

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, **JULY 23, 2013** at 7:30 p.m. in the 238th year of the Commonwealth and in the 379th year of the County.

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

RE: ADOPTION OF AGENDA

Motion was made by Gilbert Smith to adopt the agenda as presented. The motion passed unanimously.

RE: CONSENT AGENDA

Motion was made by William Coad to approve the following Consent Agenda. The motion passed unanimously.

- a. Approval of the June 25, 2013 Regular meeting, July 9, 2013 and July 10, 2013 Recessed meetings.
- b. Approval of payment to CH2MHill in the amount of \$12,492.83 for professional services rendered from May 18, 2013 through June 21, 2013.
- c. Appropriations for the month of August, 2013.

General Fund Agencies	
Board of Supervisors	\$ 5,626
County Administrator	13,553
Legal Services	4,000
Non Departmental	4,869
Non Departmental-Telecom	-
Audit	-
Commissioner of Revenue	15,010
Reassessment	9,000
Treasurer	15,132
Management Services	22,848
Information Technology	48,580
Motor Pool	13,943
Central Gas	523
Memberships	1,150
Electoral Board	-
Registrar	12,264
Circuit Court	4,390
Combined GD/JD Court	-
County Magistrate	-
Clerk of Circuit Court	16,960
Sheriff Judicial	13,520
Courthouse Security Fund	1,240
Crater Criminal Justice T.C.	2,250
Commonwealth's Attorney	17,232
Sheriff Law Enforcement	62,281
Sheriff Support	4,111
Fire Protection	26,100

RE: CONSENT AGENDA

August Appropriations (contd)

Emergency Medical Response	2,300
E 911	7,174
Wireless E911	2,155
Correction & Detention	32,500
VJCCCA	1,500
Col Com Correction jb	600
9th District Court Services	1,600
Codes Enforcement	11,260
Animal Control	11,475
Medical Examiner	-
Landfill Monitoring	26,730
General Properties	81,910
Health Department	24,625
MH/MR Services Board	27,665
Contributions	30,740
John Tyler Community College	-
Parks and Recreation	69,395
Lewis Park Boat Ramp	5,000
Library/Cultural	18,429
Center For Local History	-
Planning Commission	-
Planning Department	10,850
Com Development Cont	14,307
Environmental Mgt Cont	-
Cooperative Extension	500
General Fund Contingency	-
Cap Outlay-Repair/Renovation	60,000
Debt Service	39,000
Total General Fund	\$ 794,297
Public Utility Fund	36,210
Total Board of Supervisors	\$ 830,507
School Operating Categorical	
Instruction	245,000
Admin, Attendance & Health Serv.	78,450
Pupil Transportation	75,000
Operations & Maintenance	125,000
Instructional Technology	125,000
Self-Sustaining Fund	-
Textbook Fund	-
Food Service Fund	25,000
Capital Fund	-
School Fund Total	\$ 673,450
ALL FUNDS	
School Operating	673,450
Social Services	130,837
Special Welfare	-
Transfer to Commonwealth	-
Special Funds	-
GRAND TOTAL ALL FUNDS	\$ 1,634,794

RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

VDOT Residency Administrator, Mike Cade, reported the bridge on Rt. 618, Adkins Road will be repaired under an emergency contract. VDOT is currently gaining bids for the project. Repairs are estimated to begin December, 2013 with completion 3-6 months thereafter. In addition, Mr. Cade gave the following monthly maintenance report:

Maintenance Activities - Past 30 Days:

Broke Beaver Dams: Rt. 612 – Ruthville; Rt. 623 – Willcox Neck Rd; Rt. 620 – Lewis Tyler Ln
Cleanup Storm Debris: Rt. 5 – John Tyler Hwy. Rt. 652 – Wiant Lane; Rt. 631 – Cool Hill Rd; Rt. 649 – Woodbourne Rd; Rt. 650 – Cattail Rd
Asphalt Patching: Ender: Rt. 603 – Old Union Rd; Rt. 613 – Sandy Point Rd; Rt. 803 – Old Holly Hill Rd; Rt. 631 – Cool Hill Rd; Rt. 609 – Barnett Rd; Rt. 602 – Lott Cary Rd; Rt. 671 – Country Wood Rd; Rt. 607 – Church Lane; Rt. 665 – Harrison Lake Dr.; Rt. 658 – Kimages Rd
Bike Trail: Weed Eating, Grass Cutting, Spraying Weeds
Litter Control: Rt. 5 – John Tyler Hwy; Rt. 155 – Courthouse Rd; Rt. 106 – Roxbury Rd; Rt. 602 – Lott Cary Rd; Rt. 609 – Barnett Rd; Rt. 618 – Adkins Rd
Blade Dirt Roads: Rt. 613 – Sandy Point; Rt. 623 – Willcox Neck Rd; Rt. 654 – Deerfield Rd
Daylight Signs (i.e. cutting away vegetation and brush and making sure they are visible): Rt. 644 – Courthouse Rd; Rt. 614 – Sturgeon Point Rd; Rt. 623 – Willcox Neck Rd; Rt. 5 – John Tyler Hwy; Rt. 621 – Eagles Nest Rd; Rt. 612 – Ruthville Rd; Rt. 660 – Munford Rd; Intersection: Rt. 623 – Willcox Neck Rd; & Rt. 615 – The Glebe Lane; Rt. 106 – Roxbury Rd; & Rt. 600 – Charles City Rd
Install/Replace: Drainage Pipe Cross Roadway: Rt. 600 – Charles City Rd
Asphalt Over Pipe: Rt. 600 – Charles City Rd
Pot Hole Repair, Cold Mix: Rt. 617 – Monguy Rd; Rt. 607 – Church Lane; Rt. 623 – Willcox Neck Rd; Rt. 615 – The Glebe Lane; Rt. 632 – Tyler Mills Rd; Rt. 618 – Adkins Rd; Rt. 658 – Kimages Rd
Site Problem: Intersection: Rt. 690 & 691 – Harrison Point Rd; Rt. 106 – Roxbury Rd
Repair washout at Herring Creek Bridge: Rt. 640 – Herring Creek Road
Tree Trimming: Rt. 155 – Courthouse Rd; Rt. 600 – Charles City Rd
Ditch Cleaning: Rt. 615 – The Glebe Lane
Preparing Asphalt Surface for Surface Treatment: Rt. 623 – Willcox Neck Rd;
Sign Repair: County Wide
Shoulder Repair/Mailboxes: Rt. 5 – John Tyler Hwy; Rt. 615 – The Glebe Lane; Rt. 623 – Willcox Neck Rd
Sweeping Roadway: Rt. 615 – The Glebe Lane at Rt. 626 – Old Elam Cemetery Rd
Grass Cutting: All Primary Route

Maintenance Activities - Planned for Next 30 Days:

- Tree Trimming/Secondary
- Litter Control
- Sign Maintenance
- Pavement Repair/Secondary
- Ditch Cleaning/Secondary

CRO Traffic Engineering: Central Region Traffic Engineering Traffic Engineering staff is conducting a speed study on State Route 603 (Old Union Road) between State Route 600 and State 609. Study is expected to be completed in the next 30 days. Results will be forward to the Ashland Residency for distribution upon completion. The study is a result of an inquiry placed with VDOT's Customer Call Center.

Recent Board Requests:

1. **Mr. Floyd Miles, Sr.** expressed concern regarding VDOT sub-contractors parking their vehicles in the roadway creating a road hazard.

Citizens' Comments

1. Lloyd Carter, Sr., 3720 Wayside Road – Advised that a hole is appearing in the pavement on the Rt. 607 bridge at West Run, near Harrison Park.

RE: APPOINTMENT – SOCIAL SERVICES BOARD

Motion was made by William Coda to appoint Elton Adkins, 4410 Cool Hill Road, to serve as a District II member on the Social Services Board, said term to expire July 31, 2017. The motion passed unanimously.

RE: JOINT PUBLIC HEARING - MARSHBURN #SUP-02-2013

The Board of Supervisors and Planning Commission held a joint public hearing to receive citizen comments on Application #SUP-02-2013, Ronald J. & Debra Marshburn a request per Zoning Ordinance, §5-3(6) for a Special Use Permit to permit special recreation activities (such as mud bogs) which are open to the public; a fee is charged; and where more than 50 people are reasonably expected to attend (not to exceed 2,000 attendees). Site is located at 2820 Adkins Road (TM #10-26 & #10-25).

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

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

Ms. Rebecca H. Stewart, Planning-Zoning Clerk presented the staff report for Application #SUP-02-2013. Staff answered questions posed by the Board of Supervisors.

Chairman Baber opened the public hearing and the following persons addressed the Board and Commission.

1. Steve Fuhrmann, 3400 Adkins Road - Requested more stringent conditions be put in place to: protect the non-tidal wetlands on the subject property; require trash pick-up on Adkins Road after the event; and that traffic during these events not impede regular travel on Adkins Road.
2. Dave Maines, 7511 Lewis Tyler Lane – In favor of approving permit request citing the event is a good way to occupy young people.
3. J.A. & S.S. Walder Family Limited Partnership – Letter dated July 16, 2013 read into minutes by Rebecca Stewart – Own the wooded property across the road from subject property and are in favor of approving permit request.
4. Wayne Orrell, 11200 Watermelon Road – In favor of approving permit request.
5. Scott Hamilton – New Kent resident who volunteers as an attendant for the Marshburn events – Stated the Marshburns have 12 or more people that volunteer for each event to work keeping traffic flowing, trash picked up and monitor that parking is in the designated areas.
6. Ronald Marshburn, 2820 Adkins Road - Stated trash bags are given out to attendees for their personal trash collection.

Chairman Baber asked for questions, comments, and/or a motion from the Commission. The Commission discussed and made revisions to the staff-recommended conditions.

Motion was made and seconded by the Planning Commission to recommend the Board of Supervisors approve Application #SUP-02-2013, Ronald J. & Debra Marshburn with the conditions as revised by the Commission. The motion carried by a vote of 8:0.

RE: SPECIAL USE PERMIT APPLICATION # SUP-02-2013

Motion was made by William G. Coad to approve Application # SUP-02-2013, Ronald J. & Debra Marshburn with the conditions recommended by the Commission. The motion carried as follows:

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

RE: PARKS AND RECREATION REPORT

Mr. Alfred Crump, Director of Parks and Recreation reported on the department and Charles City Cultural Alliance co-sponsored summer concerts, the first

RE: PARKS AND RECREATION REPORT (CONTD)

having been held July 13, 2013 featuring Punky & Oneness. Due to inclement weather the concert was moved from outside at the Social Center to the auditorium in Charles City High School. The event was well attended. The second concert will be the VA Heritage Music Festival held on Friday, August 16th and will feature Jarrard Anthony along with Kevin Davis & Ban Caribe and Dr. Ayaba Bey. The entrance fee for the event is Adults \$10, Children \$5, and no charge for children 6 and under.

Mr. Crump reported that the new boat ramp at Lawrence Lewis, Jr. Park is being utilized with the main problem to date being a few trailers have gotten stuck in the sand.

He cited an issue with pet owners not keeping their dogs leashed while in the park and the possible need to erect signs of the requirement.

RE: 97TH ANNUAL CHARLES CITY COUNTY FAIR

Mrs. Cynthia Rowles, VA Co-Operative Extension Director reported that the 97th Annual Charles City County Fair will be held September 14, 2013 in memory of William "Bill" Britton, former County Planning Director and beloved resident committed to the betterment of the community.

She provided the schedule for intact and judging of contest entries and announced the 2013 "Best of the County" category to be carrot cake. She invited the entire community to come out and enjoy the 2013 County Fair.

RE: PUBLIC COMMENT (NON-AGENDA ITEMS)

1. David Ledbetter, 16530 The Glebe Lane – Requested the Board change their meeting agenda to not exclude agenda items from comment during the second public comment portion.
2. John Miniclier, Jr., 11620 Eagles Nest Road – Suggested rock be added to the boat ramp to keep boat trailers from getting stuck; Requested the audio machine be repaired so Board's meetings can once again be recorded.
3. Lloyd Carter, Sr., 3720 Wayside Road – Requested the Board revisit the Noise Ordinance as he feels a first time offense being a criminal offense is too severe.
4. E. Preston Adkins, 8041 Lott Cary Road – Suggested the County look into having the consulting company, Ameresco assess the facility needs of the County and School citing their guarantee to save the locality money or pay the difference; Advised that Staunton, VA uses inmates from their regional jail to do a large portion of ground maintenance around the administration and school buildings during off hours at no cost to the city and thought it may be a practice the County may want to emulate.

RE: BOARD DIRECTIVES/COMMENTS

1. **Mr. Gilbert Smith** expressed being alarmed to hear at the School Board meeting held July 16, 2013 the Schools administrative staff say that the schools do not have any funds to put towards the grant match for a School Resource Officer.
2. **Mr. Floyd Miles, Sr.** stated that going without a School Resource Officer has been a major concern of the Board. The Sheriff's Office has been awarded a grant for a School Resource Officer that requires matching funds and it is in the best interest of the students to accept the grant and provide the coverage at the schools.
3. **Mr. William Coad** advised the Board he has provided the School Board a copy of his detailed presentation made at the Board of Supervisors' May meeting regarding the amount of funding provided to the Schools current and past and how it compared to other counties of similar size. He asked that the School Board not look for what was wrong with it but what was right.

RE: BOARD DIRECTIVES/COMMENTS (CONTD)

He requested they contact him personally with any questions they may have about the information he'd provided.

4. **Mr. William Coad**a noted he had recently read in the Chronicle a School Board member stated he had showed disrespect to the School Board. He offered an apology.
5. **Mr. William Coad**a directed the School Board to find out why approximately 28% of the school children in the county did not attend Charles City County schools.
6. **Mr. William Coad**a stated that the possibility of the state taking over our schools is a very real one and if that happens, the School Board would have very little control over the schools. Let us fix this before the state fixes it for us.

RE: CLOSED SESSION

Motion was made by Gilbert A. Smith to go into closed session to discuss personnel matters under Section 2.2-3711(A)(1) of the 1950 Code of Virginia, as amended. The motion passed unanimously

Motion was made by Gilbert A. Smith to return to regular session. The motion passed unanimously.

Motion was made by Gilbert A. 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 closed session. The motion passed unanimously.

RE: SCHOOL BOARD FY2014 BUDGET DEDUCTION

Motion was made by Floyd H. Miles, Sr. to deduct \$22,416 from the Administration fund of the School Board FY2014 Budget and return it to the County's General Fund to be allocated for matching funds for the School Resource Officer grant. The motion carried as follows:

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

RE: CLOSED SESSION

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

Motion was made by William Coad 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 adjourned to meet again on Tuesday, **August 27, 2013** at 7:30 p.m. for the Board of Supervisors' regular meeting.