

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, May 27, 2014 at 7:30 p.m.** in the 238th year of the Commonwealth and the 380th year of the County.

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

RE: ADOPTION OF AGENDA

Bill Coad motioned to move Appropriations for the month of June 2014 to Item 7 (h). Motion passed unanimously.

Motion made by Gilbert Smith to adopt the agenda with the change. The motion passed unanimously.

RE: CONSENT AGENDA

Motion made by Gilbert Smith to approve the following Consent Agenda. Motion passed unanimously.

- a. Approval of Minutes:
 - April 22, 2014 Regular Meeting Minutes
 - April 29, 2014 Recessed Meeting Minutes
 - May 6, 2014 Work Session Minutes
- b. CH2M Hill Invoice for Services through April 18, 2014
- c. Appropriations for the month of June 2014
- d. Refund of Personal Property Taxes and Veterans Real Estate Tax Relief

RE: PRESENTATIONS

VIRGINIA DEPARTMENT OF TRANSPORTATION

VDOT Acting Residency Administrator, Marshall Wynn, gave the following monthly report for the month of May 2014 in district order:

May 2014 – Monthly Report

MAINTENANCE	Marshall Winn/David Christoph
Maintenance Activities past 30 days:	

Asphalt, Pot Hole Repair / Hot Box

- 617, Monguy Rd.
- Rt. 5, John Tyler Mem. Hwy.
- Rt. 603, Old Union Rd.
- Rt. 604, Warriner Rd.
- Rt. 609, Barnett Rd.
- Rt. 625, West Run Rd.
- Rt. 658, Kimages Rd.
- Rt. 620, Lewis Tyler Ln.
- Rt. 650, Cattail Rd.

Asphalt Repair/w Gradall

- Rt. 618, Willcox Wharf Rd.
- Rt. 668, Roxbury Industrial Center

Pot Hole Repair/w Cold Mix

- Rt. 614, Sturgeon Point Rd.
- Rt. 612, Ruthville Rd.

Break Clean Out Beaver Dams

- Rt. 623, Wilcox Neck Rd.
- Rt. 106, Roxbury Rd.
- Rt. 612, Ruthville, Rd.
- Rt. 620, Lewis Tyler Ln.

Litter Pickup & Trash Bag Pickup

- Rt. 609, Barnett Rd.
- Rt. 620, Lewis Tyler Ln.
- Rt. 602, Lott Cary Rd.
- Rt. 604, Warriner Rd.
- Rt. 607, Wayside Rd.

Repair Shoulders & Driveways/w Stone

- Rt. 609, Barnett Rd.
- Rt. 631, Cool Hill Rd.
- Rt. 602, Lott Cary Rd.

Drainage/Folk Leaves/Cleaning Ditches

- Rt. 630, Samaria Ln.
- Rt. 623, Wilcox Neck Rd.
- Rt. 613, Sandy Point Rd.
- Rt. 618, Adkins Rd.
- Rt. 625, West Run Rd.
- Rt. 609, Barnett Rd.

- Rt. 621, Eagles Nest Rd.
- Rt. 627, Old Neck Rd.

Cleaning Out Pipes

- Rt. 630, Samaria Ln.
- Rt. 607, Wayside Rd.
- Rt. 615, The Glebe Ln.
- Rt. 623, Wilcox Neck Rd.
- Rt. 612, Ruthville Rd.
- Rt. 614, Sturgeon Point Rd.

Sweeping Intersections/w Broom Tractor

- Rt. 607, Church Ln. at Rt. 618, Adkins Rd.
- Rt. 607, Church Ln. at Rt. 609, Barnett Rd.
- Rt. 636, Shady Ln. at Rt. 5, John Tyler Mem. Hwy.
- Rt. 603, Old Union Rd. at Rt. 106, Roxbury Rd.
- Rt. 603, Old Union Rd. at Rt. 653, Mt. Pleasant Rd.
- Rt. 637, Wyatt's Ln. at Rt. 609, Barnett Rd.
- Rt. 600, Charles City Rd. at Rt. 603, Old Union Rd.
- Rt. 622, CC Rd. at Rt. 600, Charles City Rd.
- Rt. 106, Roxbury Rd. at Rt. 600, Charles City Rd.
- Rt. 629, Alpine Rd. at Rt. 618, Adkins Rd.

Signs/High Water

- Rt. 623, Wilcox Neck Rd.
- Rt. 630, Samaria Ln.
- Rt. 607, Wayside Rd.
- Rt. 658, Kimages Rd.
- Rt. 650, Cattail Rd.
- Rt. 609, Barnett Rd.
- Rt. 625, West Run Rd.
- Rt. 631, Cool Hill Rd.
- Rt. 5, John Tyler Mem. Hwy.

Throwing Back Limbs

- Rt. 659, Old Ferry Rd.
- Rt. 624, Horse Shoe Rd.
- Rt. 5, John Tyler Mem. Hwy.

Remove Fallen Trees

- Rt. 609, Barnett Rd.
- Rt. 650, Cattail Rd.

Bike Trail

- Grass Cutting

<ul style="list-style-type: none"> • Removing Limbs off Trail • Blowing Debris off Trail 	
Pipe Replacement & Reset <ul style="list-style-type: none"> • Rt. 5 John Tyler Mem. Hwy. • Rt. 623, Wilcox Neck Rd. 	
Next Month's Agenda <ul style="list-style-type: none"> • Grass Cutting/Primary & Secondary • Pavement Repair/Secondary • Litter Control / Primary & Secondary • Debris Removal & Grass Cutting / Bike Trail • Shoulder Repair / Primary & Secondary • Sign Maintenance / Primary & Secondary 	
PERMITS/Land Development 1 Permit: First Simple Church Chickahominy Bluff Road-Pave Entrance	Rob Butler
Bridge : Dunn Nothing to report this Session.	Robert
CONSTRUCTION	Keith Rider, P.E.
<ul style="list-style-type: none"> • Surface treatment is complete in Charles City on ST4E. Pavement markings should be completed soon. • Bids will come on 5/28/14 for the bridge superstructure replacement for Rte. 5 over Herring Creek. If the bids are accepted, work would not start until August. 	
TRAFFIC STUDIES/SPECIAL REQUESTS	Jeff Kuttesch
<ul style="list-style-type: none"> • Nothing to report this Session 	

Mr. Wynn stated asphalt has been put back on Route 619 intersection. Surface treatment will be put down as this will help turning vehicles that uses this intersection daily. Edge paving work on Route 600 is planned for July timeframe. Mr. Wynn introduced the new Residency Administrator, Mr. Bruce McNabb.

Floyd Miles reminded Mr. Wynn to clean the ditches on Wilcox Neck Road, and to check into the major drainage problem at Haupt's Store.

Bill Coad asked had the Deer Crossing sign be put back on Lott Cary Road. Mr. Wynn stated he was told the sign was there, he will check. Bill Coad also asked about the traffic study, a constituent had requested, on Eagles Nest Road. Mr. Wynn stated he had requested this study and has been in contact with the constituent to let him know he will contact him once he receives the study.

VRS Employer Contribution Rate Resolutions

Zach Trogdon stated every year the Board has to adopt a contribution rate for the Virginia Retirement System for the County. Michelle Johnson went over the employer contribution rates, stating in FY15, the certified rate is 11.24%, and an alternate rate is 9.49%. Staff recommends adoption of the certified rate of 11.24% as the County will have to make up the difference in two years. The County also has to concur in the rate to be adopted by the School Board which is the certified rate of 7.33%.

Floyd Miles motioned to adopt a resolution with the certified rates of 11.24% for the County and 7.33% for the Schools. Motion passed as follows:

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

CERT (Community Emergency Response Team)

Dallas Johnson, Deputy Emergency Coordinator for Charles City County, gave a presentation and presented pictures on the first Charles City County CERT Program that was held every Thursday for three hours, 6:30pm until 9:30pm, from March 13 to May 8. Dallas Johnson thanked Emergency Training Systems, Steve Wood for providing instruction and training, and Ed Dunnivant for being the class instructor at several of the training classes. The class participants were: Sheila Crump, Sheri Bowman, Ruby Paige, Lesa Jones, Harry French, Vince Brackett, Michael Doan, Byron Adkins and John Barrows. Bill Coad thanked Steve Wood, his firm, and Ed Dunnivant for the services they provided to the CERT Program.

Floyd Miles thanked Steve Wood and his organization in doing a tremendous job in providing 24/7 emergency rescue squad service in the County. He does not have citizens contacting him with any concerns about the service and he personally wanted to thank him.

RE: PUBLIC HEARINGS

Enterprise Zone Application

Matt Rowe, Director of Planning, gave a brief presentation on the Enterprise Zone Application that will be submitted by June 30, 2014. Businesses that are located within a Zone are able to receive incentives based upon real property investment and job creation. A description of where Zones would be located is one in the Roxbury area starting at Atlantic Growers on Route 106, proceeding south to Chambers Road to include the Industrial Center, and then east along Chambers to the regional landfill. This Zone would be 2,571 acres. The other Zone would be the Courthouse area from the intersection of Lott Cary Road and Route 155 to the intersection of Route 5 and Route 155, east to Glebe Lane south side of Route 5. This

Zone is comprised of 866 acres. Incentives considered are (1) offer fast track permitting for companies within these Zones, in which permit shall be reviewed and commented on within 10 days of application; (2) Planning Department will waive fees for business in Zone; (3) a percentage of the Building Permit fee will be waived; (4) Partnership with local community colleges and training centers to ensure workforce programs are in place.

Motion made by Floyd Miles to approve the Resolution Endorsing the Application for Enterprise Zone Designation. Motion passed as follows:

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

RE: PUBLIC COMMENT PERIOD

There were no public comments.

RE: APPOINTMENTS

Motion was made by Floyd Miles to reappoint Edna Bates of 13411 Wilcox Neck Road, to serve as a District III member on the Social Services Board, said term to expire June 30, 2018; reappoint Robert Tyler and Mike Scheitle to the Colonial Community Criminal Justice Board with both terms expiring May 31, 2017; reappoint Michelle Johnson to the Middle Peninsula Juvenile Detention Commission with term expiring June 30, 2018; appoint Zach Trogdon as alternate on the Capital Area Training Consortium said term to expire January 31, 2015. Motion passed unanimously.

Motion was made by Bill Coad to appoint Pamela Derby, 5985 Adkins Road, to serve as a District II member on the Charles City Health Council, said term to expire May 31, 2016. Motion passed unanimously.

RE: COUNTY ADMINISTRATOR'S REPORT

Zach Trogdon mentioned a few new employees that have started working in the County, Steve Miller, Public Works Director, Jerry Sawyer, Water - Waste Water Operator, and he introduced Paulette Jones, who works in the Building Official Office.

Zach Trogdon mentioned the Board of Equalization has started meeting with County citizens on 2014 Reassessment appeals. Their scheduled meetings in June are scheduled for June 17, 19 20, 23 and 24. More information on the meetings and meeting times has been placed on the County website and posted around the County.

Michelle Johnson presented a budget amendment for FY2014. She stated due to significant revenue shortfalls the Schools were tasked to cut their budget by \$436,732.00 earlier this year. The School met and negotiated a difference of \$113,000.00. Michelle was given the task of finding additional savings in the County budget to make up \$900,000.00. Michelle stated as leaders of the County the County Administrator and Management Services took the reduction from their budget. The County Administrator budget will be reduced an additional \$15,182.00, and the non-departmental budget will be reduced by \$11,550.00 designated for consultant services. Audits will be reduced by \$3,500.00 and Management Services will be reduced by \$13,670.00. The County received revenue from an annual grant from VDEM in the amount of \$11,750.00 for emergency management communication that will help defray some revenue shortfalls. Each year Robinson, Farmer, Cox does a cost allocation study between the County and Department of Social Services, this covers any services the County provides to Social Services in support their agency, the cost allocation is \$57,348.00 which we will receive from the Virginia Department of Social Services. With all the reductions and additions this is a total of \$113,000.00. Michelle Johnson made a recommendation that the Board approve the reductions and the transfer from Social Services to the County to complete offsets for the \$900,000.00 shortfall to the FY2014 Budget.

Motion was made by Gilbert Smith to approve the budget amendments to the FY2014 Budget as presented. Motion passed unanimously.

Michelle Johnson stated that each year revenue from fines and forfeitures from the Sheriff Department usually averages \$5,000.00 per year. This year they collected \$33,253.00. There was a State restructuring in which the money that was normally put into Clerk's fee now it goes to Fines and Forfeitures. She requested the County use a portion of these funds to finance a Dodge Charger with the County markings and all necessary equipment in the amount of \$17,135.69. The Sheriff Department is in need of an additional vehicle due to high mileage on a couple of existing patrol vehicles.

Motion was made by Floyd Miles to use a portion of the money received from Fines and Forfeitures to purchase the Sheriff Department another vehicle as presented. Motion passed unanimously.

Zach Trogdon stated there has been some request as to whether the County wanted to regulate firearms discharges in resident areas. The Code of Virginia does allow counties to prohibit the shooting of firearms in areas of a County that is populated and considered to be dangerous. If the County wanted to move forward with any regulations, the recommendation is that the County will establish a radius of a certain amount of feet from residences in which firearms can be discharged. Mr. Smith stated he had asked that this request be put back on the agenda for discussion, as he has had some citizens request the Board look at firearms discharge in residential areas.

Floyd Miles stated we need to enforce our current regulations. Bill Coada stated he does not want to put more regulations on the citizens.

Bill Coada motioned to defer the firearms discharge as presented. Motion passed as follows:

Floyd Miles	Aye
Gilbert A. Smith	Nay
William G. Coada	Aye

Michelle Johnson presented a program that is being implemented with the Summer Camp Program. This program, OASIS, is being sponsored by a program at VCU (Virginia Commonwealth University) and Senior Connections. Adults age 50+ will go through a one day training with VCU, there are six volunteers thus far, in implementing a nutrition curriculum for Charles City County for grades K – 5. Training will be held Wednesday, June 11 from 9:00am until 3:00pm. VCU will provide all the tools, all the funding as well as the training of volunteers. The County is only providing the children and the space. The program will bridge the gap between our seniors and school age children and teach them how to eat healthy. Michelle encouraged everyone to sign up and volunteer or call her for more information.

Michelle Johnson stated she serves as the Vice-Chair on the Senior Connections Board of Director's. On June 6th, there will be a Health and Wellness Expo at the Charles City Social Center for senior citizens, age 50+, from 10:00am to 1:00pm. The sponsors are Dominion and Senior Connections. There will be 28 vendors in attendance and American Red Cross will be there for a blood drive. She invited all the senior citizens to come out to receive good information on a healthier lifestyle, receive some give-a-ways, and lunch.

Michelle Johnson presented the appropriations for the month of June 2014.

General Fund Agencies

11010	Board of Supervisors	\$ (10,335)
12100	County Administrator	(9,564)
12210	Legal Services	7,300
12220	Non Departmental	26,931
12221	Non Departmental-Telecom	15,000
12240	Audit	-
12310	Commissioner of Revenue	33,008
12320	Reassessment	-
12410	Treasurer	21,028
12420	Management Services	21,993
12425	Information Technology	33,213
12520	Motor Pool	-

12530	Central Gas	-
12600	Memberships	-
13100	Electoral Board	(180)
13200	Registrar	6,000
21100	Circuit Court	-
21200	Combined GD/JD Court	-
21300	County Magistrate	-
21600	Clerk of Circuit Court	-
21700	Sheriff Judicial	-
21800	Courthouse Security Fund	-
21930	Crater Criminal Justice T.C.	-
22100	Commonwealth's Attorney	17,024
31200	Sheriff Law Enforcement	128,283
31900	Sheriff Support	8,000
31920	School Resource Officer	-
32200	Fire Protection	-
32300	Emergency Medical Response	140,873
32350	E 911	47,625
32400	Wireless E911	8,732
33150	Correction & Detention	33,000
33300	VJCCCA	-
33310	Col Com Correction jb	-
33320	9th District Court Services	-
34400	Codes Enforcement	13,753
35100	Animal Control	3,610
35300	Medical Examiner	-
35500	Emergency Services	-
42400	Landfill Monitoring	32,833
43200	General Properties	46,850
51100	Health Department	-
52200	MH/MR Services Board	-
53600	Contributions	-
68010	John Tyler Community College	-
71100	Parks and Recreation	26,363
71200	Lewis Park Boat Ramp	-
73200	Library/Cultural	-
73210	Center For Local History	-
81100	Planning Commission	-
81200	Planning Department	24,090
81600	Com Development Cont	-
82650	Environmental Mgt Cont	12,500

83300	Cooperative Extension	-
91400	General Fund Contingency	-
94000	Cap Outlay-Repair/Renovation	(153,500)
94100	Cap Outlay-New Projects	-
95000	Debt Service	-
	<i>Total General Fund</i>	<u>\$ 539,430</u>
43400	Public Utility Fund	-
	<i>Total Board of Supervisors</i>	<u>\$ 539,430</u>
	<i>FY14- School Operating Categorical</i>	
61101	Instruction	
62119	Admin, Attendance & Health Serv.	
63109	Pupil Transportation	
64209	Operations & Maintenance	
68109	Instructional Technology	
213	Self-Sustaining Fund	-
214	Textbook Fund	-
215	Food Service Fund	-
216	Capital Fund	-
	<i>School Fund Total</i>	<u>\$ -</u>
	<i>ALL FUNDS</i>	
	<i>BOARD OF SUPERVISORS</i>	539,430
	<i>SCHOOL OPERATING</i>	-
	<i>SOCIAL SERVICES</i>	523,328
	<i>SPECIAL WELFARE</i>	-
	<i>GRAND TOTAL ALL FUNDS</i>	<u>\$ 1,291,844</u>

Motion was made by Gilbert Smith to approve appropriations as presented. Motion passed unanimously.

RE: PUBLIC COMMENTS:

Mr. Owen Clark, Jr., 5621 County Wood Drive, Charles City - stated he is disappointed in understanding why the Board is not going to give any relief on regulations for firearms discharges in residential areas. People are firing automatic weapons near his home and a neighbor's home has been fired into. One neighbor had to take shelter behind a dog house. He is thinking of the safety of his of family and the safety of the children and wishes the Board would take into consideration the safety of the citizens. He has called the Sheriffs Department and was told there is no ordinance on the books, if there is an ordinance he would like to see them as he does not have a computer. There is an ordinance on hunting but not an ordinance on protection of the citizens in a close community.

Mr. Jay Templin, 9020 Ruthville Road, Ruthville - stated to Mr. Clark there is a Code of Virginia 18.2-56.1 that states "It shall be unlawful for any person to handle recklessly any firearm so as to endanger the life, limb or property of any person. Any person violating this section shall be guilty of a Class 1 misdemeanor." He thanked the Board for not taking any action of imposing any additional restrictions as long as people conduct themselves in a safe manner there should be no issues at all.

Mr. Michael Jones, 9096 Kimages Road - Charles City, reminded the Board he is still waiting on an answer concerning the fund balance. He feels he has not received a clear answer.

RE: DIRECTIVES AND COMMENTS

Bill Coada asked the Chairman of the School Board to give an update on the new Superintendent. Helen Payne-Jones stated Friday, May 23rd, the School Board met with a specific agenda to introduce their new School Superintendent, Dr. David Gaston, who will start on July 1, 2014. Dr. Gaston is currently acting as an Assistant Superintendent of Williamsburg City and James City County Schools.

Bill Coada stated the Brown Bag Program is in desperate need of people to deliver. If anyone can help with delivery please contact him or Byron Adkins, Director of Social Services.

Bill Coada stated Charles City Community Day will be held Saturday, June 7, 2014, at Harrison Park, from 10:00am until 4:00pm.

Bill Coada stated he would like to have added to the June 4, 2014, Work Session Agenda, Disorderly Conduct in Public Places - Section 32.3, and Residential Zoning.

Motion was made by Gilbert Smith to go into Executive Session to consult with legal counsel pursuant Section 2.2-3711(A)(7); and, to discuss personnel matters under Section 2.2-3711(A)(1) of the 1950 Code of Virginia.

Motion was made by Gilbert Smith to return to open session. Motion passed unanimously.

Motion was made by Gilbert Smith to certify that the Board of Supervisors discussed only public business matters exempted from statutory open meeting requirements and public business identified in the motion to convene to Executive Session. Motion passed unanimously.

The Board recessed until 6:30 p.m., Wednesday, June 4, 2014.