

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, **June 25, 2013** at 7:30 p.m. in the 237th year of the Commonwealth and in the 379th year of the County.

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

RE: ADOPTION OF AGENDA

Motion was made by William Coada to adopt the agenda as presented. The motion passed unanimously.

RE: CONSENT AGENDA

Motion was made by Gilbert Smith to approve the following Consent Agenda items with the correction of the School Fund appropriations total being \$1,789,629. The motion passed unanimously.

- a. Approval of Minutes: May 28, 2013 Board monthly meeting with correction to the School Board Operation budget category, total column should add up to \$1,789,629; and the June 5, 2013 Work Session meeting minutes
- b. Approval of Payment to CH2MHill in the amount of \$12,896.70 for professional services rendered the period from April 20, 2013 to May 17, 2013
- c. Appropriations for the month of July 2013

General Fund Agencies	
Board of Supervisors	\$ 5,625
County Administrator	25,794
Legal Services	5,500
Non Departmental	4,869
Non Departmental-Telecom	90,000
Audit	4,000
Commissioner of Revenue	38,011
Reassessment	9,000
Treasurer	16,147
Management Services	22,848
Information Technology	65,204
Motor Pool	13,448
Central Gas	443
Memberships	2,000
Electoral Board	16,694
Registrar	12,264
Circuit Court	4,390
Combined GD/JD Court	8,264
County Magistrate	1,100
Clerk of Circuit Court	16,960
Sheriff Judicial	13,205
Courthouse Security Fund	1,740
Crater Criminal Justice T.C.	2,250
Commonwealth's Attorney	17,232

RE: CONSENT AGENDA (CONTD)

July Appropriations (Contd)

Sheriff Law Enforcement	84,471
Sheriff Support	4,111
Fire Protection	26,100
Emergency Medical Response	66,825
E 911	7,174
Wireless E911	2,155
Correction & Detention	30,500
VJCCCA	1,500
Col Com Correction	600
9th District Court Services	1,600
Codes Enforcement	14,489
Animal Control	15,226
Medical Examiner	300
Emergency Services	3,530
Landfill Monitoring	54,956
General Properties	91,011
Health Department	24,625
MH/MR Services Board	27,665
Contributions	30,740
John Tyler Community College	1,156
Parks and Recreation	62,730
Lewis Park Boat Ramp	1,104
Library/Cultural	18,429
Center For Local History	18,000
Planning Commission	1,000
IDA Economic Develop. Support	23,762
Planning Department	14,307
Com Development Cont	4,700
Environmental Mgt Cont	13,450
Cooperative Extension	35,465
General Fund Contingency	27,900
Cap Outlay-Repair/Renovation	39,000
Debt Service	1,156
Total General Fund	1,145,569
Public Utility Fund	57,404
Total Board of Supervisors	1,202,973
School Operating Categorical	
Instruction	130,3000
Admin, Attendance & Health Serv.	62,496
Pupil Transportation	62,273
Operations & Maintenance	93,286
Instructional Technology	125,000
Self-Sustaining Fund	1,100,700
Textbook Fund	101,724
Food Service	25,000
Capital Fund	86,150
School Fund Total	1,789,629
ALL FUNDS	
Board of Supervisors	1,202,973
School Operating	1,789,629
Social Services	132,237
Special Welfare	19,000
GRAND TOTAL ALL FUNDS	\$ 3,143,839

RE: VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)

VDOT Residency Administrator, Mike Cade reported state forces are working on an emergency contract for the bridge on Rt. 618, Adkins Road. The bridge is estimated to be closed for six months to a year. In addition, Mr. Cade gave the following monthly report:

Maintenance Activities - Past 30 Days:

Broke Beaver Dams: Rt. 623 – Willcox Neck Road; Rt. 612 – Ruthville Road; Rt. 620 – Lewis Tyler Lane; Rt. 106 – Roxbury Road; Rt. 616 – Adams Bridge Rd
Tree Trimming: Rt. 649 – Woodbourne Rd; Rt. 635 – Holly Tree Lane; Rt. 615 – The Glebe Lane; Rt. 618 – Adkins Rd; Rt. 618 – Rt. 5 Intersection, Adkins Rd. & John Tyler
Litter Control: Rt. 5 – John Tyler Highway; Rt. 155 – Courthouse Road; Rt. 106 – Roxbury Road; Rt. 604 – Warriner Road
Cutting Complaints, Intersections Tall Grass: Rt. 630 and Rt. 631, Cool Hill Road & Samaria Lane; Rt. 614 and Rt. 615, The Glebe Lane & Sturgeon Point Road; Rt. 615 and Rt. 624, The Glebe Lane & Horse Shoe Road; Rt. 612 and Rt. 615, Ruthville Road & The Glebe Lane; Rt. 615 and Rt. 626, The Glebe Lane & Old Elam Cemetery Road.
Bike Trail: Weed eating, Grass cutting, debris cleanup from storm damage
Rt. 618 Bridge Closure Detour: Rt. 618 – Adkins Road; Rt. 602 – Lott Cary Road; Rt. 155 – Courthouse Road
Pothole Repair/Cold Mix: Rt. 613 – Sandy Point Rd; Rt. 629 – Alpine Rd; Rt. 615 – The Glebe Lane
Storm Debris Cleanup/Trees: Rt. 639 – The New Road; Rt. 5 – John Tyler Mem. Hwy; Rt. 106 – Roxbury Road; Rt. 155 – Courthouse Road; Rt. 613 – Sandy Point Road; Rt. 631 – Cool Hill Road; Rt. 632 – Tyler’s Mills Road
Daylight Signs: Rt. 106 – Roxbury Road; Rt. 5 – Rt. 618, Intersection, John Tyler Hwy & Adkins Road; Rt. 607 – Church Lane; Rt. 609 – Barnett Road; Rt. 650 – Cattail Road; Rt. 631 – Cool Hill Road; Rt. 602 – Lott Cary Road; Rt. 600 – Charles City Rd; Rt. 613 – Sandy Point Road; Rt. 614 – Sturgeon Point Road; Rt. 615 – The Glebe Lane; Rt. 623 – Willcox Neck Road
Low Hanging Limbs: Rt. 670 – Salem Heights Drive; Rt. 642 – Stag Run Rd; Rt. 636 – Shady Lane; Rt. 641 – Little Elam Rd.; Rt. 600 – Charles City Road; Rt. 601 – Liberty Church Rd.; Rt. 615 – The Glebe Lane; Rt. 616 – Adams Bridge Rd; Rt. 619 – Weyanoke
Driveway Repair: Rt. 602 – Lott Cary Road; Rt. 615 – The Glebe Lane; Rt. 603 – Old Union Road; Rt. 612 – Ruthville Road
Swept Roadway: Rt. 5 at Barretts Ferry Bridge; Rt. 615 at Rt. 626, The Glebe Lane & Old Elam Cemetery Road; Rt. 610 – Green Oak Rd.; Rt. 619 – Weyanoke Rd
Shoulder Repair: Rt. 5 – John Tyler Highway; East of Rt. 155 – Courthouse Road
Drainage Issues: Clean clogged drains as needed, problem areas countywide
Washout Repairs: Rt. 610 – Green Oak Road; Rt. 617 – Monguy Road; Rt. 623 – Willcox Neck Road; Rt. 613 – Sandy Point Road
Clean Ditch/Pipe: Rt. 106 to Rt. 603, Roxbury Road & Old Union Road

Maintenance Activities - Planned for Next 30 Days:

- Litter Control
- Shoulder Repair
- Pot Hole Repair
- Pipe Replacement
- Sign Maintenance

Construction Update - Virginia Capital Trail

Sherwood Forest Phase Virginia Capital Trail: The design build contractor has submitted final construction plans for the portions of the trail that were re-designed to preserve tree canopy. The delay from re-design has resulted in a delayed completion date that is now scheduled for September 18, 2014. Construction is scheduled to ramp up within the next few weeks and will include both trail and bridge construction.

Board Member Statements:

Mr. Gilbert Smith stated there are no speed limit signs on Old Union Road. *Mr. Cade explained that if there are no speed limit signs on the road the speed limit by law is 55 mph.*

Mr. Floyd Miles, Sr. stated that on Wilcox Neck Road and The Glebe Lane the grass is not being cut and the ditch needs to be pulled for drainage. *Mr. Cade stated he will take a look at the roads; secondary roads are mowed three times a year.*

RE: VIRGINIA DEPARTMENT OF TRANSPORTATION (CONTD)

Citizens' Comments

1. Mr. John Tabb, 14031 The Glebe Lane – Ditches on The Glebe Lane have not been pulled in the last two years. Every time it rains his driveway is a gully. The mail carrier stands a chance of going in the ditch when it gets too wet.
2. Mrs. Eleanor Robinson, 17511 John Tyler Highway – On Rt. 5, John Tyler Highway water covers her driveway when it rains. The road side ditch needs to be pulled.
3. Mr. Wayne Orrell, 11200 Watermelon Road – Questioned why no one is allowed to cross on the Adkins Road (Rt. 618) bridge, noting it's a hardship on people going all the way around with the cost of gas. *Mr. Cade stated VDOT does not want anyone to get injured.*
4. Mr. Lenny Miles, 8500 Cool Hill Road – The Rt. 618 bridge project should be a priority. Adkins Road (Rt. 618) is a major road going in and out of the County. It's expensive to go all the way around.
5. Dr. Steve Fuhrmann, 3400 Adkins Road - Requested consideration be given to widening the span of Rt. 618, Adkins Road, for bicyclists and pedestrians as the current bridge is narrow.

RE: JOINT PUBLIC HEARING – BARDON, INC. #SUP-03-2013

The Board of Supervisors and the Planning Commission held a joint public hearing to receive citizen comments on Application #SUP-03-2013, whereby Bardon, Inc. (Aggregate Industries) requests renewal of current Special Use Permit (CUP-2001-2) for an additional five years to mine sand and gravel on 329 acres (part of TM #24-58&59) located on Two Mile Trail. The applicant requests to amend renewal conditions to state *“the permit will renew automatically every five years.”*

Mr. Zach Trogdon, County Administrator read the advertisement for the joint public hearing.

Chairman Edward Baber called the Planning Commission to order and read the rules and procedures governing the hearing.

Mr. Matthew Rowe, Director of Planning presented the staff report for Application #SUP-03-2013, Bardon, Inc. (Aggregate Industries).

Chairman Baber opened the floor to receive questions of citizens regarding the applicant's request. There being none, Chairman Baber opened the hearing to public comments. There being no speakers, the hearing was closed for public comment. Chairman Baber asked for questions, comments, and/or a motion from the Commission.

Commission discussed an additional condition to be included that would revoke the current conditional use permit (CUP 2001-2 issued 10/16/01) should approval be granted for application #SUP-03-2013. In further discussion, the applicant agreed to provide water test results to the County upon request.

Motion was made and seconded by the Planning Commission to recommend the Board of Supervisors approve Application #SUP-03-2013, Bardon, Inc. (Aggregate Industries) to allow for the continued mining of sand and gravel on 329 acres (TM #24-58 & 59); with the conditions recommended by staff, and the additional condition that would revoke Conditional Use Permit (CUP 2001-2) upon approval of Application #SUP-03-2012. The motion carried by a vote of 9:0.

RE: SPECIAL USE PERMIT APPLICATION # SUP-03-2013

Motion was made by Gilbert A. Smith to approve Application #SUP-03-2013, Bardon, Inc. (Aggregate Industries) with the conditions recommended by staff and the original Conditional Use Permit (CUP 2001-2) be revoked. The motion carried as follows:

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

RE: JOINT PUBLIC HEARING – ROBINSON #REZ-03-2013

The Board of Supervisors and the Planning Commission held a joint public hearing to receive citizen comments on Application #REZ-03-2013, John C. Robinson (Charles City Timber & Mat) requests to rezone 16.4 acres (TM#7-93) from Light Industrial (M-1) to Heavy Industrial (M-2) zoning. The site is located at 5900 Chambers Road.

Mr. Matthew Rowe, Director of Planning presented the staff report for Application #REZ-03-2013, John C. Robinson (Charles City Timber & Mat).

Mr. Thomas Evelyn of Charles City Timber & Mat stated three generations have operated the family's business in Charles City County. He and Mr. George Junkin were present to answer questions regarding the application.

Chairman Edward Baber opened the floor to questions regarding the applicant's request. There being none, Chairman Baber opened the public hearing. There being no comment, the hearing was closed.

Motion was made and seconded by the Planning Commission to recommend the Board of Supervisors approve Application #REZ-03-2013, John C. & Ellen Robinson Trustees requesting the rezoning of 16.4 acres (TM #7-93) from Light Industrial (M-1) to Heavy Industrial (M-2) Zoning. The motion carried by a vote of 9:0.

RE: REZONING – ROBINSON #REZ-03-2013

Motion was made by Gilbert A. Smith to approve Application #REZ-03-2013, submitted by John C. & Ellen Robinson, Trustees of Charles City Timber & Mat, rezoning 16.4 acres (TM #7-93) from Light Industrial (M-1) to Heavy Industrial (M-2) Zoning as requested. The motion carried as follows:

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

RE: APPOINTMENT – BOARD OF REAL ESTATE ASSESSORS

Motion was made by Gilbert Smith to reappoint George Black, 6641 Westover Road, and Joseph B. Call, III, 401 John Tyler Memorial Highway, to serve as District I representative members on the Board of Real Estate Assessors for the duration of the 2014 real estate assessment. The motion passed unanimously.

RE: APPOINTMENT – HOUSING TASK FORCE

Motion was made by Floyd Miles, Sr. to appoint Reverend Sheila Crump to serve as the Parrish Hill area representative member on the Housing Task Force, said term to expire June 30, 2017. The motion passed unanimously.

RE: 2014 REASSESSMENT CONTRACT AWARD/SERVICE AGREEMENT

Motion was made by Gilbert Smith to authorize staff to enter into a service agreement with Wampler-Eanes Appraisal Group, Ltd. to perform the County’s FY2014 reassessment of real estate, cost not to exceed \$118,000. The motion passed unanimously.

Chairman Floyd Miles, Sr. directed that the assessors should have identification on them at all times and displayed on their vehicles.

RE: BOAT RAMP USER FEE ADOPTED

Motion made by Gilbert Smith to approve the following user fee resolution and schedule for use of the Lawrence Lewis, Jr. Park boat ramp. The motion carried as follows:

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

RESOLUTION ADOPTING BOAT RAMP USER FEE
(Resolution 2013-12)

WHEREAS, a public access boat ramp was opened in spring 2013 at Lawrence Lewis, Jr. Park, located in and owned and operated by Charles City County; and, WHEREAS, establishment of the boat ramp was paid for with grant funds from various sources in combination with County funds; and, WHEREAS, acceptance of the grant funds requires the ramp to be accessible to the general public for a reasonable fee; and, WHEREAS, due to the use of County taxpayer funds in establishment of the ramp, the County wishes the ramp to be available for use with no fee to County residents that possess the appropriate decal, which is available from the County; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Charles City County, Virginia that the County hereby establishes a daily user fee of five dollars (\$5.00) for nonresident use of the boat ramp at Lawrence Lewis, Jr. Park; and BE IT FURTHER RESOLVED that residents of Charles City County will not be subject to the ramp user fee if they possess and properly display the County-provided decal.

RE: FY2013 BUDGET AMENDMENT

Motion was made by William Coad to accept the following grant funds totaling \$198,000, and amend the FY2013 Budget accordingly, as requested. The motion passed unanimously.

Chesapeake Conservancy and the Virginia Department of Conservation and Recreation (DCR) to assist in the construction of the Lawrence Lewis, Jr. Park boat ramp	Totaling \$165,000
Virginia Department of Emergency Management (VDEM) to assist with emergency preparedness expenditures in the event of a significant county emergency	\$33,000

RE: FY2013 BUDGET FUNDS CARRYOVER

Assistant County Administrator and Finance Director, Michelle Johnson affirmed for the Board that seven cents (\$.07) of real estate tax revenue was currently programmed in the FY2013 Budget for Emergency Medical Services (EMS). Staff had been operating under the premise that the current and previous Boards had, over time, explicitly asked for such an amount to go towards EMS; but after researching Board minutes, staff discovered only five cents (\$.05) had ever been explicitly approved for EMS. The difference totals \$203,958 and Ms. Johnson recommended \$201,250 of these funds be carried over to assist in the following Public Works projects:

Mt. Zion Tank Project (Required by VA Department of Health)	\$150,000
Department of Environmental Quality (DEQ) Fines	11,250
<u>Environmental Management System (Required by DEQ)</u>	<u>40,000</u>
	\$201,250*

Motion was made by William Coado to approve the following carryover funds totaling \$244,250, as recommended. The motion passed unanimously.

Emergency Medical Services	* \$201,250
VA Dept of Emergency Management – Emergency Services	33,000
<u>Required Professional Eagle Study</u>	<u>10,000</u>
Total Carryover Amount	\$244,250

RE: PUBLIC COMMENT PERIOD (NON-AGENDA ITEMS)

1. Elnora Robinson, 17511 John Tyler Memorial Highway - Mrs. Robinson asked what will be done about the septic system the County installed on her property. She feels the County should fix it as she contends it has not worked right since it was installed.

RE: BOARD DIRECTIVES/COMMENTS

1. **Mr. William Coado** noted that the County has been working with the Department of Environmental Quality (DEQ) regarding the wastewater violations against the County, citing that Charles City is 1 of 7 counties currently in violation. He reported that DEQ is pleased with the measures Charles City is taking to achieve compliance.
2. **Mr. Floyd Miles, Sr.** announced a Resource Officer has been approved for the schools.
3. **Directed staff** to confirm with the Sheriff that he is comfortable with his department's fleet of cars.

RE: CLOSED SESSION

Motion was made by William G. Coado to go into closed session to discuss personnel matters under Section 2.2-3711(A)(1); and investment of public funds under Section 2.2-3711(A)(6) of the 1950 Code of Virginia, as amended. The motion passed unanimously.

Motion was made by William G. Coado to return to regular session. The motion passed unanimously.

Motion was made by William G. Coado 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 closed session. The motion passed unanimously.

There being no further business before the Board it hereby recessed to meet again on Tuesday, **July 9, 2013** at 7:00 p.m. for the Board of Supervisors to hold a recessed meeting.