

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, **August 23, 2011** at 7:30 p.m. in the 236th year of the Commonwealth and in the 377th year of the County.

PRESENT: Gilbert A. Smith, Chairman
Sherri M. Bowman
Timothy W. Cotman, Sr.

RE: ADOPTION OF AGENDA

Motion was made by Sherri M. Bowman to adopt the agenda as presented.

The motion carried as follows:

Timothy W. Cotman, Sr. Aye
Sherri M. Bowman Aye
Gilbert A. Smith Aye

RE: CONSENT AGENDA

Motion was made by Sherri M. Bowman that the following consent agenda be approved with the following correction: to the July 26, 2011 regular meeting minutes, Replace Gilbert A. Smith with Sherri M. Bowman for making the motion to approved the Consent Agenda.

- a. Approval of the minutes of the July 26, 2011 regular meeting.
- b. Approval of payment to CH2MHill in the amount of \$10,118.08 for landfill professional services for the period of June 18, 2011 through July 15, 2011.
- c. Appropriations for the month of September, 2011.

General Fund Agencies	
Board of Supervisors	\$ 4,180
County Administrator	17,686
Legal Services	3,600
Non Departmental	-
Non Departmental-Telecom	-
Audit	-
Commissioner of Revenue	19,257
Treasurer	16,200
Management Services	19,223
Information Technology	88,165
Motor Pool	4,300
Central Gas	850
Memberships	-
Electoral Board	3,380
Registrar	4,585
Circuit Court	-
Combined GD/JD Court	-
County Magistrate	-
Clerk of Circuit Court	-
Sheriff Judicial	6,245

September Appropriations (contd)

Asset Forfeiture - Sheriff	500
Courthouse Security Fund	675
Crater Criminal Justice T.C.	-
Commonwealth's Attorney	16,375
Asset Forfeiture - Comm Attorney	-
Sheriff Law Enforcement	33,831
IDA Sheriff Support	4,380
Fire Protection	-
Emergency Medical Response	-
E 911	15,000
Wireless E911	1,300
Correction & Detention	3,600
VJCCCA	-
Col Com Correction jb	-
9th District Court Services	15,585
Codes Enforcement	11,476
Animal Control	10,874
Medical Examiner	-
Emergency Services	1,233
Landfill Monitoring	25,200
General Properties	59,100
Health Department	-
MH/MR Services Board	-
Contributions	15,000
John Tyler Community College	-
Parks and Recreation	26,849
Library/Cultural	-
Center For Local History	-
Planning Commission	-
Planning Department	19,625
Com Development Cont	10,000
Environmental Mgt Cont	
Cooperative Extension	6,850
General Fund Contingency	-
Revolving Accounts	3,250
Cap Outlay-Repair/Renovation	25,000
Debt Service	25,000
Total General Fund	\$ 518,374
Public Utility Fund	40,020
Total Board of Supervisors	\$ 558,394
<i>FYI- School Operating Categorical</i>	
Instruction	550,300
Admin, Attendance & Health Serv.	63,450
Pupil Transportation	68,473
Operations & Maintenance	107,491
School Food	24,500
Debt Service	-
Technology	30,800
School Fund Total	\$ 845,014

September Appropriations (contd)

ALL FUNDS	
Board Of Supervisors	558,394
School Operating	845,014
Social Services	108,475
Comp. Services Act	54,867
Special Welfare	19,000
Trans. To Commonwealth	-
Special Funds	4,625
GRAND TOTAL ALL FUNDS	\$ 1,590,375

The motion carried as follows:

Timothy W. Cotman, Sr. Aye
Sherri M. Bowman Aye
Gilbert A. Smith Aye

RE: DEPARTMENT OF TRANSPORTATION

County Administrator, John F. Miniclier, Jr. read the following monthly VDOT report:

Maintenance Activities for the Previous 30 Days:

- State forces made asphalt repairs to Routes 600, 610, 614, 615, 618, 630, 653, & 666
- Contract Mowing crew has completed all Primary mowing
- State force crew completed mowing on the Bike Trail
- State forces performed tree trimming activities on Primary Routes 5 & 155 and Secondary routes 607, 609, 614, 615, 618, and 631
- State forces performed litter removal on Secondary routes 602, 603, 609, & 612
- State forces performed low shoulder repairs to Secondary routes 614, 630, & 650
- State forces made repairs to a washed out shoulder on Route 106

Maintenance Activities Planned for the next 30 Days:

- Continued sign maintenance on both the Primary and Secondary roadways.
- Contractor to finish mowing the Secondary system
- Continue low shoulder repairs on various secondary roadway sites
- Continue to make asphalt repairs to potholes in Secondary system
- Litter control on both Primary and Secondary routes
- Dead tree removal on the Secondary system

Traffic Studies/Special Requests

- Glebe Lane (Route 615): Conducting speed study between SR 5 and SR 612 (Ruthville Rd). Anticipate study completion by mid-September.
- SR 106 (Roxbury Road): Conducting a safety review of the traffic operations in front of St. Johns Baptist Church (8131 Roxbury Road - SR 106) - from 1/4 mile south of SR 607 (Wayside Rd) to approx. 1 mile north. Anticipate study completion by mid-September.
- Intersections of SR 5 and SR 609 & SR 658: Reviewing islands and traffic control devices at these intersections. Anticipate study completion by mid-September.

Response to Questions Via Calls Received

Mr. Miniclier explained that currently road paving is being done in the county. VDOT has advised that it is being done intermittently to avoid having to go through the bidding process required for paving larger stretches of road.

RE: PUBLIC COMMENT PERIOD

1. Lesa Jones, 3700 Wayside Road – Ms. Jones stated she was speaking on behalf of herself and 44 people from the Wayside Road community and St. John Baptist Church, 39 of which were in attendance and stood. Ms. Jones spoke in favor of restricting the truck traffic on Route 607 until it is widened to allow safe passage for both trucks and cars. She cited the major concern being the road is not wide enough for large trucks to maneuver the curves without crossing into the oncoming lane which is very dangerous and has caused accidents.
2. Michael Jones, 9996 Kimages Road – Mr. Jones stated he monitored the truck traffic on Rt. 607 on August 8, 2011 from 5:30 a.m. to 5:00 p.m. and recorded 154 trucks using the stretch of road in question. He impressed upon the Board that this is a matter of public safety and truck traffic on Rt. 607 should be halted immediately.
3. Royce Paige, 10140 Kimages Road – Mr. Paige stated that if truck traffic is restricted on Rt. 607, traffic will and has already increased on Old Union Road. He also asked that a traffic study be done on the northwest end of Rt. 609 (Barnetts Road).

RE: RESTRICTION OF TRUCK TRAFFIC ON RT. 607

The County Administrator, John F. Miniclier, Jr. advised the Board of Supervisors that the Virginia Department of Transportation does have Route 607 (Wayside Road) on their project list and funding is available. He is still waiting to be provided a rough schedule as to when the project will commence. He advised the Board that when the road construction begins the road will be closed until it is completed.

Mr. Gilbert A. Smith stated that safety is the Board's top priority and that the road is unsafe in its current condition.

Ms. Sherri M. Bowman reviewed aloud the Commonwealth Transportation Board's *Guidelines for Considering Requests to Restrict Through Trucks on Primary and Secondary Highways*, Section 46.2-809 of the Code of Virginia for those residents present. She pointed out that the process to have the road restriction approved and put into effect could take up to nine months.

Motion was made by Gilbert A. Smith to approve the restriction of truck traffic until maintenance and widening of the road could be completed. The motion carried as follows:

Timothy W. Cotman, Sr.	Aye
Sherri M. Bowman	Aye
Gilbert A. Smith	Aye

RE: 9-11 NATIONAL MOMENT OF REMEMBRANCE RESOLUTION

Motion made by Timothy W. Cotman, Sr. to approve the following resolution carried as follows:

Sherri M. Bowman	Aye
Timothy W. Cotman, Sr.	Aye
Gilbert A. Smith	Aye

RE: 9-11 NATIONAL MOMENT OF REMEMBRANCE RESOLUTION
(Contd)

RESOLUTION - CHARLES CITY COUNTY JOINING THE NATIONAL
MOMENT OF REMEMBRANCE OF THE 10TH ANNIVERSARY OF
SEPTEMBER 11, 2001 (Resolution 2011-18)

WHEREAS, the governing body of the County of Charles City, Virginia expresses their support of the United States' Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001; and

WHEREAS, at 8:46 a.m., on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York; and

WHEREAS, 17 minutes later, at 9:03 a.m., hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center; and

WHEREAS, at 9:37 a.m., the west wall of the Pentagon was hit by hijacked American Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense; and

WHEREAS, at approximately 10:00 a.m., the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania, and, in doing so, gave their lives to save countless others; and

WHEREAS, nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001; and

WHEREAS, tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and, as witnesses to this tragedy, are forever changed; and

WHEREAS, countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel, and volunteers responded immediately and heroically to those horrific events; and

WHEREAS, the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history; and

WHEREAS, the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day; and

WHEREAS, the New York Police Department suffered 23 fatalities as a result of the terrorist attacks; and

WHEREAS, the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored; and

WHEREAS, 10 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day; and

WHEREAS, 10 years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten the United States; and

WHEREAS, on the 10th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001 and their families; and

WHEREAS, the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life; and

RE: 9-11 NATIONAL MOMENT OF REMEMBRANCE RESOLUTION
(Contd)

WHEREAS, in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111-13; 123 Stat. 1460); and

WHEREAS, in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009, and September 11, 2010, respectively, as Patriot Day and National Day of Service and Remembrance; and

WHEREAS, September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States;

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of the County of Charles City, Virginia:

(1) recognizes September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001, and a day to come together as a Nation; and

(2) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks; and

(3) honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided the innocent victims of those attacks and, in doing so, bravely risked and often gave their own lives; and

(4) recognizes the valiant service, actions, and sacrifices of United States personnel, including members of the United States Armed Forces, the United States intelligence agencies, the United States diplomatic service, homeland security and law enforcement personnel, and their families, who have given so much, including their lives and well-being, to support the cause of freedom and defend the security of the United States; and

(5) reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001, and will work tirelessly to defeat those who attacked the United States; and

BE IT FURTHER RESOLVED that on the 10th anniversary of this tragic day in United States history the Board of Supervisors of Charles City, Virginia calls upon all of the people and institutions of Charles City County to observe a moment of remembrance on September 11, 2011, including all houses of worship; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Charles City, Virginia encourages the observance of the moment of remembrance to last for 1 minute beginning at 1:00 p.m. Eastern Daylight Time by, to the maximum extent practicable ceasing all work or other activity; and marking the moment in an appropriate manner, including by ringing bells, blowing whistles, or sounding sirens.

RE: NATIONAL PREPAREDNESS MONTH (Resolution 2011-19)

Motion made by Sherri M. Bowman to approve the following National Preparedness Month resolution carried as follows:

Sherri M. Bowman	Aye
Timothy W. Cotman, Sr.	Aye
Gilbert A. Smith	Aye

WHEREAS, September is National Preparedness Month, a time set aside annually to encourage American's to take necessary steps to prepare for emergencies in their homes, business and communities; and

WHEREAS, this September marks the ten-year anniversary of the tragic terrorist attacks on 9/11, including a jet airplane crash into the Pentagon that killed 125 military and civilian public servants and 64 people in the plane; and

RE: NATIONAL PREPAREDNESS MONTH – RESOLUTON (Contd)

WHEREAS, in observing this tenth anniversary of September 11, 2001, we honor the memory of those who were lost by doing all we can to ensure that our community is prepared to respond and recover from all types of disasters and hazards; and

WHEREAS, those who are prepared for emergencies recover faster and can help others who also may be affected, demonstrating community spirit in the face of adversity; and

WHEREAS, emergency preparedness is a shared responsibility, and every family that is able should prepare to be self-sufficient for the first 72 hours after disaster strikes; and

WHEREAS, Charles City County families can start their preparedness actions by making an emergency plan and stocking at least three days' of essential supplies including water and food that won't spoil and a hand-crank or battery-powered radio and extra batteries to hear emergency information.

NOW, THEREFORE, the Board of Supervisors of Charles City County does hereby recognize September 2011 as National Preparedness Month in Charles City County, a time to remember and a time to prepare, and encourages all citizens to be ready for emergencies by taking steps to prepare for emergencies at home, at work and in our community.

RE: HABITAT FOR HUMANITY UPDATE

The County Administrator updated the Board that Richmond Metropolitan Habitat for Humanity, Inc. has made a \$500 deposit and based on their fiscal budget anticipates purchasing the two 1 acre parcels (located west of Willcox Neck Road [Rt. 623], adjacent to 11303 Willcox Neck Road, Charles City County) in July or August, 2013.

The Board responded they prefer the purchase and construction to commence in 2012, citing 2013 was a long time off when two families could be in homes by then. The Board directed staff to notify Habitat accordingly. Further action regarding this matter was tabled by the Board at this time.

RE: THE COLONIAL200 RELAY

The County Administrator advised the Board of the upcoming Colonial200 Relay that will be held October 7-8, 2011 and starts in Albemarle County, goes through Charles City and finishes in Jamestown.

Approximately 150-250 total participants making up 15-25 teams are expected. The race covers about 35 miles in Charles City and runners will be on the road from around 6:30 am. through 3:30 p.m. At any given time there will be only 15-25 runners on the road (depending on the number of teams). These 15-25 runners will be spread out over 10-15 miles.

Relay organizers are requesting permission from localities to place signs along the course - these include race direction/information signs for the runners and 'Caution - Runners on Road' signs to make cars more aware of the event. These will be placed out a day or two before the event and picked up the day after the event. No road closures are being requested for the event.

The Board of Supervisors unanimously agreed to allow the Colonial200 Relay signs in Charles City as requested.

RE: LANDFILL LIFE EXPECTANCY

The County Administrator, John F. Miniclier, Jr. provided the Board an update on the Charles City County Landfill Airspace and Rate of Airspace Consumption. He explained that at 2,000 to 7,000 tons per day, the estimated life of the landfill ranges from approximately 49 to 14 years. The annual tonnage received at the landfill since it opened in 1990 has dropped and is about 400,000 tons per year. Waste Management of Virginia has indicated that the drop in tonnage was due to an increase in competition for long-term contracts. The remaining life of the landfill highly is dependent on the average daily disposal rate. At the current rate of cumulative consumed airspace estimate the landfill has close to 50 more years of life expectancy.

RE: GREATER RICHMOND CHAMBER

The County Administrator advised the Board the Greater Richmond Chamber of Commerce is visiting rural areas in the region with the hopes to better understand the concerns and life in rural communities. The Chamber will be visiting Charles City on August 24, 2011. A presentation, complete with tours of Fort Pocahontas and Redwood Farms, is planned. Mr. Miniclier explained that the goal is to show the Chamber members the current industries in the county, the rich history, the uniqueness of Charles City and all it has to offer being located between two great cities, the true spirit and heart of its diverse citizens, and hopefully open their minds to how to better serve Charles City as part of the Greater Richmond Region.

RE: NAMING OF PRIVATE ROADS/DRIVEWAYS

Motion was made by Timothy W. Cotman, Sr. to schedule a public hearing Tuesday, September 27, 2011 to receive citizen input on the proposed amendment of county Ordinance Section 8-148 pertaining to the naming and signing of private roads. The motion carried as follows:

Timothy W. Cotman, Sr.	Aye
Sherri M. Bowman	Aye
Gilbert A. Smith	Aye

RE: COMMUNITY SERVICES BOARD PERFORMANCE CONTRACT

Motion made by Sherri M. Bowman to approve the following resolution carried as follows:

Sherri M. Bowman	Aye
Timothy W. Cotman, Sr.	Aye
Gilbert A. Smith	Aye

APPROVAL OF THE FY2011 COMMUNITY SERVICES BOARD PERFORMANCE CONTRACT (Resolution 2011-20)

WHEREAS, Virginia Code §37.2-508 was amended effective July 1, 1998 to require that a performance contract negotiated between the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services (the Department) and Henrico Area Mental Health & Developmental Services Board (HAMHDS) and approved by HAMHRS be submitted by HAMHRS for approval by formal vote of the governing body of each political subdivision that established HAMHRS; and;

WHEREAS, the County of Henrico, Charles City County and New Kent County, established HAMHRS in 1973; and,

RE: COMMUNITY SERVICES BOARD PERFORMANCE CONTRACT APPROVAL RESOLUTION (Contd)

WHEREAS, on May 6, 2011, the Department provided to HAMHDS a Letter of Notification setting out the amount of state and federal funding that would be available to HAMHDS during FY2012; and,

WHEREAS, HAMHDS and the Department have negotiated a FY 2012 Community Services Board Performance Contract; and

WHEREAS, HAMHDS approved the FY 2012 Community Services Board Performance Contract on July 28, 2011, and recommended it to the Boards of Supervisors of Henrico, Charles City, and New Kent Counties; and,

WHEREAS, the HAMHDS recommended FY2012 Community Services Board Performance Contract is based on the requirements of §37.2-508 of the Virginia Code, on the budget adopted by the Henrico County Board of Supervisors on April 26, 2011, on the Letter of Notification to HAMHDS for FY2011, and on local contributions approved by the Charles City County Board of Supervisors, and the New Kent County Board of Supervisors.

NOW, THEREFORE BE IT RESOLVED, by the Board of Supervisors of Charles City County that the Board approves the FY2012 Community Services Board Performance Contract between the Virginia Department of Behavioral Health and Developmental Services, and Henrico Area Mental Health & Developmental Services Board.

RE: SCHOOL SYSTEM FY2012 BUDGET AMENDMENT

Motion made by Sherri M. Bowman to amend the FY2012 School Budget in the total amount of \$1,890.05 and appropriate the funds as follows: carryover from federal Drug Free grant in the amount of \$895.77 and VSBA Insurance Services Administrative Fee Sharing in the amount \$994.28. The motion carried as follows:

Gilbert A. Smith	Aye
Sherri M. Bowman	Aye
Timothy W. Cotman, Sr.	Aye

RE: REDISTRICTING APPROVAL

Mr. John F. Miniclier, Jr., advised the Board the Attorney General of the U.S. Department of Justice, Civil Right Division, has approved the Board of Supervisors' decision regarding the redistricting of our electoral districts, thereby confirming and completing the redistricting process.

RE: EXECUTIVE SESSION

Motion was made by Sherri M. Bowman to go into executive session to discuss the investment of public funds under Section 2.2-3711(6); 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:

Sherri M. Bowman	Aye
Timothy W. Cotman, Sr.	Aye
Gilbert A. Smith	Aye

Motion was made by Sherri M. Bowman to return to regular session.

RE: EXECUTIVE SESSION (Contd)

The motion carried as follows:

Sherri M. Bowman	Aye
Timothy W. Cotman, Sr.	Aye
Gilbert A. Smith	Aye

Motion was made by Sherri M. Bowman 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:

Sherri M. Bowman	Aye
Timothy W. Cotman, Sr.	Aye
Gilbert A. Smith	Aye

RE: REGISTRAR BONUS

Motion was made by Sherri M. Bowman to approve a two percent salary bonus for Catrinia Barneycastle, County Registrar. The motion carried as follows:

Sherri M. Bowman	Aye
Timothy W. Cotman, Sr.	Aye
Gilbert A. Smith	Aye

RE: BONUS POLICY FOR EMPLOYEES

Motion was made by Sherri M. Bowman to approve the Employee Bonus Policy as presented. The motion carried as follows:

Sherri M. Bowman	Aye
Timothy W. Cotman, Sr.	Aye
Gilbert A. Smith	Aye

RE: SEPTEMBER 7TH WORKSESSION CANCELLED

Motion was made by Sherri M. Bowman to cancel the Board of Supervisors' Work Session scheduled for September 7, 2011. The motion carried as follows:

Sherri M. Bowman	Aye
Timothy W. Cotman, Sr.	Aye
Gilbert A. Smith	Aye

There being no further business before the Board, it hereby recessed to meet again on Tuesday, **September 27, 2011** at 7:30 p.m. for the Board of Supervisors' Regular Meeting.