

A G E N D A

JAMES CITY COUNTY BOARD OF SUPERVISORS

County Government Center Board Room

May 28, 2002

7:00 P.M.

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AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 23RD DAY OF APRIL, 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

Ms. Hannah Laurel, a second grade student at D. J. Montague Elementary School, led the Board and citizens in the Pledge of Allegiance.

D. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, requested citizens remember those serving in the military.
2. Mr. Richard Bradshaw, James City County's Commissioner of the Revenue, reminded citizens, businesses, and manufacturers of upcoming tax filing deadlines, deadlines for citizens to apply for the Tax Relief program, and offered the assistance of the Commissioner of the Revenue's Office staff in preparing the State tax forms.
3. Mr. Ray Basley, 4060 South Riverside Drive, requested that the County and School anticipate future needs when planning the location of the third high school.
4. Mr. Jim Icenhour, 101 Shinnecock, stated that the Headstart programs in the schools utilize significant matching Federal funds and that the temporary classroom trailer requests by the Schools are to address curriculum needs.
5. Ms. Penny Pulley, 20 Mile Course, invited the Board members and citizens to participate in the educational forum on secondary education, hosted by the Williamsburg/James City County Education Coalition, to be held on May 1, 2002, at 7 p.m.

6. Mr. Mike Halpin, 1203 Penniman Road, 1st Vice President of the Williamsburg/James City County PTA Council, read a resolution adopted by the Council urging the Board to fully fund the School's Operating Budget as education is a top priority for members of the community.

7. Mr. Stephen Deer, 1304 London Company Way, President of the Jamestown 1607 Homeowners Association, stated concern that a letter addressed to the Board in October regarding the flooding potential at Jamestown 1607 has not been addressed and encouraged the County to take steps to mitigate potential flooding at Jamestown 1607.

8. Ms. Susan Patton, 505 Capitol Court, stated concern that the scholastic athletic fields are not being properly maintained and requested the County assist the parents in improving the condition and maintenance of the fields for the safety of the athletes.

9. Ms. Angela Lynn, 2300 West Island Road, stated support for the funding of the Jamestown Booster Club and maintenance of the athletic fields.

10. Mr. Donald Frew, 2706 London Company Way, requested the County take appropriate measures to alleviate flooding potential at Jamestown 1607 and requested the old water slides near the Jamestown Festival Park be removed.

Mr. McGlennon requested staff address the concerns of the Jamestown 1607 residents.

Mr. John T. P. Horne, Director of Development Management, stated that a memorandum was presented to the Board regarding the findings for feasibility for reducing additional potential of flooding at Jamestown 1607, that staff would review the resident's suggestions, and that the Jamestown Road drainage maintenance plan should alleviate potential flooding.

The Board inquired if the proposed widening of Route 199, offered by a private contractor, included bridge improvements over Powhatan Creek as a special project.

Mr. Horne stated that the contractor has offered to improve the bridge over Powhatan Creek with funding reimbursement by the Virginia Department of Transportation (VDOT) at a later date.

E. HIGHWAY MATTERS

Mr. Jim Brewer, Acting Resident Engineer, Virginia Department of Transportation, stated that the red light at the intersection of Centerville Road and Monticello Avenue is operating.

Mr. Harrison inquired about the maintenance schedule of the drainage ditches along Jamestown Road.

Mr. Brewer stated that the drainage ways are inspected every other month and are cleared as needed.

Mr. Goodson inquired about the status of the Six-Year Primary and Interstate Road Plan.

Mr. Brewer stated that no decision has been made regarding the plans.

Mr. Goodson inquired when jurisdictions would hear about the decisions.

Mr. Brewer stated that by the end of June a decision would be announced concerning the priorities.

Mr. McGlennon inquired how the Grove Interchange is functioning and if it is alleviating Route 60 traffic volumes.

Mr. Brewer stated that the interchange seems to be functioning well.

F. CONSENT CALENDAR

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

Mr. McGlennon 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 - April 9, 2002, Regular Meeting
2. “Powhatan Village” Recorded Subdivision Name Change Request to “The Villages at Powhatan”

RESOLUTION

**“POWHATAN VILLAGE” RECORDED SUBDIVISION NAME CHANGE REQUEST TO
“THE VILLAGES AT POWHATAN”**

WHEREAS, all requirements for a name change to a recorded subdivision have been met.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the name of the “Powhatan Village” recorded subdivision as described below, be changed to “The Villages at Powhatan.”

Land Owner/Developer:	Centex Homes
Current Legal Name:	Powhatan Village
Desired Legal Name:	The Villages at Powhatan
Location:	North of News Road and East of Powhatan Secondary
Tax Maps and Parcel Nos.:	(38-3)(1-21), (37-4)(1-11), (37-4)(1-12)
Primary Service Area:	Inside
Number of Lots Affected:	52 lots total (21 recorded lots in Phase 1 and 31 recorded lots in Phase 2)
Project Size:	209 lots total on 30.7 acres

- 3. Revised Joint Exercise of Powers Agreement – Colonial Community Criminal Justice Board

RESOLUTION

APPROVAL OF REVISIONS TO THE JOINT EXERCISE OF POWERS AGREEMENT -

COLONIAL COMMUNITY CRIMINAL JUSTICE BOARD

WHEREAS, the revisions to the Joint Exercise of Powers Agreement reflect the changes in the Code of Virginia that establish the Community Criminal Justice Boards; and

WHEREAS, the attorneys representing the Counties of Charles City, James City, New Kent, and York, and the Cities of Poquoson and Williamsburg assisted in drafting the revisions to the Joint Exercise of Powers Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the revised Joint Exercise of Powers Agreement for the Colonial Community Criminal Justice Board.

- 4. Landscaping – Monticello Avenue

RESOLUTION

LANDSCAPING - MONTICELLO AVENUE

WHEREAS, the Virginia Department of Transportation (VDOT) has agreed to reimburse up to \$300,000 for the landscaping of Monticello Avenue.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of James City County, Virginia hereby agrees to amend the Capital Budget and appropriate the following:

Revenues:

From VDOT - Monticello Landscaping	<u>\$300,000</u>
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Expenditures:

Road Improvements - Monticello Avenue	<u>\$300,000</u>
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G. BOARD CONSIDERATION

- 1. Case Nos. SUP-5-02, SUP-6-02, and SUP-9-02. Temporary Classroom Trailers (Deferred from April 9, 2002)

Mr. Christopher Johnson, Senior Planner, stated that the Board deferred these cases to allow time to answer Board questions concerning school enrollment projections and curriculum options.

Staff continues to find these proposals consistent with surrounding zoning and development and

consistent with the Comprehensive Plan.

Staff recommended approval of these permits with the conditions listed in the attached resolutions.

Mr. McGlennon made a motion to adopt the resolutions.

Mr. Brown stated that the request for trailers is not about Child Development Resources being in the two high schools and inquired if the expense associated with the requested trailers was justified for the care of 16 preschool students at Lafayette High School and eight toddlers at Jamestown High School.

Mr. McGlennon stated that the permit request should be viewed as a land-use issue that has budgetary implications, that citizens and Schools deem the preschool and toddler programs worthwhile, and stated support for the application from a land-use viewpoint.

Mr. Brown stated that this case is unique from other land use cases because the contract would bind the County to spend \$150,000 and that the Schools should look at efficient utilization of its facility space.

Mr. Harrison stated that Schools are addressing the need for expanded facility space due to existing programming.

Mr. McGlennon stated that the Schools have other alternative than utilizing trailers; however those alternatives will take several years to develop and become usable, and that trailers is an acceptable interim solution.

Mr. Kennedy stated that the application request is based on existing curriculum's need for space, and recommended the Schools consider expansion of the existing facility to provide the needed space.

Mr. Kennedy requested the Board vote on Case No. SUP-5-02. Lafayette High School and Case No. SUP-6-02. Jamestown High School first and then on Case No. SUP-9-02.

On a roll call vote for SUP-5-02, the vote was: AYE: McGlennon, Goodson, Kennedy (3). NAY: Brown, Harrison (2).

RESOLUTION

CASE NO. SUP-5-02. LAFAYETTE HIGH SCHOOL

TEMPORARY CLASSROOM TRAILER

WHEREAS, all conditions for the consideration of this special use permit application has been met; and

WHEREAS, the Williamsburg-James City County School Board has applied for a special use permit to allow one temporary classroom trailer at Lafayette High School on property owned and developed by the applicant located at 4460 Longhill Road, and further identified as Parcel No. (1-1) on James City County Real Estate Tax Map No. (32-3).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the issuance of a special use permit for the placement of a temporary classroom trailer as described above and on the attached site location map with the following condition:

This permit shall be valid until July 1, 2006.

On a roll call vote for SUP-6-02, the vote was: AYE: McGlennon, Goodson, Kennedy (3). NAY: Brown, Harrison (2).

RESOLUTION

CASE NO. SUP-6-02. JAMESTOWN HIGH SCHOOL

TEMPORARY CLASSROOM TRAILER

WHEREAS, all conditions for the consideration of this special use permit application has been met; and

WHEREAS, the Williamsburg-James City County School Board has applied for a special use permit to allow one temporary classroom trailer at Jamestown High School on property owned and developed by the applicant located at 3751 John Tyler Highway, and further identified as Parcel No. (1-2D) on James City County Real Estate Tax Map No. (46-1).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the issuance of a special use permit for the placement of a temporary classroom trailer as described above and on the attached site location map with the following condition:

This permit shall be valid until July 1, 2006.

On a roll call vote for SUP-9-02, the vote was: AYE: McGlennon, Brown, Goodson, Harrison, Kennedy (5). NAY: (0).

RESOLUTION

CASE NO. SUP-9-02. D.J. MONTAGUE ELEMENTARY SCHOOL

TEMPORARY CLASSROOM TRAILER

WHEREAS, all conditions for the consideration of this special use permit application has been met; and

WHEREAS, the Williamsburg-James City County School Board has applied for a special use permit to allow one temporary classroom trailer at D.J. Montague Elementary School on property owned and developed by the applicant located at 5380 Centerville Road, and further identified as Parcel No. (1-49) on James City County Real Estate Tax Map No. (31-3).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the issuance of a special use permit for the placement of a temporary classroom trailer as described above and on the attached site location map with the following condition:

This permit shall be valid until July 1, 2006.

H. PUBLIC HEARINGS

Mr. John McDonald, Manager of Financial and Management Services, without objection from the Board, requested that the Board concurrently hold the public hearings for the next three items on the Board's agenda.

1. FY2003/FY2004 County Budget
2. Case No. SO-1-02. Subdivision Ordinance Amendment
- 3a&b. Ordinance Amendments –

Chapter 9, Fire Protection, Article I, Fire Prevention Code, Section 2-3. Amendments

Chapter 4, Building Regulations, Article I, Section 4-8

Ms. Suzanne Mellen, Director of Budget and Accounting, provided an overview on the proposed FY2003/FY2004 Budget and Ordinance changes as well as the County's fiscal goals for FY2003/2004.

Mr. McGlennon inquired about the impacts of putting away two cents of the tax rate revenue collected into debt services for future Capital Improvement Project (CIP) expenditures.

Ms. Mellen stated that putting away funds would help mitigate future tax increases associated with CIP expenditures.

Mr. Kennedy opened the public hearings.

1. Ms. Patricia Boyd, 254 Littleton Quarter, Member, Special Education Advisory Committee, requested the Board fully fund the proposed School Budget, stated concern that the expenses for teaching special education students is increasing while the Commonwealth's funding is decreasing, and requested Board members visit the schools to speak with students, teachers, and parents to get input on what they feel is important.

2. Ms. Peg Boarman, 17 Settlers Lane, requested funding for the addition of a staff member at the Historic Triangle Senior Center, consider the expansion of the James City/Williamsburg Community Center Senior Center, and requested the Board support the School's Budget.

3. Mr. Steven Wigley, 3000 Stoney Creek Drive, provided the Board with an overview of the Historic Triangle Bicycle Advisory Committee's purpose, benefits of connected multi-purpose trails, and requested the Board utilize Federal matching funds to develop pathways.

4. Mr. Mark Newcomb, 3737 Captain Wynne Drive, President, Clara Byrd Baker PTA, requested the Board fully fund the School's Budget, support the School Resource Officers, consider a third high school, and salary increases for School employees.

5. Mr. Philip Forgit, 110 Deerwood Drive, President, Williamsburg/James City Education Association, stated that the Commonwealth has short-funded the school divisions and requested the Board balance public schools with public safety when considering the Budget, and requested the Board fully fund the proposed School Budget.

6. Ms. Sandy Fagan, 4525 Wimbledon Way, Bacon Street, requested the Board not move Project Legacy from Bacon Street's supervision because the program currently has several funding resources through private and public avenues, and the efforts of the Bacon Street staff members ignite passion for change which has led to success in involving and keeping involved at-risk children.

7 & 8. Ms. Mary Jo Bracken and Ms. Carol Lynch, Toano Middle School Guidance Counselors, stated support for Project Legacy through Bacon Street.

9. Ms. Kim Hundley, 108 Mattaponi Trail, requested the Board fund teacher salaries through fully funding the School's Budget.

10. Mr. Gary Potter, a student at Jamestown High School and Project Legacy graduate, stated support for the Project Legacy program through Bacon Street.

11 & 12. Ms. Shirleen Brown and Andrea Carter, students at Jamestown High School, stated support for Project Legacy, support for and benefits of the staff of Bacon Street, and read a letter of support from parents for the continuation of Project Legacy through Bacon Street.

13. Mr. Devin Canady, a Senior at Jamestown High School, stated that Project Legacy has given participants the ability to assist each other, he has enjoyed being a part of the program, and requested Bacon Street continue Project Legacy.

14. Ms. Rose Greenhow, 117 Mirror Lane, stated that her child participated in Project Legacy and the benefits were immediately manifested, the trust participants have with the staff is important, and moving it from Bacon Street will diminish the program's ability to succeed.

Mr. Kennedy recessed the Board for a brief break at 9:02 p.m.

Mr. Kennedy reconvened the Board at 9:10 p.m.

15. Mr. Dick Orr, 117 Holdsworth, requested the Board provide funding to the Historic Triangle Senior Center to assist the Center to meet the growing needs of the fastest growing segment of the County's population, and stated that the funding would go towards an additional staff person to serve the Center as well as the position's benefits.

16. Ms. Jenny Whal, 338 Jamestown Road, a Project Legacy volunteer, stated support for the staff members of Project Legacy and requested the Board consider expanding the program rather than changing management hands of the program.

17. Mr. Tony Dion, 102 Fairmont Drive, stated that his taxes have increased annually as a result of reassessment.

18. Ms. Debbie Baker, 6225 Glenwilton Lane, requested the Board support School Resource Officers in the schools.

19. Mr. John Rynders, 34 Del Lago Drive, stated that Project Legacy is valuable to children and stated that parents and students support Project Legacy through Bacon Street.

20. Mr. Jim Icenhour, 101 Shinnecock, stated that the cost of living has increased 25 percent since 1994, that real estate assessments have been accurate for his property, and stated concern that a lack of tax revenue to the County may affect services offered by the County.

21. Ms. Ruth Larson, 124 Old Meadows Road, stated that there are good educational experiences in her child's school and requested the Board fully fund the School's Budget for teachers and staff to continue to provide quality education to the students.

22. Mr. M. Anderson Bradshaw, 8620 Merry Oaks Lane, requested the Board utilize the fund balance wisely to reduce debt, anticipate major expenses, or contribute it to charity.

The Board held a brief discussion on the tax rate.

23. Mr. Bob Warren, 104 Gullane Drive, stated concern about the increasing level of taxation by local, State, and Federal governments and requested the Board consider a tax cut.

24. Mr. Chris Henderson, 427 Dogleg Drive, stated support for the reduction of tax rates and cautioned against such reductions at the cost of future projects; stated concern about shopping and retail sales and their taxes, moving out of the County; and stated that the elimination of the Route 5 Transportation Improvement District responsibility from developers and landowners will result in their windfalls.

25. Ms. Judy Cowles, 117 Jackson Street, stated support for Project Legacy and stated that the existing support and tools are keys to its success, and requested the Board allow Bacon Street to continue expanding Project Legacy as a successful, productive program.

26. Mr. Ed Oyer, 139 Indian Circle, stated concerns about some of the figures mentioned in the proposed Budget including debt services, tax rates and fees, and requested the Board not fritter away the revenue surplus.

The Board and staff held a brief discussion regarding the increased payment towards debt service.

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

Mr. Wanner stated that following the budget work sessions, the Board will be presented with a Budget at its meeting on May 14, 2002, for adoption.

4. Lease Amendment – American Tower, L. P.

Mr. Thomas R. Pennington, Director of Information Resources Management, stated that due to the process of constructing the new office building at the Government Center adjacent to American Tower's leased site, an amendment to the Lease Agreement is necessary in order to accommodate the access, utility, and construction needs of each of the parties.

Mr. Pennington recommended the Board adopt the resolution authorizing the execution of an amendment to the Lease Agreement with American Tower, L. P.

The Board and staff held a brief discussion concerning the size, height, and type of tower expected to be constructed by American Tower, L. P. on the site.

Mr. Kennedy opened the public hearing, and as no one wished to speak, closed the public hearing.

Mr. Goodson made a motion to adopt the resolution.

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

RESOLUTION

LEASE AMENDMENT - AMERICAN TOWER, L. P.

WHEREAS, James City County owns a 60 ± acre site commonly known as the Government Center, 101 Mounts Bay Road, and designated as Parcel No. (1-9) on James City County Real Estate Tax Map No. (50-1) (the “Property”); and

WHEREAS, on February 27, 2001, the Board of Supervisors authorized the lease of 2,500 square feet of the Property (“Leased Site”) to American Tower, L.P.; and

WHEREAS, the County and American Tower, L.P. wish to amend the lease in order to coordinate construction of improvements and utilities of the Property and Leased Site; and

WHEREAS, after a public hearing, the Board of Supervisors is of the opinion that the County should amend the Lease Agreement to a portion of the Property on the terms and conditions contained in the First Amendment to Lease Agreement dated April 23, 2002.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is hereby authorized and directed to execute the First Amendment to Lease Agreement between James City County and American Tower, L.P. for a portion of the Property and such other memorandum, agreements, or other documents as may be necessary to effectuate the lease.

I. PUBLIC COMMENT – None

J. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner stated that following the completion of the Board’s agenda, the James City Service Authority will reconvene to finish its agenda; and recommended the Board of Supervisors recess to 7 p.m. on April 30, 2002, for a budget work session.

K. BOARD REQUESTS AND DIRECTIVES

Mr. McGlennon congratulated the Williamsburg Youth League for a successful season.

Mr. Kennedy requested the Board forward questions to staff regarding budgetary items prior to the budget work sessions.

L. ADJOURNMENT

At 10:05 p.m., Mr. Kennedy recessed the Board to 7 p.m. on April 30, 2002.

Sanford B. Wanner
Clerk to the Board

AT A BUDGET WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 8TH DAY OF MAY, 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. BOARD CONSIDERATIONS

1. Williamsburg Regional Library System Board

Mr. Kennedy welcomed the Williamsburg Regional Library Board of Trustees.

Mr. Michael Fox, Chair, Williamsburg Regional Library Board of Trustees, introduced members of the Board of Trustees.

Mr. Moorman, Director of Williamsburg Regional Library, stated that the proposed budget presented includes an eight percent funding cut from Commonwealth aid and that cut is being taken from the materials section of the budget and the localities are not being asked to make up that eight percent funding.

Mr. Goodson inquired what the library does with old computers.

Mr. Moorman stated that the computers are reconfigured to be used within the local libraries or regional libraries, as well as other regional institutions.

Mr. McGlennon inquired if efforts are being made to make up the eight percent cut from the materials budget.

Mr. Moorman stated that outside agencies are invited to make contributions; however, local governing agencies are not being solicited for additional funding to cover that cut.

Mr. Brown requested a quick overview of the impact of the eight percent cut in materials.

Mr. Moorman stated that adult and youth materials will not be purchased in as great a quantity or variety, and the waitlists for best-seller items may be longer.

Mr. McGlennon thanked the libraries for their efforts and for additional services provided to citizens.

2. FY 2003/FY 2004 Proposed Budget

Ms. Suzanne Mellen, Director of Budget and Accounting, provided the Board with an overview of the proposed operating budget.

The Board and staff discussed additional staffing needs and the proposed ordinance amendments to fee structures.

Mr. Kennedy requested a straw vote on the addition of an Assistant Fire Marshall.

On a straw vote, the vote was: AYE: Harrison, McGlennon, Kennedy (3). NAY: Goodson, Brown (2).

Mr. Kennedy requested a straw vote on bringing forward an Ordinance to changing the E-911 tax from land-line phones to cellular phones through the Consumer Utility Tax.

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

The Board requested the Ordinance be brought forward on June 11, 2002.

The Board discussed funding School Resource Officers at the two middle schools.

Mr. Kennedy requested a straw vote on the County funding one School Resource Officer and sharing costs with the School for another officer.

On a straw vote, the vote was: AYE: Kennedy, Harrison (2). NAY: McGlennon, Brown, Goodson (3).

Mr. Kennedy requested a straw vote on the addition of one full-time School Resource Officer.

On a straw vote, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy (4). NAY: Brown (1).

Without objection from the Board, Mr. Wanner recommended Mr. Anthony Conyers, Director of Community Services, provide the Board with a presentation on Case Managed Prevention Services to be followed by questions from the Board on the Budget.

Mr. Conyers provided the Board with a presentation on a model to be used on case managed prevention services through Community Services that would meet funding requirements, serve more youth, target at-risk youth, and increase coordination of these efforts.

Mr. Kennedy requested the Board take a break at 6:15 p.m.

Mr. Kennedy called the meeting back to order at 7 p.m.

Mr. Kennedy welcomed the Williamsburg-James City County School Board.

3. Proposed School Budget

Ms. Kay Ainsworth, School Board Chair, assisted by other School Board members, gave a summary of the School's Budget.

Discussion of the Williamsburg-James City County School Budget followed including discussion on the proposed Shared Services for Grounds Maintenance and School Resource Officers.

4. Case Managed Prevention Services

The Board and staff discussed Project Legacy costs, County funding, expansion of the participation level for the program's target population, and cooperative efforts needed to serve individuals in need of the program's services.

The Board requested staff develop a clear agreement with Bacon Street regarding Project Legacy and provide the Board with performance reports throughout the year.

5. Proposed FY 2003 Operating Budget and Capital Improvement Program

The Board and staff discussed impacts of additional park space on Parks and Recreation revenues, additional staffing, funding, and funding to outside agencies.

Mr. Kennedy requested a straw vote on fully funding a request for the Historic Triangle Senior Center.

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

The Board requested information on the feasibility of expanding the James City County Transit route to Lee Hall and to Upper County Park during the summer months; park facility renovations; software replacements at the libraries; school rehabilitation requests; the Capital Improvement Plan; and the Route 5 Transportation Improvement District tax rate.

Mr. Brown requested the staff increase marketing efforts for the distribution of the FYI newsletter rather than spending funds on a mass mailing of that newsletter to each household in the County.

Mr. McGlennon requested a straw vote on the reduction of the distribution cost of the FYI newsletter by \$21,000.

On a straw vote, the vote was: AYE: Brown, Goodson, Harrison, Kennedy (4). NAY: McGlennon (1).

6. Proposed FY 2003 James City Service Authority Operating Budget

Mr. Bob Smith, Assistant Manger, James City Service Authority, provided the Board with an overview of the James City Service Authority's proposed FY 2003/FY 2004 Budget.

A discussion followed by the Board and staff regarding the proposed operating budget and the impacts of increasing numbers of submeter customers.

Mr. Kennedy requested a resolution stating the Board's intent regarding a potential tax rate decrease, should revenues exceed forecast, be presented at Tuesday's meeting.

A brief discussion was held regarding the legal requirements for a public hearing prior to amending the tax rate.

C. ADJOURNMENT

At 9:45 p.m. Mr. Kennedy adjourned the Board until 6:45 p.m. on May 14, 2002.

Sanford B. Wanner
Clerk to the Board

050802bsbdwk.min

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 14TH DAY OF MAY, 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

Ms. Ashari Watson, a fourth grade student at Stonehouse Elementary School, led the Board and citizens in the Pledge of Allegiance.

D. PUBLIC COMMENT

1. Mr. Jim Icenhour, 101 Shinnecock, requested the Board consider cutting services along with any tax cut to prevent having taxes increased later.

2. Mr. Ed Oyer, 139 Indian Circle, requested that the County provide storm debris pick-up service after damaging storms, white goods pickup, inquired about an anti-loitering ordinance, and requested the new shell building be built with specifications to attract "clean" industries.

E. PRESENTATION

1. May is Bike Month

Mr. Kennedy presented Mr. Ned Cheely, Mr. Alan Turnbull, and Mrs. Mary Turnbull with a resolution declaring May as Bike Month in James City County and accepted a Certificate of Recognition for Bike Month signed by Governor Warner.

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. April 23, 2002, Work Session

b. April 30, 2002, Budget Work Session

2. Business Appreciation Week – May 12-18, 2002

RESOLUTION

BUSINESS APPRECIATION WEEK, MAY 12 - 18, 2002

WHEREAS, James City County is pleased to have a thriving base of business and industry to support the local economy; and

WHEREAS, these businesses provide essential employment opportunities, provide local tax revenues, and make other significant contributions in our community that promote both educational opportunities for our children and a variety of activities which increase the quality of life; and

WHEREAS, the increasing strength and diversity of this business base was a key factor that influenced Standard & Poor's and Moody's, two prominent investor services, to upgrade the County's bond rating in the past year.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby salutes our existing businesses, and by virtue of this resolution give notice to our citizens that we wish to recognize their importance.

BE IT FURTHER RESOLVED that the week of May 12-18, 2002, is declared Business Appreciation Week in James City County.

3. Award of Bid – Replacement Ambulance

RESOLUTION

AWARD OF BID - REPLACEMENT AMBULANCE

WHEREAS, funds are available in the FY 2002 Capital Improvement Program budget for purchase of a replacement ambulance; and

WHEREAS, bids for purchase of the ambulance were received on April 15, 2002, with Performance Speciality Vehicles, LLC, submitting a responsive bid of \$119,461.

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 Performance Speciality Vehicles, LLC, in the amount of \$119,461.

4. May is Bike Month

RESOLUTION

MAY IS BIKE MONTH

WHEREAS, bicycling is a safe, clean, and affordable mode of transportation used by thousands of citizens and residents of all ages each year; and

WHEREAS, bicycling provides a unique vantage point for tourists, sightseers, and citizens of James City County to visit parks, travel to needed destinations, and explore area attractions; and

WHEREAS, bicycling is an important part of urban and community planning and development, and it is important that children and adults bike cautiously and receive proper biking instruction; and

WHEREAS, it is fitting to recognize the usefulness and importance of bicycling as a mode of transportation and as a form of recreation, and it is important to take proper safety precautions when riding by wearing a protective helmet and being an alert rider.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby recognize May 2002 as Bike Month and calls this observance to the attention of its citizens.

G. PUBLIC HEARING

1. Case No. SUP-4-02. J. W. Crossing Shopping Center Expansion

Mr. David Anderson, Planner, stated that Mr. Vernon Geddy, III, has applied on behalf of C & N Dining, LLC to amend SUP-7-98 to increase the size of the permitted retail shopping center to 17,149 square feet and to eliminate the previously approved automobile service center and fast food restaurant as specially permitted uses on 2.79 acres zoned B-1, General Business, located at 5547 Richmond Road, further identified as Parcel Nos. (1-2A), (1-2C) and (1-2D) on the James City County Real Estate Tax Map No. (33-3).

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

The Planning Commission, at its meeting on April 1, 2002, voted 6-0 to recommend approval of the special use permit with conditions.

Staff recommended the Board approve the special use permit with conditions.

The Board and staff held a discussion regarding the impacts of this permit request on the previously issued special use permit and time limits on the special use permits.

Mr. Kennedy opened the public hearing.

1. Mr. Vernon Geddy, III, applicant, stated that the special use permit conditions are acceptable.

2. Mr. Peter Runkle, 4060 Franklin Street, Richmond, attorney representative for the Ewell Station Shopping Center owners, stated opposition to the proposal, expressed pending lawsuit against the applicant for violations of covenants, and concern that the applicant has not shared plans for the proposal with the owners.

The Board inquired if the covenants are legally enforceable.

Mr. Runkle stated that they are legally enforceable.

Mr. Kennedy closed the public hearing.

Mr. Goodson made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Harrison (4). NAY: (0). ABSTAIN: Kennedy (1).

RESOLUTION

J. W. CROSSING SHOPPING CENTER EXPANSION (SUP-4-02)

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, Mr. Vernon Geddy, III, has applied on behalf of the C&N Dining, LLC, to amend SUP-7-98 to expand the J. W. Crossing Shopping Center located on 2.79 acres at the corner of Olde Towne Road and Richmond Road; and

WHEREAS, the property is located on land zoned B-1, General Business, and can be further identified as Parcel Nos. (1-2A), (1-2C) and (1-2D) on James City County Real Estate Tax Map No. (33-3); and

WHEREAS, the Planning Commission, following its public hearing on April 1, 2002, recommended approval of the application.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-4-02 as described herein with the following conditions:

1. The applicant shall submit to the Environmental Director a drainage plan addressing the stormwater management facilities to be located on-site. The drainage plan shall be approved by the Environmental Director prior to preliminary site plan approval for any development on this parcel, and said approved facilities shall be installed in accordance with this plan.
2. Internal access to Ewell Station Shopping Center shall be limited to two internal access points. No additional entrance from Richmond Road or Olde Towne Road shall be permitted. Access locations shall be generally in accordance with the binding master plan, as approved by the Board of Supervisors, with such minor changes as the Development Review Committee determines does not change the basic concept or character of the development.

3. A minimum four-foot sidewalk, for which the design and location shall be approved by the Planning Director, shall be provided that connects the commercial/retail structures on this site.
4. The applicant shall reimburse the Virginia Department of Transportation for its actual cost in adjusting the signal timing as reflected in the traffic study "Traffic Analysis for Ewell Station Expansion at Richmond Road/Olde Towne Road," prepared by DRW Consultants, July 9, 1998. The applicant shall dedicate sufficient right-of-way along Olde Towne Road to accommodate a receiving lane for an additional westbound left-turn lane from Richmond Road, as recommended by the traffic study. The additional right-of-way shall be dedicated prior to final site plan approval.
5. The building elevations for any commercial/retail structure shall be approved by the Planning Director prior to final site plan approval. The intent of this condition is to ensure that the buildings on the site are compatible with the design, materials, and color of the Ewell Station shopping center building.
6. All dumpsters and heating and cooling units shall be screened by landscaping or fencing approved by the Planning Director prior to final site plan approval.
7. Free-standing signs shall be ground-mounted, monument style, and shall be approved by the Planning Director prior to final site plan approval.
8. The applicant shall be responsible for developing water conservation standards to be submitted and approved by the James City Service Authority and subsequently for enforcing these standards. These standards shall address such water conservation measures as high-efficiency fixtures and limitations on the installation and use of landscaping design and materials to promote water conservation and minimize the use of public resources. The James City Service Authority shall approve the standards prior to final site plan approval.
9. Construction on this project shall commence within 36 months from the date of approval of this special use permit or this special use permit shall be void. Construction shall be defined as the obtaining of permits for the construction of foundations and/or footings.
10. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

H. BOARD CONSIDERATIONS

1. Appropriation Resolution – FY2003 Budget

Ms. Suzanne Mellen, Director of Budget and Accounting, presented the FY2003 Budget for adoption.

Mr. Goodson made a motion to adopt the Budget.

The Board thanked staff for the efforts and dedication in developing the Budget.

Mr. Harrison requested the motion be amended to separate the outside agency funding from the Budget for a separate vote since he worked for the Community Action Agency (CAA) and would like to abstain from voting on this agency.

Mr. Goodson amended his motion.

Mr. Kennedy requested a roll call vote on the funding to Outside Agencies.

On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Kennedy (4). NAY: (0). ABSTAIN: Harrison (1).

Mr. Kennedy requested a roll call vote on the Appropriation Resolution.

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

RESOLUTION

RESOLUTION OF APPROPRIATION

WHEREAS, the County Administrator has prepared a two-year Proposed Budget for the fiscal years beginning July 1, 2002, and ending June 30, 2003, along with the fiscal year beginning July 1, 2003 and ending June 30, 2004 and a five-year Capital Improvements Program, for information and fiscal planning purposes only; and

WHEREAS, it is now necessary to appropriate funds to carry out the activities proposed therein for the fiscal year beginning July 1, 2002, and ending June 30, 2003, and to set tax rates on real estate, tangible personal property, and machinery and tools, to provide certain revenue in support of those appropriations; and

WHEREAS, the Board wishes to adopt the second year of the operating and capital budget, beginning July 1, 2003, and ending June 30, 2004.

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

1. The following amounts are hereby appropriated in the FY 2002-2003 General Fund for the offices and activities in the amounts as shown below:

GENERAL FUND REVENUES

	<u>FY 2003</u>
General Property Taxes	\$ 61,184,595
Other Local Taxes	15,183,323
Licenses, Permits and Fees	5,893,753
Fines and Forfeitures	205,000
Revenue from Use of Money and Property	1,700,000
Revenue from the Commonwealth	20,976,133
Revenue from the Federal Government	47,000
Charges for Current Services	2,974,210
Miscellaneous Revenues	<u>163,420</u>
TOTAL REVENUES	<u>\$108,327,434</u>

GENERAL FUND EXPENDITURES

FY 2003

Administrative	\$ 1,129,477
Elections	231,014
Human Resource	1,220,044
Financial Administration	3,124,581
Public Works	3,742,154
Information Resource Management	1,719,988
Development Management	3,618,711
Judicial	2,307,691
Public Safety	13,429,783
Community Services	5,071,807
Contributions - Other	1,855,946
Library and Arts Center	3,539,586
Mental Health	573,761
Public Health	523,338
Regional Jail	1,249,158
Nondepartmental	2,250,309
WJCC Schools	49,181,174
Contingency - School Grounds	326,221
Contribution - School Debt Service	9,032,000
Contribution - Capital Projects Fund	810,000
Contribution - County Debt Service	1,670,000
Contributions - Other Funds	<u>1,720,691</u>
TOTAL EXPENDITURES	<u>\$108,327,434</u>

The appropriation for education includes \$49,162,724 as a local contribution to the Williamsburg-James City County Schools operations.

2. That the tax rates be set for the amounts shown below and revenues appropriated in the following classifications:

TAX RATES

Real Estate on each \$100 assessed value	\$0.87
Tangible Personal Property on each \$100 assessed value	\$4.00
Machinery and tools on each \$100 assessed value	\$4.00
Transportation Improvement District Real Estate on each \$100 assessed value Budget	\$0.00

CAPITAL PROJECTS BUDGET

General Fund

Fund Balance	\$3,988,000
Contribution to Capital Projects Budget	\$3,988,000

Capital Projects Fund

Revenues and Other Fund Sources:

Estimated Prior Year General Fund Balance	\$3,988,000
Contribution - General Fund	810,000
State School Construction Funds	163,142
Proffers and Rollbacks	100,000
Capital Project Fund Balance	<u>728,765</u>
	<u>\$5,789,907</u>

Expenditures:

Community Development	\$1,273,750
Parks and Recreation	1,243,500
Community Services	1,195,550
Public Safety	1,710,800
Schools	1,166,307
Capital Contingency	<u>(800,000)</u>
	<u>\$5,789,907</u>

DEBT SERVICE BUDGET

General Fund

From Capital Reserve	\$193,812
Contribution to Debt Service	\$193,812

Debt Service Fund

Revenues:

From General Fund - Schools	\$ 7,985,000
From General Fund - Other	1,670,000
From Fund Balance - Capital Reserve	193,812
2-Cent Real Estate Tax Investment	<u>1,047,000</u>
Total Debt Service Fund Revenues	<u>\$10,895,812</u>
Current Year Expenditures	<u>\$10,895,812</u>
Debt Service Fund Disbursements	<u>\$10,895,812</u>

VIRGINIA PUBLIC ASSISTANCE FUND

Revenues:

From the Federal Government/Commonwealth	\$ 3,004,734
From the General Fund	1,200,746
Comprehensive Services Act	174,050
Revenue Maximization	188,352
Other	<u>282,968</u>

Total Virginia Public Assistance Fund Revenues	<u>\$ 4,850,850</u>
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Expenditures:

Administration and Assistance	\$ 4,716,933
Revenue Maximization	<u>133,917</u>

Total Virginia Public Assistance Fund Expenditures	<u>\$ 4,850,850</u>
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COMMUNITY DEVELOPMENT FUND

Revenues:

General Fund	\$ 522,741
Grants	1,491,584
Generated Program Income	75,000
Fund Balance	<u>462,126</u>

Total Community Development Fund Revenues & Fund Balance	<u>\$ 2,551,451</u>
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Expenditures:

Administration and Programs	<u>\$ 2,551,451</u>
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Total Community Development Fund Expenditures	<u>\$ 2,551,451</u>
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3. The County Administrator be authorized to transfer funds and personnel from time to time within and between the offices and activities delineated in this Resolution as he may deem in the best interest of the County in order to carry out the work of the County as approved by the Board of Supervisors during the coming fiscal year.
4. The County Administrator be authorized to administer the County's Personnel Policy and Pay Plan as previously adopted by the Board of Supervisors. There will be a salary increase based on either the employee's salary or the midpoint of the pay range with variable increases based on performance and funded at an average of 3.5 percent, granted to employees in FY 2003.
5. The County Administrator be authorized to transfer funds to and from the Personnel Contingency account and divisional personnel line items in order to capture turnover savings at a divisional level.

- 6. All outstanding encumbrances in all County funds at June 30, 2002, shall be an amendment to the FY 2003 budget, and appropriated to the FY 2003 budget to the same department and account for which they were encumbered in the previous year.
- 7. The County Administrator be authorized to make expenditures from the Donation Trust Fund for the specified reasons for which the fund was established. In no case shall the expenditure exceed the available balance in the fund as verified by the Treasurer.
- 8. The Board of Supervisors of James City County, Virginia, hereby adopts the following budgets for the purposes of future financial and operational planning:

FY 2004

General Fund	\$ 114,831,730
Capital Budget	3,302,000
Debt Service	10,483,958
Public Assistance	4,946,282
Community Development	2,310,325

Mr. Kennedy presented a resolution of intent for the Board’s consideration regarding the FY2003 Real Property Tax Rate for possible reduction if additional revenues above what was estimated comes in.

Board discussion followed regarding the public hearing in September, impacts of the reduction on the overall budget, and the necessity of the intent resolution for staff direction in drafting the tax rate advertisement for the public hearing in September on the increase in taxes due to reassessment.

Mr. Brown made a motion to adopt the Resolution of Intent – FY2003 Real Property Tax Rate.

On a roll call vote, the vote was: AYE: Brown, Goodson, Harrison, Kennedy (4). NAY: McGlennon (1).

RESOLUTION OF INTENT

FY 2003 REAL PROPERTY TAX RATE

WHEREAS, the Board of Supervisors has adopted a budget for FY 2003 that includes a real property tax rate of \$0.87 per \$100 of assessed property; and

WHEREAS, that tax rate is based on an expected taxable landbook value, at July 1, 2002, of \$5,376,214,700 and that total may be higher when the actual landbook is produced; and

WHEREAS, a residual sum of \$114,385, the net result of work session changes to the County Administrator’s proposed budget, may also be used in funding a reduction in the tax rate; and

WHEREAS, at the completion of the landbook, a public hearing shall be held on the tax rate in accordance with Section 58.1-3321 of the State Code, and the preliminary date of that public hearing is September 10, 2002.

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

hereby states that it intends to revisit the FY 2003 real property tax rate when the July 1, 2002, landbook is produced and intends to reduce the tax rate if incremental additional revenues are expected.

2. Case No. SO-1-02. Subdivision Amendment (deferred from April 23, 2002)

Mr. Larry Foster, General Manager of the James City Service Authority, presented an Ordinance to amend and reordain Chapter 19, Subdivisions, of the Code of the County of James City, Virginia, by amending Article I, General Provisions, Section 19-15, Fees.

Mr. Foster stated that a public hearing on the amendment was held on April 23, 2002, and recommended adoption of the ordinance increasing the inspection fee for water and sewer lines from \$0.62 to \$1.43 per foot for every foot of sewer main or water main constructed.

Mr. McGlennon made a motion to adopt the Ordinance.

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

3. a & b. Ordinance Amendments – Chapter 4, Building Regulations, and Chapter 9, Fire Protection, Fire Department Fees

Chief Richard Miller, Fire, presented an Ordinance to amend and reordain Chapter 4, Building Regulations, of the Code of the County of James City, Virginia, by amending Article I, General Provisions, Section 4-8, Generally; and to amend and reordain Chapter 9, Fire Protection, of the Code of the County of James City, Virginia, by amending Section 9-3, Amendments.

Chief Miller stated that a public hearing on the amendments were held on April 23, 2002, and recommended adoption of the ordinances to establish Fire Department New Construction fees and routine fire inspections and a fee schedule.

The Board and staff held a discussion regarding the concern of which party would be responsible for the fees where leasing and renting tenants are involved, amount of other fees and taxes business owners are required to pay and if those fees and/or taxes could be allocated to cover this expense, and authorization and policing policy for fire inspections.

Mr. Goodson made a motion to adopt the Ordinance Amendment for Chapter 4-8 of the Code of the County of James City to apply the new construction inspection fees.

The Board held a discussion on recouping costs for services rendered for new construction.

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

Mr. McGlennon made a motion to adopt the Ordinance Amendment for Chapter 9-3 of the Code of the County of James City.

The Board held a discussion on the proposed routine fire inspections and fee schedule.

On a roll call vote, the vote was: AYE: McGlennon (1). NAY: Brown, Goodson, Harrison, Kennedy (4).

4. FY 2003 Strategic Management Plan

Mr. Wanner presented the FY2003 Strategic Management Plan for adoption.

Mr. Goodson made a motion to adopt the Plan.

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

RESOLUTION

FY 2003 STRATEGIC MANAGEMENT PLAN

WHEREAS, the County's Strategic Management Plan sets forth the mission, vision, values, goals, objectives, targets, and measure; and

WHEREAS, the FY 2003 Strategic Management Plan has been reviewed to assure that it reflects our priorities and is consistent with resources in the FY 2003 Budget; and

WHEREAS, the Strategic Management Plan is an essential tool for identifying, communicating, and tracking the critical areas we need to address to meet the needs of our citizens.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, adopts the FY 2003 Strategic Management Plan.

I. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, stated concern that the Resolution of Intent was not discussed with each member of the Board.

Mr. Wanner stated that the resolution was briefly discussed at the end of the Budget Work Session on May 8, 2002.

Mr. McGlennon and Mr. Brown stated that they were aware of the resolution, but were not provided details of its contents prior to the Board agenda.

J. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner requested questions and comments from the Board regarding the Master Greenways Plan, specifically the information on crime statistics regarding trails, and stated that staff anticipated presenting the final plan to the Board for adoption in the summer.

Mr. Wanner recommended the Board recess briefly for a JCSA Board of Director's meeting, then reconvene to go into closed session pursuant to Section 2.2-3711 (A) (3) of the Code of Virginia to consider the disposition of a parcel of property following which the Board recess until 4 p.m. on May 28, 2002.

K. BOARD REQUESTS AND DIRECTIVES

Mr. Harrison congratulated Mr. Wanner on receiving the Julian F. Hirst Award for Outstanding Service from the American Society for Public Administration (ASPA), Hampton Roads Chapter.

Mr. Kennedy recessed the Board for a brief break at 8:22 p.m.

Mr. Kennedy reconvened the Board at 8:37 p.m.

L. CLOSED SESSION

Mr. Harrison made a motion to go into closed session pursuant to Section 2.2-3711 (A) (3) of the Code of Virginia to consider the disposition of a parcel of property.

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 8:38 p.m.

At 8:51 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)(3) to consider the disposition of a parcel of property.

M. ADJOURNMENT

Mr. Kennedy requested a motion to adjourn until 4:00 p.m. on May 28, 2002.

Mr. McGlennon made a motion to adjourn.

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

Mr. Kennedy adjourned the Board at 8:52 p.m.

Sanford B. Wanner
Clerk to the Board

051402bs.min

MEMORANDUM

DATE: May 28, 2002
TO: The Board of Supervisors
FROM: Darryl E. Cook, Environmental Director
SUBJECT: Dam Agreement for School House Lane

Attached is a resolution authorizing the execution of a Dam Agreement between the County and the Virginia Department of Transportation for a Williamsburg/James City County Schools maintained dam on School House Lane, the entrance to the Stonehouse Elementary School. The Agreement is a necessary legal component of the dedication of School House Lane to the Department.

Staff recommends the Board adopt the attached resolution.

Darryl E. Cook

CONCUR:

John T. P. Horne

DEC/adw
schoollane.mem

Attachments

RESOLUTION

DAM AGREEMENT FOR SCHOOL HOUSE LANE

WHEREAS, an Agreement is required to address the legal requirements of the Virginia Department of Transportation to accept the maintenance responsibility for a roadway over a Williamsburg/James City County Schools maintained dam on School House Lane, the entrance to Stonehouse Elementary School; and

WHEREAS, the attached two-party Agreement meets the Virginia Department of Transportation requirements and protects the interest of the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the attached Agreement for School House Lane is approved and the Chairman is authorized to execute the Agreement on behalf of the County.

James 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 28th day of May, 2002.

schoollane.res

MEMORANDUM

DATE: May 28, 2002
TO: The Board of Supervisors
FROM: Richard M. Miller, Fire Chief
SUBJECT: Budget Amendment - Central Dispatch

The Virginia Wireless Board has authorized James City County to receive a distribution of Wireless Funds in the amount of \$202,658 for the purchase and installation of equipment in the Dispatch Center to receive mapping information on wireless 911 calls. The attached resolution authorizes the appropriation of the reimbursement to the Central Dispatch FY 2002 Budget.

Staff recommends approval of the attached resolution.

Richard M. Miller

RM/adw
wireless.mem

Attachment

RESOLUTION

BUDGET AMENDMENT - CENTRAL DISPATCH

WHEREAS, the Board of Supervisors of James City County has been requested to approve the distribution of Virginia Wireless Board funds to James City County Central Dispatch for the purchase of equipment related to wireless 911 telephone equipment.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby amends the FY 02 Operating Budget as follows:

Revenues:

Virginia Wireless Board	<u>\$202,658</u>
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Expenditures:

Central Dispatch	<u>\$202,658</u>
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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 28th day of May, 2002.

wireless.res

MEMORANDUM

DATE: May 28, 2002
TO: The Board of Supervisors
FROM: Richard M. Miller, Fire Chief
SUBJECT: Award of Wireless 911 Mapping Software Contract

The Virginia Wireless Board has provided James City County \$202,658 for purchase of wireless 911 telephone equipment and mapping software. Verizon was approved by the Virginia Wireless Board as providing the best software solution to match James City County's equipment and dispatching needs. James City County Purchasing approved the sole source procurement in the amount of \$145,783.22. The remaining funds in the grant from the Wireless Board will be used to purchase supporting equipment and materials to provide Wireless 911 Phase II service.

A resolution is attached authorizing the County Administrator to execute a contract between James City County and Verizon for Wireless 911 mapping software.

Staff recommends approval of the attached resolution.

Richard M. Miller

RMM/gs
wirelesscontract.mem

Attachment

RESOLUTION

AWARD OF WIRELESS 911 MAPPING SOFTWARE CONTRACT

WHEREAS, funds are available in the Central Dispatch budget for purchase of wireless 911 equipment and software; and

WHEREAS, the Virginia Wireless Board has approved Verizon as providing the best solution to match James City County's equipment and dispatching needs and will provide the Wireless Board funding for its purchase.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the County Administrator to execute a sole source purchase order between James City County and Verizon in the amount of \$145,783.22.

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 28th day of May, 2002.

wirelesscontract.res

MEMORANDUM

DATE: May 28, 2002
TO: The Board of Supervisors
FROM: Needham S. Cheely, III, Director of Parks and Recreation
SUBJECT: Chesapeake Bay Gateways Network Grant

The National Park Service Chesapeake Bay Program Office has awarded James City County's Division of Parks and Recreation a \$26,100 Chesapeake Bay Gateways Network Grant.

BACKGROUND

The purpose of the 50/50 matching grant is to assist with the cost of site improvements and interpretive materials for the Powhatan Creek Park and Blueway. The site was accepted into the Gateways Network Program in January due to the significance that the creek and watershed have to the Chesapeake Bay. The grant work will include surfacing the walkway to the creek, installing a boat launch area, construction of observation platforms with interpretive signage, new park signage, and the publication of a blueway map. Funds awarded will be matched with monies from the Greenways and Trails account for the project that has an estimated cost of \$53,000.

When the project is complete, the County will be reimbursed \$26,100 from the Chesapeake Bay Gateways Network.

RECOMMENDATION

Staff recommends approval of the attached resolution to accept the Chesapeake Bay Gateways \$26,100 grant for the Powhatan Creek Park and Blueway and to appropriate the funds as described above.

Needham S. Cheely, III

CONCUR:

Anthony Conyers, Jr.

NSC/gs
gatewaygrant.mem

Attachment

RESOLUTION

CHESAPEAKE BAY GATEWAYS NETWORK GRANT

WHEREAS, the Chesapeake Bay Gateways Network, in cooperation with the National Park Service Chesapeake Bay Program Office, has made 50/50 matching funds available for the development of gateway sites; and;

WHEREAS, funds are needed to make site improvements to include surfacing the walkway, installing a boat ramp, constructing observation decks with interpretive signage, and the publication of a blueway map of James City County's Powhatan Creek Park.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, accepts the \$26,100 grant awarded by the Chesapeake Bay Gateways Network as funded by the National Park Service to help with the improvements at the Powhatan Creek Park.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation to the Capital Projects Fund.

Revenues:

From the Commonwealth	<u>\$26,100</u>
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Expenditures:

Greenways and Trails Account (013-022-0800)	<u>\$26,100</u>
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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 28th day of May, 2002.

M E M O R A N D U M

DATE: May 28, 2002

TO: The Board of Supervisors

FROM: O. Marvin Sowers, Jr., Planning Director

SUBJECT: Support for Modifications to Portion of Centerville Road Through Green Spring Colonial National Historical Park

The National Park Service (NPS) has formally stated an intention to develop and open its Green Spring Plantation site to the public as a component of the Colonial National Historical Park. The Board conducted a work session on this matter on September 26, 2001, and received a copy of NPS's Park Master Plan prior to its work session. The Master Plan includes two "build" alternatives. One of those alternatives recommends closing the portion of Centerville Road that bisects the Green Spring property. While NPS and the Friends of the National Park Service for Green Spring, Inc., previously requested County action that would allow closure of the road, they have decided to proceed with developing the park with the road open at this time. Once the park is open, it is their intention to again request that the County take the actions necessary to close this portion of Centerville Road.

Since the Board's September 26, 2001, work session, considerable public discussion and evaluation has occurred on the proposed closure of Centerville Road: a public meeting hosted by NPS and the Planning Division was held on November 14, 2001, at Blair Middle School; the Planning Commission conducted a well-attended public hearing on March 4, 2002; and staff prepared an extensive report on the closing which the Board received previously. Staff and Commission members have also discussed the matter further with NPS and "Friends" representatives' since the March 4 Commission public hearing. The decision to develop the Park with Centerville remaining open was an outgrowth of these discussions and meetings. At its May 6, 2002, meeting, the Planning Commission adopted a resolution acknowledging this decision.

Requested Board Action

At this time, given the current status of the above matters there is no longer a need for the Board to further consider closing a portion of Centerville Road. However, NPS and the "Friends" have verbally requested that the County support efforts to make Centerville Road more conducive to park development and activities. It is their belief that the current design and operating characteristics of Centerville Road will detract from the historical character and ambiance of the planned park. The Planning Commission concurred, and on May 6, 2002, adopted the attached resolution. The Commission's resolution requests that the Virginia Department of Transportation (VDOT) undertake several measures to make the road more "park friendly." Staff concurs with the conclusions of the Planning Commission and has prepared a similar resolution for adoption by the Board. Should the Board approve this resolution, staff will initiate discussions with VDOT and NPS regarding the feasibility of these modifications and possible methods of financing. Before committing to any County obligations, including use of any Secondary Road funds, staff will return to the Board for approval. Also, staff does not believe that the attached resolution will obligate the County to fund any of the suggested improvements.

Recommendation

Staff recommends that the Board of Supervisors adopt the attached resolution requesting VDOT to undertake certain design and operational modifications to Centerville Road.

Support for Modifications to Portion of Centerville Road Through Green Spring Colonial National Historical
Park

May 28, 2002

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O. Marvin Sowers, Jr.

CONCUR:

John T. P. Horne

OMS/JTPH/gb
CentervilleRd.mem

Attachments:

1. Planning Commission Resolution adopted May 6, 2002
2. Board Resolution

RESOLUTION

SUPPORT FOR MODIFICATIONS TO PORTION OF CENTERVILLE ROAD THROUGH

GREEN SPRING COLONIAL NATIONAL HISTORICAL PARK

WHEREAS, the National Park Service intends to develop the Green Spring Colonial National Historical Park ("The "Park") in order to open it for public visitation; and

WHEREAS, the design and operating characteristics of the portion of Centerville Road which bisects the Green Spring Colonial National Historical Park will detract from the historic character and ambiance of the Park; and

WHEREAS, the James City County Board of Supervisors supports the opening of the Green Spring Colonial National Historical Park for public visitation; and

WHEREAS, the cooperation of the Virginia Department of Transportation is essential to transform Centerville Road between Route 5 and Monticello Avenue into a road more conducive to park development and activities.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests the Virginia Department of Transportation to undertake the following:

- # Significantly reduce the speed limit and designate a "no passing zone" on the entire Park roadway, and implement other traffic calming techniques as appropriate; and
- # Increase the fine for speeding on the Park roadway, and an increased Virginia State Police presence to enforce the new regulations; and
- # Resurface the Park roadway so as to have a more "parkway" appearance; and
- # Undertake a traffic safety study that addresses the alignment of the intersection of Centerville Road and Greensprings Road, installation of left-turn lanes on Route 5 at said intersection, and a reduction of the speed limit on Route 5 as far west as Patriots Colony.

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 28th day of May, 2002.

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