gilbert A. Smith	Aye

RE: RESOLUTION DESIGNATING NO-PARKING ZONES

Motion was made by Floyd H. Miles, Sr. to approve the following Resolution Designating No-Parking Zones. The motion carried as follows:

Floyd H. Miles, Sr.	Aye
William G. Coad	Nay
Gilbert A. Smith	Aye

RESOLUTION DESIGNATING NO-PARKING ZONES
(Resolution 2012-22)

WHEREAS, the Board of Supervisors adopted County Code Section 35-6.1, Parking in Prohibited Zones, on March 27, 2012; and

WHEREAS, the adopted Code Section allows the County to designate by resolution roads, travel lanes, or other areas of County property on which motor vehicles, trailers, semitrailers or parts thereof cannot be parked or left unattended;

NOW, THEREFORE, BE IT RESOLVED, by the Charles City County Board of Supervisors that the following are designated as no-parking zones:

1. Both sides of Route 644 (Courthouse Road)
2. Both sides of Watermelon Fields Road (fronting Courthouse Complex)
3. Posted areas at the Fitness Center Complex
4. Posted areas at the Government and School Board Administration building
5. Posted areas at the Social Center

RE: REGIONAL RURAL LONG RANGE TRANSPORTATION PLAN

Motion was made by Floyd H. Miles, Sr. to approve the Charles City County prioritized project list to be included in the Region’s Rural Long Range Transportation Plan as presented. The motion carried as follows:

Floyd H. Miles, Sr.	Aye
William G. Coad	Aye
Gilbert A. Smith	Aye

RE: DEPARTMENT OF CONSERVATION & RECREATION - STORM WATER MANAGEMENT PLANNING AND EDUCATION GRANT

Motion was made by William G. Coad to accept the DCR Storm Water Management Planning and Education Grant in the amount of \$25,000. The motion carried as follows:

William G. Coad	Aye
Floyd H. Miles, Sr.	Aye
Gilbert A. Smith	Aye

RE: BOAT RAMP UPDATE

Mr. Rowe reported that the Lawrence Lewis, Jr. Park boat ramp has been completed and is currently “curing”. The park and pier will reopen upon the removal all the construction equipment and the boat ramp will be open for use the end of February.

RE: BOARD REORGANIZATION MEETING SCHEDULED

The Board agreed to hold the Supervisor reorganizational meeting January 9, 2013 at 8:30 a.m. prior to hearing the departmental budget presentations.

RE: SCHOOL BOARD FY2012 BUDGET CARRYOVER

Motion was made by William G. Coada to approve carryover from the School Board FY2012 Budget of DecideSmart program funds in the amount of \$15,180. The motion carried as follows:

William G. Coada	Aye
Floyd H. Miles, Sr.	Aye
Gilbert A. Smith	Aye

RE: DECIDESMART PROGRAM

Motion was made by William G. Coada to accept and endorse the DecideSmart study as a platform for implementation moving forward. The motion carried as follows:

William G. Coada	Aye
Floyd H. Miles, Sr.	Aye
Gilbert A. Smith	Aye

The School Board unanimously agreed to endorse the DecideSmart study. Chairman Steve Fuhrmann suggested the already formed subcommittee be charged with discerning the order by which the items are to be addressed.

RE: PUBLIC COMMENTS (NON-AGENDA ITEMS)

1. Annette Roberts, 14314 Sandy Point Road – Ms. Roberts asked 1) if the Board has considered extending the county animal shelter hours as has been requested; 2) why non-government events are not allowed to be posted on the county website.
2. Lynda Cooke, 5701 Monguy Road – Ms. Cooke reported that for over 7 years someone has been dumping deer carcasses in the creek near her home, close to Rt. 106, this year being the worst.
3. Lloyd Carter, Sr., 3720 Wayside Road – Mr. Carter asked VDOT to be more diligent in informing citizens of their road change proposals.
4. Sharon McGeein, 1481 The Glebe Lane – Ms. McGeein asked about the status of the investigation of ACO Bates and what changes are being made to the operation of the Animal Control Department since the shooting of her dog.
5. Allura-Leigh Peterson, 9500 Sturgeon Point Road - Ms. Peterson claimed that in the past ACO Bates had committed offenses against her and her family but the county had done nothing about them.
6. Kenneth Dill, Providence Forge/works in Charles City – Mr. Dill spoke in support of the due process of law in re: to ACO Bates.

RE: PUBLIC COMMENTS (NON-AGENDA ITEMS) (CONTD)

7. Bradley Moore, 4520 Cattail Road – Mr. Moore stated he is an old friend of ACO Bates and asked the Board to resolve the recent issue for which Mr. Bates is being investigated.
8. Elnora Robinson, 17511 John Tyler Memorial Highway - Mrs. Robinson spoke in support of the due process of law.

RE: BOARD DIRECTIVES/COMMENTS

1. **Mr. Floyd H. Miles, Sr.** stated that he believes in due process of law and that until the state police complete their investigation of ACO Bates no information will be provided to the public.

There being no further business before the Board, it hereby adjourned to meet again on Wednesday, **January 9, 2012** at 8:30 a.m. for the Board of Supervisors' Special reorganization and FY2014 budget presentations meeting.