

A G E N D A

JAMES CITY COUNTY BOARD OF SUPERVISORS

County Government Center Board Room

March 26, 2002

7:00 P.M.

	<u>Page</u>
A. ROLL CALL	
B. MOMENT OF SILENCE	
C. PLEDGE OF ALLEGIANCE - Ms. Rebecca Oh, an eighth grade student at Toano Middle School	
D. PRESENTATIONS	
1. Volunteer Recognition	1
2. The State of the Travel Industry and Prospects for 2002	
E. PUBLIC COMMENT	
F. HIGHWAY MATTERS	
G. CONSENT CALENDAR	
1. Minutes, March 12, 2002, Regular Meeting	3
2. Dedication of Streets	13
a. Westmoreland, Sections 1 and 2	
b. Springhill, Phases 3 and 4	
3. Bonded Industrial Access Road Fund Resolution for James River Commerce Center ..	21
4. Reimbursement - 800 MHz Financing	25
5. Operating Contingency Transfer - Regional Jail	27
6. 2003 Primary Road Priorities	29
H. PUBLIC HEARINGS	
1. Case No. SUP-2-02. Walker Manufactured Home Replacement	37
2. Virginia Energy Purchasing Governmental Association	43
3. Dominion Virginia Power Easement for American Tower Corporation	55
I. PUBLIC COMMENT	
J. REPORTS OF THE COUNTY ADMINISTRATOR	

- CONTINUED -

K. BOARD REQUESTS AND DIRECTIVES

L. CLOSED SESSION

1. Appointment of Individuals to County Boards and/or Commissions, Pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia.
 - a. Cable Television Advisory Committee
 - b. Parks and Recreation Advisory Committee
 - c. Regional Issues Committee
 - d. Route 5 Transportation Improvement District Advisory Board
 - e. Wetlands Board

M. ADJOURNMENT

M E M O R A N D U M

DATE: March 26, 2002
TO: The Board of Supervisors
FROM: Caroline Rhodes, Volunteer Services Coordinator
SUBJECT: Volunteer Recognition

During 2002, the Office of Volunteer Services will continue to honor outstanding County volunteers and the County department with which they work. This month, we are pleased to recognize five college students from the Sharpe Community Partnership, a residential service learning program for first year students at the College of William and Mary.

For the past six months, Blair Curly, Rachel Fitzgerald, Ankit Patel, Mike Weston, Meghan Williamson, and Brendan Williamson have worked with Alan Bennett, Clean County Commission chair, and staff member, Jennifer Privette. During this time, the students initiated several approaches to encourage businesses to recycle. This was done through: 1) phone calls to local businesses to assess their recycling activities, the materials they recycle and the haulers they use; and 2) a comparative analysis between businesses that do recycle and those that don't by analyzing size, location, materials recycled, and the types of businesses.

The students also designed a marketing plan and developed a number of tools for promoting the Clean County Commission programs.

The Clean County Commission is a group of appointed citizens dedicated to improving recycling, creating environmental beautification programs and encouraging responsible environmental stewardship in our community. The long-range marketing plan and the large scale marketing strategy will positively impact the County's recycling, beautification, and litter control programs for years to come.

Caroline Rhodes

CONCUR:

Carol M. Luckam

CMR/adw
volrec.mem

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 12TH DAY OF MARCH, 2002, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

James G. Kennedy, Chairman, Stonehouse District
Jay T. Harrison, Sr., Vice Chairman, Berkeley District

John J. McGlennon, Jamestown District
Michael J. Brown, Powhatan District
Bruce C. Goodson, Roberts District

Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. MOMENT OF SILENCE

Mr. Kennedy requested the Board and citizens observe a moment of silence.

C. PLEDGE OF ALLEGIANCE

Mr. Antonio Gray, a fifth grade student at Stonehouse Elementary, led the Board and citizens in the Pledge of Allegiance.

D. PUBLIC COMMENT

1. Ms. Angela Lynn, 2300 West Island Road, requested the Board support James Blair Middle School renovations in the school's budget.

2. Ms. Diane Dudley, 102 Stonehouse Lane, and Ms. Beth Schultz, 6413 Conservancy Drive, requested the Board allocate funding for air conditioning service at Lafayette High School.

3. Mr. Ed Oyer, 139 Indian Circle, recommended the Schools take a regional approach to solving school facility needs, stated that a referendum for additional roads is not needed due to the increase in car pooling, and commented on debt service costs not included in the Proposed School Budget.

E. PRESENTATION

1. Historical Triangle Substance Abuse Council – Family P. A. R. T. Y. (Promoting Alcohol Responsibility Through You) Day

Mr. Harrison presented Reverend Whithead, member of the Historic Triangle Substance Abuse Council, with a resolution in support of efforts to bring the community together to promote alcohol awareness

and positive activities through collaboration to build, integrate, and sustain a comprehensive system to eliminate substance abuse.

F. CONSENT CALENDAR

Mr. Kennedy asked if a member wished to pull an item from the Consent Calendar.

Mr. Harrison made a motion to adopt the items on the Consent Calendar.

On a roll call, the vote was: AYE: McGlennon, Brown, Goodson, Harrison, Kennedy (5). NAY: (0).

1. Minutes

a. February 12, 2002, Regular Meeting

b. February 15, 2002, Joint Meeting, the Board of Supervisors, the Williamsburg City Council, and the Williamsburg-James City County School Board

c. February 26, 2002, Regular Meeting

2. Award of Contract – Fire Equipment, Ladder Truck

RESOLUTION

AWARD OF CONTRACT - FIRE EQUIPMENT, LADDER TRUCK

WHEREAS, funds are available in the Capital Improvement Program budget for purchase of fire equipment; and

WHEREAS, bids for purchase of fire equipment was received on January 23, 2002, with Pierce Manufacturing submitting a responsive bid of \$688,917.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the County Administrator to execute a contract between James City County and Pierce Manufacturing, Inc., in the amount of \$688,917.

3. Phase II Consulting Services – 800 MHz Radio System

RESOLUTION

PHASE II CONSULTING SERVICES - 800 MGHZ RADIO SYSTEM

WHEREAS, funds are available in the Capital Improvement Program budget for purchase of consulting services for a new 800 MHz radio system; and

WHEREAS, requests for proposals of such services were received in October 2001, with Frederick C. Griffin, P.C., submitting a responsive proposal in the amount of \$200,000 for the joint study with York County and James City County’s share is to be \$100,000.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the County Administrator to execute a contract between James City County and Frederick C. Griffin, P.C., in the amount of \$100,000.

4. Family P. A. R. T. Y. (Promoting Alcohol Responsibility Through Your) Day

RESOLUTION

FAMILY P.A.R.T.Y. (PROMOTING ALCOHOL RESPONSIBILITY THROUGH YOU) DAY

WHEREAS, 7.9 million Americans between the ages of 12-20 consume five or more drinks on the same occasion; and

WHEREAS, people who begin drinking before age 15 are four times more likely to develop alcoholism than those who begin at 21; and

WHEREAS, locally, 64 percent of 6th graders, 39 percent of 8th graders, 43 percent of 9th graders, and 31 percent of 12th graders have chosen to abstain from the use of alcohol; and

WHEREAS, increased alcohol awareness and knowledge of community resources can lead to prevention and early intervention of alcohol abuse; and

WHEREAS, community involvement has been shown to decrease illegal alcohol use and other drug activity.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby proclaim April 6, 2002, as Family P.A.R.T.Y. (Promoting Alcohol Responsibility Through You) Day in James City County, and calls upon all citizens, parents, governmental agencies, public and private institutions, businesses, hospitals, and schools in James City County to support efforts that will prevent underage drinking throughout our community.

G. PUBLIC HEARINGS

1. Case No. Z-5-00. New Town Office Building (deferred from February 26, 2002)

Mr. Paul D. Holt, III, Senior Planner, stated that Mr. Vernon Geddy, III, has applied on behalf of G-Square Incorporated to rezone several small parcels to allow for the construction of a five-story office building and associated parking at the intersection of Monticello Avenue and Ironbound Road, zoned R-8, Rural Residential, and M-1, Limited Business/Industrial, further identified as Parcel Nos. (1-3E), (1-50), (1-2A), and (1-53) on the James City County Real Estate Tax Map No. (38-4).

Staff found the development to have the potential to negatively impact the surrounding roads and properties as the area develops and redevelops.

At its meeting on December 3, 2001, the Planning Commission recommended approval of the application by a vote of 7-0.

Staff recommended denial of the application.

The Board and staff held a brief discussion concerning the conceptual design of the building meeting the New Town Design Review Board's standards.

Mr. Kennedy opened the Public Hearing.

1. Mr. Vernon Geddy, III, applicant, provided a brief history of the Bush Construction developments and projects; stated that the proposed building will utilize some underground parking; enter into an agreement with the James City Service Authority on a shared parking site; stated opposition to staff's recommendation concerning the proposed right-in-only lane; and stated the project will be fiscally good for the County and will be visually complementary to the surrounding site.

The Board, staff, and applicant held a discussion concerning the traffic flow through the parking lot on the site, 12-foot entrance road to the site that will discourage parking along the road, and the potential for additional curb cuts across Ironbound Road.

As no one else wished to speak, Mr. Kennedy closed the Public Hearing.

The Board held a discussion regarding the anticipated traffic conditions near the site, concern regarding the utilization of the retail square footage available on the first floor, and the Planning Commission discussions concerning the case.

Mr. Goodson made a motion to adopt the resolution.

On a roll call, the vote was: AYE: McGlennon, Brown, Goodson, Harrison, Kennedy (5). NAY: (0).

RESOLUTION

CASE NO. Z-5-00. NEW TOWN OFFICE BUILDING

WHEREAS, in accordance with §15.2-2204 of the Code of Virginia and Section 24-15 of the James City County Zoning Ordinance, a public hearing was advertised, adjoining property owners notified, and a hearing scheduled on Case No. Z-5-00 for rezoning approximately 1.17 acres from R-8, with proffers and M-1, to B-1, General Business, with proffers, more particularly identified as Parcel No. (38-4)(1-2A) and for rezoning approximately 0.45 acres from R-8, with proffers and M-1, to B-1, General Business, more particularly identified as Parcel No. (38-4)(1-54); and

WHEREAS, on December 3, 2001, the Planning Commission recommended approval of this application by a vote of 7-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Case No. Z-5-00 and accepts the voluntary proffers.

The Board thanked the Planing Commission for its questions and work while considering the case.

2. Case No. SUP-18-01. Waltrip Communications Tower

Mr. Paul D. Holt, III, Senior Planner, stated that Ms. Mary Waltrip has applied for a special use permit to construct a 165-foot communications tower on 81.8 acres, zoned R-8, Rural Residential, adjacent

to the Williamsburg-Jamestown Airport, further identified as Parcel No. (1-12) on the James City County Real Estate Tax Map No. (48-2). Mr. Holt stated that the applicant had requested a 30 day deferral of the case.

Staff found the proposal to be inconsistent with the surrounding zoning and development, and inconsistent with the Comprehensive Plan.

The Planning Commission, at its meeting on February 4, 2002, voted 6-1 to deny the application.

Staff recommended the Board deny the application request.

Mr. Kennedy opened the Public Hearing.

1. Mr. Forrest Williamson, 142 Kingspoint Drive, representing the Kingspoint Neighborhood Association, stated support for the deferral of the case, recommended the next balloon test for the tower height be advertised and held on a Saturday.

2. Mr. John Diggs, 512 South Henry Street, stated support for the application to provide broadcast service in an area where there is a gap in the service area.

The Board held a brief discussion concerning the type of tower that was proposed for the site.

Mr. Kennedy deferred the case to April 9, 2002, and kept the public hearing open.

3. Case No. SUP-31-01. New Zion Baptist Church Expansion

Mr. Paul D. Holt, III, stated that Mr. Howard Price of AES Consulting Engineers and Mr. Alvin Bush of Facility Managers & Consultants, Inc., have applied on behalf of the Trustees of the New Zion Baptist Church for a special use permit to expand the Church's parking lot, building, and relocation of the entrance on approximately 3.1 acres, zoned R-8, Rural Residential, at 3991 Longhill Road, further identified as Parcel No. (1-22) on the James City County Real Estate Tax Map No. (31-1).

Staff found the proposal consistent with the surrounding zoning and development, and consistent with the Comprehensive Plan.

The Planning Commission, at its meeting on February 4, 2002, recommended approval of the application by a vote of 7-0.

Staff recommended approval of the application with conditions.

The Board and staff held a discussion concerning the condition regarding the sidewalk.

Mr. Kennedy opened the public hearing.

1. Mr. Howard Price, applicant, stated that Trustees of the Church are willing to do the sidewalk in part, but are concerned with the safety of pedestrians, and sidewalk-construction limitations associated with the contours of the site.

2. Reverend Whithead, Pastor, New Zion Baptist Church, stated that the Church desires to enhance its ability to serve the community through the expansion project and requested the Board approve the application request.

As no one else wished to speak, Mr. Kennedy closed the public hearing.

The Board and staff held a discussion concerning the alternate options provided in the conditions regarding the construction of a sidewalk including bonding.

Mr. Harrison made a motion to approve the resolution with an amendment to change the language of the resolution to construct the sidewalk towards Centerville Road.

The Board and staff held a discussion concerning the motion and the feasibility of constructing a sidewalk with the site constraints.

Mr. Morton stated that the County cannot ask the applicant to incur the cost of constructing the sidewalk off-site, but through the proffer clause the applicant could contribute towards the bikeway/sidewalk master plan.

The Board and staff continued discussion regarding the sidewalk construction and the ownership of the cemetery site across the street.

The Board, staff, and applicant discussed the engineering costs associated with the construction of the sidewalk and the assessed per foot cost to proffer the sidewalk construction.

Mr. Harrison amended his motion and recommended adoption of the resolution as provided by staff.

On a roll call, the vote was: AYE: McGlennon, Brown, Goodson, Harrison, Kennedy (5). NAY: (0).

RESOLUTION

CASE NO. SUP-31-01. NEW ZION BAPTIST CHURCH EXPANSION

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a special use permit process; and

WHEREAS, the applicant has requested a special use permit to allow for an approximate 8,200-square foot expansion of, and other accessory construction at, the existing church located at 3991 Longhill Road; and

WHEREAS, the property is currently zoned R-8, Rural Residential, and designated Low-Density Residential on the 1997 Comprehensive Plan Land Use Map; and

WHEREAS, the property is specifically identified as Parcel No. (1-22) on James City County Real Estate Tax Map Number (31-3); and

WHEREAS, on February 4, 2002, the Planning Commission recommended approval of the application by a vote of 7-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-31-01 as described herein with the following conditions:

1. Start of Construction, as defined in the Zoning Ordinance, shall commence within 24 months of the approval of this special use permit, or the permit shall be void.

2. The proposed bike path shown on the plan entitled, "Conceptual Plan New Zion Baptist Church Building Addition and Parking Lot Expansion," prepared by AES Consulting Engineers, and dated, December 21, 2001 (the "Master Plan"), shall be constructed or bonded in a manner acceptable to the County Attorney, prior to the issuance of any Certificate of Occupancy for the proposed building addition.
3. The proposed sidewalk shown on the plan entitled, "Conceptual Plan New Zion Baptist Church Building Addition and Parking Lot Expansion," prepared by AES Consulting Engineers, and dated, December 21, 2001 (the "Master Plan"), shall be constructed or bonded in a manner acceptable to the County Attorney, prior to the issuance of any Certificate of Occupancy for the proposed building addition. This condition may be waived by the County Engineer if the applicant provides an alternative solution to providing equivalent pedestrian facilities, all in a manner and form acceptable to the County Engineer.
4. A shrub row, consisting of evergreen plant varieties, shall be provided to screen the parking lot from Longhill Road, in a manner and type to be determined by the Director of Planning. This additional landscaping shall be indicated on the site plan.
5. Prior to the issuance of preliminary site plan approval, the applicant shall demonstrate to the satisfaction of the County Attorney that all easements and/or agreements have been obtained and recorded, as applicable, for any needed off-site water and/or sewer connection, and for any needed off-site drainage and/or stormwater management need or use and any maintenance related thereto.
6. Prior to the issuance of preliminary site plan approval, the applicant shall be responsible for completing or bonding, in a manner acceptable to the County Attorney, any necessary improvements to ensure adequate fire flow volume and duration, as specified by the James City County Fire Department, provided to the site.
7. Prior to the issuance of any Certificate of Occupancy, the plumbing inside the existing building shall be inspected by the James City Service Authority for potential water cross connections. Any cross connection shall be protected by an approved backflow prevention device(s).
8. Prior to the issuance of any Certificate of Occupancy, the applicant shall be responsible for developing water conservation standards to be submitted to, and approved by, the James City Service Authority and subsequently enforcing these standards. The standards shall address such water conservation measures as limitations on the installation and use of landscaping design and materials to promote water conservation and minimize the use of public water resources.
9. All site lighting shall be limited to fixtures which are mounted on light poles not to exceed 15 feet in height and/or other structures horizontally and shall be recessed fixtures with no bulb, lens, or globe extending below the casing. The casing shall be opaque and shall completely surround the entire light fixture and light source in such a manner that all light will be directed downward and the light source is not visible from the side. No glare, defined as 0.1 footcandle or higher, shall extend outside the property lines.
10. To better buffer adjacent residentially zoned property, landscaping along the side and rear property lines shall exceed the County's Landscape Ordinance requirements by an additional 15 percent.

11. All freestanding sign(s), if any, shall be limited in height to no greater than eight feet above grade.
12. The building addition shall be architecturally similar, as determined by the Director of Planning, to the elevation drawing entitled "New Zion Baptist Church," dated August 28, 2001, and prepared by Hopke and Associates.
13. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

H. PUBLIC COMMENT - None

I. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner recommended the Board go into closed session pursuant to Section 2.2-3711(A)(1) of the Code of Virginia to consider appointment of individuals to County Boards and/or Directives and Section 2.2-3711(A)(3) of the Code of Virginia to consider the acquisition of a parcel of property for public use.

Mr. Wanner recommended at the conclusion of agenda, the Board adjourn to March 26, 2002.

J. BOARD REQUESTS AND DIRECTIVES

Mr. McGlennon stated that the Division of Development Management has provided a monthly report on the review time for projects submitted, and found the length of time for considerations of the projects to be acceptable.

Mr. Kennedy recessed the Board for a break at 8:19 p.m.

Mr. Kennedy reconvened the Board at 8:22 p.m.

K. CLOSED SESSION

Mr. McGlennon made a motion to go into closed session pursuant to Section 2.2-3711(A)(1) of the Code of Virginia to consider appointment of individuals to County Boards and/or Directives and Section 2.2-3711(A)(3) to consider the acquisition of a parcel of property for public use.

On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Harrison, Kennedy (5). NAY: (0).

Mr. Kennedy convened the Board into closed session at 8:23 p.m.

At 8:34 p.m. Mr. Kennedy reconvened the Board into open session.

Mr. McGlennon made a motion to adopt the closed session resolution.

On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Harrison, Kennedy (5). NAY: (0).

RESOLUTION

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge: i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and, ii) only such public business matters were heard, discussed or considered by the Board as were identified in the motion, Section 2.2-3711(A)(1), appointment of individuals to County boards and/or commissions.

Mr. Brown made a motion to appoint Irma Hawkins to a three-year term on the Peninsula Disability Services Board effective April 12, 2002, term to expire on April 11, 2005; to appoint Lisa Heuvel to an unexpired term on the Historical Commission, term to expire on August 31, 2002; and to appoint Janis MacQueston to an unexpired term on the Historical Commission, term to expire on August 31, 2004.

On a roll call, the vote was: AYE: McGlennon, Brown, Goodson, Harrison, Kennedy (5). NAY: (0).

L. ADJOURNMENT

Mr. Kennedy requested a motion to adjourn until March 26, 2002.

Mr. McGlennon made a motion to recess.

On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Harrison, Kennedy (5). NAY: (0).

Mr. Kennedy recessed the Board at 8:35 p.m.

Sanford B. Wanner
Clerk to the Board

MEMORANDUM

DATE: March 26, 2002
TO: The Board of Supervisors
FROM: Darryl E. Cook, Environmental Director
SUBJECT: Dedication of Streets in Westmoreland, Sections 1 and 2; Springhill, Phases 3 and 4

Attached are resolutions requesting acceptance of certain streets in Westmoreland, Sections 1 and 2 and Springhill, Phases 3 and 4, into the State Secondary Highway System. These streets have been inspected and approved by representatives of the Virginia Department of Transportation as meeting the minimum requirements for secondary roadways.

Staff recommends the Board adopt the attached resolutions.

Darryl E. Cook

DEC/gs
dedofstr.west.spring.mem

Attachments

RESOLUTION

DEDICATION OF STREETS IN WESTMORELAND, SECTIONS 1 AND 2

WHEREAS, the streets described on the attached Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of James City County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation advised the Board that the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the County and the Virginia Department of Transportation entered into an agreement on November 1, 1993, for comprehensive stormwater detention which applies to this request for addition.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests the Virginia Department of Transportation to add the streets described on the attached Additions Form SR-5(A) to the secondary system of State highways, pursuant to §33.1-229, of the Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED, the Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of March, 2002.

dedofstr.westmoreland.res

RESOLUTION

DEDICATION OF STREETS IN SPRINGHILL, PHASES 3 AND 4

WHEREAS, the streets described on the attached Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of James City County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation advised the Board that the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the County and the Virginia Department of Transportation entered into an agreement on November 1, 1993, for comprehensive stormwater detention which applies to this request for addition.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests the Virginia Department of Transportation to add the streets described on the attached Additions Form SR-5(A) to the secondary system of State highways, pursuant to §33.1-229, of the Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED, the Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of March, 2002.

dedofstr.springhill.res

MEMORANDUM

DATE: March 26, 2002
TO: The Board of Supervisors
FROM: Keith A. Taylor, Economic Development Director
SUBJECT: Bonded Industrial Access Road Fund Resolution for James River Commerce Center

Under an agreement between the County and the Colonial Williamsburg Foundation, James River Commerce Center in the Roberts District is being developed as an industrial park. The County's Industrial Development Authority (IDA) and Colonial Williamsburg's subsidiary, Williamsburg Developments, Inc. (WDI), are the entities directly involved as property owners.

A pending acquisition by the IDA of additional acreage and a property exchange between the IDA and WDI includes a provision requiring the IDA to provide an additional 1,200 linear feet of infrastructure in the park. With the change in property lines, this new infrastructure will not only open up additional WDI property for marketing, but will also now provide access to the IDA's property. The IDA intends to build an industrial shell building at the terminus of the new infrastructure. Staff intends to utilize the Virginia Bonded Industrial Access Road Fund Program for the road portion of this required infrastructure.

Once the local Virginia Department of Transportation (VDOT) Resident Engineer calculates a preliminary estimate for the work, an application will be submitted to the Commonwealth Transportation Board (CTB). It must be accompanied by a resolution from the local governing body. As you may recall, the Program allows loans of up to \$300,000, with an additional \$150,000 available on a dollar-for-dollar local match basis. The locality has five years to secure a qualifying investment along the roadway in order to be released from responsibility for some, or all, of the required bond.

A general figure of \$200 per linear foot for road design and construction is presently being used by engineering firms in this area, which would equate to \$240,000 for 1,200 feet of roadway. Although they are typically bid at the same time, utilities are an additional cost and are not covered by the State's road fund program. Actual cost is determined by bid through the public procurement process once the CTB has awarded the grant.

Staff recommends approval of the attached resolution to apply for a Virginia Bonded Industrial Access Road Fund loan for the described road in James River Commerce Center.

Keith A. Taylor

KAT/gs
jrcc-accessroad.mem

Attachment

RESOLUTION

BONDED INDUSTRIAL ACCESS ROAD FUNDING AT

JAMES RIVER COMMERCE CENTER

WHEREAS, Williamsburg Developments, Inc. (WDI) and the Industrial Development Authority (IDA) of James City County, Virginia, own and have agreed to cooperate in the development of property, known as James River Commerce Center, in the Roberts District of James City County for the purpose of promoting industrial development; and

WHEREAS, additional property will be acquired by the IDA within the park with the intended use to be the site of an industrial shell building; and

WHEREAS, infrastructure is required to reach the new shell building; and

WHEREAS, addition of infrastructure will open new WDI property for development, as well as provide infrastructure to the IDA's property; and

WHEREAS, acquisition of the shell building site was conditioned upon provision of infrastructure to the site; and

WHEREAS, the County of James City hereby guarantees that the necessary right-of-way for this new roadway and utility relocations or adjustments, if necessary, will be provided at no cost to the Virginia Department of Transportation (VDOT); and

WHEREAS, the Virginia Bonded Industrial Access Road Program may make funds available for qualifying projects up to \$300,000 on an unmatched basis, and up to an additional \$150,000 on a dollar-per-dollar matching basis.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests that the Commonwealth Transportation Board provide Industrial Access Road funding to provide an adequate road to an undeveloped portion of the property.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, hereby authorizes and directs the Chairman of the Board of Supervisors to execute an agreement with the Virginia Department of Transportation, an escrow or other surety agreement, and such other documentation as may be necessary to facilitate this industrial access road project.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, hereby agrees to provide a letter of credit, bond or other surety, acceptable to and payable to the Virginia Department of Transportation, in the full amount of the cost of the Industrial Access Road.

This surety shall be exercised by the Department of Transportation in the event that sufficient qualifying capital investment does not occur either on the subject site or other eligible sites served by the Industrial Access Road within five years of the Commonwealth Transportation Board's allocation of funds pursuant to this request.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, hereby agrees that the new roadway, so constructed, will be added to and become a part of the Secondary System of Highways.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of March, 2002.

jrcc-accessroad.res

MEMORANDUM

DATE: March 26, 2002
TO: The Board of Supervisors
FROM: John E. McDonald, Manager of Financial and Management Services
SUBJECT: Reimbursement - 800 MHz Financing

Under regulations established by the Federal Department of the Treasury, those entities that seek to use tax exempt financing must declare that intention using what is referred to as a reimbursement resolution.

This resolution establishes a date after which any project spending may be reimbursed to the County through tax-exempt debt financing. All spending incurred up to 60 days prior to this date may also be recoverable. The resolution does not require that the Board do anything, but it does establish, for financing purposes, the beginning date for expenditures on a project. The resolution establishes a maximum financing of \$8.5 million, which at this point is an estimate since final system costs have not been determined. The resolution also attempts to include all the expected costs of acquiring and installing an 800-MHz system – including physical renovation of the dispatch space, mobile terminals or radios, dispatch software enhancements, and other project costs that the Board may consider financing at some point in the future.

Staff recommends approval of the attached resolution.

John E. McDonald

JEM/gs
800mhz_fin.mem

Attachment

RESOLUTION

REIMBURSEMENT - 800 MHz FINANCING

WHEREAS, James City County, Virginia (the "County") has made or will make expenditures (the "Expenditures") in connection with an 800-megahertz public safety radio system with related improvements/expansion of the Central Dispatch function and facility for the new radio system and mobile data terminals (the "Project"); and

WHEREAS, the County may determine that the funds advanced and to be advanced to pay Expenditures will be reimbursed to the County from the proceeds of one or more tax-exempt obligations to be issued by or on behalf of the County (the "Indebtedness").

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

1. The Board hereby adopts this declaration of official intent under Treasury Regulations Section 1.150-2 and declares that the County intends to reimburse itself with the proceeds of Indebtedness for Expenditures made on, after or within 60 days prior to the date hereof with respect to the Project, except that Expenditures made more than 60 days prior to the date hereof may be reimbursed as to certain de minimis or preliminary expenditures described in Treasury Regulations Section 1.150-2(f) and as to other expenditures permitted under applicable Treasury Regulations.
2. The maximum principal amount of Indebtedness expected to be issued for the Project is \$8,500,000.
3. This resolution shall take effect immediately upon its adoption.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of March, 2002.

expend800mhz.res

CERTIFICATION

The undersigned Clerk of the Board of Supervisors of James City County, Virginia, hereby certifies that the foregoing constitutes a true, correct, and complete copy of a Resolution duly adopted by the Board of Supervisors of James City County, Virginia at a meeting duly called and held on the _____ day _____, 2002, and during which a quorum was present and acting throughout, by the vote set forth below, and that such Resolution has not been repealed, revoked, rescinded, or amended:

<u>Board Member</u>	<u>Present/Absent</u>	<u>Vote</u>
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WITNESS, my hand and the seal of the Board of Supervisors of James City County, Virginia, this _____ day of _____, 2002.

Clerk, Board of Supervisors
James City County, Virginia

(SEAL)

#1039839

expend800mhz.res

MEMORANDUM

DATE: March 26, 2002
 TO: The Board of Supervisors
 FROM: John E. McDonald, Manager, Financial and Management Services
 SUBJECT: Operating Contingency Transfer - Regional Jail

The attached resolution authorizes the transfer of \$250,000 from the Operating Contingency account to the Regional Jail account. Monthly billings have exceeded estimates. The average daily population for James City County detainees at the Virginia Peninsula Regional Jail was 108 in FY 2001; it has reached 133 for the first eight months of this fiscal year.

These increases are attributed to aggressive law enforcement, high crime clearance rates resulting in arrest, and judicial actions. For the 2001 calendar year, the James City County Police Department had the following clearance rates:

	<u>Offenses</u>	<u>Cleared</u>	<u>Rate</u>
Murder	3	3	100%
Rape	11	11	100%
Assault	509	477	94%
Auto Theft	58	31	53%
Robbery	16	8	50%

In addition, the Colonial Narcotics Task Force made 131 arrests in 2001, compared to 48 in 2000.

This activity has increased the County's costs at the Regional Jail. The addition of \$250,000 to the previously approved \$860,000, an increase of 29 percent, should allow the County to "pay the bills" through the end of the fiscal year.

Staff recommends approval of the attached resolution.

John E. McDonald

JEM/adw
 regjail.mem

Attachment

RESOLUTION

OPERATING CONTINGENCY TRANSFER - REGIONAL JAIL

WHEREAS, the County has seen a 30 percent increase in its average daily population at the Virginia Peninsula Regional Jail and previously budgeted funds of \$860,000 are not expected to be sufficient through the end of the fiscal year.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes a transfer of \$250,000 from Operating Contingency to the Regional Jail payment account.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of
March, 2002.

regjail.res

MEMORANDUM

DATE: March 26, 2002
TO: The Board of Supervisors
FROM: John T. P. Horne, Development Manager
SUBJECT: 2003 Primary Road Priorities

There are two funding processes available for funding County road improvements: 1) the Secondary Roads Plan; and 2) the Primary Roads Preallocation Hearing Priorities. The Board of Supervisors adopted the first component, the Six-Year Secondary Roads Plan, in December 2001. The Six-Year Secondary Roads Plan is a priority funding plan for the improvement and construction of secondary roads (those roads with route numbers of 600 or greater). The Board has considerable control over funding and project timing for the secondary road system because the County receives an annual allocation to be used only in the County. The Virginia Department of Transportation (VDOT) works directly with the County to determine how to spend that money.

The second component, the Primary Roads Priorities, outlines the County's priority funding requests for primary roads (those roads with route numbers of less than 600, including interstate improvements). In this case there is no regular annual County allocation, and the County's projects compete with projects from all of the other Hampton Roads (Hampton Roads District) communities. In this process, all Virginia localities are given an opportunity to advise VDOT of their transportation priorities prior to VDOT's Commonwealth Transportation Board (CTB) making its allocation decisions.

Attached for consideration is a report outlining the County's priority primary and interstate highway construction projects for which the County is requesting funding in 2003 and beyond. The attached report, once endorsed by the Board of Supervisors, will be forwarded to VDOT. In the coming months, VDOT staff will evaluate the region's priority projects and determine appropriate funding levels for each. As the Board is aware, a severe funding shortage will probably cause the removal of some projects from this year's Plan.

VDOT will conduct a preallocation hearing on April 12, 2002. If the Board wishes to attend the hearing, staff will provide assistance. It is important that staff has unanimous Board support for the County's priority list in order to win the CTB's support for the County's projects. Due to the number of high profile road improvements in this year's plan requiring the CTB's support, such as the Route 60 E relocation and the Route 199 widening in the Mounts Bay Road area, the County will enlist the support of Senator Norment or Delegates Hamilton, Rapp and Barlow at the hearing.

Staff recommends approval of the attached resolution and endorsement of the attached report outlining the County's priority primary and interstate highway projects.

John T. P. Horne

JTPH/gb
priorities03.mem

2003 Primary Road Priorities

March 26, 2003

Page 2

Attachments:

1. 2003 Requests for Primary and Interstate Highway Construction Projects
2. Resolution - 2003 Primary Road Priorities

RESOLUTION

2003 PRIMARY ROAD PRIORITIES

WHEREAS, the James City County Board of Supervisors believes that a safe, efficient, and adequate transportation network is vital to the future of the County, the region, and State; and

WHEREAS, the James City County Comprehensive Plan and/or regional and state transportation plans and studies conclude that the following highway projects are essential to permit the safe and efficient movement to traffic in the Williamsburg-James City County area; and

WHEREAS, there exists a pressing need to implement the projects below in order to relieve traffic congestion which impedes the actions of emergency vehicles and personnel, causes inconvenience and delays, and contributes the major source of air pollution to the area.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the following list comprises the highest priority primary highway projects in James City County:

- # Full funding and the minimization of delays for the widening of the existing sections of Route 199 to four lanes in those areas where only two lanes presently exist;
- # Funding for design and construction of Route 60 East relocation with priority given to the section between Route 60 in James City County and the Fort Eustis Interchange;
- # Funding for the improvements to the Route 199-Jamestown Road intersection and support of the locally preferred alternative;
- # Funding for landscaping along the Route 199 corridor; and
- # Proceeding with the next phases of preliminary design and environmental study for the Capital to Capital Bikeway project consistent with a resolution adopted by the Board of Supervisors on November 10, 1998.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of March, 2002.

**SPECIAL USE PERMIT-2-02. Walker Manufactured Home Replacement
Staff Report for the March 26, 2002, Board of Supervisors Public Hearing**

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC HEARINGS Building C Board Room; County Government Complex

Board of Supervisors: March 26, 2002, 7:00 p.m.

SUMMARY FACTS

Applicant/Land Owner: Mr. Robert Walker

Proposed Use: Manufactured Home

Location: 2726 Little Creek Dam Road

Tax Map and Parcel No.: (21-4) (01-0-0018)

Primary Service Area: Outside

Parcel Size: 0.59 acres

Existing Zoning: R-8, Rural Residential

Comprehensive Plan: Rural Lands

Surrounding Zoning: All adjacent properties are zoned R-8, Rural Residential

Staff Contact: Leah M. Nelson - Phone 253-6685

STAFF RECOMMENDATION:

The proposed manufactured home, with conditions, will meet administrative criteria for placement of a manufactured home and will improve the living conditions of the applicant. Staff recommends the Board of Supervisors approve this special use permit with the attached conditions.

History

The applicant first placed a manufactured home on the property in 1972 with Conditional Use Permit (CUP)-72-33. That home was replaced in 1986 under the same CUP with a 1986 Frontier model measuring 14 feet wide and 70 feet long, with three bedrooms and 1.5 bathrooms. At the time, CUPs were issued per parcel of land, not per manufactured home. Currently, manufactured homes outside the primary service area require the issuance of a special use permit by the Board of Supervisors. The home that was placed in 1986 remains on the property, and the applicant now wishes to replace it. Although the current manufactured home represents a nonconforming situation, this proposal, if approved, would bring the property into conformance with the current Zoning Ordinance.

Description of Project

The proposed manufactured home is a new 2002 Oakwood Series Model No. 1011 double-wide unit, which is 28 feet wide by 72 feet long. It has three bedrooms and two bathrooms.

Surrounding Zoning

Adjacent properties are zoned R-8, Rural Residential. The immediate area consists of manufactured homes and single-family dwellings. The Little Creek Reservoir is approximately 130 feet away from the northwestern property line.

Surrounding Area

There are eight manufactured homes within 2000 feet of the parcel. The nearest manufactured home is across the street from the proposed site (approximately 150 feet away).

Access

The parcel fronts on Little Creek Dam Road (Route 631), which is a publicly maintained road.

Utilities

The manufactured home is not located within the Primary Service Area. The Health Department will either approve the existing well and septic system or require upgrades to the system prior to the issuance of a building permit.

Screening

The parcel is partially wooded and the applicant has planted approximately seven shrubs along the front of the house. The applicant will keep these shrubs and use them to help landscape the new manufactured home.

Recommendation

The proposed manufactured home, with conditions, will meet administrative criteria for placement of a manufactured home and will improve the living conditions of the applicant. Staff recommends the Board of Supervisors approve this special use permit with the following conditions:

1. This permit shall be valid only for the 2002 Oakwood Series Model No. 1011 double-wide unit applied for. If the 2002 Oakwood Series Model No. 1011 double-wide manufactured home is removed, this permit shall become void. Any replacement shall require a new permit from the Board of Supervisors. If the permit is not exercised, it shall become void one year from the date of approval.
2. The manufactured home shall be skirted and meet the requirements of the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards.
3. The existing manufactured home shall be removed prior to the placement of the new manufactured home.
4. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.
5. The new manufactured home shall be placed so as to comply with all current setback and yard requirements in the R-8, Rural Residential, Zoning District.

Leah M. Nelson

CONCUR:

O. Marvin Sowers, Jr.

LMN/gb
sup-2-02.wpd

Attachments:

1. Map
2. Resolution

RESOLUTION

CASE NO. SUP-2-02. WALKER MANUFACTURED HOME REPLACEMENT

WHEREAS, all requirements for the consideration of an application for a special use permit for the placement of a manufactured home have been met.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that a special use permit be granted for the placement of a manufactured home on property owned and developed by the applicant as described below.

Applicant: Mr. Robert Walker

Real Estate Tax Map ID: (21-4)

Parcel No.: (1-18)

Address: 2726 Little Creek Dam Road

District: Stonehouse

Zoning: R-8, Rural Residential

- Conditions:
1. This permit shall be valid only for the 2002 Oakwood Series Model No. 1011 double-wide unit applied for. If the 2002 Oakwood Series Model No. 1011 double-wide manufactured home is removed, this permit shall become void. Any replacement shall require a new permit from the Board of Supervisors. If the permit is not exercised, it shall become void one year from the date of approval.
 2. The manufactured home shall be skirted and meet the requirements of the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards.
 3. The existing manufactured home shall be removed prior to the placement of the new manufactured home.
 4. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.
 5. The new manufactured home shall be placed so as to comply with all current setback and yard requirements in the R-8, Rural Residential, Zoning District.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of
March, 2002.

sup-2-02.res

MEMORANDUM

DATE: March 26, 2002

TO: Board of Supervisors, James City County

FROM: John E. McDonald, Manager of Financial and Management Services

SUBJECT: Virginia Energy Purchasing Governmental Association

The Virginia Municipal League and the Virginia Association of Counties have gotten together to try to use the combined purchasing power of cities, counties, schools, and authorities in Virginia to achieve the best rates for electric power generation service. Under deregulation, the prices of electric power generation service will vary day-by-day from one vendor to another. The Virginia Energy Purchasing Governmental Association (VEPGA) has been formed to take advantage of this new environment. A list of Frequently Asked Questions for the VEPGA, a copy of the bylaws, and the joint powers agreement itself are included for reference in the Board's Reading File.

The County is required to adopt an ordinance authorizing membership in the VEPGA and that ordinance can be considered after a public hearing is held. The JCSA can adopt a resolution authorizing membership. That ordinance is attached for your consideration. If there are any unanswered questions or comments, we would be happy to respond.

There is a cost associated with the County/JCSA participation. The annual dues for membership in the VEPGA for the upcoming fiscal year are \$1,372 for the County and approximately \$600 for the JCSA.

Staff recommends adoption of the attached ordinance.

John E. McDonald

JEM/gb
energy.mem

Attachment

ORDINANCE NO. _____

APPROVING JOINT POWERS ASSOCIATION AGREEMENT

- WHEREAS, the VML/VACo Virginia Power Steering Committee (the “Committee”), composed of representatives of James City County, the James City Service Authority and other local governments and political subdivisions of the Commonwealth, has for over several decades negotiated on behalf of such governmental units a standard form contract for their purchase of electricity supply and delivery service from Virginia Electric and Power Company (“Virginia Power”) as a sole source provider; and
- WHEREAS, political subdivisions of the Commonwealth of Virginia are authorized under Virginia law to exercise jointly powers that they otherwise are authorized to exercise independently, and the terms and conditions of such authorization are currently set forth in Sections 15.2-1300, et seq. of the Virginia Code (the “Joint Powers Act”); and
- WHEREAS, the Virginia Electric Utility Restructuring Act (the “Restructuring Act”) further authorizes municipalities and other political subdivisions in the Commonwealth to aggregate their electricity supply requirements for the purpose of their joint purchase of such requirements from licensed suppliers, and the Restructuring Act provides that such aggregation shall not require licensure; and
- WHEREAS, the Virginia Public Procurement Act (the “Procurement Act”) exempts from its competitive sealed bidding and competitive negotiation requirements (the “Requirements”) the joint procurement by public bodies, utilizing competitive principles of electric utility services purchased through member associations under the conditions set forth in the Procurement Act; and
- WHEREAS, the Committee recommends that the aggregation and procurement of electric supply, electric delivery, and other energy-related services (“Energy Services”) be effectuated as provided in the Joint Powers Association Agreement, a copy of which is attached to and make part of this Ordinance (the “Joint Powers Agreement”), in accordance with applicable provisions of the Procurement Act, such as the utilization of competitive principles pursuant to an exemption from the Requirements; and
- WHEREAS, the Committee also recommends that the other services provided by the Committee to its members be effectuated as provided in the Joint Powers Agreement, with such services consisting of: (i) assistance in implementing standard form contracts for the purchase of services from incumbent electricity utilities; (ii) education of members regarding electricity procurement issues; (iii) monitoring of legal and regulatory developments affecting the provision of electricity service to local governments; and (iv) hiring of consultants and legal counsel to assist in its provisions of the foregoing services (“Steering Committee Services”); and
- WHEREAS, it appearing to the Board of Supervisors of James City County that the joint procurement of the Energy Services pursuant to the Joint Powers Agreement and the provision of the Steering Committee Services pursuant to the Joint Powers Agreement is otherwise in the best interests of James City County.

NOW, THEREFORE, BE IT ORDAINED:

- (1) The procedures allowed under the Procurement Act for the joint procurement by public bodies, utilizing competitive principles, of electric utility services purchased through member organizations are acceptable in that they must be flexible enough to respond to quickly changing market conditions in which energy prices can fluctuate considerably on a daily or even hourly basis.
- (2) The aggregation and joint procurement of the Energy Services pursuant to the Joint Powers Agreement is hereby approved.
- (3) The provision of Steering Committee Services pursuant to the Joint Powers Agreement is hereby approved.
- (4) The Joint Powers Agreement and the performance of the terms and conditions thereof on behalf of James City County are hereby authorized and approved.
- (5) The County Administrator is hereby authorized and directed to execute and deliver the Joint Powers Agreement on behalf of James City County in substantially the form presented to this meeting.
- (6) The payment obligations of James City County pursuant to the provisions hereof and the Joint Powers Agreement shall be subject to the annual approval of funds therefore in its budget by the Board of Supervisors.
- (7) This ordinance shall take effect immediately upon its adoption.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of March, 2002.

jcc.jointpowers.ord

MEMORANDUM

DATE: March 26, 2002

TO: The Board of Supervisors

FROM: Bernard M. Farmer, Jr., Capital Projects Administrator
Leo P. Rogers, Deputy County Attorney

SUBJECT: Dominion Virginia Power Easement for American Tower Corporation

American Tower Corporation has leased a site for a communications tower at the James City County Government Center that will be adjacent to the new office building parking lot. In order to serve this building with electricity, Dominion Virginia Power has requested an easement for their underground utilities, from their existing transformer adjacent to the loop road at the Government Center to the new tower building.

The initial easement document provided by Dominion Virginia Power was not coordinated with the design of the new parking lot and a new easement drawing has been requested.

The attached resolution authorizes the County Administrator to grant a necessary easement to Dominion Virginia Power to serve the American Tower Corporation leased site, that is coordinated with the design of the new Government Center Office Building.

Staff recommends approval of the attached resolution.

Bernard M. Farmer, Jr.

CONCUR:

Leo P. Rogers

BF/gs
ease.amertower.mem

Attachment

RESOLUTION

DOMINION VIRGINIA POWER EASEMENT FOR AMERICAN TOWER CORPORATION

WHEREAS, the Board of Supervisors has previously granted a lease for a tower site to American Tower Corporation; and

WHEREAS, in order to operate the tower it must be served by electrical power supplied by Dominion Virginia Power; and

WHEREAS, the location of the easement must be coordinated with other improvements being constructed for a new Government Center Office Building.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute the necessary easement documents once the design has been coordinated with the Government Center Office Building improvements and the appropriate plat prepared.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of March, 2002.

ease.amertower.res