

RE: RECESSED MEETING, TUESDAY, FEBRUARY 14, 2012, 9:00 A.M.

The meeting was called to order by the Chairman.

PRESENT: Gilbert A. Smith, Chairman  
Floyd H. Miles, Sr., Vice Chair  
William "Bill" Coad

RE: ADOPTION OF AGENDA

Motion was made by Bill Coad to adopt the agenda with the addition of Item 4 e. Emergency Ordinance addressing the number of structures allowed on one lot.

The motion was carried as follows:

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

RE: DOMINION VIRGINIA POWER PROPOSED 500kV TRANSMISSION LINE

At the Board of Supervisors' request, Dominion Virginia Power (DOM) representatives and the transmission line planning team: Iris Holiday, Manager of Regional, State and Local Affairs; Junius Williams, Jr., Managing Director of State Affairs; Wade Briggs, Project Manager; Stephenie Harrington, Communications Manager; Liz Harper, Senior Sighting and Permitting Specialist; Donald Koonce, Principle Engineer and Electric Transmission Reliability; William Avery, Electrician Transmission Engineer; Scott Reed, External Affairs Representative; Peter Nedwick, Electric Transmission Planning; and Daisy Pridgen, Senior Communications Specialist and Media Relations, reviewed the particulars of the proposed transmission line with those in attendance and answered questions.

Ms. Stephenie Harrington provided a background, the need for the line, the determination of the initial proposal, and addressed key issues that have come up subsequent to the open house that DOM held in Charles City County last month.

The three key drivers that make a route viable were cited as being 1) electrically viable 2) routing constraints (i.e., environmental, homes, historical sights of the area, etc.), and 3) cost.

Public Comments and Questions

The following citizen's asked questions and made statements regarding the proposed Chickahominy-Skiffes Creek 500kV Line. The response of DOM representatives follows each query in italics.

1. Michael Neal, 17041 The Glebe Lane – Concerned about the impact on and access to farm land hindered by the easements and structures.
2. Brian Gordineer, 16880 The Glebe Lane – Pointed out that many properties in the proposed line are on the National Registry of Historic Places and the structures will deface these historic places forever. *This aspect of the proposed line is being looked into further.*
3. William Hopke, 15500 The Glebe Lane– Concerned about the impact to county FAA tower. *High voltage lines are not known to hinder FAA towers/signal.*
4. Sherri Bowman, 6901 Adkins Road – On behalf of Cedar Grove Baptist Church stressed opposition to the proposed line that will go by the church.
5. Steve Fuhrman, 3400 Adkins Road – What benefit is there to Charles City for this third line? What is DOM's obligation and intentions with compliance to applicable county ordinances - since they do not have to comply 100% with the Chesapeake Bay ordinances regarding land disturbance and wetlands? *Impact to the area is taken into consideration as the proposal for FCC is developed.*
6. Jordan Ledbetter, 16530 The Glebe Lane – How will line be funded? Rate payers or shareholders? Who will bear the cost difference of the two proposed lines? *Ultimately the rate payers bear the costs.*

RE: DOMINION VIRGINIA POWER (CONTD)

*Public Comments and Questions*

7. Doug Harwood, Goochland County – When easement is across your land and someone comes on your land four wheeling, gets injured and sues – will DOM be a member of the suit? *Property owner would be liable as they maintain ownership of the land.*
8. Sylvia Williams, 5720 Adkins Road – Opposes proposed line and voiced her concerns of the health issues related to exposure to EMF. *The study done by VDH show there is inadequate evidence that residential exposure to EMF is carcinogenic to adults or associates with childhood leukemia of nervous system tumors.*
9. William Lewis, 8231 Courthouse Road – Why not use the existing corridor like you have in other areas? *There are other lines being planned and built in the state of VA besides this one.*
10. Tom Fenton, Richmond, VA – Owns land in Charles City and does not believe DOM actually owns the easement across his land where a graveyard lies. *This issue is being looked into.*
11. Mark Daniel, 9130 Willcox Neck Road – Wondered if any DOM employees live under one of the 111 ft. structures. Asked the Board of Supervisors to send a message to the FCC expressing desire that DOM find another route.
12. Kevin Slattum, 20870 Old Neck Rd – Brought to the Board's attention the Memorandum of Understanding passed in November, 2009 by Charles City Board of Supervisors together with New Kent, James City, the James River Association, the Chickahominy Tribe and others, citing "the Chickahominy River is outstanding in its natural beauty, historical importance, cultural value, economic potential, recreational offerings, and ecological significance...and... Encouraging low-impact and considerate use of the Chickahominy River and cultural and historic sites."
13. John Miniclier, Jr., 11620 Eagles Nest Road – Believes the existing line and right-of-ways can be used. What is the construction cost of the single vs. mono-pole? And the timeline involved? Opposes the proposed line. *The transmission system in the N. Hampton area is not sufficient for the projected population growth. The right-of-way with the existing line is not wide enough for the size structures required for the proposed transmission line.*
14. David Ledbetter, 16530 The Glebe Lane – Will DOM help residents understand better if the cost of this will be spread across a much wider consumer base to the entire network as opposed to just its ordinary consumers within its own network? Charles City County already bears a disproportionate responsibility for transmission of electricity in the Commonwealth. *Will get back with Mr. Ledbetter on cost allocations.*

Re: Chesapeake Bay Act - It appears the regulations allows localities to retain more stringent water protection criteria then those afforded otherwise sited in the regulation and by that DOM does not get to elect which law it will comply with but must comply with the more stringent law. He requested the Board have counsel look into that and exercise all of their authority to protect the environment and public health here by developing more stringent laws.

Re: EMF - The people that live near the transmission lines will be exposed to a much higher EMF radiation then just about anyone else in the Commonwealth. They cannot say there is no health impact from these exposure levels.

15. Judith Ledbetter, 16530 The Glebe Lane – This power line will cross ten (10) roads in the county: Willcox Neck Road, Sturgeon Point Rd., The Glebe Lane, Courthouse Road, Green Yard Estates Way, Green Yard Estates Lane, Adkins Road, Samaria Lane, Barnetts Road, and Old Union. Probably 75% of county residents will see these lines daily.

Re: Easement Acquisition – Prior to 1972 approval of transmission lines was in the localities. The Board of Supervisors' 1968-1972 minutes do not mention Dominion or any predecessor agency acquiring easements in Charles City. The acquisition of these easements does not appear to have been approved by local authority or approved by the FCC. They have never been looked at by a governmental entity.

RE: DOMINION VIRGINIA POWER (CONTD)

*Public Comments and Questions*

Mr. B. Randolph Boyd, County Attorney asked DOM to explain why it's not possible to reconfigure the Yorktown/Chesapeake power stations to use natural gas. *It is not a viable solution from an economical stand point.*

Mr. Boyd asked that a more in depth response be posted on the DOM website.

Ms. Harrington addressed the issue of "view shed", stating that there are 500kV power lines in Charles City already. Visual simulations of what it looks like will be made available on the dom.com website and included in the FCC application.

RE: PUBLIC COMMENT

1. Sherri M. Bowman, 6901 Adkins Road - Ms. Bowman requested the Board allow her to purchase the county iPad she used while serving on the Board of Supervisors at the depreciated value of approximately \$450.

RE: REQUEST TO PURCHASE IPAD

Motion was made by Bill Coada to deny Ms. Bowman's request to purchase the county iPad at a depreciated rate. The motion carried as follows:

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

RE: VDOT SECONDARY SYSTEM CONSTRUCTION PROGRAM SIX YEAR PLAN

The Board unanimously agreed to schedule the FY2013-2019 VDOT Secondary System Construction Program Six Year Plan (SSSYP) presentation for their March 7, 2012 work session at 6:00 p.m. and directed staff to notify the required VDOT representatives.

RE: TREASURER FY2012 BUDGET AMENDMENTS

Motion was made by Bill Coada to approve the amendment of the Treasurer's FY2012 Budget in the amount of \$8,052 as requested. The motion carried as follows:

William "Bill" Coada	Aye
Gilbert A. Smith	Aye
Floyd H. Miles, Sr.	Abstain

RE: SCHOOL SYSTEM FY2012 BUDGET AMENDMENT

Motion was made by Bill Coada to approve the amendment of the School Systems' FY2012 Budget in the amount of \$10,000 accepting the grant funds awarded by United Way-Smart Beginnings Partnership, as requested. The motion carried as follows:

William "Bill" Coada	Aye
Gilbert A. Smith	Aye
Floyd H. Miles, Sr.	Abstain

RE: EMERGENCY ORDINANCE - PROHIBITING MORE THAN ONE DWELLING ON A SINGLE LOT

AN EMERGENCY ORDINANCE  
PROHIBITING MORE THAN ONE SINGLE-FAMILY OR TWO-FAMILY  
DWELLING ON A LOT IN ANY ZONING DISTRICT

WHEREAS, the Board of Supervisors of Charles City County has determined that the Charles City County Zoning Ordinance where it regulates number of dwellings on a lot may be inadequate to protect the health, safety, and welfare of the citizens of the County; and

WHEREAS, the County needs such time to modify such ordinance to address adequately such health, safety and welfare issues as may exist; and

WHEREAS, the Board believes it to be in the best interests of the citizens of the County to restrict the number of dwellings on a lot until the health, safety, and welfare issues can be studied and the Zoning Ordinance amended accordingly; and

WHEREAS, the Board has the authority under Section 15.2-1427 F. of the Code of Virginia to adopt ordinances in an emergency without a public hearing.

NOW, THEREFORE, BE IT RESOLVED THAT the Board determines that an emergency situation exists in the County with respect to the potential for more than one dwelling to be placed on a lot before the zoning ordinance can be amended to address its concerns; and

NOW THEREFORE, BE IT ORDAINED THAT section 5-3, Uses with Special Use Permit, of the Charles City Zoning Ordinance is hereby amended by the addition on the following section:

10. Dwelling, Single-family, or Dwelling, Two-family: where there is more than one separate dwelling structure on any one lot.

Motion was made by Bill Coada to approve and adopt the Emergency Ordinance amending Section 5-3 Uses With Special Use Permit, with the matter being sent to the Planning Commission for review at their next meeting and request the Commission bring their recommendation(s) back to the Board at the March 7, 2012 work session at which time a joint public hearing will be scheduled. The motion carried as follows:

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

RE: BOARD DIRECTIVE/COMMENTS

**Mr. Floyd H. Miles, Sr.** advised he elects to abstain on all requests until he receives the information he has previously requested from staff.

**Mr. William Coada** agreed that the Board has requested information from the elected officials, school board and staff and it's not been received in a timely manner. He echoed Mr. Miles' frustration and impressed upon those department heads to be promptly comply to Board requests for information.

**Mr. William Coada** advised that the Board and School Board subcommittee is meeting on a weekly basis and are working towards consolidating garages, building maintenance, grounds and IT departments. A study on identifying what and how to consolidate will be done at a cost of \$60,000 which will be divided between the two budgets.

**Mr. William Coada** noted that the Board is working on having 24 hour EMS. A new ambulance is needed as are sleeping quarters and the Board will continue to work on those needs.

**Mr. Floyd H. Miles, Sr.** requested that the parking zone ordinance amendment be brought to public hearing at the earliest possible date.

**Mr. Floyd H. Miles, Sr.** noted that Mr. Boyd had provided him state code regarding the real estate tax payment due date but requested Mr. Boyd provide him with further clarification.

RE: BOARD DIRECTIVE/COMMENTS (CONTD)

**Mr. William Coda** directed staff to research the County's Manufactured Housing Ordinance and provide a report on the parameters of The Code at the Board's February 28, 2012 regular meeting. In addition, staff was directed to research and provide a report on what New Kent, Hanover, Henrico, Prince George, and James City provide for in their manufactured housing ordinances.

RE: EXECUTIVE SESSION

Motion was made by Bill Coda to go into executive session to discuss personnel matters under Section 2.2-3711(A)(1); and legal matters under Section 2.2-3711(A)(7), of the 1950 Code of Virginia, as amended. The motion carried as follows:

Floyd H. Miles, Sr.	Aye
Bill Coda	Aye
Gilbert A. Smith	Aye

Motion was made by Bill Coda to return to regular session. The motion carried as follows:

Floyd H. Miles, Sr.	Aye
Bill Coda	Aye
Gilbert A. Smith	Aye

Motion was made by Gilbert Smith 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:

Floyd H. Miles, Sr.	Aye
Bill Coda	Aye
Gilbert A. Smith	Aye

There being no further business before the Board it hereby adjourned to meet again on Tuesday, **February 28, 2012** at 7:30 p.m. for the Board of Supervisors' Regular Meeting.