

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, **September 27, 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 Timothy W. Cotman, Sr. 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 August 23, 2011 regular meeting minutes: change *Registrar Raise* to *Registrar Bonus*.

- a. Approval of the minutes of the August 23, 2011 regular meeting.
- b. Approval of payment to CH2MHill in the amount of \$14,493.42 for landfill professional services for the period of July 16, 2011 through August 19, 2011.
- c. Appropriations for the month of October, 2011.

| General Fund Agencies | |
|------------------------------|----------|
| Board of Supervisors | \$ 4,180 |
| County Administrator | 15,886 |
| Legal Services | 3,600 |
| Non Departmental | - |
| Non Departmental-Telecom | - |
| Audit | - |
| Commissioner of Revenue | 13,022 |
| Treasurer | 15,600 |
| Management Services | 19,195 |
| Information Technology | - |
| Motor Pool | 4,785 |
| Central Gas | - |
| Memberships | 1,000 |
| Electoral Board | 3,380 |
| Registrar | 4,285 |
| Circuit Court | 3,090 |
| Combined GD/JD Court | - |
| County Magistrate | - |
| Clerk of Circuit Court | 16,821 |
| Sheriff Judicial | 12,940 |
| Asset Forfeiture - Sheriff | - |

October, 2011 Appropriations (Contd)

| | |
|--|-------------------|
| Courthouse Security Fund | 1,400 |
| Crater Criminal Justice T.C. | - |
| Commonwealth's Attorney | 16,375 |
| Asset Forfeiture - Comm Attorney | - |
| Sheriff Law Enforcement | 38,325 |
| EDA Sheriff Support | 4,380 |
| Fire Protection | - |
| Emergency Medical Response | - |
| E 911 | 1,300 |
| Wireless E911 | - |
| Correction & Detention | 52,000 |
| VJCCCA | 3,002 |
| Col Com Correction jb | - |
| 9th District Court Services | - |
| Codes Enforcement | 11,476 |
| Animal Control | 13,339 |
| Medical Examiner | 50 |
| Emergency Services | 1,233 |
| Landfill Monitoring | 27,060 |
| General Properties | 59,788 |
| Health Department | - |
| MH/MR Services Board | - |
| Contributions | - |
| John Tyler Community College | - |
| Parks and Recreation | 16,728 |
| Library/Cultural | - |
| Center For Local History | - |
| Planning Commission | - |
| Planning Department | 19,667 |
| Com Development Cont | - |
| Environmental Mgt Cont | - |
| Cooperative Extension | - |
| General Fund Contingency | 25,000 |
| Revolving Accounts | - |
| Cap Outlay-Repair/Renovation | - |
| Debt Service | - |
| Total General Fund | \$ 408,907 |
| | |
| Public Utility Fund | - |
| | |
| Total Board of Supervisors | \$ 408,907 |
| | |
| FYI- School Operating Categorical | |
| Instruction | 550,300 |
| Admin, Attendance & Health Serv. | 63,450 |
| Pupil Transportation | 40,000 |
| Operations & Maintenance | 111,491 |
| School Food | 24,500 |
| Debt Service | - |
| Technology | - |
| School Fund Total | \$ 789,741 |

RE: CONSENT AGENDA (CONTD)

October, 2011 Appropriations (Contd)

| | |
|------------------------------|---------------------|
| ALL FUNDS | |
| Board of Supervisors | 408,907 |
| School Operating | 789,741 |
| Social Services | 108,475 |
| Comp. Services Act | 54,867 |
| Special Welfare | - |
| Transfer to Commonwealth | - |
| Special Funds | 4,625 |
| GRAND TOTAL ALL FUNDS | \$ 1,366,615 |

The motion carried as follows:

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

RE: DEPARTMENT OF TRANSPORTATION

Scott Gagnon, Residential VDOT Representative, gave the following monthly report:

Maintenance Activities for the Previous 30 Days:

- Contractor has completed mowing all Primary Routes.
- Contractor has completed mowing all Secondary Routes.
- State Forces making storm related damage repairs to pavements, shoulders, and drainage structures throughout the county.
- Debris Removal Contractor is currently removing storm debris on Charles City County Primary Routes.
- Route 631 (Cool Hill Road) currently closed due to single line of 48" drainage pipe that was washed out. Currently working on replacing by contract.

Traffic Studies/Special Requests

- **Route 615 (Glebe Lane):** Speed studies completed. Results indicate retaining current speed limits from Route 5 to just west of Route 612 and just east of Route 612 to Route 614. Existing limits are statutory 55 MPH in both locations.
- **Route 106 (Roxbury Road):** A safety review of the traffic operations in front of St. John Baptist Church (8131 Roxbury Road - SR 106) - from 1/4 mile south of SR 607 (Wayside Rd) to approx. 1 mile north. Sight distances are acceptable and no recent history of crashes was found. "Watch for Turning Vehicles" had been installed under a previous study. No further enhancements are recommended.
- **Intersections of Rt. 5 and Rt. 609 & Rt. 658:** A review of these intersections indicated no recent crash history at either location. The physical conditions at Route 658 (Kimages Road) indicate a need to have the Stop sign mounted on the island to meet minimum visibility requirements. The adequate sight distance of the Stop sign at Route 609 exist. The islands are shallow and do not appear to pose a serious impediment to motorists.

The Fall Transportation Meeting: Six Year Plan Development

The Fall Transportation Meeting for the Richmond Area District will be held November 30, 2011 at the VDOT Central Office on Broad Street in downtown Richmond. These meetings will be open to the public and are intended to be an opportunity for the public and localities to share their priorities and desires for the

RE: DEPARTMENT OF TRANSPORTATION (Cont'd)

development of the next Six Year Plan. Each locality is encouraged to attend. Details on meeting format and time will be available at the Board of Supervisors' October meeting.

Board Comments

Mr. Timothy W. Cotman, Sr. requested a traffic study be done on Rt. 614 (Sturgeon Point Road) between Rt. 155 (Courthouse Road) and Rt. 615 (The Glebe Lane).

Board Comments(Cont'd)

Mr. Gilbert A. Smith said he would notify St. John Baptist Church personally of the results of the safety review of the traffic operations on Rt. 106 (Roxbury Road) in front of St. John Baptist Church (8131 Roxbury Road).

RE: RRPDC – RURAL LONG RANGE TRANSPORTATION PLAN

Robert Crum, Executive Director of the Richmond Regional Planning District Commission (RRPDC), together with Barbara Cox, Principal Transportation Planner presented to the Board of Supervisors the draft Rural Long Range Transportation Plan for Charles City County. The Plan identifies transportation challenges and needs in the eastern portion of the county and identifies some projects to meet those needs.

Ms. Cox explained the plan goals and objectives are intended to ensure the long-term productivity, efficiency, and safety of the region and maintain a high quality of life for its citizens over the next 20 years. These goals and objectives, combined with the known deficiencies of the transportation network, support the plan recommendations.

The following are the recommendations for Charles City County.

1. VA 623 (Willcox Neck Road)/VA 615 to VA 5
Short-term: Install horizontal alignment (W 1-2) signage at appropriate locations, paint roadway edgelines;
Long-term: Reconstruct road to address geometric deficiencies (12 ft. lanes) with shoulders.
2. VA 615 (The Glebe Ln)/VA 614 to VA 623
Short-term: Paint centerline and edgelines;
Long-term: Reconstruct road to address geometric deficiencies (12ft. lanes).
3. VA 614 (Sturgeon point Road)/VA 615 to VA 5
Short-term: Install horizontal alignment (W 1-2) signage at appropriate locations, paint roadway edgelines;
Long-term: Reconstruct road to address geometric deficiencies up to state and local standards for a rural minor collector.
4. VA 5 (John Tyler Memeoral Hwy) at VA 623 (Willcox Neck Road) *Short-term:* Install horizontal alignment and deer warning signage on VA 5 east of intersection.
5. VA 614 (Sturgeon point Road)/VA155 to VA 615
Long-term: Reconstruct road to address geometric deficiencies up to state and local standards for a rural minor collector.

Ms. Cox explained the goal is to take this to a public forum and meet jointly with New Kent County sometime in November, 2011, possibly in Providence Forge.

Ms. Sherri M. Bowman inquired if the Commission planned to widen the section of Rt. 615 (The Glebe Lane) for vehicles pulling boats to the marina.

Mrs. Cox responded that Rt. 615 is to be widened to 12 feet with shoulders.

RE: RRPDC – RURAL LONG RANGE TRANSPORTATION PLAN (Contd)

Director of Planning, Allyson Finchum explained that this is a safety issue and the Rural Long Range Transportation Plan is a planning document not a funding document.

Mrs. Elnora Robinson of 17511 John Tyler Memorial Highway pointed out that there are reflectors on the James City side on Route 5 but nothing on the Charles City side. She requested that funds be directed towards adding road reflectors on Route 5 through Charles City. Mr. Crum responded that this was the kind of input needed from citizens.

RE: PUBLIC HEARING - NAMING OF PRIVATE ROADS/DRIVEWAYS

The Board of Supervisors of Charles City County held a public hearing to receive citizen comments on the naming of private roads/ driveways in the county.

Ms. Michelle Johnson, Assistant County Administrator, read the advertisement for the public hearing.

The Building Inspector, Dallas Johnson, reviewed the goals for amending the Ordinance relating to the naming of private roads/ driveways in the county and the details of the six options before the Board of Supervisors tonight. He reiterated the need being necessitated by the E-911 program focus of shortening Sheriff and EMS response time.

The Board opened the floor to receive citizen comments on the issue and there were no respondents to the offer.

RE: ORDINANCE AMENDING CHAPTER 8, ARTICLE IV. STREET NAMES AND PROPERTY NUMBERS DIVISION 3. NAMING PRIVATE ROADS, SECTION 8-148. GUIDELINES

Motion was made by Timothy W. Cotman, Sr. to approve *Option 1*, as presented, and adopt the Ordinance amending, *Chapter 8, Article IV. Street Names and Property Numbers Division 3. Naming Private Roads, Section 8-148* of The Code of the County of Charles City as follows:

WHEREAS, it was deemed necessary by the Board of Supervisors to amend Chapter 8, Article IV, Section 8-148. *Guidelines* of the Code of Charles City County and hereafter to be as follows:

SEC. 8-148. GUIDELINES

- A. The naming and signing of ALL private roads IS NOT mandatory; however, concerned residents are strongly encouraged to name their roads because proper signs will enable Fire, Rescue and Police to react to an emergency in a more timely manner than is now possible.
- B. Property Owners served by private roads may select a name for the road and, if appropriate, coordinate with others serviced by the road regarding the naming of the road.
- C. The naming and signing of private roads IS mandatory if the private road serves **4 or more** houses.

The motion carried as follows:

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

RE: WAIVER OF BUILDING PERMIT FEES RE: DAMAGES AS RESULT OF HURRICANE IRENE (Resolution 2011-21)

Motion was made by Timothy W. Cotman, Sr. to approve the temporary waiver of building permit fees by the following terms. The motion carried as follows:

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

RE: WAIVER OF BUILDING PERMIT FEES RE: DAMAGES AS RESULT OF HURRICANE IRENE (Resolution 2011-21) (Contd)

WHEREAS, the property of many Charles City County residents and businesses need extensive repairs having incurred damages from the extreme winds and heavy rain of Hurricane Irene.

NOW, THEREFORE, BE IT RESOLVED, that all fees charged by Charles County for the repair or replacement of damage to any building or structure caused by hurricane Isabel are hereby waived through December 31, 2012.

The motion carried as follows:

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

RE: CONTINGENCY FUNDING TRANSFER REQUEST

Motion was made by Sherri M. Bowman to approve the transfer of funds in the amount of \$23,665.50 from the Contingency Fund for the expense of the ice purchased for residents during the County's post Hurricane Irene relief efforts. The motion carried as follows:

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

RE: 2011 HOUSING REHABILITATION WORKSHOP UPDATE

Assistant County Administrator, Michelle Johnson provided the Board an update on the 2011 Housing Rehabilitation Workshop. She explained the 2011 Indoor Plumbing Rehabilitation (IPR) was so successful that a portion of the 2012 Program Year funding has been obligated to meet the need. With funding amounts unclear for the upcoming federal fiscal year is has been deemed necessary to place a moratorium on future set-ups and contracting until an internal assessment is made of the Program with safeguards against obligating of funds.

RE: MEDICAL INSURANCE RENEWAL

Motion was made by Sherri M. Bowman to approve the renewal of employee medical insurance coverage with no policy changes and at a 9.33% renewal rate increase (Renewal rate: \$545,419.10). The motion carried as follows:

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

RE: NATIONAL 4-H WEEK DECLARATION (Resolution 2011-22)

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

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

RE: NATIONAL 4-H WEEK DECLARATION (Resolution 2011-22) (Contd)

WHEREAS, 4-H is a community where young people learn leadership, citizenship, and life skills; and,

WHEREAS, 4-H is one of the largest youth development organizations in Virginia and the largest in the nation with six million young people; and

WHEREAS, 4-H, as part of the Virginia Cooperative Extension System, is a program where youth learn through opportunities that provide them hands-on experiences in 4-H's mission mandates of science, engineering and technology, healthy living, and citizenship; and

WHEREAS, 4-H has been helping youth and adults learn, grow, and work together for more than one hundred years.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of Charles City County hereby proclaim October 2-8, 2011 as NATIONAL 4-H WEEK in Charles City County and urge the people of this community to take advantage of the opportunity to become more aware of this special program that enhances our young people's interests in their futures as part of the Charles City County 4-H Youth Development Program and to join us in recognizing the unique partnership between our county and our State University System.

RE: BYRNE JUSTICE ASSISTANCE GRANT (\$1,305)

Motion was made by Timothy W. Cotman, Sr. to accept the Byrne Justice Assistance Grant in the amount of \$1,305 (federal funds) and allow the Sheriff's department to use their miscellaneous budget funds in the amount of \$145 for the required local match. The motion was carried as follows:

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

RE: DMV SELECTIVE ENFORCEMENT GRANT (\$19,400)

Motion was made by Sherri M. Bowman to accept the Department of Motor Vehicles Selective Enforcement Grant in the amount of \$19,000 and allow the Sheriff's department to use their Repair and Maintenance budget funds for the required in-kind match. The motion carried as follows:

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

RE: E-911 PSAP EDUCATION PROGRAM GRANT ACCEPTANCE

Motion was made by Sherri M. Bowman to accept the E-911 PSAP Education Program Grant in the amount of \$2,000 for 9-1-1/public safety communications education/training. The motion carried as follows:

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

RE: AMENDMENT SHERIFF FY2012 BUDGET

Motion was made by Sherri M. Bowman to approve amending the Sherriff's FY2012 budget by funds provided by the Compensation Board in the amount of \$9,255 and applied as requested. The motion carried as follows:

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

RE: PUBLIC COMMENT PERIOD

1. Vince Brackett, 7789 Kips Creek Drive - Mr. Brackett raised the issue of temporary signage in the county. He reminded the Board that about 2 ½ years ago the Planning Commission drafted an ordinance addressing temporary signs, it passed 9-0 and he believed it was submitted back to staff but it never got to the Board of Supervisors that he could remember. He requested the Board look into this. We are the only county that has an ordinance says we cannot have a temporary sign more than 6 square feet. Mr. Brackett suggested that temporary signs up to 20-30 square feet be allowed by permit for 60 days with immediate removal required on completion of the event. He stated this would be appreciated by the Ruritans, of which he is a member, for when they are advertising the Steak Feast and probably a number of churches when advertising events, the POWWOW, and political purposes.
2. Elnora Robinson, 17511 John Tyler Memorial Highway - Mrs. Robinson referenced the aftermath of Hurricane Irene and shared that she felt the communication with citizens has a gap in it. She stated the information didn't go out to citizens like it should have. If not for a small few, those in the east district wouldn't have known what aide was available. She avowed that if there's anything she can do to help with the communication, she is available to help. She declared someone needs to be appointed to be in charge of just the communication.

RE: BOARD OF SUPERVISORS COMMENTS AND DIRECTIVES

Mr. Gilbert A. Smith directed staff to research the temporary sign issue and bring it back to the Board.

Mr. Timothy W. Cotman, Sr., in response to Mrs. Robinson, stated that after Hurricane Isabel the county made an attempt to set-up a communications and distributions system throughout the county using churches, hunt clubs, any place that might be able to provide a generator or be able to accommodate material in their immediate communities. The churches were looked at first to get them involved so that we could say, for example: we have a set-up at Gilfield Church that will accommodate certain kinds of things. A couple of meetings were held but they petered out, people stopped coming, there was no interest. Mr. Cotman summarized stating, if we are planning to have some sort of network of communication and distribution we all have to get involved.

RE: BOARD OF SUPERVISORS COMMENTS AND DIRECTIVES (Contd)

Immediately after Isabel there was a lot of interest then we forgot all about Isabel. Immediately after Irene there is a lot of interest. Will we forget about it again, he asked. Mrs. Robinson responded that she will be an active participant in such a plan.

RE: COMMUNICATION BOARD

Assistant County Administrator, Ms. Michelle Johnson advised all those in attendance that a Communication Plan is being developed and will be presented to the Board at their October, 2011 meeting.

A volunteer committee will be established of citizens who will be trained to help with any natural disaster in the county. Byron Adkins, Director of Social Services, will be assisting with the establishment of this volunteer committee.

The first project is to have county staff at the polls this election day giving out information, answering questions, and registering residents for CodeRed, the Emergency Communications Network that the county has already implemented. Currently there are 2,852 people registered with CodeRed for emergency announcements relating to Charles City. We hope to register more citizens with CodeRed and increase the number of citizens receiving the emergency communications.

RE: CLOSED SESSION

Motion was made by Timothy W. Cotman, Sr 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 was carried as follows:

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

Motion was made by Gilbert A. Smith to return to regular session. The motion was carried as follows:

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

Motion was made by Gilbert A. Smith, to certify that the Board of Supervisors discussed only public business matters lawfully exempt from statutory open meeting requirements identified in the motion to convene the closed session. The motion was carried as follows:

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

RE: SOUTHERN AIR HVAC CONTRACT

Motion was made by Sherri M. Bowman to approve the execution of the Southern Air HVAC Contract and allow staff to negotiate items discussed.

RE: SOUTHERN AIR HVAC CONTRACT (Contd)

The motion carried as follows:

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

RE: BOARD DIRECTIVE

The Board directed staff, in regards to the position of Building Maintenance Worker the Public Works Department would like to fill, to research salary range, create a detailed job description, and upon identifying from where funds may come bring the information to the Board at their October meeting.

The Board directed staff to advise the Schools they would need to identify funds in the School's FY2012 Budget from which the Special Education request of \$17,000 may be funded.

The Board directed staff to be advised that political campaigning and the use of County resources for campaign purposes without standard restitution by county staff is prohibited.

The Board directed staff to revisit the employee dress code and have a draft for their review at the October meeting.

There being no further business before the Board, it hereby recessed to meet again on Tuesday, **October 25, 2011** at 7:30 p.m. for the Board of Supervisors' Regular Meeting.